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Joseph Spaeder and
Harvey Feit



**Co-management and Indigenous Communities: Barriers and Bridges to
Decentralized Resource Management / Cogestion et collectivités autochtones :
entraves et rapprochements dans la gestion décentralisée des ressources**

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Guest Editors / Rédacteurs Invités : Joseph Spaeder and Harvey Feit

Co-management and Indigenous Communities: Barriers and Bridges to Decentralized Resource Management—Introduction <i>Joseph J. Spaeder and Harvey A. Feit</i>	147
Cogestion et collectivités autochtones : entraves et rapprochements dans la gestion décentralisée des ressources – introduction <i>Joseph J. Spaeder et Harvey A. Feit</i>	155
Co-management in a Landscape of Resistance: The Political Ecology of Wildlife Management in Western Alaska <i>Joseph J. Spaeder</i>	165
Caribou Hunters and Researchers at the Co-management Interface: Emergent Dilemmas and the Dynamics of Legitimacy in Power Sharing <i>Gary P. Kofinas</i>	179
Co-management—An Attainable Partnership? Two Cases From James Bay, Northern Quebec and Torres Strait, Northern Queensland <i>M.E. Mulrennan and C.H. Scott</i>	197
The Anti-politics of TEK: The Institutionalization of Co-management Discourse and Practice <i>Paul Nadasdy</i>	215
The Position of Indigenous Knowledge in Canadian Co-management Organizations <i>Stella Spak</i>	233
Empowered Co-management: Towards Power-Sharing and Indigenous Rights in Clayoquot Sound, BC <i>Tara C. Goetze</i>	247
Re-cognizing Co-management as Co-governance: Visions and Histories of Conservation at James Bay <i>Harvey A. Feit</i>	267

Article

Social and Economic Barriers to Subsistence Harvesting in a Northern Alberta Aboriginal Community <i>Mark Nelson, David C. Natcher and Clifford G. Hickey</i>	289
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Art and Museum Review/ Compte rendu d'exposition

Expomédiatour : une initiative franco-ontarienne de muséologie communautaire

Marie-Ève Plante 303

Book Reviews/ Compte rendus

La mort de l'argent. Essai d'anthropologie naïve, par Denis Blondin

Manon Boulianne 305

Social Change and Continuity in a Village in Northern Anhui, China: A Response to Revolution and Reform, by Han Min

Laurel Bossen 306

Boire avec esprit. Bière de mil et société dogon, par Éric Jolly

Jean-Claude Muller 308

Dance of the Dialectic: Steps in Marx's Method, by Bertell Ollman

Christopher Krupa 310

New Jersey Dreaming: Capital, Culture, and the Class of '58, by Sherry B. Ortner

Thomas Dunk 311

Guardians of the Land in Kelimado: Louis Fontijne's Study of a Colonial District in Eastern Indonesia, edited by Gregory Forth

Sheri Gibbings 312

Diary of the Mission of the Immaculate Conception, Volume I, 1848-49, CD-ROM, Northwestern Lake Superior Jesuit Diary Project.

Ed Hedican 314

Note to Contributors/ Note à l'intention des auteurs 318

Cover / couverture

Photo on the left: Emily Saganash preparing a beaver while her granddaughter watches and learns at their hunting camp near Waswanipi in the James Bay region of northern Quebec. She will cook the beaver, which can provide about 7 kgs. of meat for the family, and sell the fur pelt commercially to supplement her cash income. (Photo credit: Harvey Feit)

Photo on the right: Walter Lui of Erub (Darnley Island, Torres Strait) cutting a green turtle. Green turtles, a protected species in Australia, are abundant in Torres Strait, with allowance for indigenous subsistence harvesting under the terms of the Torres Strait Treaty (1975) between Australia and Papua New Guinea. (Photo credit: collection of Monica Mulrennan and Colin Scott)

Co-management and Indigenous Communities: Barriers and Bridges to Decentralized Resource Management—Introduction

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Harvey A. Feit *McMaster University*

Analyzing Co-management

In recent decades, there has been a profusion of new decentralized institutions for resource management. They have developed as a result of the efforts made by state managers and local resource users to address an array of crises, conflicts and dilemmas surrounding common property resources. Through processes that are variously described as “co-management” or “co-operative management” or “community-based management” managers at the state level and users at the local level have together created scores of new decentralized common property institutions. As joint ventures, these institutions combine different aspects of both state-level and community-level approaches to governance.

Accompanying this growth in common property institutions are efforts to analyze them and, as a consequence, the literature on co-management is also growing. Analyses of co-management are becoming quite diverse as a variety of approaches have been adopted, and a complex mix of differing and sometimes conflicting research findings is emerging. This special theme issue of *Anthropologica* seeks to explore this diversity and to highlight a set of themes and questions related to co-management. It also seeks to highlight research on relationships between indigenous communities and nation states. The authors in this issue adopt a variety of analytical approaches, some more than one, and collectively the papers address issues raised by political ecology, forms of control deployed by modern nation states, critical approaches to issues of empowerment and Indigenous visions of relations to the state. The findings that these papers present do not fit neatly together, nor do they implicitly fit within any one of the theoretical frameworks being used, but they do pose basic questions and tackle issues of wide import that are emerging from this rapidly developing area of research. In the process they also challenge some earlier approaches and assumptions.

The earlier literature on the effects of decentralized resource management was sharply polarized. Discussions of the efficacy of decentralized management were replete with discourses of enchantment or disenchantment with the possibilities of co-management (*Sensu* Agrawal and Gibson 1999). These discourses were more prevalent than analyses of the development of co-management schemes, particularly with reference to North America.¹ However, while this trend existed it must be pointed out that much of the earlier critical discourse that attempted to evaluate these regimes was hampered by the fact that most of the institutions were either too new to possess a track record, or there was a lack of sufficient base-line data to allow effective analyses of their performance. These absences account for the formulaic positions taken in some of the literature. An aim of this special issue on co-management is to persuasively shift the debates about co-management regimes in North America beyond such polarizations toward a more complex and systematic study of precisely how environmental factors, political regimes, cultural traditions and power generate and shape these multi-scalar practices and institutions for the governance of lands and peoples.

A second problematic trend has been that analytic attention has tended to focus narrowly on the formal agreements that simply outline the structure of co-management systems. This trend has had the effect of limiting the analysis of these regimes to their political and legal frameworks. In turn this has imposed limitations on an understanding of the ways in which co-management regimes arise and are shaped by local histories of conflict, contested property rights and national/global political-economic strategies. Further a focus on policy and legal documentation has inhibited analyses of both the uses and the effects of co-management regimes, while also ignoring the sometimes unintended and unanticipated ways in which they can work. The result of this trend combined with the first is that large analytical gaps have been left in much of the literature on North American co-management regimes. The recent literature on African and Asian cases has started to correct these gaps, but there are relatively few such studies to date from North America (but see endnote 1). A further objective in this thematic issue is to explore ways to remedy this lacuna.

We therefore sought papers for this collection which situated joint management institutions within the context of local and national histories, competing claims to wild lands and wildlife, local repertoires of resistance, or issues of control and governance. These regimes all developed within the contexts of the liberal and neo-liberal democratic forms of government that have characterized North America in the past few decades. The co-manage-

ment practices that are analyzed in these papers range from formal regimes established through extended land claims negotiations by Indigenous Peoples with the nation state, to systems of government regulations that were in some cases arrived at *ad hoc*, to systems that had their origins in local stake-holders' political action.

Co-management is an interdisciplinary field of scholarship and co-management researchers use concepts and methods drawn from a range of scholarly and applied disciplines. This is reflected in the papers included in this issue, and authors draw on analytical frameworks in anthropology, conservation ecology, environmental studies, geography, law, political and policy science, history and resource management. For example, Feit uses ethnohistory, resource management, analyses of bureaucratic practices and, with others, post-Foucauldian analyses of the state; Goetze uses conflict management, confidence-building theory and the international legal recognition of Indigenous rights, among other frameworks. Furthermore, co-management research has been closely tied to applied research so its style, and also its strength, is often its grounded focus and policy relevance. For example, one of the editors (Spaeder) holds a doctorate in the interdisciplinary field of human ecology (Spaeder 2000) and has been engaged since graduate school in applied research in wildlife and fisheries co-management, traditional ecological knowledge and ethnogeography, drawing on analytic frameworks from wildlife ecology, common property resource management, institutional analysis and political ecology. Along with a number of other researchers in these closely related fields (Goetze 2005; Pinkerton and Weinstein 1995; Poffenberger 1996; Usher 1995) he combines applied work with scholarly publication. Our interest as editors has been to invite authors to develop analyses that engage the literature and engage central debates within anthropology, but that also draw from the diverse interdisciplinary traditions of co-management.

Co-management: A Brief Context

In recent decades, the control of common property resources by centralized governmental structures has generated much conflict. Many local communities with well-developed local systems of land tenure, ecological knowledge and resource use have witnessed the loss of both land and management rights as centralized governments have asserted control over previously ignored hinterland areas.² For example, in some cases the establishment of parks and protected areas has occasioned both the displacement of local communities and their loss of access to key resources (Brockington 2002; Homewood and Rodgers 1991; Stevens, 1997; West and Brechin 1991;

Western 1994). In other cases, the imposition of non-local control over previously locally-managed wildlife, fisheries, forests, wild lands and grazing lands, means that access and harvest by local communities, when allowed, are now subject to policies and regulations established by remote state institutions. This is illustrated in papers written for this volume by Spaeder, Mulrennan and Scott, Kofinas and Feit.³ As a result of these encapsulating forces, few communities remain beyond the reach of state structures for resource control and are still able to govern local resources by means of self-organizing, autonomous communal institutions (*sensu* Ostrom 1990).

Through organized opposition and informal resistance, as Spaeder and Feit show in this volume, local communities have frequently challenged what they view as coercive and ineffective state structures and policies for managing resources. Colburn (1989), Taylor (1995) and Scott (1985) have provided earlier examples of these ways of challenging authority and power. In some cases intense local opposition has effectively limited or dismantled state-level resource management efforts as Dove (1986), Guha (1990) and Peluso (1993) demonstrate. As a result of colliding local and state-level forces, social conflict has prevailed in contexts where neither state structures nor local institutions could provide effective or equitable or legitimate management of common property resource (Erllich and Magdanz 1994; Peluso and Watts 2001).

In efforts to either mitigate these conflicts, or work around them and provide for sustainable resource management, a plethora of new co-management regimes has evolved over the past decade and a half in contexts where neither strictly local resource control nor state resource control is possible or effective. In practice, different kinds of co-management exist from informal consultation to full and equal sharing of authority (see Berkes et al. 1991 for one such classification). Viewed collectively, these closely related social experiments in decentralized participatory management constitute a fundamental redesign of conventional institutions linking resource managers and resource-dependent local communities. In East Africa and Latin America this approach is termed community-based conservation or integrated conservation and development.⁴ It has been prominent in joint forest management regimes in South East Asia,⁵ and in the co-management of national parks in Australia.⁶

Co-management of natural resources has been championed by both state managers and local communities, although often for very different reasons. As Mulrennan and Scott, Nadasdy, Kofinas and Feit show in this volume, for state-level resource managers these institutions are claimed to provide a means of reducing or managing con-

flict; they supply mediating structures for cross-cultural communication and knowledge dissemination or collection and they increase compliance with provisions for conservation and management. In some cases governments seek to co-opt local institutions of governance and control, and in many cases co-management has involved the expansion of state institutions into new regions.⁷ Like development, as Ferguson (1990) and Escobar (1995) claim, co-management may be a means of extending the capacity of a nation state to govern lands and peoples and of extending the institutions and means by which lands and peoples become subjects of governance.

Local communities have also often readily embraced this approach for their own reasons, as an effective alternative to some forms of coercive state-level management, and as a vehicle for maintaining or increasing local control over resource decisions which affect their lives and which involve the state. In some cases, co-management has informally institutionalized local rights and local management practices without the protracted political struggles necessary to alter the legal foundations of state control. Goetze's and Spaeder's contributions each underscore these dynamics for the communities in which they did their research. In other cases calls for joint management or local rights have served as a basis of resistance and for strengthening local organization (see Spaeder's and Feit's papers in this volume).

Uses of co-management have thus ranged from serving as a means of enlisting uncontrolled social groups and movements in the conservation of resources, while simultaneously and covertly co-opting them into compliance with nation state regimes, to being a means of empowerment of disenfranchised rights claimants, to serving as a vehicle for continuing socio-political struggles. We see this in the work of Pinkerton (1993), Pinkerton and Weinstein (1995), Usher (1995) and Hoekema (1995), as well as Goetze (1998) and Agrawal and Gibson (2001).

Thus in contrast to the "classical" frameworks for analyzing co-management, which focussed on whether it has contributed to the successful management of resources, and whether non-governmental participants have been satisfied with the role they play in decision-making, researchers have increasingly been attending to political and historical contexts, unequal struggles and effects of co-management.

Organizing Themes

The contributors to this special issue were invited to address one or more of a group of organizing themes drawn from this recent literature. Together the papers direct analytic attention to the ways in which these joint

management regimes succeed or fail to mediate conflict, institutionalize local proprietary rights and alter power relations between local communities and governmental management institutions.

Several of the papers focus on the theme of local resource use patterns, land tenure arrangements and the social relations of land users. Where earlier analyses addressed the linkages between local resource users, often indigenous people, and the land and wildlife resources upon which they depend (Agrawal and Gibson 2001; Neumann 1998; Peluso 1992; Pinkerton 1989; Stonich 1993), Spaeder, Mulrennan and Scott, and Feit also analyze in their papers the importance of the social relations of property and the structure of formal and informal claims to land and management rights.

A second thematic focus is the political-economic and ecological dimensions of environmental resource use at different scales of analysis from the village, to regional, national and transnational arenas. The analyses of Goetze, Kofinas, Mulrennan and Scott, Nadasdy and Spaeder in this volume each address the linkages between local resource use patterns, cultures and micro-politics and the larger institutions, ideas and forces that significantly shape the contexts of those patterns. Their analyses complement the work done by Peters (1987), Peluso (1992), Gibson (1999) and Paulson and Gezon (2005).

Another thematic focus is on the cultural practices and meanings of nature and natural resources. Authors such as Hecht and Cockburn (1990), Moore (1993) as well as Fairhead and Leach (1998), have explored the processes by which the cultural construction of natural resources figures prominently in land use and in the degradation or sustenance of environments.⁸ This focus leads to questions about the ways that divergent groups of social actors at different "scales" or "locations" value and socially construe resources, how these divergent perceptions contribute to resource conflicts and whether and how they enter into the practices of co-management regimes. These issues are addressed by Spak and Spaeder in this volume.

We also invited papers which offer historical analyses of the development of co-management institutions involving resource-dependent communities. Authors consider local histories as more than just resistance to national and global processes, and they provide a fuller account of local socio-environmental histories and processes as well as their potential effects, if any, on wider arenas. This is illustrated in the article by Feit.

We think these four organizing themes help to move the analysis of co-management toward a more critical study of the diversity of nation state-local relationships in North America by integrating studies of environmental co-

management with analyses of tenure and rights, governance, history, meaning and power.

Previewing the Issue(s)

Joseph Spaeder's paper on "Co-management in a Landscape of Resistance" opens this collection by providing an account of how two different co-management arrangements developed "from below," through the proactive agency of Yup'ik Eskimo hunters in Western Alaska. He shows how these initiatives developed in the context of emerging conflicts over the formalization of state land tenure which was at odds with Yup'ik tenure traditions, and how the Yup'ik moved from everyday resistance to multi-level political action in order to achieve their goals. He therefore begins with an overview of the recent history of the state legal resource regimes they challenged and used. In the course of his analyses he reveals the role of conflicts over both rights and knowledge and the significance of Yup'ik understandings of animals as social, autonomous and sometimes powerful persons for the ways that Yup'ik strategies of resistance, negotiation and co-management developed. His conclusions reveal how these new co-management arrangements were a means to renegotiation of relationships and to changing configurations of power between Yup'ik and state institutions.

Gary Kofinas's paper, "Caribou Hunters and Researchers at the Co-management Interface," analyzes a crisis that arose in the early phases of the implementation of a co-management board in the northern Yukon Territory. Kofinas provides an ethnographic description of how the intersecting conflicts between caribou researchers and Gwich'in caribou hunters on the one hand, and between both these groups and oil resource development agencies on the other, created a series of conflicting loyalties and choices for each that changed the relationships of scientists and hunters. He shows how a co-management institution was strengthened as a result of these processes and how the state was not monolithic. But Kofinas provocatively notes that the boundaries of indigenous and state authority became less defined in the processes, and he asks whether these developments may still lead to the co-option of communities and their embrace of instrumental and institutional rationality.

As in the case described by Spaeder, an important part of what happened was shaped both by local political initiatives, some initially outside the co-management institutions, and by the wider historical and political contexts.

Monica Mulrennan and Colin Scott explore two experiences with co-management regimes, one established for several decades in northern Quebec and the other more recent in the Torres Strait in northern Australia in their

paper, "Co-management—An Attainable Partnership?" In the James Bay instance they provide a detailed account of how a negotiated co-management regime, agreed to in the context of Indigenous litigation against the state, has been consistently subverted by governments whenever it conflicts with powerful industries and lobbies for resource interests or with the interests of the state bureaucracy itself. In Torres Strait, where co-management is less developed, they find similar limitations on effectiveness, except when Indigenous peoples mobilize politically or take direct action. They see the states' insistence on a jurisdictional monopoly as leading to systematic patterns of coercion in state-Indigenous relationships and ask whether effective co-management depends on the capacity of Indigenous actors to continually challenge central government plans or block them in other arenas. Their view presents a sobering account of two co-management regimes that have been established or expanded through struggles but then have been subverted as they are formalized and implemented over the longer term, except where challenges to the state continue.

Mulrennan and Scott's findings suggest, among other things, that the strategies of resistance and negotiation that, according to Spaeder and Kofinas, were necessary to create and transform locally initiated co-management arrangements and thereby change the terrains of Indigenous-state relationships, are also essential for the effectiveness of co-management regimes in ongoing practice. In the many cases where there are not the enduring circumstances, capacity or commitment to sustain long-term struggles, then state and other resource interests may systematically subordinate Indigenous involvements.

Paul Nadasdy shifts the focus from the problems of creating and practicing co-management regimes to a critical examination of what co-management does and what its often unforeseen and unintended effects are. His paper on "The Anti-Politics of TEK: The Institutionalization of Co-management Discourse and Practice," explores how a limited-term co-management project developed between the Yukon territorial government and the Klane First Nation. He argues that when empowerment occurs it is often of a specific form, tied to participation in projects of modernity and modern state institutions, and to rules of the bureaucratic "game." It thus limits the questioning of existing structures of resource management and may change how First Nations think about land and animals.

At this point an interesting, but implicit, dialogue emerges between the first four papers, because there are elements that would be strongly supportive of Nadasdy's meta-critique of co-management in Spaeder's, Kofinas's

and in Mulrennan and Scott's papers, especially with respect to the unspoken benefits for the state administration. But the earlier papers, as well as Goetze's and Feit's papers which follow, only partially concur with Nadasdy's suggestions about co-management being a means to limiting Indigenous critiques of state practices and his claim that it limits the Indigenous discourse and agency that occurs outside the domain of co-management institutions. Readers are invited to consider the issues.

Stella Spak's paper "The Position of Indigenous Knowledge in Canadian Co-management Organizations," analyzes the claims of two Indigenous-government wildlife management boards that they prioritize the role of Indigenous Knowledge (IK) in their operations. She shows considerable differences in the practices and structures of the two boards with respect to Dene Knowledge (IK), one board paying mere lip-service to the idea, and the other actively researching, inviting and using IK. In the former case she describes how this unresponsiveness is established in the face of Dene inputs. But her conclusion is that in both cases IK, whether barely used or actively sought, is put to the service of state scientific and bureaucratic management practices that remain unmodified.

She thus concludes, like Nadasdy, that both co-management boards' operations do not lead to any challenges or re-examinations of state practices of control, that they extend state ideas and practices into local communities and that they can lead to the perception on the part of Indigenous Peoples that their knowledge has a subordinate role *vis-a-vis* science and bureaucratic expertise.

Tara Goetze's paper shifts our focus further south to the Pacific coast of Vancouver Island in British Columbia, where a massive transnational protest movement against the cutting of iconic temperate coastal rain forests, and a long history of Indigenous political organizing and struggle, created conditions for the negotiation of a co-management agreement involving substantive power sharing among governments, Nuu-Chah-Nulth and local citizens. In her paper "Empowered Co-management: Towards Power Sharing and Indigenous Rights in Clayoquot Sound, B.C." Goetze documents how Nuu-Chah-Nulth see their active leadership in negotiation and implementation of this agreement as affirming some of their visions for advancing their Indigenous rights claims, positively altering systemic relations between themselves and governments, and creating new confidence among participants in joint decision-making processes. Nonetheless, their experience is quite far from what they aspire to achieving. In the process she offers insights into Nuu-Chah-Nulth accounts of how they seek to engage with the state, the kinds of relationships and sovereignty they

envisage and why they consider that co-management has brought them closer to achieving these goals.

Goetze's analysis of Nuu-Chah-Nulth experience contrasts with the accomplishments of co-management discussed in the three papers that immediately precede it in this volume, inasmuch as she analyzes a co-management regime that has made a political difference, aiding local and Indigenous power-sharing with the state. The context however suggests that Mulrennan and Scott's emphasis on sustained political mobilization is critical. These juxtapositions raise questions about what conditions would make similar agreements to those developed at Clayoquot Sound possible or whether they depend on rare circumstances. Also, how critical were the well developed Nuu-Chah-Nulth negotiating and relational visions and strategies to the outcomes, and what do they bode for ongoing political struggles with the state elsewhere?

Harvey Feit's paper "Re-cognizing Co-Management as Co-Governance: Histories and Visions of Conservation at James Bay," focusses on co-management practices created by a joint Cree-government beaver reserve system begun in the 1930s and on the relationships of those emerging co-management institutions to Cree tenure and leadership practices and ideas which have long been discussed in anthropology as "Algonquian hunting territories." Some of these Cree hunting territory practices were incorporated into the beaver reserve operations to make the reserves workable, and the hunting territories were partly altered by the development of the beaver reserves. But the hunting territories remained distinct from the beaver reserves, and they are still in use long after the abandonment of the beaver reserves. This analysis nevertheless suggests, as several of the other papers, that the process of developing co-management regimes was a process of expanding the authority, legitimacy and capacity of the state to govern northern Quebec.

But Feit's paper also shows, as many Cree hunters claim today, that co-management was also a process in which government agents and institutions repeatedly and explicitly recognized the capacity, authority and legitimacy of Cree governance, rights and practices. This was so even though those recognitions were often surrounded by ambiguities and contradictions, because they conflicted with ideas of the exclusivity of state sovereignty. So the analysis here indicates that co-management may not only empower the state, it may simultaneously, and without creating equality, enhance and recognize the independent legitimacy of parallel local practices of conservation and governance.

We invite readers to both consider questions about the uses, effects and histories of co-management, as well as

how they shed light on the general issues arising from relationships of local polities to nation state practices, institutions and ideas.

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Notes

- 1 Among the notable exceptions are: Pinkerton (1989); Berkes et al. (1991); Usher (1995); Hoekema (1995); and Igoe (2004).
- 2 See for example: McCay and Acheson (1987); Freeman and Carbyn (1988); Berkes (1989); Bromley (1992); Ostrom, et al. (2002); Nadasdy (2003), Roué (2003); and Rodon, (2003).
- 3 Others who have written on this topic include: Dove (1986); Feit (1988); Jentoft et al. (2003); and Blaser et al. (2004).
- 4 See for example: Redford and Padoch (1992); Murombedzi (1991); Western (1994); Gibson (1999); and Igoe (2004).
- 5 See the work of: Poffenberger (1990); Poffenberger and McGean (1996); and Greenough and Tsing (2003).
- 6 See: Weaver (1991) and Hill and Press (1994).
- 7 See: Peluso (1993) and Neumann (1998).
- 8 See also: Fairhead and Leach (1996); Neumann (1998); and Anderson and Berglund (2003).

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Cogestion et collectivités autochtones : entraves et rapprochements dans la gestion décentralisée des ressources – introduction

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Analyses de la cogestion

Depuis quelques décennies, nous observons une profusion de nouvelles institutions décentralisées pour la gestion des ressources. Celles-ci se sont développées en raison des efforts déployés par des administrateurs de l'État et des usagers locaux de ressources pour répondre à un ensemble de crises, de conflits et de dilemmes relatifs aux ressources de propriété commune. Par le biais de processus appelés alternativement « cogestion », « gestion coopérative » ou « gestion communautaire », les administrateurs de l'État et les usagers locaux ont créé ensemble une multitude de nouvelles institutions décentralisées de propriété commune. En tant qu'entreprises conjointes, ces institutions conjuguent différents aspects des modes de gouvernance en vigueur aux niveaux des collectivités locales et de l'État.

Cette prolifération d'institutions de propriété commune s'accompagne de tentatives d'analyse de ces institutions, aussi la littérature sur la cogestion est-elle en pleine expansion. Les analyses portant sur la cogestion se diversifient alors que sont adoptées des approches analytiques variées et qu'émerge un amalgame complexe de résultats de recherche divergents et parfois contradictoires. Ce numéro spécial d'*Anthropologica* tente d'explorer cette diversité et de soulever un ensemble de thèmes et de questions ayant trait à la cogestion. Il cherche également à mettre en relief la recherche en cours sur les rapports entre les collectivités autochtones et les États-nations. Les auteurs de ce numéro adoptent des approches analytiques variées (certains d'entre eux plus d'une à la fois) et les articles se penchent collectivement sur les questions soulevées par l'écologie politique, les formes de contrôle déployées par les États-nations modernes, les approches critiques des questions relatives à l'habilitation (« empowerment »), et les visions autochtones des rapports qu'ils entretiennent avec l'État. Les résultats présentés dans ces articles ne se correspondent

pas, et ne cadrent pas implicitement avec l'une ou l'autre des approches théoriques employées. Néanmoins, ils posent des questions essentielles et se penchent sur des enjeux d'importance émergeant de ce domaine de recherche en pleine expansion. Ce faisant, ils remettent également en cause quelques-unes des approches et pré-suppositions moins récentes.

La littérature antérieure portant sur les effets de la gestion décentralisée des ressources était nettement partagée. Les discussions sur l'efficacité de la gestion décentralisée étaient truffées de discours d'enchantement et de désenchantement face aux potentialités de la cogestion (*Sensu* Agrawal et Gibson 1999). De tels discours prévalaient sur les analyses du développement des régimes de cogestion, particulièrement dans les études portant sur l'Amérique du Nord¹. Toutefois, s'il y avait bel et bien là un courant, il faut souligner que la plupart des discours critiques antérieurs visant à évaluer ces régimes étaient entravés soit par le fait que la plupart des institutions étaient trop jeunes pour présenter un historique, soit par l'insuffisance des données de base permettant l'analyse efficace de la performance de ces institutions. D'où les positions stéréotypées rencontrées dans une partie de la littérature. L'un des objectifs de ce numéro spécial sur la cogestion est de déplacer de façon persuasive les débats sur les régimes de cogestion en Amérique du Nord au-delà de ces oppositions et vers une étude plus complexe et systématique de comment les facteurs environnementaux, les régimes politiques, les traditions culturelles et le pouvoir génèrent et façonnent ces pratiques et institutions à échelles multiples pour la gouvernance des territoires et des peuples.

Un second courant s'est avéré également problématique dans la mesure où l'attention analytique a trop souvent porté étroitement sur les accords formels, qui décrivent simplement la structure des systèmes de cogestion. Cette tendance a eu pour effet de cantonner l'analyse de ces régimes à leurs configurations légales et politiques, et donc de limiter la compréhension des diverses façons dont les régimes de cogestion sont générés et modélisés par des histoires locales de conflits, des droits de propriété contestés, et des stratégies politico-économiques nationales et mondiales. Par ailleurs, l'accent mis sur la documentation légale et politique a freiné l'analyse des usages et des effets des régimes de cogestion, ainsi que l'observation des modes de fonctionnement de ces régimes, lesquels s'avèrent parfois non désirés et non anticipés. La conjonction de ces deux courants a fait en sorte que d'importantes lacunes analytiques subsistent dans une bonne partie de la littérature sur les régimes de cogestion en Amérique du Nord. La littérature récente sur les cas africains et asiatiques a commencé à remédier à ce problème, or peu

d'études de ce genre ont été réalisées en Amérique du Nord jusqu'à ce jour (cf. toutefois la note de fin #1). Un autre des objectifs de ce numéro thématique est d'explorer des avenues pour combler ces lacunes.

Ainsi, pour cette parution, nous avons recherché des articles qui réinscrivent les institutions de cogestion au cœur des histoires locales et nationales, des revendications concurrentes pour la faune et pour les terres en friche, des répertoires locaux de résistance, ainsi que des enjeux du contrôle et de la gouvernance. Ces régimes se sont tous développés dans le contexte des formes de gouvernement démocratiques, libérales et néo-libérales qui caractérisent l'Amérique du Nord depuis quelques décennies. Les pratiques de cogestion analysées dans ces articles s'échelonnent des régimes formels, mis en place suite à d'amples négociations entre les peuples autochtones et l'État-nation autour des revendications de territoire, jusqu'à des systèmes parfois ad hoc de réglementation gouvernementale, en passant par des systèmes ayant pour origine l'action politique des intervenants locaux.

La cogestion est un champ de recherche interdisciplinaire, et les chercheurs en cogestion emploient des concepts et des méthodes tirés d'une vaste gamme de disciplines académiques et de sciences appliquées. Ceci se reflète dans les articles de cette parution, où les auteurs adoptent des cadres d'analyse provenant de l'anthropologie, de l'écologie de la conservation, des études environnementales, de la géographie, du droit, des sciences politiques, de l'histoire et de la gestion de ressources. Feit, par exemple, puise dans l'ethnohistoire, la gestion de ressources, les analyses des pratiques bureaucratiques et, comme plusieurs autres auteurs, dans les analyses post-foucauldienne de l'État. Goetze adopte, entre autres modèles analytiques, la gestion de conflit, la «confidence building theory» et la reconnaissance légale internationale des droits des peuples autochtones. Par ailleurs, la recherche en cogestion est étroitement liée à la recherche appliquée, et donc son style, ainsi que sa force, découlent le plus souvent de l'accent qu'elle met sur son application et de sa pertinence au niveau des politiques. Ainsi, l'un des éditeurs de ce numéro (Spaeder) détient un doctorat dans le champ interdisciplinaire de l'écologie humaine (Spaeder 2000) et travaille, depuis l'obtention de son diplôme, dans le domaine de la recherche appliquée en cogestion de la faune et des pêches, en connaissances écologiques traditionnelles et en ethnogéographie. Il emploie dans son travail des cadres d'analyse provenant de l'écologie de la faune, la gestion des ressources de propriété commune, l'analyse institutionnelle et l'écologie politique. À l'instar de plusieurs autres chercheurs dans ces domaines étroitement reliés (Goetze 2005; Pinkerton et Weinstein 1995;

Poffenberger 1996; Usher 1995), il concilie la recherche appliquée et la publication de textes académiques. En tant qu'éditeurs, nous souhaitons inviter des auteurs à développer des analyses qui stimulent la production académique et les débats fondamentaux en anthropologie, mais qui puisent également dans les diverses traditions interdisciplinaires de la cogestion.

La cogestion : le contexte en bref

Au cours des dernières décennies, le contrôle des ressources de propriété commune par des structures gouvernementales centralisées a généré quantité de conflits. Plusieurs collectivités locales bénéficiant de systèmes locaux bien développés de régime foncier, de connaissances écologiques et d'utilisation des ressources, se sont vues perdre leurs droits sur les terres et sur la gestion des ressources, à mesure que les gouvernements centralisés ont pris le contrôle de zones de l'hinterland ignorées jusqu'alors². Ainsi, des collectivités locales ont été déplacées et ont perdu l'accès à des ressources clés, suite à la mise sur pied de parcs et d'aires protégées (Brockington 2002; Homewood et Rodgers 1991; Stevens 1997; West et Brechin 1991; Western 1994). Dans d'autres cas, des contrôles externes ont été imposés sur la faune, les pêches, les forêts, les terres en friche et les pâturages, lesquels étaient auparavant gérés localement. Par conséquent, l'accès aux ressources et la récolte par les collectivités locales, lorsque autorisés, sont maintenant soumis à des politiques et à des règlements élaborés par des institutions gouvernementales éloignées. Ceci est illustré dans les articles écrits pour cette parution par Spaeder, Mulrennan et Scott, Kofinas et Feit³. Ces forces d'encerclement ont fait en sorte que peu de collectivités demeurent hors de portée des structures gouvernementales pour le contrôle des ressources, et donc capables d'administrer les ressources locales par le biais d'institutions communautaires autonomes et auto-organisées (dans le sens employé par Ostrom, 1990).

Tel que le démontrent Spaeder et Feit dans ce numéro, les collectivités locales ont fréquemment défié, par le biais d'une résistance organisée ou informelle, ce qui leur semblait être des politiques et des structures gouvernementales de gestion de ressources à la fois coercitives et inefficaces. Colburn (1989), Taylor (1995) et Scott (1985) ont fourni des exemples moins récents de ces façons de défier l'autorité et le pouvoir. Dans certains cas, une résistance locale intense a effectivement limité ou démantelé des tentatives de programmes de gestion des ressources par l'État, comme en témoignent Dove (1986), Guha (1990) et Peluso (1993). En raison de forces antagonistes aux niveaux des collectivités locales et de l'État,

le conflit social a prévalu dans des contextes où ni les structures gouvernementales ni les institutions locales ne pouvaient assurer la gestion efficace, équitable ou légitime des ressources de propriété commune (Erlich et Magdanz 1994; Peluso et Watts 2001).

Dans le but soit de mitiger ces conflits, soit de les contourner et d'assurer une gestion de ressources durable, une pléthore de nouveaux régimes de cogestion a évolué depuis une quinzaine d'années, dans des contextes où ni le contrôle strictement local des ressources ni le contrôle de celles-ci par l'État ne s'avère possible ou efficace. Dans les faits, il existe différents types de cogestion, s'échelonnant de la consultation informelle jusqu'au partage égal et complet de l'autorité (cf. notamment la classification de Berkes et al. 1991). Ces expérimentations sociales, étroitement reliées, en gestion participative décentralisée constituent collectivement une reconfiguration fondamentale des institutions conventionnelles liant les gestionnaires de ressources aux collectivités locales qui dépendent de celles-ci. En Afrique de l'Est et en Amérique latine, cette approche est appelée «conservation communautaire» ou «conservation et développement intégrés»⁴. Elle a été prépondérante dans des régimes de cogestion des forêts en Asie du Sud-Est⁵, et dans la cogestion des parcs nationaux en Australie⁶.

La cogestion des ressources naturelles a été préconisée à la fois par les administrateurs de l'État et par les collectivités locales, bien que souvent pour des raisons fort différentes. Comme le démontrent dans ce numéro Mulrennan et Scott, Nadasdy, Kofinas et Feit, les gestionnaires de ressources au niveau de l'État affirment que ces institutions servent d'outil pour la réduction et la gestion du conflit : elles fournissent des structures de médiation pour la communication interculturelle ainsi que pour la dissémination ou la collecte des connaissances, et favorisent l'acquiescement aux mesures de conservation et de gestion. Dans certains cas, les gouvernements cherchent à neutraliser les institutions locales de gouvernance et de contrôle, et dans bien d'autres, la cogestion implique l'expansion des institutions de l'État dans de nouvelles régions⁷. À l'instar du développement, tel que l'affirment Ferguson (1990) et Escobar (1995), la cogestion peut favoriser la capacité de l'État-nation à gouverner les territoires et les peuples, et le déploiement des institutions et des moyens à travers lesquels ceux-ci deviennent les sujets de la gouvernance.

De même, les collectivités locales ont favorablement adopté cette approche pour leurs propres raisons : elle constitue une alternative efficace à certaines formes coercitives de gestion par l'État, ainsi qu'un outil permettant de préserver et d'accroître le contrôle local sur des déci-

sions en rapport aux ressources qui affectent leurs vies et impliquent l'État. Dans certains cas, la cogestion a informellement institutionnalisé les droits et les pratiques de gestion des collectivités locales, sans que celles-ci n'aient à engager de luttes politiques prolongées pour altérer les fondations légales du contrôle par l'État. Les contributions de Goetze et de Spaeder insistent toutes deux sur ces dynamiques en cours dans les collectivités où ils ont effectué leurs recherches. Dans d'autres cas, les revendications pour la gestion conjointe ou pour les droits des collectivités locales ont servi de base à la résistance et ont permis de renforcer l'organisation au niveau local (cf. les articles de Spaeder et de Feit dans ce numéro).

La cogestion a donc servi à enrôler des groupes et des mouvements sociaux rebelles dans le processus de conservation des ressources (tout en les neutralisant et en les poussant subrepticement à acquiescer aux régimes des États-nations), à habiliter les populations non représentées qui revendiquent leurs droits, et à favoriser la perpétuation des luttes sociopolitiques. C'est ce que nous permettent d'observer les travaux de Pinkerton (1993), Pinkerton et Weinstein (1995), Usher (1995) et Hoekema (1995), ainsi que ceux de Goetze (1998) et Agrawal et Gibson (2001).

Ainsi, contrairement aux cadres d'analyses «classiques» de la cogestion, qui tentaient de déterminer si celle-ci avait contribué au succès de la gestion des ressources et si les participants non gouvernementaux étaient satisfaits du rôle qu'ils étaient appelés à jouer dans les prises de décision, les chercheurs dirigent de plus en plus l'attention sur les contextes politiques et historiques, les luttes inégales et les effets de la cogestion.

Thèmes organisateurs

Les contributeurs à ce numéro spécial ont été invités à aborder un ou plusieurs groupes de thèmes issus de la littérature récente. Collectivement, ces articles portent l'attention analytique sur les façons dont ces régimes de cogestion parviennent ou non à arbitrer les conflits, à institutionnaliser les droits de propriété des collectivités locales, et à modifier les relations de pouvoir entre les collectivités locales et les institutions de gestion gouvernementales.

Plusieurs de ces articles mettent l'accent sur le thème des schémas locaux d'utilisation des ressources, des ententes portant sur les régimes fonciers et des relations sociales des usagers des ressources. Alors que les analyses antérieures traitaient des liens entre les usagers locaux de ressources, souvent des peuples autochtones, et les ressources terrestres et fauniques dont ils dépendent (Agrawal et Gibson 2001; Neumann 1998; Peluso 1992; Pinker-

ton 1989; Stonich 1993), Spaeder, Feit et Mulrennan et Scott analysent aussi dans leurs articles l'importance des relations sociales de propriété et la structure des revendications formelles et informelles pour les droits sur les terres et la gestion des ressources.

Un deuxième thème porte sur les dimensions politico-économiques et écologiques de l'utilisation des ressources environnementales à différentes échelles d'analyse, soit aux niveaux du village, de la région, de la nation et des relations transnationales. Les analyses de Goetze, Kofinas, Mulrennan et Scott, Nadasdy et Spaeder dans ce volume traitent des liens existant entre les schémas locaux d'utilisation de ressources, les cultures et la micropolitique, ainsi que des institutions, idées et forces plus larges qui influencent de façon significative le contexte de ces schémas. Leurs analyses apportent un complément au travail effectué par Peters (1987), Peluso (1992), Gibson (1999), ainsi que Paulson et Gezon (2005).

Un autre thème concerne les pratiques culturelles et les significations accordées à la nature et aux ressources naturelles. Des auteurs tels que Hecht et Cockburn (1990), Moore (1993), et Fairhead et Leach (1998) ont exploré les processus à travers lesquels la construction culturelle des ressources naturelles figure de façon prépondérante dans l'utilisation des terres et dans la dégradation ou l'entretien des différents environnements⁸. Ce thème soulève les questions suivantes : Comment les groupes d'acteurs sociaux divergents, à différentes «échelles» et dans différentes «positions», perçoivent-ils et définissent-ils socialement les ressources? Comment ces perceptions divergentes contribuent-elles à des conflits autour des ressources? Les acteurs prennent-ils part aux pratiques des régimes de cogestion, et si oui, de quelles façons? Ces questions sont abordées par Spak et Spaeder dans ce numéro.

Nous avons également invité les auteurs à soumettre des articles qui offrent des analyses historiques du développement des institutions de cogestion impliquant des collectivités dépendantes des ressources. Les auteurs conçoivent les histoires locales comme étant plus que de simples histoires de résistance aux processus nationaux et mondiaux, et fournissent un exposé plus riche des histoires et des processus socio-environnementaux locaux et de leurs effets potentiels, s'il y en a, sur des domaines plus larges. Ceci est illustré par l'article de Feit.

Nous croyons que ces quatre thèmes organisateurs aident à déplacer l'analyse de la cogestion vers une étude plus critique de la diversité des relations entre l'État-nation et les collectivités locales en Amérique du Nord, en intégrant les études de la cogestion environnementale aux analyses des régimes fonciers, des droits, de la gouvernance, de l'histoire, de la signification et du pouvoir.

Un aperçu des questions

L'article de Joseph Spaeder, «Co-management in a Landscape of Resistance», ouvre cette parution avec une description de comment deux différentes ententes de cogestion se sont développées à partir de la base, grâce au rôle proactif des chasseurs Eskimos Yup'ik de l'Alaska occidental. Il montre comment ces initiatives ont été mises sur pied dans le cadre de conflits émergents autour de la formalisation des régimes fonciers de l'État allant à l'encontre des régimes traditionnels Yup'ik, et comment les Yup'ik sont passés de la résistance quotidienne à une action politique à multiples niveaux afin d'atteindre leurs objectifs. Ainsi, il commence par un survol de l'histoire récente des régimes légaux de ressources, mis sur pied par l'État, que les Yup'ik ont défiés et utilisés. Tout au long de ses analyses, il souligne l'importance des conflits autour des droits et des connaissances, ainsi que celle des conceptions Yup'ik des animaux en tant qu'individus sociaux, autonomes et parfois puissants, pour comprendre la façon dont les stratégies Yup'ik de résistance, de négociation et de cogestion se sont développées. Ses conclusions révèlent comment ces nouvelles ententes de cogestion ont favorisé la renégociation des rapports et la transformation des configurations du pouvoir entre les Yup'ik et les institutions gouvernementales.

L'article de Gary Kofinas, «Caribou Hunters and Researchers at the Co-Management Interface», analyse une crise qui a surgi au cours des premières phases d'implantation d'un conseil de cogestion dans le nord du Territoire du Yukon. Kofinas fournit une ethnographie de comment les conflits entre les experts en caribou et les chasseurs de caribou Gwich'in d'une part, et entre ces deux groupes et les agences de développement des ressources pétrolières d'autre part, se sont entrecroisés pour créer une série de conflits de loyauté et d'options divergentes qui ont transformé les rapports entre les scientifiques et les chasseurs. Il montre comment une institution de cogestion a été renforcée en raison de ces processus, et comment l'État s'est révélé ne pas être monolithique. Toutefois, Kofinas note de façon provocante que les frontières entre l'autorité autochtone et celle de l'État sont devenues plus floues en cours de route, et se demande si ces développements peuvent encore mener les collectivités à se laisser neutraliser et à adopter une rationalité instrumentale et institutionnelle.

Tout comme dans le cas étudié par Spaeder, une part importante de ce qui s'est produit a été influencée à la fois par des initiatives politiques locales, dont quelques-unes ont été prises hors des institutions de cogestion, et par les contextes historiques et politiques plus larges.

Monica Mulrennan et Colin Scott explorent, dans leur article «Co-management—An Attainable Partnership?», deux expériences de régimes de cogestion, l'un en place depuis plusieurs décennies dans le nord du Québec et l'autre mis sur pied plus récemment dans le détroit de Torres au nord de l'Australie. Dans l'exemple portant sur la Baie James, ils fournissent un compte rendu détaillé expliquant comment un régime de cogestion négocié et approuvé dans le contexte de litiges autochtones contre l'État est systématiquement subverti par les gouvernements, et ce, à chaque fois qu'il entre en conflit avec les industries et les groupes d'intérêts puissants, ou avec les intérêts de la bureaucratie d'État elle-même. Dans le détroit de Torres, où la cogestion est moins bien développée, ils ont observé des contraintes similaires sur l'efficacité, hormis lorsque les peuples autochtones se mobilisent politiquement ou entreprennent une action directe. Ils soutiennent que l'insistance des États pour s'assurer le monopole de l'autorité mène à des schémas de coercition systématique dans les rapports entre l'État et les autochtones, et se demandent si l'efficacité de la cogestion dépend de la capacité des acteurs autochtones à remettre continuellement en cause les desseins du gouvernement central ou à les freiner dans d'autres domaines. Ces auteurs présentent un sombre tableau de deux régimes de cogestion qui ont été mis sur pied ou déployés au travers de luttes, mais qui ont par la suite été subvertis alors même qu'ils étaient formalisés et établis pour une longue durée, exception faite des cas où les collectivités locales ont continué à défier l'État.

Les résultats de recherche de Mulrennan et Scott suggèrent, entre autres choses, que les stratégies de résistance et de négociation qui, selon Spaeder et Kofinas, sont nécessaires pour créer et transformer les ententes de cogestion initiées localement, et modifier le champ des relations entre les autochtones et l'État, sont également essentielles pour rendre les régimes de cogestion plus efficaces dans une pratique continue. Dans les nombreux cas où font défaut les conditions durables, la capacité ou l'engagement à poursuivre des luttes de longue haleine, l'État et les autres groupes d'intérêts tendent systématiquement à contrôler la participation des autochtones.

Paul Nadasdy déplace l'attention portant sur les problèmes de la création et de la pratique des régimes de cogestion vers un examen critique de ce que fait la cogestion, de ses effets souvent imprévus et non désirés. Son article «The Anti-Politics of TEK : The Institutionalization of Co-Management Discourse and Practice» explore comment un projet de cogestion de durée limitée s'est développé entre le gouvernement territorial du Yukon et la Première nation Kluane. Il soutient que l'habilitation a lieu

le plus souvent sous une forme spécifique, liée à la participation aux projets de la modernité et aux institutions modernes de l'État, et ce, selon les règles du « jeu » bureaucratique. Ceci freine par conséquent la remise en cause des structures de gestion de ressources en vigueur et risque de transformer la façon dont les autochtones conçoivent la terre et les animaux.

C'est ici qu'un dialogue intéressant mais implicite prend forme entre les quatre premiers articles, car certains éléments des articles de Spaeder, Kofinas, et Mulrennan et Scott semblent appuyer fortement la métacritique de la cogestion effectuée par Nadasdy, particulièrement en ce qui a trait aux bénéfices inavoués pour l'administration d'État. Néanmoins, les articles moins récents, ainsi que ceux de Goetze et Feit qui suivent dans ce numéro, ne concordent qu'en partie avec Nadasdy lorsqu'il suggère que la cogestion permet de limiter les critiques autochtones des pratiques de l'État et affirme qu'elle restreint le discours et l'action autochtones hors du domaine des institutions de cogestion. Les lecteurs sont invités à réfléchir sur ces questions.

L'article de Stella Spak «The position of Indigenous Knowledge in Canadian Co-management Organizations» analyse les allégations de deux conseils conjoints de gestion de la faune entre autochtones et gouvernements qui affirment donner priorité aux connaissances autochtones (CA) dans leurs opérations. Elle révèle de considérables différences entre les pratiques et structures des deux conseils en ce qui a trait aux connaissances Dene (CA), un conseil feignant d'adhérer à l'idée et l'autre étudiant, sollicitant, et utilisant activement les CA. Dans le premier cas, elle décrit comment ce manque de réceptivité s'établit en dépit des apports Dene. Elle conclut néanmoins que les connaissances autochtones, soient-elles à peine utilisées ou activement sollicitées, sont mises dans les deux cas au service de pratiques scientifiques et bureaucratiques de gestion d'État qui demeurent inchangées.

Ainsi conclut-elle, à l'instar de Nadasdy, que le fonctionnement des deux conseils de cogestion ne mène à aucune remise en cause ou réexamen des pratiques de contrôle de l'État, qu'elles favorisent le déploiement des idées et pratiques de l'État au sein des collectivités locales, et qu'elles peuvent mener les peuples autochtones à percevoir leurs connaissances comme ayant un rôle inférieur par rapport à l'expertise scientifique et bureaucratique.

L'article de Tara Goetze déplace notre attention plus au sud vers la côte Pacifique de l'île de Vancouver en Colombie-Britannique, où un vaste mouvement transnational de contestation contre la coupe des forêts pluviales tempérées de la côte (devenues iconiques) ainsi qu'une longue histoire d'organisation politique et de luttes autoch-

tones, ont créé les conditions pour la négociation d'une entente de cogestion impliquant un partage du pouvoir substantiel entre les gouvernements, les Nuu-chah-nulth et les citoyens locaux. Dans son article «Empowered Co-management : Towards Power Sharing and Indigenous Rights in Clayoquot Sound, B.C.», Goetze documente comment les Nuu-chah-nulth considèrent que leur leadership actif dans la négociation et l'instauration de cette entente affirme certaines de leurs visions pour l'avancement des revendications des droits autochtones, altère de façon positive leurs rapports systémiques avec les gouvernements, et engendre une nouvelle confiance parmi les participants aux processus de prise de décisions conjointes. Néanmoins, elle note que les expériences des Nuu-chah-nulth sont encore fort éloignées de ce à quoi ils aspirent. Tout au long de son analyse, Goetze offre un aperçu des récits Nuu-chah-nulth décrivant la façon dont ils tentent d'entrer en relation avec l'État, le type de rapports et de souveraineté qu'ils envisagent, et pourquoi ils pensent que la cogestion leur a permis de s'approcher de ces objectifs.

Goetze fait une analyse de l'expérience des Nuu-chah-nulth qui contraste avec les résultats de la cogestion discutés dans les trois articles précédents de ce numéro, dans la mesure où elle se concentre sur un régime de cogestion qui a eu un impact au niveau politique en favorisant le partage du pouvoir entre l'État et les collectivités locales et autochtones. Le contexte suggère toutefois que l'insistance de Mulrennan et Scott sur la mobilisation politique soutenue est essentielle. Ces juxtapositions soulèvent quelques questions : Peut-on déterminer les conditions qui favoriseraient la mise sur pied d'ententes similaires à celles développées à Clayoquot Sound, ou alors ces ententes dépendent-elles de circonstances exceptionnelles? Dans quelle mesure les visions et les stratégies complexes des Nuu-chah-nulth pour entrer en relation et négocier avec l'État ont-elles déterminé les effets de cette entente de cogestion, et qu'augurent ceux-ci pour les luttes politiques engagées avec l'État en d'autres lieux?

L'article de Harvey Feit, «Re-cognizing Co-Management as Co-Governance : Histories and Visions of Conservation at James Bay», se concentre sur les pratiques de cogestion élaborées au sein d'un système de réserves de castors, établi depuis les années 1930 entre les Cris et le gouvernement, et sur les relations entre ces institutions de cogestion émergentes et les pratiques et notions criées sur les régimes fonciers et le leadership, longuement traitées en anthropologie sous l'appellation de «territoires de chasse algonquins». Certaines des pratiques de ces territoires de chasse ont été incorporées dans les opérations des réserves de castors pour rendre celles-ci plus prati-

cables, et les territoires de chasse ont été partiellement altérés par le développement des réserves. Néanmoins, les territoires de chasse sont demeurés distincts des réserves de castors, et sont encore utilisés, longtemps après l'abandon des réserves. Cette analyse suggère toutefois, tout comme plusieurs des autres articles, que le processus de développement des régimes de cogestion a impliqué le déploiement de la capacité, de l'autorité, et de la légitimité de l'État pour gouverner le Nord du Québec.

Néanmoins, l'article de Feit montre également que la cogestion, tel que l'affirment plusieurs chasseurs cris aujourd'hui, est un processus au sein duquel les institutions et les agents du gouvernement ont reconnu explicitement et à plusieurs reprises la capacité, l'autorité et la légitimité de la gouvernance, des droits et des pratiques cris. Ceci s'est avéré même lorsque ces reconnaissances étaient accompagnées d'ambiguïtés et de contradictions parce qu'elles entraient en conflit avec la notion de souveraineté exclusive de l'État. Ainsi, l'analyse indique à ce point-ci que la cogestion peut non seulement renforcer le pouvoir de l'État, mais également accroître et reconnaître la légitimité indépendante des pratiques locales de conservation et de gouvernance parallèles, et ce, sans créer l'égalité.

Nous invitons nos lecteurs à réfléchir à la fois sur les questions des usages, effets et histoires de la cogestion, et sur comment celles-ci éclairent les enjeux plus larges qui émergent des relations entre les organisations politiques locales et les pratiques, institutions et conceptions de l'État-nation.

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Notes

- 1 Parmi les exceptions notables figurent Pinkerton (1989), Berkes et al. (1991), Usher (1995), Hoekema (1995) et Igoe (2004).
- 2 Voir par exemple McCay et Acheson (1987), Freeman et Carbyn (1988), Berkes (1989), Bromley (1992), Ostrom et al. (2002), Nadasdy (2003), Roué (2003) et Rodon (2003).
- 3 D'autres auteurs ont écrit sur le sujet, notamment Dove (1986), Feit (1988), Jentoft et al. (2003) et Blaser et al. (2004).
- 4 Voir par exemple Redford et Padoch (1992), Murombedzi (1991), Western (1994), Gibson (1999) et Igoe (2004).

- 5 Voir les travaux de Poffenberger (1990), Poffenberger et McGean (1996) et Greenough et Tsing (2003).
- 6 Voir Weaver (1991) et Hill et Press (1994).
- 7 Voir Peluso (1993) et Neumann (1998).
- 8 Voir également Fairhead et Leach (1996), Neumann (1998) et Anderson et Berglund (2003).

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Co-management in a Landscape of Resistance: The Political Ecology of Wildlife Management in Western Alaska

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Abstract: This paper examines the evolution, structure and operation of co-management regimes for caribou and brown bear from a political ecology perspective. Since 1989, Yup'ik Eskimo hunters and government managers in Western Alaska have established a set of regimes for the joint management of caribou and brown bear. The creation of these decentralized management institutions occurs in the face of divergent perceptions of wildlife population dynamics, incongruent land tenure systems and long-standing traditions of local resistance to external game regulation. Political ecology serves as a conceptual framework for developing an integrated understanding of how environmental factors, political forces and cultural traditions interact to produce social conflict and, in these cases, generate new institutional responses to conflict.

Keywords: co-management, political ecology, resource conflicts, Yup'ik Eskimos, caribou, brown bear

Résumé : Cet article examine l'évolution, la structure et le fonctionnement des régimes de cogestion du caribou et de l'ours brun sous l'angle de l'écologie politique. Depuis 1989, les chasseurs Eskimos Yup'ik et les administrateurs de l'État en Alaska occidental ont mis sur pied un ensemble de régimes de gestion conjointe du caribou et de l'ours brun. La création de ces institutions de gestion décentralisée a eu lieu en dépit de perceptions divergentes sur la dynamique des populations fauniques, de régimes fonciers incompatibles et d'une longue tradition de résistance locale face à la réglementation extérieure du gibier. L'écologie politique sert de cadre conceptuel pour le développement d'une compréhension intégrée de la façon dont les facteurs environnementaux, les forces politiques et les traditions culturelles interagissent pour générer du conflit social et, dans ce cas, pour susciter de nouvelles réponses institutionnelles au conflit.

Mots-clés : cogestion, écologie politique, conflits autour des ressources, Eskimos Yup'ik, caribou, ours brun

Introduction

In many parts of the world, local communities with long histories of occupancy developed local systems of land tenure, ecological knowledge and resource use that continue to the present (Berkes 1989; Bromley 1992; Freeman and Carbyn 1988; McCay and Acheson 1987). For many such communities, however, interactions with state structures for resource control are increasingly unavoidable.¹ With the rise of the global economy, centralized governments have asserted control over previously ignored hinterland areas. Through the assertion of state claims to land and resources, previously autonomous communities have become encapsulated within the political economy of modern nation states (Feit 1988). As a result, pure communal resource management is no longer possible in many places (Berkes 1989; McCay and Acheson 1987; Ostrom 1990).

In Arctic North America, as well as in many parts of the developing world, co-management has emerged as the dominant strategy for resolving resource conflicts and building partnerships in conservation and management between local communities and government agencies. Co-management (also called co-operative management) has been highly effective in some cases where neither local management nor exclusive government control provides for sustainable and equitable common property management. Co-management has thus become one of the principle means by which formerly isolated or autonomous communities are linked, or manage their linkages, to nation states.

Co-management refers to decentralized institutional arrangements involving the sharing of management responsibilities between community-level and state-level actors (Osherenko 1988; Pinkerton 1989). Pinkerton (1992: 331) defines it as "power sharing in the exercise of resource management between a government agency and a community or organization of stakeholders," while Osherenko's (1988) definition focusses on the formal dimen-

sions of this approach, stating that co-operative agreements between government agencies and user groups apply to a specific species and/or a geographic region and include:

1. A system of rights and obligations for those interested in the resource;
2. A collection of rules indicating actions that subjects are expected to take under various circumstances;
3. Procedures for making collective decisions affecting the interest of government actors, use organizations and individual users (ibid: 94).

Since regulators and resource users at both local and national levels must frequently interact, co-management agreements can be viewed as a process of institutionalizing the *de facto* interdependence which exists between local users and authorities and state-level authorities and the users they authorize (McCay and Acheson 1987). Over the past decade a growing body of literature has analyzed successful examples of the co-management or co-operative management of common property resources (Lloyd 1986; Marks 1991; Pinkerton 1989; Richard and Pike 1993; Usher 1991). These studies have shown that in some cases, local users are able to increase their influence over the management of resources upon which they depend, while government agencies realize the benefits of reduced social conflict and greater user compliance with regime rules (Pinkerton 1989).

This paper examines the evolution, structure and operation of co-operative management systems for caribou and brown bear in Alaska through the lens of political ecology. After a brief overview of political ecology and the social and ecological contexts of Western Alaska, I examine first the origins of resource conflicts which precede co-management, and secondly how the emergence of new institutional arrangements alters existing power relationships and property regimes in both formal and informal arenas. I argue that these joint management institutions can be best understood within the context of a history of competing claims to wildlands and wildlife, local repertoires of resistance and divergent perceptions of animals and their ecology.

Emergence of the Political Ecology Framework

In the mid-1980s, growing concern about the localized environmental and social impacts of the global economy and dissatisfaction with existing models for explaining Third World land degradation led scholars in a variety of disciplines, including anthropology, to seek new explanatory frameworks. Drawing on earlier work in political economy, theorists from anthropology, geography and

other disciplines developed the political ecology framework in an effort to provide a better explanation of how land degradation at the hands of both local and non-local social actors was mediated by political economic forces, especially asymmetric power relations (Blaikie and Brookfield 1987; Bryant and Bailey 1997; Painter and Durham 1995; Zimmerer and Bassett 2003).

The broad interdisciplinary political ecology framework has several distinguishing features, including: a focus on analysis of local patterns of resource use; attention to the political-economic and ecological dimensions of environmental resource use at different spatial scales ranging from the village level to the regional, national and international levels; consideration of the social construction of natural resources by social actors at scale; and lastly an emphasis on the importance of historical analysis and ethnographic depth in understanding the interactions between resource-dependent communities and regional and international political economies (see Spaeder and Feit, introduction to this issue).

Initially developed to analyze the social causes of environmental degradation (Blaikie and Brookfield 1987; Peet and Watts 1996; Stonich 1993) this analytical framework has recently been applied more broadly, across a range of disciplines, to the analysis of large-scale environmental change, community-based conservation and resource conflicts in both the first and third worlds (Moore 1993; Neumann 1998; Peluso 1992).

From Homelands to Public Lands: Encapsulation and Contested Proprietary Rights in Rural Alaska

The embeddedness of land-holding in ecological, social, cultural and political life means that one tenure regime can seldom be legislated away in favor of another. (Ship-ton and Goheen 1992: 316)

In Western Alaska and many other parts of rural Alaska, a paucity of management personnel, funding and public interest allowed native rural residents to continue their traditional subsistence activities up through the 1960s, largely unimpeded by external game laws and enforcement efforts. However, this situation dramatically changed with the passage of the Alaska Native Claims Settlement Act (ANCSA) in 1971. With its passage, Alaska Natives witnessed the formal extinguishment of aboriginal land claims to 90% of the State. In exchange, they received fee-simple title to approximately 10% of Alaska (44 million acres), the establishment of both village-level and regional

corporations and cash payments of just over 960 million dollars.

Formal protections for native subsistence rights were not established until the passage of the Alaska National Interest Lands Conservation Act (ANILCA) a decade later. Under this law, Native Alaskans gained two important subsistence protections. First, ANILCA guaranteed rural native people (along with all rural residents) access to federal lands for the purpose of undertaking "customary and traditional" subsistence activities, as defined by management agencies under the terms of ANILCA. Secondly, subsistence users were assured priority over other uses, such as commercial fishing and sport hunting, in times of scarcity. Access and use of wildlife, however, was to be subject to game laws established by state and federal agencies.

At this time the State of Alaska had management authority over wildlife on both state and federal public lands. This act of Congress permitted the State of Alaska to retain management of fish and wildlife on federal lands, as long as they extended the federal subsistence protections stipulated by ANILCA to their management of State lands. The State of Alaska complied until 1990, when the State Supreme Court determined that ANILCA's subsistence priority was in violation of the State constitution. At that point, federal resource agencies resumed management authority over federal conservation lands.

Accompanying this transformation of indigenous land tenure in the 1970s and 1980s was the establishment and expansion of management agency headquarters in regional centres across rural Alaska staffed by a professional cadre of managers, biologists and wardens. While their rights to harvest wildlife were guaranteed by law, the practical exercise of those rights, in the view of native residents, was attenuated by an extensive system of federal and state game laws developed by distant institutions and enforced by non-local wardens. Thus, by the early 1990s, formerly self-managed native communities were bereft of formal management authority or meaningful input into the management of wildlife resources upon which they depended.

This paper draws on 14 months of field work in a set of Kuskokwim River Yup'ik Eskimo communities between 1992 and 1996. This research included extensive semi-structured interviews with elders, active hunters and village leaders from the caribou and brown bear harvesting communities of Kwethluk, Akiachak Quinhagak, as well as interviews with federal and State wildlife managers and biologists.

Game Laws and Village-Based Repertoires of Resistance

Scott (1985) observed that subordinate and politically disenfranchised groups in many parts of the globe customarily respond to the hegemony of non-local resource control with "everyday forms of resistance" rather than more overt forms of protest. Scott's early analysis of these repertoires of resistance spawned additional work in this area (Colburn 1990; Neumann 1998; Peluso 1992), as well as critiques of this approach (Abu-Lughod 1990; Gupta and Ferguson 1999; Ortner 1995).

In Western Alaska indigenous hunters practice a broad array of such anonymous and unorganized strategies of resistance including widespread disregard for most game laws, stealth in harvesting, avoidance of agency personnel in the field and nearly total non-compliance with mandatory paperwork, such as game permits and harvest reporting, creating a "landscape of resistance" (Scott 1985). Such "everyday forms of resistance" are not usually intended to confront or transform the formal land tenure arrangements or game laws through outright defiance or formal opposition. On the contrary, villagers attempt, by means of stealth and non-compliance with many game laws, to avoid overt challenges to the authority of agency managers, to minimize risk of apprehension by game wardens and to continue the pursuit of customary subsistence practices. Occasionally, as we shall see in the two case studies of resource conflicts to follow, local communities choose to augment informal resistance with more direct and confrontational forms of engagement with external structures of resource control.

Western Alaska's Yukon Delta National Wildlife Refuge

These two case studies of resource conflicts over caribou and the brown bear unfolded in the Qavilnguut (Kilbuck) Mountains of Western Alaska. Located within the Yukon-Delta National Wildlife Refuge (YDNWR), this large upland region south of the Kuskokwim River consists of rolling treeless hills rising to 1 000 metres, with riparian zones forested with alder, spruce and willow. The Qavilnguut Mountains provide habitat for moose, caribou, brown and black bear, as well as many species of small fur-bearing animals. With the passage of the ANILCA in 1980, the refuge was expanded by seven-fold to 19.6 million acres, encapsulating the village sites and traditional homelands of some 35 Central Yup'ik Eskimo communities within what became the nation's second-largest national wildlife refuge.

The Qavilnguut (Kilbuck) Mountains have been the homeland of extended family bands of Yup'ik Eskimos for generations. Traditionally, Yup'ik people harvested wildlife within a mosaic of distinct territories defined by historical land use and occupancy (Andrews 1989; Wolfe, et al. 1984). Subsistence territories and key harvesting sites, such as fish camps and berry patches, were informally controlled by kinship groups which limited access to these lands and resources (Andrews 1989). The presence of traditional use territories, however, did not preclude sharing of certain resources among kinship groups, especially migratory wildlife.

Geographic remoteness and the absence of boom and bust cycles associated with easily exploitable resources have enabled Yup'ik people to successfully maintain use of their native language and cultural traditions to a greater degree than other native peoples in Alaska and the continental United States (Langdon 1988). Contemporary subsistence activities occur within the context of a mixed cash-subsistence economy, sustaining some 16 000 Yup'ik Eskimos living throughout the Yukon-Kuskokwim Delta region.

Today, as in the past, the harvest of wildlife resources plays a central role in the subsistence economies, social organization and culture of Native Alaskan communities (Coffing 1991; Hensel 1992; Langdon 1988; Wolfe, Fall et al. 1986). While four species of salmon form the foundation of the subsistence diet, other foods—including caribou, moose, bear, seals, small game and waterfowl—provide important additional sources of protein and remain an important part of the seasonal round of subsistence activities. With a high unemployment rate in these remote villages, reliance on wild foods remains among the highest in the State (Wolfe, Fall et al. 1986).

Contested and overlapping claims to these lands contribute significantly to conflict between native groups and government regulators. As a result of these changes in land tenure and the imposition of non-local resource management, the YDNWR has been the site of recurrent conflicts over resources and a perennial disregard of game laws by local native resource users.

From Conflict to Co-management: Decentralized Management of the Qavilnguut (Kilbuck) Caribou Herd

In the mid-1980s, conflict emerged between several Yup'ik Eskimo communities and the government wildlife agencies over the management of a small non-migratory caribou herd in the Qavilnguut Mountains of Southwestern Alaska (also known as the Kilbuck Mountains) (see map 2). Caribou are known to exhibit non-equilibrium population

dynamics, resulting in cycles of boom and bust (Couturier, Brunelle et al. 1990; Russell, Morschel and Klein 1997; Martell et al. 1993). Historical accounts indicate the presence of large numbers of caribou, numbering in the thousands, ranging over the Qavilnguut Mountains and Y-K Delta lowlands in the late 1800s (Murie 1935; Skoog 1968). By the early 1900s, this extensive caribou herd had nearly disappeared from Y-K Delta lowlands leaving only a small remnant population in the Qavilnguut Mountains (Hinkes 1988; Kacyon 1990).

Prior to 1983, agency personnel believed that very few caribou were available for harvest, save for a few stragglers from the large neighbouring herd, the Mulchatna herd (Hinkes 1988; Jonrowe 1979). In the mid-1980s, the Alaska Department of Fish and Game (ADF&G) began to take notice of small but growing groups of caribou in the Qavilnguut Mountains and initiated efforts to census the population. Early aerial survey efforts, attempted without the benefit of radio telemetry techniques, were incomplete and, by the agency's own standards, unscientific.² Following aerial surveys of portions of the Qavilnguut Mountains in 1984 and 1985, ADF&G staff estimated the population to be 200 in 1984 and only 75 in 1985. Without additional field work or consultation, the ADF&G made a finding that the groups of caribou in the mountains constituted a distinct caribou herd. Shortly thereafter, it was asserted that "sustained yield limits had been exceeded" (Patten 1985), and the caribou season in the region was closed without any indication of when or under what conditions harvest might be resumed. Once the ADF&G, and later the United States Fish and Wildlife Service (USFWS), came to believe that the Qavilnguut caribou constituted a distinct herd rather than a splinter group from the Mulchatna herd, legal mandates of state and federal agencies were invoked to justify newly initiated programs to census the herd and sharply increase enforcement activities in an effort to conserve this small herd.

Based on their direct observations, village leaders vigorously disputed the ADF&G's caribou counts in public meetings and opposed the complete closure of the herd. Active Yup'ik hunters from Kwethluk and Akiachak, who frequented the Qavilnguut Mountains, reported observing many hundreds more caribou than were being reported by government biologists. They also contended that the population was growing rather than declining, as asserted by the agency. The ADF&G, the Yup'ik hunters argued, was substantially under-reporting the size of the herd, because the area surveyed by agency biologists was too small and because small dispersed groups of caribou are difficult to observe from the air. Disagreeing with the agency's information and enforcement actions based on

that information, a number of active hunters continued to hunt caribou that fall and winter, but with greater stealth.

In announcements to the public and press, the ADF&G caribou data came to resemble firm herd census figures rather than estimates based on often incomplete aerial surveys. During their 1986 aerial survey of the region, the ADF&G found very few caribou and, after a widely publicized illegal harvest, the ADF&G regional biologist publicly declared that less than 12 caribou remained in the herd. Several natives caught illegally hunting were portrayed as selfish poachers whose actions were threatening the survival of the herd. The ADF&G continued annual surveys and increased law enforcement patrols in the Qavilnguut Mountains in an effort to avert what they saw as a "tragedy of the commons" in the making (Hardin 1968). Also, in an effort to reduce illegal harvests, the ADF&G area biologist publicly pledged to open the herd to limited hunting when the herd reached 1 000 animals (Kacyon 1990; Patten 1985).

Indigenous Knowledge of Caribou

The perspective of indigenous hunters regarding the ecology and population status of the herd differs greatly from those of the agency biologists. One area of sharp disagreement relates to the types of caribou present in the region. Active Yup'ik hunters identify three different types of caribou based on coat colour and size of the animals. The first type, found in relatively small numbers, is pure-bred wild caribou (or *tuntu*, in Yup'ik). The second and most numerous type is a mixture of wild caribou and reindeer. This type, called *tuntu suaraat* or small caribou has smaller frames, shorter legs and bears different fur coloration than wild caribou due to interbreeding with feral domestic reindeer, which were turned loose by native herders in the early 1940s. The third type, referred to as woodland caribou, is distinguished largely by its proclivity to inhabit woodland areas bordering the water courses at lower elevations in the Qavilnguut Mountains. According to native residents, these woodland caribou comprise a portion of the caribou which go uncounted in the annual herd censuses. Agency biologists discount this typology, asserting that native residents have mistaken natural variation among barren ground caribou for differing caribou "types."

Native models of causality in nature differ in many, though not all, respects from those posited by agency biologists. In agency wildlife management, the concept that animal populations can be actively controlled through human intervention and maintained at a sustained yield remains foundational (Bailey 1984; Bergstrand and Joint Federal-State Land Use Planning Commission for Alaska

1978; Bolen and Robinson 1995). Maximum sustainable yield (MSY) assumes that a particular population of wildlife can be maintained at or near an equilibrium point by manipulating several variables, including predation, human harvest and habitat protection and enhancement (Holling 1973; Holling 1994). However, recent developments in theoretical ecology challenge the generalized application of these assumptions (Gunderson, Holling et al. 1995; Holling 1994; Walters 1986).

In contrast, Yup'ik respondents place much less emphasis on predation, human or natural, as a variable controlling wildlife population dynamics, instead relegating it to a minor cause of the local decline of particular species. While many hunters perceive that caribou harvest results in a direct reduction of the herd, they stress traditional beliefs in the autonomy of wild animals (Fienup-Riordan 1990; Hensel 1994). Animals are understood to increase and decrease according to their own rules and patterns; humans can neither accurately predict nor control animal populations. As one Kwethluk resident put it: "Animals mind their own ways; you can't make them come [increase]." These perceptions are reflected in the local belief that animals have long-term population cycles, during which they multiply in numbers and expand their range beginning from the interior and moving toward the Bering Sea Coast. Animals will colonize areas where they have not been seen in many years, increase in numbers and after a time, perhaps many decades, will be seen to decline, even disappearing entirely only to re-emerge from out of the interior at a later time and re-establish themselves. The Kilbuck caribou herd is seen to adhere to this cyclical pattern, as are moose and beaver. In this view, non-equilibrium or non-linear population dynamics are considered normative. Consequently, rather than attempt to control populations, the chief goal for Yup'ik hunters is to gain an understanding of the population trends and behaviour of wildlife in their territories and to adapt harvesting practices to those dynamics.

The differing modes of gathering environmental knowledge between biologists and hunters also contribute to resource conflicts. For instance, biologists' heavy reliance on aerial monitoring affords reduced opportunities for on-the-ground observation of wildlife, the principle mode of observation by local hunters. The agency's extensive use of aerial surveys also fuels the prevalent Yup'ik belief that agency aircraft effectively harass wildlife and are deployed, in part, to monitor subsistence activities and to apprehend out-of-season hunters. Many native residents also believe that agency biologists, in the process of surveying, at times use aircraft to purposefully drive caribou and other wildlife away from the villages in an

attempt to reduce harvest opportunities. Thus, in addition to contesting the resource agency's right to manage wildlife on their traditional homelands, Yup'ik hunters also dispute the biological data that defines the caribou conflict.

Getting from Conflict to Co-management

In 1990, four villages adjacent to the herd jointly petitioned the Alaska Board of Game to establish a limited caribou harvest. Such direct engagement with regulatory institutions marked a major shift away from a sole reliance on informal and anonymous forms of resistance. This shift was triggered by three factors. First, due to below-average subsistence salmon harvests in 1989 and 1990, the villages were experiencing a pressing need for meat. Second, expanded law enforcement efforts by state and federal game wardens were becoming increasingly contentious in the villages. Intensive efforts by game wardens resulted in house searches of suspected poachers, fines and confiscated hunting equipment for convicted out-of-season hunters. Nearly violent confrontations between groups of angry villagers and game wardens occurred. Aware that harvests would continue legally or not, village leaders were increasingly eager to obtain a legal hunt in order to reduce the chance of enforcement actions. Third, despite unauthorized harvests, the ADF&G's own survey data in 1988 revealed that the herd had exceeded 1 000 animals, the level at which the area biologist, though lacking the authority to do so, had publicly promised a hunting opening.

The Alaska Board of Game denied the villages' request for a limited hunt based on their assessment that the herd was too small to sustain a harvest. The board did not indicate a threshold population size nor any other factors necessary to open a season in the future. To native leaders, this decision signalled the agency's unwillingness to fulfil public pledges made by agency staff, and it affirmed native peoples' powerlessness to affect change from within the wildlife management system.

Lacking any recourse within the existing regulatory structure, one of the four villages, Kwethluk, filed suit in 1990 in federal court to require the Alaska Board of Game to provide a limited subsistence hunt. In a decision which surprised both sides, the court awarded the village a one-time permit-based harvest of 50 caribou, while sharply criticizing the Board of Game's routine pattern and practice of decision making. Citing the agency's lack of a management plan for the herd, Judge Holland of the Federal Court admonished the State Board for failing to establish "an articulated and evenly applicable definition of sustainable yield" upon which to base their denial of a limited

subsistence hunt. His decision reproached the Board for acting in an "*ad hoc* fashion, as though it had unfettered discretion to decide what meaning it would attribute to the sustained yield issue in any particular case." This ruling, coupled with the resolve of native actors to continue litigation if necessary, forced managers to consider villages' proposed alternatives to centralized bureaucratic control of wildlife.

Over the next two years, a co-operative caribou management plan was fashioned by a stakeholder body called the Qavilnguut Caribou Working Group, which was composed of representatives from the USFWS, the ADF&G and participating village councils. Initially, only a handful of villages located closest to the Qavilnguut Mountains participated in discussions. Soon the number of participating villages was increased to 18, in order to include nearby villages that were believed to have historically hunted or herded reindeer in these mountains.

The Caribou Working Group began by negotiating an annual harvest level for the herd. The group unanimously agreed to a harvest level of 5% of the herd, limited to bulls only. Permits would be required to legally hunt in order to assure that the harvest would be limited. Although this conservative harvest figure would initially provide access to only 60 animals, it was readily accepted by the native representatives as the most efficacious route to reach their chief goal of establishing a legal caribou harvest. It also satisfied state and federal managers who needed to justify the hunt on biological grounds to their respective agencies.

Divergent perceptions of herd numbers and location by managers and users were partially addressed through the direct participation of native hunters in aerial surveys of the herd. Experienced native hunters from Kwethluk and Akiachak began to accompany agency biologists during the yearly aerial herd census. Native spotters directed pilots to previously unsurveyed areas where additional caribou were found which, in combination with radio-collared caribou, resulted in a significant increase in the "official" size of the herd as reported by the State and federal managers.

Finally, an innovative method for allocating permits within the villages was established to replace the centralized allocations of permits by the USFWS. This system has several advantages. In addition to having village councils distribute the permits (by lottery) to active hunters, the system includes special provisions allowing the transfer of permits among hunters and proxy permits, enabling an active hunter to hunt on behalf of others, such as elders, who are unable to do so. The latter two provisions increased the likelihood that the limited number

of permits available would go to active hunters who were equipped to engage in caribou hunting. Community-based permit distribution constitutes an important means of strengthening joint management systems by incorporating local social capital into the management framework. It also serves to legitimize village social institutions.

The style of communication and process of negotiation that produced the Qavilnguut Caribou Management Plan was distinctive in several ways. First, this case was unusual in that governmental agencies were negotiating directly with community-based native institutions, rather than specially-created committees composed of at-large native "representatives" selected by the agency. Second, although English remained the official language of discourse, native representatives, intent on developing internal consensus and avoiding public displays of dissent, frequently caucused among themselves in Yup'ik during working group meetings. Finally, in a move that reflected Yup'ik modes of decision making, the working group operated principally on the basis of consensus decision making with the aim of achieving unanimity. Votes, when taken, were unanimous or nearly so.

After functioning for five years, the regime was suspended, not due to renewed social conflict but due to exogenous ecological change. Beginning in 1995, a splinter group of over 40 000 caribou from the neighbouring Mulchatna caribou herd migrated south mingling with the Qavilnguut herd (numbering some 6 000) and temporarily negating the need for a permit system.

As is often the case, native actors were forced to surmount formidable barriers in order to initiate the development of decentralized joint-management regimes. With their shift from resistance to proactive engagement, coupled with their successful leverage through the courts, native leaders dramatically changed power relations between the regulatory institutions and the regulated users. Once native representatives had secured a seat at the management table by means of leverage in the courts, negotiation and co-operation quickly replaced litigation and charges of injustice. As a result of their role in crafting a new joint-management plan local native leaders developed an uncommon level of ownership over the new regime.

"Don't Bother the Bears": Contention and Co-operation in the Management of Brown Bears in Western Alaska

In 1993, this same set of indigenous villages and state and federal management agencies became embroiled in a new conflict over the initiation of a large and ambitious USFWS research project to census the brown bear pop-

ulation in the Qavilnguut Mountains. This \$500 000, five-year research project called for anaesthetizing, collaring and permanently marking 75 or more brown bears in a 6 700 square mile study area. These Kuskokwim River villages, with the village Kwethluk playing a key leadership role, united in staunch opposition to the research project which was perceived as an unnecessary harassment of a spiritually powerful species. The conflict demonstrated the new-found abilities of village-based indigenous leaders to advance their concerns within regional and national political administrative arenas.

In the Qavilnguut Mountains brown bear are hunted principally by subsistence hunters from eight villages along the middle Kuskokwim River and Bering Sea (Hensel 1994). Within the Yup'ik worldview, animals are seen as non-human persons, sentient in nature and capable of intentional action (Fienup-Riordan 1990). The brown bear, possessing both great physical power and special numinous powers, is seen in the region as deserving of special treatment and respect.³ For example, brown bears are understood to have excellent hearing, including the ability to comprehend the intentions and attitude of a hunter. Respondents in Kwethluk and Akiachak described their understanding that bears could hear through the ground and that they would know things were said about them even when hunters are in the village. In deference to the power of brown bears, hunters in many of the harvesting villages refrain from speaking about their bear hunting plans or even making direct reference to brown bear. Hunters in the region continue to follow the traditional prescriptions for butchering bears, especially ritual treatment of the skull, which they are instructed to leave in the field (Hensel 1994). Kwethluk elders stated their belief that hunters who are presumptuous, boastful or explicit about their intentions of bear hunting risk poor luck or harm from brown bears. Disrespectful treatment of a bear may engender a retaliatory attitude in that animal, making it more dangerous when it is hunted or encountered in the wild. In both private discourse and public meetings regarding brown bear, hunters employ one of several avoidance terms when referring to brown bears, including: *tauukaq* (literally target), *carayak* (horrible something) or *ungsiq* (four-legged animal) (Hensel, personal communication 1993; Yup'ik orthography: Jacobson 1984). Yup'ik rarely articulate traditional perceptions of animals in public arenas, as these views are often sharply at odds with the views of government wildlife biologists.

Prior to 1991, the harvest of brown bear in the Qavilnguut Mountains occurred almost entirely outside the governmental regulatory structure. Subsistence hunters

are required by law to obtain a State or federal harvest permit prior to hunting brown bear, as well as report the number and location of all bears harvested for subsistence use. This regulation created a conflict for Yup'ik hunters, as obtaining a permit was perceived as signalling one's intention to catch a bear. This conflict, compounded by a wide-spread disregard of game laws, resulted in very few hunters obtaining the required brown bear permits or reporting their harvest. This chasm between customary subsistence practice and hunting regulations created potential for criminalizing customary food-getting practices.

In an effort to bridge this gap and accommodate customary practices, the regional native organization representing 56 tribes in the area requested the establishment of special subsistence hunting regulations for brown bear. They proposed that the season be lengthened and the harvest level be increased from one bear every four years to one bear per year, along with several other provisions aimed at making the regulation more culturally appropriate. Though federal managers reluctantly supported the requested regulatory change, they expressed concern about a lack of brown bear harvest and population data for the region. To assure themselves that "these liberalized regulations would not endanger the health of the population," the regional director of the USFWS directed staff to design a new bear population-monitoring project in the Qavilnguut Mountains. Thus a proposal intended by native leaders to be a minor regulatory accommodation to existing practices ultimately furnished the rationale for a extensive research project they would come to vigorously oppose as disruptive, disrespectful and harmful to the bears.

In early 1992, the USFWS notified several villages that hunt in the Qavilnguut Mountains about their research plans. Since the project was to be conducted on public lands, over which the USFWS claimed exclusive management rights, the agency felt no obligation to obtain the consent or support of adjacent villages that utilized the area. In doing so, agency biologists and managers continued to ignore indigenous leaders' efforts to maintain and advance their proprietary rights over their traditional homelands and wildlife resources. Furthermore, the social landscape had recently changed significantly in ways that agency officials did not fully appreciate. As described above, power relations in the region had been altered as a result of the villages' successful legal challenge and negotiation of a new co-management regime for the Qavilnguut caribou herd. For some villages, political engagement, rather than resistance and disregard, had become their principle response to governmental resource

agencies. Yet, despite those developments, involvement of local communities in the project was reduced to informing them of agency plans to undertake this large research project.

As more villages became aware of the magnitude of the brown bear project during the winter and spring of 1993, local opposition to the project increased rapidly, for several reasons. First, the project was seen as unnecessary harassment of a species which local hunters asserted was neither in decline nor in imminent danger of over-harvest at that time. Hunters noted that hunting pressure on Western Alaska brown bear appeared to be stable or even declining due to decreased interest in brown bear meat by young people in some communities which had not acquired a taste for the meat. Secondly, hunters believed the Qavilnguut Mountain brown bear population was growing based on increased numbers of sightings and increased incidences of bear damage to fish camps of the previous four-year period. Thirdly, the presence of radio collars and concerns about residual effects of the tranquilizing drug contributed to the sense of many respondents that the captured bears would be permanently altered from their previously wild state and would be more dangerous to humans. Lastly, a number of village leaders believed that one of the concealed aims of the study was to increase non-local sport hunting opportunities by documenting the presence of a harvestable surplus of bears in the region.

As opposition to the project swelled in the communities, village leaders made two demands of the USFWS. First, they demanded a one-year moratorium on the research project in order to provide local native leaders an opportunity to develop an alternative method of obtaining census and trend data for brown bear in a less invasive way. Secondly, following the suspension of the existing project, they sought to establish a co-management regime, including both native and agency members, which would provide a forum for setting out mutually agreeable approaches to future research and management initiatives affecting Western Alaska brown bears.

Although the USFWS was willing to begin co-management talks, the Director of the Alaska regional office announced the agency's decision to continue the census project irrespective of local opposition. Native leaders rejected the agency's offer to initiate discussions about the development of a brown bear co-management regime. In their view any discussions of alternative management approaches were strictly contingent upon terminating or significantly altering the agency's research project.

In June of 1993, the first phase of a projected three-year brown bear capture and collaring effort was launched, resulting in 29 bears collared. Under their belief

that the conflict was fuelled by misunderstanding on the part of local residents regarding the goals and methods of biological research, agency officials responded to continued staunch village opposition by setting up a series of village “information and education” meetings. These meetings consisted of agency staff explaining the technical aspects of the capture operation and reassuring residents of the benign nature of their activities, which included locating and then chasing bears with helicopters, drugging and tattooing the bears and finally affixing radio collars to them. These information and education meetings contributed little to mollifying the distrust and anger expressed by native hunters and village leaders.

Seeking Exogenous Power

In the face of the USFWS's resolve to carry out the bear-collaring project, village leaders, with the aid of their regional native non-profit organization, once again turned to exogenous sources of power. Native representatives engaged in litigation and appeals to legislators and higher-level agency personnel in an effort to stop the project. Their legal counsel filed a new lawsuit in federal court in the spring of 1993 with a set of allegations. These included the failure of the USFWS to consult with the regional advisory council to assure that subsistence use of wildlife received priority over other uses as stipulated in ANILCA and the failure to complete an environmental impact statement. Though a federal court judge denied the village leaders' request for a temporary restraining order halting the initiation of the bear research, the lawsuit continued.

In addition, native leaders engaged in an intense lobbying effort aimed at bringing the issue to the attention of the Alaska Congressional Delegation and top Interior Department officials. They succeeded in obtaining the support of a key U.S. Senator who intervened at the Department of the Interior on behalf of the villages, supporting their request for a year's moratorium. These appeals, based on a call for increased local control over governmental decisions affecting Native Americans, happened to coincide with new initiatives in the Clinton administration for improving relations with native groups and “...building a more effective day-to-day working relationship reflecting respect for the rights of self-government due the sovereign tribal governments” (Clinton 1994). At a time when local and regional managers and biologists vowed to forge ahead with the project, this new executive branch policy initiative specifically directed each executive department and federal agency to:

Assess the impact of Federal Government plans, projects, programs, and activities on tribal trust resources

and assure that tribal government rights and concerns are considered during the development of such plans, projects, programs, and activities. (Clinton 1994: 1)

Citing a fundamental lack of trust in the management actions of the USFWS, village leaders also pledged to withdraw from all existing co-management agreements in the region if the brown bear issue was not favourably resolved. Thus the fate of a valuable source of social capital—successful joint regimes governing caribou, waterfowl and salmon—was threatened, pending the resolution of the escalating struggle over the research and treatment of brown bears. Such credible threats by native leaders to withdraw from co-management regimes led the ADF&G to the brink of withdrawing their bear biologists who were supplying critical technical expertise to the project. This exerted additional pressure on USFWS managers, who acknowledged that their agency lacked the requisite knowledge and experience with drugging and handling bears to safely complete the research project on its own.

The conflict, which began with four Kuskokwim River Yup'ik villages opposing a federal agency, ultimately reached the Director of the USFWS and the highest levels of the Interior Department. In 1994, Secretary of the Interior Bruce Babbitt, citing the need to create conservation partnerships with local communities, overturned the decision of the Alaska regional director and suspended the project for a period of one year, pending discussion.

Following this decision, the villages quickly terminated litigation, opening the way for new negotiations. In the fall of 1994, representatives of village governments began meeting with state and federal agency staffs to develop a brown bear co-management plan as well as a less invasive survey method that would involve local users. Within months, the two parties, which had only recently been at loggerheads, produced a memorandum of agreement outlining their commitment to jointly develop a management plan and carry out a community-based harvest assessment project for brown bear. They also developed a set of goals and objectives for the management plan that formed a foundation for action. Within a year funding for the brown bear research project was redirected to other research projects by the USFWS regional office, making resumption of the project unlikely in the foreseeable future.

The Political Ecology of Resource Struggles

In analyzing decentralized management regimes in the North as well as the Third World, a number of authors

(Andrews, Borque et al. 1991; East 1991; Richard and Pike 1993; Schwarber 1992; Sneed 1997; Western and Wright 1994) have tended to focus primarily on the formal agreements and written policies. While this approach may be useful in comparative studies, its employment carries a number of unintended consequences. First, it tends to privilege the voices of resource agencies over those of local communities, since most policy documents and meeting records are drafted by the state. Second, this approach results in what Brosius and Tsing (1998: 159) term "generalization": the problem arising when key terms such as "community, territory, rights, resources, management, indigenous and traditional are used generically without regard to local contexts and wide-ranging political stakes." Essentializing decentralized management in this fashion facilitates the impulse by some NGOs and state-level actors to transplant regimes deemed "successful" in one context to a new location despite widely varying local social and ecological variables between sites. Finally, this over-emphasis on formal regime structures and agreements tends to occlude an understanding of the way co-management regimes are shaped by community-level politics and cultural practices acting "from below," and the political and economic forces of state structures for resource acting "from above."

In the following section I draw on the political ecology framework to analyze: the role of contested proprietary rights fuelling conflict and shaping new co-management regimes and the alterations in power between new co-management institutions with state-level actors and indigenous efforts to renegotiate their relationship with the state. Finally, I discuss the constraints on these and the implications of joint management for both state resource control and village repertoires of resistance.

The Primacy of Proprietary Rights

In both of these cases indigenous opposition to the formal land tenure regime constitutes the principle source of resource conflicts. As discussed earlier in the historical analysis of changes in land tenure, native hunters have long contested the deployment of state programs of wildlife management on their customary subsistence lands. Community-based repertoires of resistance, replete with narratives concerning the "unjust game warden," emerged in the 1950s and 1960s in response to the slow but inexorable expansion of non-local resource control in Western Alaska. Direct confrontations between managers and users over land rights were rare because the parallel land tenure regimes maintained by native villages and state institutions rarely interacted. Native hunters were content to resist in anonymous and informal ways, even

if it did not advance their claims to land rights, while government managers were content to publicly assert unilateral management rights, even if they lacked the resources and political will to enforce them.

These dual systems of land tenure, one formal and one informal, began to change by the early 1980s as the village of Kwethluk sought and gained access to formal management regimes covering their traditional homelands in the Kilbuck Mountains. In the caribou case, the lack of access to the decision-making process governing caribou compelled leaders from Kwethluk to file suit after direct appeals to the regulatory agency were rejected. This successful legal challenge galvanized the support of other villages which also deeply resented unilateral governmental control over wildlife upon which they depended for subsistence.

In the brown bear case, contested land rights also played a pivotal role in fuelling the struggle for joint management rights. The resolve of agency officials to initiate the project over the strong objections of villagers was perceived as a negation of local demands for a voice in management decisions. Leaders from Kwethluk, who again played a catalytic role, argued that subsistence hunters ought to have a meaningful voice in management decisions affecting their lives. For local residents, the brown bear research project served as a vivid reminder of the power of government managers to impose their will over lands within their formal jurisdiction, irrespective of the concerns of local communities.

Throughout these cases of resource conflict, contested rights to land remain "off stage" and half-hidden. Government managers are unwilling to directly discuss local land claims and native leaders have grown disinclined to assert such claims in public meetings. Instead they focus on demands for joint management rights.

A New Response to State Structures for Resource Control

What is observed in these cases is not simply the establishment of new institutions but rather a remarkable transformation in the nature of the relationship between indigenous communities and state structures for resource control. For much of the past 40 years, Yup'ik villagers have resisted the gradual transformation of their communal lands to state-controlled public lands by means of anonymous and unorganized strategies of resistance. These strategies proved highly effective at enabling local hunters to informally maintain customary use rights while keeping state structures for resource control at bay. Local repertoires of resistance, however, were ineffective in establishing new joint management rights, as in the cari-

bou case, or in halting government management actions opposed by village leaders, as in the brown bear case. Attaining co-management rights required new strategies based on legal challenges, legislative appeals and negotiation rather than avoidance and resistance. For these reasons, co-management can be seen as the principle means by which indigenous actors have sought to renegotiate their relationship with the state.

In many parts of the developing world, social scientists have observed with alarm a trend whereby decentralized institutions and approaches to resource management (including community-based management and co-management) have increasingly been appropriated by state structures for resource control (Brosius 1999; Brosius, Tsing et al. 1998). In the hands of state-level institutions, these decentralized initiatives are bent to fit within the agency's managerial paradigm, while maintaining a "rhetoric of participation."

In contrast, the cases presented here represent salient examples of "co-management from below." Here, local indigenous groups not only embraced co-management as the most effective instrument by which to acquire joint management rights, they demonstrated their willingness to overcome substantial barriers to attaining such shared management erected by state structures for resource control. Formal agreements often imply that state-level managers took the lead in developing these management regimes, when in fact, responsibility for initiating regime formation belongs to local communities.

Shifting Power Relations between Communities and Management Institutions

The emergence of these co-management regimes governing bear and caribou has altered power relations between agencies and local communities in two important ways. First, community-based indigenous leaders have demonstrated that, under certain conditions, they are able to gain access to exogenous sources of power—such as the courts and legislative elites—in order to advance their goals. In the process of accessing these external sources of power in both cases, native leaders increased the transaction costs associated with conventional centralized management, compelling government managers to accept more decentralized and participatory approaches to wildlife management.

Secondly, co-operative agreements governing the management of brown bear and caribou have, in effect, extended new management rights to participating villages to propose and review changes in seasons and bag limits as well as to approve research plans and methods for these species. Previously, these Kuskokwim River

communities were treated by management agencies as undifferentiated rural subsistence users, bereft of any special claims or status with respect to specific species or traditional territories. However, following the establishment of these new institutional arrangements, local users have secured a seat at the management table for discussion and consultation regarding the management of these species. Alaskan co-management regimes such as these constitute a limited accommodation of village-based claims to preferential use-rights and joint management rights. Community-based claims to management rights, in limited and prescribed ways, received public recognition and acceptance through the implementation of these regimes. Significantly, this recognition has been achieved without incurring the high costs associated with changing laws or coercing agencies to formally relinquish power (Kiser and Ostrom 1982).

Finally, the brown bear case demonstrates the newfound abilities of village-based actors to advance their concerns within regional and national political-administrative arenas. Rather than relying on regional native organizations to represent their concerns, village leaders presented their case directly to higher-level agency administrators. At the same time, the brown bear case demonstrates that the resolution of local conflicts may involve complex and highly unpredictable interactions among local, regional and national political actors.

This study presents a more complete understanding of joint systems of common property management by nesting institutional analysis of co-management regimes within an ethnography of resource conflict between state-level managers and resource dependent communities. I have argued that the emergence and expansion of co-management regimes in Western Alaska cannot be understood apart from an analysis of local histories of conflict and competing claims to wildlands and wildlife by local and state-level institutions. Political ecology provides a useful conceptual framework for understanding how history, environmental factors, power and culture interact to produce social conflicts, and in cases such as these, new institutional arrangements for managing wildlife. A more widespread application of such a framework would expand our understanding of the evolution and performance of co-management regimes, as well as how such institutions alter state programs of resource control and community-based practices of resistance.

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Notes

- 1 I use the term "state" (lower case "s") when referring generally to governmental structures for governance at the federal or State level (i.e., State of Alaska). Otherwise, I capitalize "State" when referring specifically to the State of Alaska.
- 2 In small non-migratory herds, caribou frequently travel in groups of less than 50, making them very difficult to observe from the air. A federal biologist involved in Qavilnguut caribou surveys, in noting the difficulties in finding small groups of caribou in a study area of 6 400 square kilometers wrote: "Since 1987, collared animals have provided a means of locating groups which might have been missed during survey efforts alone....For example, one group of >100 [caribou] took four passes with an airplane to locate, and was finally observed only because we continued to search for a radio-collared animal" (Hinkes 1988: 7).
- 3 Other Alaskan native cultures possess very similar perceptions about the capabilities and behaviour of brown bears, including the Inupiat of Kotzebue Sound (Loon and Georgette 1989) and the Koyukon Athabaskan (Nelson 1983).

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Caribou Hunters and Researchers at the Co-management Interface: Emergent Dilemmas and the Dynamics of Legitimacy in Power Sharing

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Abstract: A crisis involving indigenous knowledge, caribou science and proposed oil development illustrates the dynamics of legitimacy in formal co-management. Co-management, while typically framed as an institution for power sharing, was also a force of change that affected the values and actions of those involved. Crisis conditions led hunters to express dissatisfaction to their co-management board, forcing board members to work towards regional consensus, which in turn led to a change in community perspectives. Co-management decision makers with multiple affiliations faced difficult dilemmas while seeking to maintain cultural traditions, protect sensitive wildlife habitat, and manage for the legitimacy of their co-management process.

Keywords: co-management, Porcupine Caribou, indigenous hunters, legitimacy, traditional knowledge, Arctic Refuge oil development, northern wildlife research

Résumé : Une crise de cogestion impliquant les connaissances autochtones, la recherche sur le caribou et un projet de développement pétrolier illustre les dynamiques de la légitimité en cours au sein de la cogestion formelle. La cogestion, présentée de façon caractéristique comme une institution visant le partage du pouvoir, s'est également avérée une force de changement qui a affecté les valeurs et les actions des sujets impliqués. Les conditions de crise ont mené les chasseurs à exprimer leur insatisfaction auprès de leur conseil de cogestion, obligeant les membres du conseil à travailler en vue d'un consensus régional qui, à son tour, a entraîné une modification des positions de la collectivité. Les décideurs en cogestion aux affiliations multiples ont fait face à des dilemmes difficiles alors qu'ils cherchaient à la fois à préserver leurs traditions culturelles, à protéger un habitat faunique fragile, et à administrer de façon à légitimer leur processus de cogestion.

Mots-clés : cogestion, caribou de la porcupine, chasseurs autochtones, légitimité, connaissances traditionnelles, développement pétrolier de la Réserve de l'Arctique, recherche sur la faune nordique

A member of my community] just put a burr in my pants....Someone is making some very negative statements, and too bad it happened behind my back. Now, there are some things I don't agree with that go on, but there's also a lot of things, a lot of good that comes from it [research]. Research is necessary."

— Native Community Representative to
a Caribou Co-management Board

You take a group of Native people and you put them on a board and you give them the mandate to make decisions based on information, and they want damn good information. They want [science-based] information. I've seen this with the Porcupine Caribou Board, the Mayo Council, the [Yukon] Fish and Wildlife Management Board...once they're part of the management process and decision making process, they realize the importance of this information. But when they're outside of this process, they have some fundamental problems with it.

— Government Agency Representative to
a Caribou Co-management Board

Introduction

Few conflicts of northern resource management are more contentious than those arising from the three-way intersection of indigenous peoples' traditional relations with animals, proposals for industrial development, and natural scientists' quest to advance knowledge of wildlife. Historical aspects of such conflicts are well articulated in the literature (Berger 1977; Freeman 1989a; Page 1986). The legacy of internal colonialism in the Arctic by nation states (Osherenko and Young 1989), differences in root metaphors that underpin conflicts of indigenous and science-based knowledge (Berkes 1999; Cruikshank 1981, 1998; Gamble 1986; Scott 1996) and the inseparable link between property relations, cultural views on control of nature, and power (Asch 1989;

Feit 1986; MacPherson 1978; Usher 1983) have been noted.

Twenty years ago, as northern peoples, scholars and resource managers assessed these conflicts, there was anticipation and hope about the potential benefits of establishing alternative institutions providing for community-government power sharing in wildlife management (Berkes 1981; Freeman 1981). As a part of that discourse, Berkes (1981), Usher (1971; 1986; 1987), Osherenko (1988a; 1988b), Feit (1973; 1986; 1988), Freeman (1989b), Freeman and Carbyn (1988) and others framed the problems as conflicts between "state" and "indigenous systems" of wildlife management, making explicit the assumption that institutions for the management of wildlife reflect culturally defined authority systems of property relations, practices, and beliefs affecting resources, resource users and their greater community (Bromley 1992a, 1992b). Considering the potential of community-state "power-sharing" alternatives, those advocating the implementation of co-management argued that more holistic insights into ecosystem dynamics would result from an integration of traditional and science-based knowledge, the self-regulatory features of indigenous systems would lower enforcement costs for the state, and indigenous challenges to the legitimacy of state claims to management would be resolved through a redistribution of rights and duties leading to greater community involvement in decision making. There were also questions and speculation about the ultimate shape of future systems of co-management. Anticipating problems in the integration of local and state approaches to management, Feit (1988) spoke of "dual systems of knowing" that could interact to resolve common resource management challenges. Pinkerton (1989), concerned about the forces of bureaucratization, asked if nascent co-management arrangements could remain resilient and accountable to local communities. Looking ahead, Berkes (1981) suggested the emergence of a "third system" of management, which drew on the respective strengths of differing cultural traditions.

Some three decades after the implementation of several legally based co-management agreements in Arctic Canada, there is an opportunity to move beyond speculation and reflect on experience to understand these processes and their underlying dynamics. Several scholars have advanced that effort (e.g., Caulfield 1997; Huntington 1992; Jentoft and Kristoffersen 1989, Kruse et al. 1998; Pinkerton 1989, 1992, 1994; Pomeroy and Berkes 1997), contributing to the interdisciplinary study of common property (McCay, and Acheson 1987; Ostrom et al. 2002). Most recently, students of co-management have focussed on the vertical and horizontal linkages important

to institutional performance (Berkes 2002; Young 2002) and the capacity of power-sharing arrangements to facilitate human adaptation (e.g., Berkes and Folke 1998; Berkes, Colding and Folke 2003; Kendrick 2003), while others have focussed on the power imbalances that appear to persist well after the establishment of these arrangements (e.g., Nadasdy 1999; Spak 2002).

This paper adds to the study of co-management by focussing on the problems of legitimacy and emergent dilemmas of power sharing. Serving as the basis for the analysis is a critical incident of caribou hunters and researchers in conflict at a formal caribou co-management interface.¹ The critical incident of this paper, referred to as the "Caribou Co-management Crisis of 1993,"² is examined at a micro-level scale of individual and group interactions over a three-month period and at a decadal scale to explore the implications of management as a force for change. The resource regime in which the critical incident occurred involves governance of the internationally migratory Porcupine Caribou herd. This particular critical incident was documented while conducting research on the Canadian co-management of the Porcupine Caribou herd with field studies in the caribou user communities of Old Crow, Yukon and Fort McPherson and Aklavik of Northwest Territories (see Kofinas 1998).

"The Caribou Co-Management Crisis of 1993" arose from hunters' concerns regarding the on-going practice of biological research on caribou, and resulted in the community proposal of a two- to three-year moratorium on future caribou studies. In many respects, the interface of hunters and researchers in the 1993 Crisis challenged the legitimacy of caribou science, with the collaring of caribou calves being a symbolic flash point in the conflict. As a result of the crisis, the co-management board's members grappled with dilemmas and worked towards regional consensus by creating a new board-level policy regarding its role in supporting caribou studies and disseminating information on collared caribou. The new policy, in turn, reshaped locals' perspectives on caribou collars and reduced conflict about the one-time controversial practice.

The Problem of Legitimacy in Co-management

As a construct, legitimacy is defined here as authority, rightfulness and/or truth that is in accordance with established or accepted forms or requirements. At its essence, legitimacy is a human perception that can be maintained, cultivated or eroded, and therefore is dynamic and subject to forces for change.

Common perceptions of legitimacy are an important ingredient of social capital (Coleman 1990), and thus essential to a co-management arrangement's capacity to achieve consensus among parties and translate consensus into collective action. I suggest that there are three inter-related dimensions of legitimacy that are important to co-management performance. These include:

1. the legitimacy of governing institutions (i.e., formal and informal rules, norms, conventions that define roles and shape human action), such as the legitimacy of a formal agreement that establishes a co-management partnership;
2. the legitimacy of knowledge and the underlying paradigm that guides the production of knowledge used in co-management decision making, such as the findings of a study project and the method used to derive its conclusion;
3. the perceived legitimacy of individuals or organizations that function as stewards of co-management institutions, such as the individuals who serve as community and state agency representatives on a co-management board.

The interrelationship of these dimensions of legitimacy requires that an analysis of co-management consider holistically the complex interactions of various levels of institutional processes, the diversity of views on knowledge and knowledge acquisition, and the authority of individuals and organizations involved. Moreover, it is important to examine how these various aspects of legitimacy interact with each other to shape values, opinion and behaviour.

The legitimacy of institutions has long been of concern in social science. Weber's (1947, 1960) theory of bureaucratization, with its focus on substantive and instrumental rationality, routinization of process, and the tendency of bureaucratic organizations towards goal displacement is a foundational consideration when addressing the problems of legitimacy. In her early analysis of these alternative arrangements, Pinkerton (1989) asked whether the emergence of co-management defies Weber's grand predictions about an ever-increasing scope of bureaucracy in society or if co-management is an incremental move in that direction. Her question points up the related question of whether informal local authority systems of resource management can sustain their legitimacy while nested within larger, more dominant institutional processes.

The conflicts of legitimacy that follow from differing epistemologies are among the most common topics explored in northern co-management studies, with the authority systems of people and their underlying notions of legitimacy commonly referenced as culturally defined

paradigms of knowledge (e.g., Lévi-Strauss 1966; Nader 1996). Brody, (1981) Ridington (1990), Rushforth (1992) and others have described how the legitimization of belief among Athabascans is tied to individual experience, and how a hunter's access to power is achieved through dream world and intimate experiences with animals, land and community. Rushforth (1992) notes that the hunter's experience shapes the status of the individual within the community, and thus limits central authority. The skepticism of northern traditional hunters about Western scientific knowledge is sometimes expressed as the limited firsthand experience of scientists in the homelands of hunters, with conflicts arising as scientists regard indigenous rationality as "mystical" and "a-rational" (Burch 1995; Feit 1986).

It is hard to achieve meaningful community-government partnerships, given the tendency of conventional state wildlife management to marginalize traditional forms of knowing (Nakashima 1993). Achieving effective co-management (i.e., power sharing) is not simply a matter of communities asserting their legal rights, but depends on the role of state agencies helping to establish the legitimacy of traditional or informal local-level management systems (Pomeroy and Berkes 1997), a process that may require the socialization of biologists to indigenous culture (Kendrick 2003).

Over the last decade the use of the term "traditional ecological knowledge" has advanced the legitimacy of indigenous knowledge among state agencies and researchers (Berkes 1999), though the extent to which use of that term has resulted in substantively different policy decisions is less clear. Indigenous knowledge as a source of information in decision making does not, however, account for the role of knowledge in informing a process of governance (Nuttall 1998), with examples illustrating how indigenous approaches to decision making (e.g., use of consensus) have been incorporated into co-management procedural policies (e.g., Peter and Urquhart 1991). As noted by Jentoft and Kristoffersen (1989: 363), legitimacy in co-management is not just a result of a decision itself, such as its distributive effects, but also involves the perceived process by which a decision is reached.

There is also evidence that the direction of change as a result of co-management is two-way, as science-based approaches to wildlife management have been adopted by many at the community level (Usher 1995, 2000). While the framing of "indigenous systems" and "state systems" is helpful as a heuristic in the development of theory, it is inadequate in accounting for the complexity and diversity of current *in vivo* cases. What is needed in the development of a theory of co-management is to move beyond typologies and towards an understanding of the mecha-

nisms of change resulting from the interactions of individuals and groups.

The role and perceived legitimacy of the individual in northern co-management, the third dimension explored in this paper, raises another set of problems and is often underappreciated. Kofinas (1998: 174-258), Kruse et al. (1998) and Kendrick (2000) have addressed the community representation problem when the traditions of governance are based on local-level face-to-face interactions (also see Gallagher 1988). Studying co-management for minke whaling in Greenland, Caulfield (1997) notes the emergence of an incipient elite, a finding that has implications when considering the potential rise of oligarchic decision making in co-management. A co-management oligarchy suggests the potential for community co-management board members to lose touch with their constituents and be socialized and or co-opted by conventions of state management. Pinkerton and Keitlah (1990) seek clarity in the morass of these problems, noting how systems of accountability and extraordinary communication efforts are critical in maintaining the overall legitimacy of a co-management system, especially where a process is dependent upon a small group of experts. As we find in the critical incident of this paper, such efforts often come with hardship on the part of those individuals bearing the burden of co-management communications; and a need to grapple with dilemmas that follow when their own awareness of political process and research science is not clearly understood by those outside the immediate co-management interface. In this analysis, such dilemmas serve as indicators of the inherent conflicts of co-management and the limitations of power sharing available to local communities who are partners in these arrangements.

Situating the problems of legitimacy in co-management in a historical context is critical to understanding the turbulence arising in the 1993 incident presented in this paper. A long-term view also highlights processes of social learning and human adaptation not available in snapshot, micro-level analyses. Finally, the appreciation of history points to the larger questions of how, if at all, long-standing co-management arrangements have changed power relations between state agencies and caribou-dependent communities, and how these processes, in turn, changed local communities. To what extent does power sharing result from the implementation of formal co-management agreements and to what extent is it achieved through the voluntary actions of key individuals? Deciphering the intricacies of power relations as related to legitimacy is, at best, tricky business that requires enough detail to avoid attributing all actions to general statements about

power inequities. Attributing behavioural change to institutional change is also difficult, especially when assessing the interaction of complex organizations of various scales and the internal dynamics of community.

In light of these theoretical and methodological problems, the 1993 Caribou Crisis is presented here as a detailed ethnographic account of co-management transactions—a set of unfolding multi-scale interactions at the local, regional, and international levels; and as an enterprise of individuals with multiple, and at times competing group affiliations who struggle through a complex and chaotic social drama to maintain both their immediate goals and sense of security for the future.

A Context for Crisis: The PCH Co-management Arrangement

The Porcupine Caribou herd (PCH) is the eighth largest barren ground caribou herd (*Rangifer tarandus*) in North America, and the largest shared migratory herd of mammals in the United States and Canada. The regime for its governance is complex, involving two national states, three state/territorial-level governments, seven indigenous claimant groups, some 17 indigenous communities, and countless state management agencies and Native organizations.

The communities of Old Crow, Fort McPherson and Aklavik are Canada's three primary user communities of Porcupine Caribou, each with intimate cultural, spiritual and economic ties to the animal (Caulfield 1983; Fast 1998; Kofinas 1998; Slobodin 1962, 1981). Harvest levels for Porcupine Caribou for the past 30 years have been regarded by state managers as relatively low, and have not been of serious concern.³ The most controversial issue of Porcupine Caribou management is the proposal for oil and gas development in the concentrated calving grounds of the Porcupine herd on the Coastal Plain of Alaska's Arctic National Wildlife Refuge, a proposal that has been formally opposed by all Canadian Porcupine Caribou communities, the Porcupine Caribou Management Board, and the Canadian Federal Government.

The controversy over proposed industrial development in Alaska's Arctic National Wildlife Refuge is the most recent of a long series of proposed economic development activities in the region, resulting in intensive research on caribou. The value of Porcupine Caribou to indigenous people and the potential impacts of hydrocarbon development were highlighted throughout the Berger Hearings of the 1970's. The subsequent Native rights movement that grew out of the Berger assessment, along with historic mistrust between state wildlife management and indigenous peoples, motivated the creation of a joint

co-management agreement for the PCH. Consequently, a Canadian agreement for management of the PCH was negotiated through the 1970s and signed in 1985 by the Canadian Ministry of Environment, the Ministry of Indian Affairs and Northern Development, the Yukon Government, the Northwest Territories, the Council of Yukon Indians, the Inuvialuit Game Council and the Dene Nation and the Metis Association of NWT.⁴

The Canadian Porcupine Caribou Management Agreement established a legal obligation by signatories to perform the following actions:

1. To co-operatively manage the herd and its habitat within Canada so as to ensure the conservation with a view to providing for the ongoing subsistence needs of native users;
2. To provide for participation of Native users in herd management;
3. To protect certain priority harvesting rights in the herd for Native users, while acknowledging that other users may also share the harvest;
4. To acknowledge the rights of Native users as set out in the agreement;
5. To improve communications between governments, Native users and others with regard to the management of the Porcupine Caribou herd within Canada (Canada 1985).⁵

The agreement is somewhat unique in its specific reference to “user communities.” Through the terms of the agreement, user communities have special rights to hunt Porcupine Caribou without a licence or special fees, and in the event that a permitting program is necessary for conservation, permits would be issued locally.⁶

The Porcupine Caribou Management Board (PCMB), established by the Canadian Porcupine Caribou Management Agreement, is an eight-person body composed of native and government representatives.⁷ By the terms of the Porcupine Caribou Management Agreement, the PCMB serves as a stage for discussions, deliberations and generation of recommendations on matters relating to caribou and PCH habitat in Canada. Its formal authority is advisory to government ministers, and thus, allows the board (and communities through its influence on the board) to recommend policy, but with no assurances that its recommendation will be followed. Thus to function effectively, the PCMB must cultivate and maintain its legitimacy in the management process, both with government ministers and government agencies, as well as with local user communities and other parties.

Two types of language determine the force of the agreement’s terms—*shall* statements and *may* statements. *Shall* statements of the in-Canada Porcupine Caribou Manage-

ment Agreement that direct the board’s activities in involving communities in caribou research specify that:

D.4 The board shall review technical and scientific information relevant to the management of the Porcupine Caribou Herd and its habitats and may advise the Minister of its adequacy.

D.5 The Board shall encourage native users and other harvesters of Porcupine Caribou to participate in the collection of statistics and biological information.

With less directive language, the Porcupine Caribou Management Agreement also states that the board *may*:

E.2.a Review and recommend development of Porcupine Caribou research proposals;

E.2.b Review available information and recommend further research where there appears to be a need;

E.2.c Review and recommend methods of data collection and presentation;

E.3 b With respect to habitat protection, the board may identify sensitive habitat areas requiring special protection and recommend measures to protect such areas.

Elsewhere the Porcupine Caribou Management Agreement directs the PCMB to recommend the allocation of quotas if necessary, and thus, implicitly directs the co-management body to assume a role in monitoring and anticipating changes in the herd’s total population. Directives for habitat management are provided in the agreement, although these and other provisions appear as recommendations that are advisory in nature.

The Porcupine Caribou Management Agreement’s language has implications for the co-management body’s authority in directing the work of wildlife management agencies and its mandate to involve communities in the studies of those agencies. With its limited access to financial and human resources, the PCMB and its user caribou communities are essentially dependent on government agencies to implement any caribou research directives that it may recommend. Thus, the PCMB functions within its management domain differently from government agencies (Urquhart 1995). The co-management board is charged with monitoring the status of a living resource’s health while also making recommendations on the full array of other management functions (e.g., education, land-use planning, enforcement, human health, etc.), posing a considerable burden for the board, given its divided attentions.

By virtue of the herd’s migratory characteristics, the Canadian PCH management is part of a bilateral regime,

with the Canadian approach to caribou management and indigenous rights differing dramatically from that of Alaska. As a result of the Alaska Native Claims Settlement Act (1971) and the absence of special aboriginal title to harvesting in the U.S. and Alaskan constitutions, Iñupiat and Gwich'in caribou user communities of Alaska have access to no comparable co-management body. Adding to the limited rights in management of Alaskan Native communities are protracted state-federal legal conflicts, resulting in co-ordination and co-operation problems between agencies of various land management jurisdictions and between agencies and communities.

The United States and Canada signed a bilateral agreement for conservation of Porcupine Caribou and caribou habitat in 1987, the result of a 20-year negotiation process that paralleled the co-management negotiations for Porcupine Caribou in Canada. While the agreement does set terms directing co-operation among parties and establishing a co-ordinating board of caribou users and agency representatives,⁸ the international board has been largely inactive as a result of the vagaries of United States administrations that support oil development in the calving grounds of the Porcupine herd of Alaska. Consequently, there have been problems associated with board membership and with the United States meeting its obligations to convene meetings on a regular basis (Kofinas 1998). One of the few products of the International Porcupine Caribou Board is a "Sensitive Habitats Report of the Porcupine Caribou Herd," (IPCB 1993), which was released during the critical incident addressed in this paper. It is within this context that the 1993 Caribou Crisis of the PCH occurred.

The 1993 Caribou Crisis

Early Antecedents to the Crisis

The Caribou Co-management Crisis of 1993 was preceded by a well documented history of concern and dissatisfaction by indigenous Porcupine Caribou hunters about the practices of caribou science and indigenous people's limited role in the wildlife management.⁹ Therrien's (1988) early-stage analysis of the Porcupine Caribou co-management arrangement indicates that by 1986 (i.e., year-one of PCMB operations) there was dissatisfaction among community board members because the new agreement afforded the board few opportunities to influence a caribou research agenda.

A content analysis of PCMB meeting minutes from its first meeting to 1993 reveals a repeated pattern of communication in which Native hunters pose questions about the need for caribou research requiring the use of aircraft

and collars and the handling of animals, and a response by agency managers to inform community residents about the value of collars in science and/or demonstrating their application. Never discussed openly at PCMB meetings was what the Gwich'in regard as a negotiated order of power-sharing arrangement between Gwich'in and caribou, established in the time before there was time, *nunh ttrotsit ultsui gwuno* (when the earth was first made), when caribou were people and people were caribou. As told through the stories of the Gwich'in elders, *nunh ttrotsit ultsui gwuno* (when the earth was first made) humans and caribou each experienced hardship. Recognizing their common needs, caribou and Gwich'in shared something of each other and struck an agreement, or as Mary Kendi, a Ehdiitat Gwich'in elder of Aklavik put it, "a deal" that would define future relations. At their separation, an agreement was made for mutual respect, yet the separation between Gwich'in and caribou would never be complete; part of humans' *tinji tthui* (human flesh) would remain in caribou.¹⁰ The mention of this belief here is not to suggest that non-Native agency board members were unaware of indigenous views of caribou as sentient beings. The point is to highlight the absence of such topics in discourse at the co-management interface, and the belief of agency managers that if hunters could be fully educated about the use of collars, they would understand their value to management and therefore, support their use.

Catalyst for 1993 Crisis

Community-level field research for this paper began in February of 1993, with the following summer-to-winter spent in Old Crow, Yukon. While conducting interviews, joining men on caribou hunts, and learning from the stories of elders, I also awaited the arrival of the PCMB, which had scheduled its next meeting for Old Crow in late November, 1993. A key objective of the research was to document if and how local-level concerns would emerge as board-level transactions.

During the summer-to-autumn season, I tracked the comings and goings of two teams of government caribou biologists.¹¹ Team #1 included a regional biologist and an assistant, and employed two local hunters as guides, hunters and boat drivers. This team travelled up the Porcupine River to collect samples of cow caribou for a study which involved monitoring body condition. The caribou body condition study of Team #1 had been described to me by agency managers as the hallmark of co-management co-operation because of its direct involvement of local hunters. Team #2, included a biologist team leader (also a member of the PCMB), two pilots, and two non-local technicians. Utilizing a helicopter, a fixed wing air-

craft, radio telemetry equipment and a net gun to capture radio collared calves, Team #2 arrived later in the season for a study focussed on the value of the herd's calving grounds to calf survival, using radio collared cow and calf caribou.¹²

Team #1 members were unlucky hunters. The 12 to 15 cow caribou needed for the collection did not avail themselves and the researchers departed the community with only four sets of specimens. As biologists departed for Whitehorse, I was visited by a local hunter who commented on the high expense of flying biologists to conduct fieldwork and asked why those who live in the community were not hired to conduct the body condition sampling on their own. Immediately after Team #1's departure, reports in town circulated that a lone calf orphaned by Team #1 had been seen on the banks of the river, and appeared "lost" and in danger of imminent death by a wolf. Later, a community member sought me out and spoke of his disapproval of those who "play with animals," citing "his religion" as the explanation for caribou's limited availability to the team. The hunter made his point by describing the coincidence of events in the year's observed autumn caribou migration; animals first appeared in large numbers early in the season, then disappeared during the period of the biologists' field study of body condition, and reappeared in large numbers immediately after the biologists' departure. Implicitly, the hunter was referencing his belief that inappropriate human actions affect the behaviour of caribou, and that when traditional rules governing relations with caribou are violated, caribou will not offer themselves to the community.

Team #2's activities began with the layover of a biologist/pilot who was completing an aerial relocation of collared caribou, the preliminary work for Team #2's recapture and measurement activities that would follow. In an effort to be helpful to local hunters with their autumn harvest, the biologist provided a map of collared caribou locations to the community's chief, and commented to the chief about his surprise that the relocations (as noted in the map) indicated a proportionally high number of mortality signals from collared calves.¹³ Over the following week, the news of a high number of "dead calf caribou with collars" caused concern as it circulated among local residents and beyond, and residents of the region responded by phoning an elder and respected PCMB representative from an adjacent community seeking an explanation. The PCMB representative, in turn, called several agency biologists to acquire details about the report, but failed to receive details on the study.

The immediate response of the community residents about the "dead calves" provides an indication of com-

munity residents' awareness of their co-management system and its community representatives, and a sign that community members perceived the co-management arrangement as a legitimate and appropriate means for addressing concerns over caribou in a crisis situation.¹⁴ The community board member's inability to gain access to information about the calf research project reveals a prior problem of non-co-operation among agency biologists, expressed as reluctance by some scientists to get entangled in a controversy caused by a biologist from another agency. These interactions also reveal a lack of prior discussion by the PCMB on the specifics of the calf research project, which several board members later attributed to unwillingness on the part of the lead biologist of Team #2 to disclose fully the details of his agency's caribou calf research to the board.

As the events concerning the "dead collared calves" unfolded, Team #2 arrived in Old Crow to set up its base of operations in a government-owned building at the edge of the village. The team's days were spent using aircraft to locate and recapture collared calves and their mothers. While in the village, the leader of Team #2 received word that the community chief requested a meeting with the biologist and, after several days of work, Team #2 departed without responding to the request. In an interview after the incident, the leader of Team #2 explained his actions as conflict avoidance:

[T]he old adage is, if you don't want "no" for an answer, don't ask. So to go to [the community] to say that this is what I'm doing, what do you think? Somebody's gonna say that they don't like it. And then what do you do? Spend time trying to educate the community, I mean, it probably all stems from "I know what I'm doing and I probably know I'm right." Whether that's true or not, you know, if I felt uneasy at all about what I was doing in terms of having some conservation problem with the herd, maybe, I would be more apt to go and consult and sort of get concurrence and get their blessing to go on and do it.

The autumn's caribou research activities prompted wide discussion among locals about the limited utility of caribou research for management and the negative effects of scientific studies on caribou behaviour (i.e., changes in caribou migration patterns that are less concentrated than years ago, animals being more "skittish" and therefore harder to hunt). Hunters also reported that adult caribou with collars appeared to be shunned by other caribou of the herd, an assertion that indirectly challenged the legitimacy of the findings of Team #2's caribou research project.¹⁵ In those discussions, "caribou studies"

were described as a by-product of industries' oil and gas development proposals, and not as a means of assessing oil development impacts on caribou. According to several community hunters, the goal of scientific caribou research was being undertaken for the advancement of professional careers, not for the acquisition of knowledge for management of the herd.

Community Response: A Proposed Moratorium on Future Caribou Studies

After the departure of the research teams, three community PCMB representatives and the community's Chief expressed their support in separate interviews for instituting a two- to three-year moratorium on all caribou research in order to "Give caribou a rest." Calls for a two- to three-year moratorium on caribou research were also mentioned by other leaders, including a high-profile informal community leader (i.e., not elected and not on the PCMB) who drew on access to the media to embark on a campaign to advocate the moratorium. At several public events the informal leader publicly countered the PCMB chairperson who defended the need for scientific research (Buckley 1993a; 1993b). As a result, the PCMB chairperson and the informal leader found themselves in an awkward position of being allied in the fight to stop oil development in the concentrated calving area of Alaska's Arctic National Wildlife Refuge, yet at odds about the future of caribou research. As the stress of the situation surfaced at the co-management board level, community and government board members talked of the importance of maintaining good intra-group relations among the board's membership and the difficulties of sharing their understanding of caribou science with fellow community members. Several members talked of the strong bonds of loyalty and trust that had evolved between all PCMB members through their shared experience at meetings. One government PCMB member spoke to the group of his commitment to the co-management agreement, and how his membership on the board superseded his responsibilities as an agency manager.

The public debate on caribou research appeared to several board members as potentially threatening to the legitimacy of PCMB at a political level. Since the PCMB is an advisory co-management body, much of its political capital is accrued by maintaining its role in resolving difficult public policy issues in a manner that is perceived by government ministers to be reasonable. With concerns about the PCMB's future, non-native members talked about another wildlife management board of the region as a "renegade" or "run-away management board," meaning that it had deviated widely from the interests of senior

bureaucrats, and its recommendations were no longer taken seriously by government. By maintaining and even cultivating its legitimacy, a co-management board provides elected officials the opportunity to hand off difficult decisions that might otherwise erode their political capital. For those at the co-management interface, cultivating a co-management board's legitimacy is an on-going balancing act that occasionally requires compromise by all, and at times, makes special demands of members who are the least powerful partners in the arrangement (i.e., communities). Complicating the problem of the board's legitimacy in this incident was the informal leader's attempt to influence decision making by bringing the debate to the public at large (vs. the internal confines of a board-level process) and thus, circumventing what most board members viewed as the perceived boundaries of the co-management process.

Contributing to the solidarity of the PCMB on a grander scale throughout the conflict was the external threat of proposed oil development on calving grounds in Alaska. As it happened, the media attention on the caribou research debate occurred as the International Porcupine Caribou Board met and agreed to publish its *Sensitive Habitats Report of the PCH* (IPCB 1993), a document identifying the PCH's calving and post-calving grounds (including the Coastal Plain in Alaska) as its most sensitive habitat.¹⁶ Board members realized that the *Sensitive Habitats Report* would assist in the political fight to stop Arctic Refuge oil development. As well, community PCMB representatives were reminded that much of the data compilation, analysis and the overall conceptualization of the report was undertaken by their fellow PCMB member (and leader of research Team #2 involved with the calf study).

After the decision to release the *Sensitive Habitats Report*, community PCMB members supporting the idea of a moratorium on research abandoned that idea and aligned themselves with government board members. In the course of the shift, the informal leader who had publicly voiced opposition to future studies was then openly labelled by some board members as "the problem" and more privately, was vilified by the group for breaching the norms of the co-management process by publicly challenging the board. (See first quote at beginning of this paper.) An agency manager and PCMB member later explained the shift in opinion as part of a socialization process by which Native co-management board members' perspectives on science are transformed when serving on a joint management body. (See second quote at beginning of this paper.)

Voicing of Community Concerns to the Co-management Board

The PCMB convened its scheduled fall meeting in Old Crow immediately following these events.¹⁷ As a part of all the board's meetings, an open public meeting was held with members of the hosting community. The agenda of the public meeting, set by the PCMB, was focussed only on community involvement in the political lobby to stop oil development in Arctic Refuge and with no mention of the caribou research problem. As the PCMB chairperson brought closure to the public meeting, the community's chief (not a member of the PCMB) stood and spoke:

One issue that is of concern, that comes up in the community is that studies have been going on long enough. The issue behind that is the collaring thing. Porcupine Caribou Herd research gotta stop messing with the young calves because they are growing and they get tired as they grow. That is one of the concerns this community has this winter. I think the Porcupine Caribou Board should put that into a resolution tomorrow. The community is concerned about that and I'm here to speak on that issue.

Following the statement by the Chief, local hunters expressed concern about the disrespect for caribou by researchers and the impact of repeated biological research. Several community members called for a two-to-three-year moratorium on all PCH studies. One hunter shared his eyewitness account of caribou harassment by helicopters. Another asked why a method for capturing and collaring caribou swimming at caribou river crossings, previously used in the 1970s and employing local hunters with their boats, was no longer practiced. An elder talked about the confusion between what he understood to be a need for studies that ensure the herd's health and what appeared to be a wasteful allocation of research dollars for activities offering limited value to herd management. Recognizing that the Porcupine herd is the most studied caribou herd in the world, the elder asked, "Don't you know enough yet?"

All government members of the PCMB interviewed after that meeting stated that the public call for a moratorium was unanticipated by the board. Given the public debate before the meeting, their claims of surprise are not easily evaluated here, but likely follow from government board members' incorrect assumption that the informal leader's critique of caribou research via the media was part of a personal agenda and not a widely-held concern of residents of the communities. Another explanation is that board members hoped that the issue would dissi-

pate, as it had in the past, and thus, focussed the public meeting on political lobbying. It is most surprising that Native community representatives had not adequately communicated the level of community concern about the caribou research to fellow board members, and together with them, explored ways of addressing those concerns directly.¹⁸

The leader of Team #2 responded to the community by presenting statistical evidence indicating that calves orphaned in the fall season are more likely to survive the loss of a mother than perish,¹⁹ and thus, matched the earlier pattern of responding to local concerns with information. The meeting ended with the chairman reflecting publicly on the difficulties faced by the group, commenting, "You know, bringing traditional knowledge together with science has always been a hard one," and with community members expressing their dissatisfaction with the unwillingness of the PCMB to respond to their concerns.

Crisis Boiling Point to Board-level Consensus: Passing a Resolution to Support Future Caribou Studies

Bringing the crisis to a flash point was the uninvited arrival of a delegation of Canadian government personnel to discuss Canadian Government plans to open gas and oil leasing rights for bid within the Canadian range of the Porcupine herd, which angered community leaders and board members alike. Needing a private stage to sort through the issues, the board called an in-camera (members-only) session, inviting the community chief who was leading the charge for a moratorium on caribou studies and not the oil industry-government delegation.²⁰

The in-camera discussion began with a Native board member telling of his grandfather's rich but limited knowledge of caribou movements. The leader of Team #2 who was also a board member expressed frustration at being the target of repeated community attacks on caribou studies while community leaders selectively gleaned the benefits of his studies for management and lobbying. Having invested a career in studying the Porcupine herd, he presented the board with an ultimatum: he would conduct no future PCH research unless his research received full-board support. A manager noted that funding cycles for biological studies makes it difficult to cease and then re-initiate a well-supported caribou research program. Community board members discussed the value of scientific research in managing a caribou herd in the face of unknown contaminants, future impact assessment processes and fluctuating herd populations. The members pondered the dilemma and considered their choices.

On the one hand, there was a desire by community members to be respectful of and maintain local cultural traditions on caribou. On the other hand, there was a need to be strategic when confronting new environmental threats and interfacing with systems of authority in which the legitimacy of knowledge differs from that of the local indigenous culture.

The local chief listened, talked, and then concluded that he was “convinced” science would provide his community with a “bigger hammer” in its efforts to lobby against proposed oil development in Alaska’s Arctic Refuge. The instrumental value of Western science was formally acknowledged and endorsed by all members of the co-management board as well as the community chief. The board achieved consensus, with the understanding that the calf-collaring project’s funding would soon end. As a part of the consensus it was also agreed that all future caribou research would be reviewed and, if endorsed by the PCMB, would receive full public board support. Reconvening its regular meeting, the PCMB passed by consensus a formal resolution supporting future caribou studies. No one from the board or the community voiced concerns or critical comments about caribou research for the remainder of the meeting.

Post-Crisis Conditions: Changes in Research Review Protocol and a New Policy to Achieve Community Buy-in for Collars

A government agency wildlife manager and member of the PCMB later described the board’s resolution as an important policy shift in the business of Porcupine Caribou co-management. Admitting his own role in the crisis, the agency manager noted that prior to the crisis, government managers and community board members alike had found it convenient to sit back and watch as caribou biologists bore the burden of defending their studies to local community members. In the future, the manager proclaimed, the co-management board would change its strategy by being openly supportive of caribou researchers and more assertive when endorsing the legitimacy of caribou science. The new policy of the board also relocated review and approval of future PCH research projects from agencies to the Porcupine Caribou Management Board.

Four months later, the board met again and revisited community concerns regarding use of collars by endorsing a new communication strategy to achieve better “community buy-in” for the use of radio collars. The strategy called for maps of caribou radio satellite collar locations to be faxed to local renewable resource councils, tribal offices, hunters’ and trappers’ committees and schools as a way of making the data immediately available and use-

ful to local hunters. The strategy would essentially extend the instrumental value of using radio collars for science to using radio collars for assisting in the harvesting of caribou. Soon after initiating the new program, local hunters began using the faxed maps when planning their hunts.²¹ While community concerns about the caribou research activities of autumn 1993 remained high into the following year at the community level, statements of concern about collaring of caribou at subsequent PCMB meetings have been mostly absent since the implementation of the collar information sharing program. In its place, however, emerged a new issue concerning the appropriateness of using radio collar data as a means of locating caribou for hunting. In response, the PCMB passed a follow-up resolution directing agencies to delay the dissemination of collar locations to the public by two weeks.

The events of the crisis unfolded as agency managers and biologists began to grapple with implementing new land-claims agreements in Yukon that explicitly state that wildlife management “integrate the relevant knowledge and experience both of Yukon Indian People and the scientific community in order to achieve conservation” (e.g., Section 16.1.1.7 of the Yukon First Nations Umbrella Final Agreement). During the 10 years that followed the 1993 Crisis, caribou researchers modified their research program for the herd by employing hunters to intercept and collar caribou from boats at river crossings, a practice which had been common in the 1970s. A revised body condition monitoring study (i.e., a continuation of Team #1’s study) was introduced, in which local hunters work independently of agency biologists. The program brought limited success initially because of hunters’ unwillingness to “mess with animals” but later worked well. Another agency study was initiated to document local knowledge related to disturbance of the Dempster Highway (Smith and Cooley 2004). Several other study projects incorporating community knowledge of caribou and caribou hunting were also undertaken starting in 1997, focussing on ecological monitoring and integrated assessment of change, with the former leader of Team #2 PCMB member being one of their strongest advocates.

Discussion

The 1993 Caribou Crisis of the Porcupine herd differs from the now famous “Caribou Crisis” of the 1950s and 1960s, involving caribou herds to the east (Banfield 1956). Whereas the former Caribou Crisis was publicized by managers and biologists (Banfield 1950, 1956, 1964; Symington 1965) and followed from the findings of scientific studies assuming that unregulated Native hunting was a key driver in the apparent decline of barren ground

caribou populations (Kelsall 1968), the 1993 Caribou Co-management Crisis of the Porcupine Herd was prompted by local community members' perceptions that research activities were having a negative effect on caribou. The 1993 incident's reversed direction of causality (i.e., researchers rather than native hunters are perceived as having an impact on caribou), and the reversed perception of crisis (i.e., the community members see the crisis, not the researchers), is one indication of the dynamics of power sharing and the issues of legitimacy that can emerge.

The Function of Agreements

Clearly, differing "authority systems" are at the heart of the 1993 incident. Everden's (1993) image of *paradigm as iceberg* is helpful, suggesting that while navigating the conflicts of culture and environment, focus is commonly placed on the above-surface features (i.e., actions and words), while the submerged elements (i.e., the unspoken assumptions) are hugely significant in understanding the problem. The weakness of formal caribou agreements, both the Canadian Porcupine Caribou Agreement and the International Agreement for the Conservation of Porcupine Caribou, also explains much of the cause of the 1993 Crisis. Both agreements were drafted and signed well before northern resource management had adopted the common use of the term "traditional ecological knowledge." While there has long been a self awareness of the legitimacy of indigenous knowledge by Native caribou hunters, the absence of terminology in the agreement making its legitimacy explicit resulted in local communities having limited involvement in research and monitoring. The recent recognition of knowledge integration in the Yukon Land Claim explains the more recent changes.

Had the establishment of the PCH co-management system changed the conditions of state wildlife management described years ago? The, "If you don't want 'no' for an answer, don't ask" adage espoused by the leader of Team #2 during the crisis illustrates how local communities can be ignored by agencies and the importance of voluntary co-operation on the part of agencies in a co-management process when the legitimacy of local knowledge is not made explicit (Pomeroy and Berkes 1997). It also shows us how communities and agencies can concurrently share political positions (e.g., being against oil development in Arctic Refuge) while at the same time be engaged in serious conflict about matters of culture. Yet the crisis also illustrates how co-management can serve as a stage for communities to voice their concerns publicly, and together with various groups, work through varying degrees of conflict to find common ground.

Clearly, the problems for the PCMB associated with proposed development of the Arctic National Wildlife Refuge and the limited effectiveness of the International Porcupine Caribou Board are critical to understanding how the Canadian "stand-alone co-management" arrangement is encapsulated as a part of an international geo-political debate, and how those greater political conditions can limit the options in a regional scale co-management processes.

Co-managers with Multiple Affiliations

Yet, the problems of legitimacy in power sharing are apparent here not simply as struggles of authority systems, but as a set of challenges faced by individuals closely engaged in and affected by the co-management process. Those directly involved in the 1993 Crisis faced an array of dilemmas, especially when holding multiple affiliations in two or more organizations (e.g., community hunter and PCMB board member). The nature of the individuals' dilemmas differed, depending on affiliations. Several agency board members confronted the challenge of representing their home agencies, while at the same time seeking to retain the trust of user communities, by claiming allegiance to the agreement, not to their agencies. Native community board members faced the challenge of endorsing science-based research, while facing critical community leaders with limited understanding of science. Elsewhere, I have addressed the "cost of power sharing" in caribou co-management (Kofinas 1998), suggesting that the avoidance of costs, as opposed to a focus on the pursuit of benefits, helps to explain many of the patterns of interaction among participants in a co-management process. The 1993 caribou crisis illustrates how co-management, although fraught with problems, did facilitate the sorting out of dilemmas and prioritizing of concerns, and in the end arrived at a workable level of consistency.

The emergence of the co-management board as an independent social unit with its own sense of identity, allegiances and organizational development is an important variable in this assessment of community-state power sharing. In the 1993 crisis, PCMB members not only faced decisions regarding research and management of the herd, it also made decisions regarding how best to maintain its own legitimacy. Does the focus on the future legitimacy of the board represent a form of goal displacement, typical of other bureaucracies? It does not appear so. The effort to achieve congruency does, however, suggest the need for co-managers to balance the dual objectives of resource conservation and institutional legitimacy, which is neither simple nor easy, and at best comes with significant compromise.

Clearly, a key factor in the PCMB's strong performance has been the perceived presence of a unifying external threat to caribou—the proposal for development on the herd's calving grounds. The presence of this external threat functioned to confirm the board's solidarity, galvanize group members, and dissolve the critical differences. The emergence of the co-management board as a social unit with legal authority fulfills the visions of its founders, the communities, and many of its members—but it is also potentially problematic for communities that seek to influence board level recommendations. However, in this case I do not find the emergence of a co-management oligarchy. Instead, I observed committed individuals, translating the needs of the greater collective with an insider's appreciation of the problems.

Co-management as a Force for Change

The 1993 Caribou Crisis marks an important moment in the history of the PCH co-management process and demonstrates how an arrangement can evolve well after the signing of agreements to enhance the role of communities and build a greater mutual understanding between researchers and hunters. Viewing the history of co-management as periods of pre-co-management, early-stage co-management, and developing co-management, we first find communities outside the caribou management process of agencies, then find them engaged with limited access and with frustration, and ultimately guiding agency and university research through the co-management body. We also observe changes at the individual level, including the transformation of the caribou biologist (leader of Team #2 and PCMB member) who moved from a preference for conflict avoidance to engagement as an advocate of local knowledge. Most important, these changes suggest the need for analysts to take a long-term view when analyzing co-management performance, rather than focussing on snapshot images at specific points in time.

It is, however, ironic that the 1993 Crisis with its ultimatum from a caribou biologist resulted in a commitment from board members to be more supportive of caribou research in the future. The acceptance by the local leader of caribou studies as a "hammer" in political battles against development, and the board's introduction of radio collars as a tool for caribou harvesting, raises questions about the consequence of co-management as a force for culture change. Should the dissemination of collar information be viewed as an intentional form of social engineering by the PCMB in an area in which communities had once resisted? Were the theories of cognitive dissonance (i.e., get them to do it and they will eventually support it) intentionally applied by those at the interface as

part of the co-management process to achieve community buy-in? Are the actions of the PCMB to be interpreted as the co-option of communities to embrace the instrumental rationality of science? Will the long-term use of the constructs of science along with the current loss of native language ultimately lead to a greater dominance of the science paradigm? Will community acceptance of collars ultimately degrade indigenous forms of legitimacy, or are these changes simply part of a process of human adaptation that co-management is helping to facilitate? Clearly, understanding co-management as a force for cultural change and exploring the ethics of social engineering by co-management boards are topics worthy of future exploration.

Conclusion

Power sharing arrangements and their attendant problems of legitimacy are neither simple nor are they a panacea for harmony. The co-management decision-making process documented in this incident involved conflicts of differing paradigms, the struggles of decision makers who had multiple and at times conflicting organizational affiliations, and the ambitions of caribou hunting people to sustain a preferred way of life. These conflicts were encapsulated within a greater controversy involving oil development in the Arctic National Wildlife Refuge. The ability of the co-management system and in particular, the PCMB, to achieve a workable consensus in the 1993 Crisis in spite of high turbulence, speaks well of the board's capacity to meet its obligations to protect caribou and provide security to caribou people. And while the arrangement's performance in achieving regional consensus is clearly impressive in this incident, its ultimate success will depend to a great extent on the ability of the board, caribou user communities, state agencies and others to balance the co-management institution's legitimacy with those of local authority systems.

The PCMB's decision to disseminate caribou collar data to local communities as a means of achieving better community buy-in for scientific use of collars raises important and outstanding questions. Answering these questions requires a framework that assumes formal co-management institutions and local cultures are highly dynamic. As a drama of unfolding events, the 1993 Crisis reveals an uneven, multidirectional, and ongoing set of processes of change, with legitimacy of knowledge, institutions and individuals as an interacting part of the dynamic. The 1993 Crisis represents a relatively early set of co-management transactions occurring only eight years after the signing of the Porcupine Caribou Management Agreement. The long-term durability of this

arrangement and the future of its local authority systems are unknown. Emerging from such processes are transformed authority systems, where the boundaries of indigenous and state authority systems are less defined. While imperfect, their ongoing and emerging paths are essential to caribou and local communities as strategies for the future.

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Notes

- 1 Formal co-management arrangements are those based on legal agreements and differ from *de facto* power sharing (Acheson 1989).
- 2 Reference to the situation as one of "crisis" is taken from an agency board member's memo, written to the Yukon Director of Wildlife.
- 3 Total annual harvest generally ranges from 3 000 to 6 000 animals, which is well below 3% of the herd's total population. Population levels of the PCH are reported as having increased from 135 000 to 178 000 animals during the period 1983 to 1989, and there was a decline to 123 000 animals in 2001.
- 4 Because of a change in land claims status, the rights conveyed to the Dene Nation and the Metis Association of NWT are now assumed by the Gwich'in Tribal Council. The Canadian Porcupine Agreement differs from Canada's other long-standing co-management arrangement, the Beverly-Qamanirjuaq Caribou Management Agreement. In the Beverly-Qamanirjuaq agreement, native organizations signed as witnesses to the agreement being between territorial- and federal-level governments. The main driver behind establishing these agreements also differ. Whereas the Beverly-Qamanirjuaq Caribou Management Agreement of central Canada grew out of conflicts regarding hunters' and

managers' differing perceptions in populations levels, the PCH co-management agreement was the result of habitat issues that find their roots in the Arctic Gas and Mackenzie Valley Pipeline environmental assessment process of the mid-1970s, the land claims settlement in the Inuvialuit Settlement Region, and early attempts to negotiate an international caribou agreement.

- 5 The co-management agreement, while being a "stand-alone," (i.e., signed independent of land claims processes) is explicitly referenced in the Inuvialuit Final Agreements, the Yukon First Nation Umbrella Final Agreement, and the Gwich'in Land Claims Agreement, all of which are constitutionally entrenched.
- 6 Canadian Porcupine Caribou user communities are Old Crow, Dawson, Mayo, Fort McPherson, Tsiigehtchic, Aklavik, Inuvik and Tutktoyaktuk.
- 7 Terms of the Canadian Porcupine Caribou Agreement provide for membership to the PCMB by each of the signatories, as well as a provision for a Yukon-at-Large member and a member from Old Crow.
- 8 The PCMB Chairperson and agency members of Yukon government, the Canadian Federal Government, and Northwest Territories sit on the International Porcupine Caribou Board as the Canadian delegation.
- 9 Transcripts from the Mackenzie Valley Pipeline hearings document local hunters' concern regarding the intensive use of aircraft for surveying the seasonal movement of the herd and their effects on herd movement and local hunting. It is noteworthy that during this same era, caribou biologists commonly spent considerable time (i.e. months) working in communities conducting field work, hiring teams of local residents as research assistants at a level that is greater than the employment of caribou research in 1993. This period also predates the use of aircraft to capture caribou and affix caribou radio collars for tracking. Instead caribou were collared at river crossings with local hunters working along side researchers. While some elders talked fondly to me of their work with select biologists of this period, others also mentioned how their "old stories" were dismissed by some biologists.
- 10 Mary Kendi told me of the symbolic reminder of *tinji tthui* (human flesh) left from the caribou-human exchange. When bringing a caribou leg to John Vaneltsi, Alfred Francis and Mary Vittrikwa, each located the *tinji tthui ti* (human flesh) near the patella, with Mary Kendi noting that the symbolic reminder is in the rear leg of the caribou. As Roy Moses and Charlie Peter Charlie described it (in separate but consistent accounts), on the hind leg of the caribou and in front of that leg there is a piece of flesh extending from the top of the shank downward. Here is found the *tinji tthui* (human flesh), a part that is not eaten. See Slobodin (1981) for a different account of this story.
- 11 Research on the Porcupine Caribou herd finds its roots in the studies of Olaus Murie (1935), and resumed in the early 1950s with use of aircraft observations (Munro 1953). It intensified in the early 1970s as a part of the Mackenzie and Arctic Gas pipeline impact assessment processes (Jakimchuk 1975a, 1975b) and further concentrated with interest in oil development in the Coastal Plain of the Arctic National Wildlife Refuge (Griffith et al. 2002; Russell et al. 1992). As

a result of this well funded and on-going research program, Porcupine Caribou are regarded as the most studied herd of ungulates in Arctic North America.

- 12 Net gunning caribou from helicopters is a method of casting a large net on wildlife, and is employed to capture select animals. It has been developed, in part, to avoid the use tranquilizer drugs.
- 13 The aerial transect map was faxed to the community's Chief by the Alaskan PCH caribou researcher on September 28, 1993. The map's dotted lines trace the biologist's aerial flight path. Symbols show where caribou were located. "Mortality signals" (i.e., which indicates that the collar has not moved for an extended period of time transmit a unique signal). The map hung for a five-day period on the community's office building, with no written explanation.
- 14 These conditions stand in contrast to findings of Kruse et al (1998) whose research showed a lack of knowledge by Beverly and Qamanirjuaq caribou users of their co-management system and their co-management board representatives. One explanation for the difference is the relatively smaller size of the PCH region.
- 15 A traditional hunter's knowledge of caribou behaviour includes a detailed account of social relations among caribou and their collective behaviour to avoid predators. Shunned caribou, like shunned hunters of a former time, are less likely to survive. See Kofinas (1998: 120-171).
- 16 International agreements are notorious for creating ineffectual regimes because of an unwillingness of federal-level parties to implement their terms. See Young (1994). The International Agreement for the Conservation of Porcupine Caribou and the International Porcupine Caribou Board, established from it, suffer from the same problem.
- 17 PCMB meetings occur three times a year, rotating meeting location to different caribou user communities and regional centers.
- 18 Indirect patterns of communication by the public and a co-management board are explored in the Alaska context by Morrow, and Hensel (1992).
- 19 See Russell et al. (1991) for description of the study described.
- 20 The in-camera session is the only time in my work with the PCMB that I was excluded from observing its members' work. The events of the in-camera were reconstructed based on interviews with seven of the individuals who participated in the meeting and an internal memo filed by a PCMB government member.
- 21 Collared caribou locations have also been posted of the web, and local hunters with access to internet services regularly access the information when planning hunts.

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Co-management—An Attainable Partnership? Two Cases from James Bay, Northern Quebec and Torres Strait, Northern Queensland

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Abstract: Two case studies of indigenous peoples engaged in resource co-management arrangements—James Bay Crees and Torres Strait Islanders—support three arguments. First, co-management involving true power-sharing with central governments is very different from “co-management,” so-called, that offers mere advisory status (though the latter may sometimes be developed into the former). Second, power-sharing by the state depends on sustained political action by indigenous people demonstrating that there are real costs to the state, or interests influential with the state, in ignoring indigenous demands and priorities. Finally, the degree to which indigenous knowledge and institutions shape co-management practice is directly related to the power of the indigenous people involved.

Keywords: hunter-fishers, co-management, indigenous rights, James Bay Crees, Torres Strait Islanders

Résumé : Deux études de cas de peuples autochtones participant à des ententes de cogestion de ressources, les Cris de la Baie James et les insulaires du détroit de Torres, appuient trois propositions. D’abord, la cogestion impliquant un réel partage du pouvoir avec les gouvernements centraux est fort différente de la soi-disant « cogestion » qui offre un simple statut consultatif (bien que ce dernier type de cogestion puisse parfois mener au premier). En deuxième lieu, le partage du pouvoir par l’État dépend d’une action politique soutenue engagée par les peuples autochtones, démontrant que le fait d’ignorer les demandes et les priorités autochtones implique des coûts réels pour l’État ou pour les intérêts influents auprès de celui-ci. Finalement, le degré d’influence des connaissances et des institutions autochtones sur la pratique de cogestion est directement lié au pouvoir du peuple autochtone impliqué.

Mots-clés : chasseurs-pêcheurs, cogestion, droits autochtones, Cris de la Baie James, Insulaires du détroit de Torres

Introduction

This paper examines the potential for co-management arrangements to assist in preserving the rights and interests in land and sea resources of indigenous¹ hunting/fishing peoples, and to mediate conflicts over resources between these peoples and state central governments,² in two cases: the Cree of subarctic James Bay, northern Québec (Canada) and the indigenous Melanesians of the tropical islands and reefs of Torres Strait, northern Queensland (Australia). It is motivated by questions that we believe to be of crucial importance not just for co-management arrangements per se, but for the character of relations between indigenous peoples and the “settler states” more broadly, of which these arrangements are expressions. These questions include the following. To what extent, and under what circumstances, can indigenous relations with state management systems be built on principles of consent, as opposed to coercion? What manner of institutional design might assist in overcoming—in practice if not in legal-constitutional theory—the state’s dogmatic insistence on its own jurisdictional monopoly? And what factors enable indigenous actors to reduce asymmetries of power in contexts of conflicting resource development goals? We do not pretend to fully answer these questions, but the brief histories and analysis of disappointment and improvement that we present for Crees and Islanders do provide some direction.

These two groups have features in common with many indigenous peoples occupying peripheral areas in settler state contexts (Havemann 1999; Perry 1996): a significant measure of reliance on wildlife resources for subsistence and commercial purposes, some of which are thought to be in “crisis” in regard to declining stocks; the continued importance of customary land and sea tenure, indigenous knowledge, and local management systems; multiple industrial pressures on traditional land and sea resources; the majority status of their populations within their tra-

ditional territories; and some of the available legal and policy manoeuvres by which they attempt to maintain or regain control of resources. Both have been leaders, in their respective countries, in establishing self-governing structures and gaining recognition of Native title rights.

A significant contemporary movement in global political and environmental relations is the development of structures and processes aimed at increased co-operation between indigenous peoples and state systems in the management of natural resources (Abel and Friesen 1991; Berkes 1989; Pinkerton 1989; Usher 1997). This is occurring not only because of the growing international prominence of ideologies of indigenous along with other human rights (Niezen 2000), but also because it is increasingly evident that the knowledge and participation of indigenous communities is fundamental in devising strategies for environmentally sustainable resource use, and for coping with environmental changes that are both local and global in scope and consequence (UNCED 1993; WCED 1987). This movement is testing the limits of state systems to achieve genuine decentralization, sharing of powers, and the accommodation of indigenous ethnonational aspirations.

Co-management carries a particular burden in developed "settler" states such as Australia and Canada, where immigrant majorities pose significant impediments to the agenda of indigenous people to regain sovereign control of their homeland and sea resources. The power-sharing implicit in the idea of co-management seems to assist the project of decolonization, and notwithstanding the small size of indigenous populations in these states, they have signalled their determination to bring about such reform. Declarations by the James Bay Cree that they will exercise their right to determine their own political affiliation in the event of the separation of Quebec from the rest of Canada (Grand Council of the Crees of Quebec 1998), or by Torres Strait Islanders that they reserve the option of secession from Australia (Lui 1994), are not without impact in arenas of national and international opinion. The consent of these indigenous polities to Australian or Canadian federal arrangements depends on the ability of such systems to seriously renegotiate proprietary and jurisdictional arrangements, including management of resources and environment in indigenous homelands.

The active structuring of regional self-government involvement in resource management has a shorter history in indigenous Australia than in Canada, but there has been recent convergence in the political and legal conditions under which indigenous groups in both countries operate due to several developments: the enhanced legal status of Native title rights under the 1992 "Mabo" deci-

sion of the High Court of Australia (1992) and the recent "Delgamuukw" decision of the Supreme Court of Canada (1997); the legacy of efforts through the 1980s and early 1990s to recognize aboriginal self-government in Canadian constitutional negotiations (Asch 1993; Scott 1993), together with a national constitutional review and the work of the federal Council for Aboriginal and Torres Strait Islander Reconciliation in Australia (Jull 1992, 1996); and international human rights scrutiny (Davidson 1993). Aboriginal policy and legal measures in Canada and Australia involve increasing mutual resonance, which has generated research interest in comparison of the two countries (Havemann 1999; Howitt 2001; Jull 1991, 1993; Richardson et al. 1995; Robinson 1998; Scott 1992).

In northern Canada, recent decades have seen the development of several co-management institutions (e.g., the Beverly-Qamanirjuaq Caribou Management Board, the Porcupine Caribou Management Board, the Wildlife and Environmental Management Regime of the Inuvialuit Final Agreement; the Nunavut Wildlife Management Board, the James Bay and Northern Québec Hunting-Fishing-Trapping Coordinating Committee, and others; see Berkes 1989; Brooke 1995; Feit 1988, 1989; Freeman and Carbyn 1988; Freeman et al. 1993; Penn 1995; Pinkerton 1989; Usher 1993, 1997). Indigenous Australians have become involved in parallel initiatives which to date have received limited comparative analysis—the Kakadu and Uluru National Park Plans of Management, the Kowanyama Land and Natural Resources Management Office, the Dhimurru Land Management Aboriginal Corporation Plan, the Cape York Land Use Agreement, and the Marine Strategy for Torres Strait (Baker et al. 2001; Mulrennan 1993; Mulrennan and Hanssen 1994; Press et al. 1995; Robinson 1998; Sharp 1998; Teehan 1997; Woenne-Green et al. 1994).

We first outline the resource and environmental co-management provisions of the *James Bay and Northern Quebec Agreement* (JBNQA) (Anon. 1975) and a recent significant amendment to those provisions, the *Agreement Concerning a New Relationship between Le Gouvernement du Québec and the Crees of Québec* (Anon. 2002). We then examine the concurrent development of marine resource management regimes in the Torres Strait, beginning with the *Torres Strait Treaty* (signed in 1978; ratified in 1985) which provides one of the primary legislative and administrative frameworks for marine resource management in the region, and proceeding to a consideration of how Islander political strategies and Native Title sea claims have put pressure on Commonwealth and Queensland governments to strengthen the Islander role. We find that in neither case have these

arrangements established a condition of equitable “partnership” in the management of the environment and natural resources. Progress has been made, however, in proportion to the difficulty indigenous groups can cause central governments which cling too zealously to monopolistic views of the state’s jurisdiction, or to central government-licensed competitors for resources on indigenous territories. Recent developments—such as the *Agreement Concerning a New Relationship* and the creation of a new fisheries consultative structure (approved in December 2002) in Torres Strait—illustrate some of the different means employed, and conditions affecting, the emergence of more balanced partnerships.

The James Bay Cree

The James Bay and Northern Quebec Agreement

The *James Bay and Northern Quebec Agreement* (JBNQA) (Anon. 1975), regarded as the first modern land claims settlement in Canada under the federal policy of addressing outstanding native land rights (Peters 1992), was essentially a settlement designed to resolve conflicts over the construction of the James Bay hydro-electric development project (announced in April 1971 without consultation with James Bay Crees and Inuit of Quebec). Details of the circumstances behind the signing of the Agreement are available elsewhere (LaRusic et al. 1979; Salisbury 1986). For present purposes it is sufficient to note that the decision of Crees and Inuit to negotiate and ultimately sign the Agreement is widely acknowledged to have been taken in response to their lack of alternatives or bargaining power (Diamond 1985; Feit 1980) and “under duress in the context of an early 1970s understanding of aboriginal rights” (Rynard, 2001: 5).

The Agreement included an extinguishment clause which required that Crees and Inuit “cede, release, surrender and convey all their Native claims, rights, titles, and interests, whatever they may be, in and to land in the territory” (Anon. 1975: Section 2.1). In exchange, provisions were made for the ownership and control of land, the management of fisheries and wildlife, and environmental and social impact assessment, as well as a host of commitments regarding cash compensation, royalties, health and social services, education, economic development, an income security program for hunters and local as well as regional self-government powers.

The Agreement overlaid the indigenous tenure system of James Bay Crees with three new categories of land: Category I lands, amounting to less than 2% of the territory, are for the exclusive use and benefit of Crees; Category II lands, which represent about 20% of the area, are

provincial Crown (public) lands over which Crees have exclusive hunting, fishing and trapping rights; and Category III lands, which make up the majority of the territory, are also public lands on which Crees have exclusive rights to certain wildlife species, but have to share other animal populations with sport hunters and fishermen, subject to preferential and guaranteed levels of subsistence harvesting for Crees. Beyond wildlife, Cree ownership or rights to any natural resources in either Category II or III lands are not recognized nor do they have control over the development of these lands. Quebec received a “right to develop” on both Category II and III lands (98% of the territory), subject, in the case of Category II lands, to replacement with land of similar quality if development caused irremediable damage to Cree resources. The Agreement does not extend beyond the low tide mark and no provision is made for Cree interests in the offshore (Mulrennan and Scott 2000).

The fisheries and wildlife provisions of the Agreement (Berkes 1989; Feit 1989; Penn 1995) include: the establishment of exclusive and preferential harvesting rights both by area and by species; various mechanisms for the allocation of the harvest of shared species among Native and non-Native groups outside the exclusive hunting area; in lieu of central government regulation of Cree wildlife harvesting, recognition of the Cree system of management, including their hunting territories, and the authority of Cree “hunting bosses” in charge of these territories;³ and a Hunting, Fishing, Trapping Coordinating Committee (HFTCC) as the primary co-management institution in the implementation of the hunting, fishing and trapping regime (Section 24) of the Agreement.

The HFTCC was established to “review, manage, and in certain cases, supervise and regulate” the regime established by the Agreement (Section 24.4.1). It was intended to balance the power of Cree, Inuit, Innu, Quebec and Canadian government representatives in setting and administering wildlife policy, and is comprised of equal numbers of voting members in aboriginal and central government delegations, with a Chair who alternates between the two, and who casts a tie-breaking vote when one is needed.

The environmental protection regime of the JBNQA (Section 22) also comes into play in addressing conflicts over resource development (Wilkinson and Vincelli 1995). It is intended to provide for the adoption of environmental and social measures to minimize the negative impact of development and to protect “the Cree people, their economies and the wildlife resources upon which they depend” (JBNQA, Section 22). The primary focus of the regime is on impact assessment and review, and on envi-

ronmental regulations. There are no provisions for land use planning or water management and all of the bodies established to oversee the regime are advisory; final decision-making authority rests with federal or provincial governments.

Assessment of Provisions for Protection and Co-management

The JBNQA established institutional linkages between aboriginal resource users/managers and the federal and Quebec governments, while promising compensation for losses of traditional resources to external development (Feit 1989). But this strategy has encountered many obstacles in reducing the power asymmetry between the "joint" managers, or balancing interests in economic policy-making, where the sides take quite different views of what is environmentally "sustainable" in relation to their respective interests. A number of significant problems limit the effectiveness of the co-management institutions (Berkes 1989; Penn 1995; Peters 1992; Rynard 2001). They include a lack of clarity and consistency in the interpretation of the Agreement (less euphemistically, conflict over politically motivated reinterpretation), limited HFTCC powers relative to other mandates within government administration, and logistical difficulties in connecting technical scientific and bureaucratic approaches to local knowledge and management systems.

In particular, conflict has arisen over Quebec Government policies which promote capital-intensive development, or which bow to the political pressure of large recreational hunting and fishing lobbies, in contravention of the principle of the primacy of Native subsistence use and needs in the area. The ability of the HFTCC to give equal effect to aboriginal voices and powerful vested interests within senior government administrations has proven to be limited. The statutory and bureaucratic separation of wildlife issues from other fundamental resource allocation decisions, such as hydro or forest management practices (for which the Quebec Government claims jurisdiction) can easily render moot the ideal of co-management. Quebec, for example, has treated forest management as outside the mandate of the HFTCC, despite its implications for wildlife. Confidence in the ability of the HFTCC to jointly determine wildlife management policy has thus been strained.

Co-management structures at James Bay must be seen in the broader context of a negotiated settlement of aboriginal claims that postponed but failed to resolve fundamental issues of control of the region. Thus, Crees gained recognition under the JBNQA of their right to continue a way of life based on harvesting of wildlife

resources, while the Government of Quebec gained its "right to develop" in the Cree region. When these two general rights come into conflict—as, for instance, with the damage caused by forest clear-cutting to wildlife resources and Cree hunting practices—the limits of the doctrine of co-management become starkly apparent. A wildlife co-management committee, however it is structured internally, can have limited effect if decisions about the crucial habitat upon which wildlife depends remain wholly or predominantly in the hands of external government departments. Until recently, the Government of Quebec has rejected the idea that Crees have any authority to decide future phases of James Bay hydro-electric development, for example.⁴ A key problem, then, has been that Crees have a say about only some of the critical resources on which hunting is ecosystemically dependent; and this reflects the unequal power of the parties entering into comanagement arrangements.

Forestry, in the southern third of Cree territory, represents a significant threat to the continuity of hunting (Feit and Beaulieu 2001). The paved highway infrastructure associated with hydro-electric development has accelerated the development of secondary and tertiary logging roads; over the past two decades about 2 400 km of roads have been constructed to service the La Grande hydro project and forestry operations in the area (Penn 1995:15). Clear-cutting practices have devastated many family-hunting territories, at least in the short term. The long-term sustainability of forestry as currently practised is undemonstrated, and full recovery of forest ecosystems is questionable (Desjardins 1999). In this industry, as with hydro-development, Cree until recently lacked any direct role in deciding forest management policy, and even environmental review was refused by the Government of Quebec, on grounds that its forest management practices do not represent long-term loss of land quality or wildlife productivity. The provincial Ministère des Terres et Forêts (Lands and Forests) resisted even an advisory role for the HFTCC to recommend adjustments to minimize the impact of forest cutting on wildlife.

The rapid expansion of roads associated with hydro and forestry operations has brought a third major threat—sport hunters and fishermen by the thousands each year. Losses are particularly significant for those Cree hunters whose territories are crossed by public access roads, yet public access to the territory continues to be exempt from assessment of ecological and social impacts (Penn 1995). A crisis in moose management elsewhere in Quebec has prompted the Ministère des Loisirs, de la Chasse et de la Pêche (Recreation, Hunting and Fishing) to encourage use of the James Bay region by

sport hunters, hoping to relieve hunting pressure on game resources further south, and to relieve political pressure on the provincial government. The resulting influx of recreational hunters has contributed to widescale moose population decline in the southern James Bay region, where measures have now had to be taken to limit the sport hunt. In this episode, Quebec government representatives sought (unsuccessfully) a moratorium on Cree subsistence hunting as a prerequisite for imposing a moratorium on the sport hunt—in contravention of the JBNQA principle of Cree subsistence priority (Dionne and Lajoie 1995).

Management goals and methods of the provincial government are frequently not congruent with those of the Crees. Government scientific managers estimate wildlife population and biological productivity at a broad regional scale. Yet Cree customary tenure and management is geared to the smaller territorial units of multifamily hunting groups. Some of these territories support the harvesting of only a few moose annually, and the concentration of sport hunting in territories with road access has meant that Cree families on such territories suffer disproportionate impacts—even if moose harvesting levels are sustainable from a regional perspective. This is the sort of conflict between indigenous and state systems that co-management should in theory be capable of addressing; but such resolution has been elusive.

Cree hunters have also registered profound concern over the sport hunting of caribou along the more northerly portions of the hydro road network. Over a thousand sport hunters are licensed annually by lottery to kill two caribou each. They enter Cree territory for a period of a few weeks in mid-winter, hunting along roughly 700 kilometres of highway crossing the hunting territories of a few dozen Cree families. Caribou populations undergo high amplitude, long-term population cycles, and their numbers, though now declining, have been large enough in the past decade that there is not yet a major issue of economic losses to Cree hunters per se. Rather, the sheer numbers and density of this sport hunting presence, combined with hunting practices that are regarded as unethical by Crees, frequently compounded by inexperienced and unsafe sport hunting, as well as vandalism and theft of Cree property, add up to an invasion from the perspective of Cree hunters (Scott and Webber 2001).

Cree opposition to sport hunting of moose and caribou has been one of the most divisive issues facing the HFTCC. By and large, policy-makers in the provincial Ministère des Loisirs, de la Chasse et de la Pêche have dominated, while the Committee has failed to give effect to Cree interests on these issues. Although aboriginal representatives have

equivalent voting power on the Committee, a tie-breaking vote is exercised by the Committee Chair, which rotates annually between the government and aboriginal delegations on the Committee. Contentious issues have been settled by the vote of the Committee chair, rather than through the evolution of real consensus-building between aboriginal and government delegations (*ibid.*).

There has been significant resistance on the part of Quebec authorities to implementing other sport hunting-related provisions that were designed to protect Cree interests. The province has opposed JBNQA provisions designed to ensure a predominance of Cree control in regulating sport hunting and fishing through outfitting and guiding, and long ignored the promised implementation of a system of Cree conservation officials, although there has been recent progress on the latter issue.

The statutory ability of the HFTCC to shape policy has been narrowly interpreted by central government authorities, who prefer to treat the Committee as mainly advisory in capacity.⁵ This attitude has forced Crees into difficult choices: either compromise and comply with Quebec wishes on major issues, perhaps in exchange for other trade-offs; or undertake the costly route of legal action to uphold the terms and principles of the JBNQA.

It appears that JBNQA provisions for protection of the natural resource base, regional economy and Cree decision-making remain, in practice, subordinate to Québec's "right to develop." Indeed Penn suggests that provisions relating to wildlife and environmental management are only fully understood when "read alongside the parallel sections dealing with hydro-electric development, the administration of public lands, mining and forestry" (Penn 1995: iii). There are numerous inconsistencies and problems of compatibility, and the "right to develop" receives primacy over the protection of subsistence harvesting rights.

Meanwhile, the existence of an environmental regime under the JBNQA did not result in systematic or adequate strategies for documenting and understanding, let alone countering, the industrial impacts of hydro-electricity, large-scale forestry, and the extensive development of roads infrastructure. From a Cree perspective between 20 000 and 25 000 km² of prime lands have been taken out of production as a combined result of hydro development and forestry (*ibid.*). Yet hydro-development was exempted from the assessment of social impacts, including those resulting from ecological impacts, and forestry was exempted from both environmental and social impact assessment. Impact assessment procedures, to the extent they do apply, are strictly advisory in nature, and Quebec retains decision-making authority.

Additional problems arise with this regime because the various committees operate within very specific mandates, are territorial in focus, and limit aboriginal representatives to minority status. Penn (ibid.: 37) observes that the dependence of the Agreement on an advisory committee structure has posed a significant impediment to Cree participation. Advisory committees are premised on certain assumptions about power relations and decision-making, which very easily break down in cross-cultural settings. Differences in linguistic background and educational experiences serve to further exclude and obscure Cree involvement.

While it may be true that Crees would have exercised even less influence in the absence of the co-management institutions provided for in the JBNQA, these institutions have not achieved a true sharing of power and authority between Cree and central governments, even on matters where this was the explicit intent. While the Crees have enjoyed certain influence and benefits with regard to the management and development of homeland resources under the JBNQA, some of the explicit central government commitments under the Agreement remained unfulfilled because of the Crees' finite ability to pursue litigation. Not surprisingly, Cree regional political leaders have for some time been seeking an opportunity to re-negotiate land tenure and resource co-management arrangements with the Quebec Government.

Agreement Concerning a New Relationship

Such an opportunity arose with the *Agreement Concerning a New Relationship between Le Gouvernement du Québec and the Crees of Québec* (Anon. 2002). It arose because both sides were bogged down in litigation over forestry and other JBNQA-related grievances; because Crees had demonstrated their ability to derail the planned development of the Great Whale hydro-electric complex in the late 1980s/early 1990s; because the Crees and other First Nations in Quebec had shown that with their rights of self-determination neglected they could become significant impediments to the ruling Parti Québécois' own aspirations for national self-determination; and because the Quebec Government was therefore now attempting a Cree consent-based approach to development in Cree territory.

The *New Relationship* agreement addresses some of the aforementioned lacunae in the mandate of co-management bodies under the original JBNQA through the establishment of a new Forestry Board that will work in tandem with local Working Groups. In important respects, these bodies resemble the consultative model of the HFTCC and the environmental review bodies of the

JBNQA. But radically revised forest management standards intended to limit the impact of industrial forestry on Cree hunting territories, like other provisions of the new agreement, are assimilated to the JBNQA, giving them the status of treaty with constitutional protection in the Canadian system. Hence, although the co-management bodies are consultative with respect to matters that remain within the discretionary latitude of the provincial minister responsible, this discretionary latitude has been greatly reduced by terms of treaty that cannot unilaterally be weakened by government. These terms include the micro-management of forestry operations on the scale of Cree hunting territories, and strict limits on the permissible configuration and intensity of cutting.⁶

The new agreement fortifies Cree involvement in the economic development of their region, through sharing of revenue from hydro-electric, forestry and mineral exploitation on a scale unprecedented in northern Canada, with a guaranteed minimum of \$70 million to be paid annually to the Crees for the next 50 years. The Crees, in return, have agreed to a new hydro-electric plan that will involve the damming and diversion of most of the flow of the Rupert River—a plan that leaves unmodified, at least for the time being, the Broadback and Nottaway Rivers, originally part of a much larger Nottaway-Broadback-Rupert phase of hydro-electric development. Obligatory dispute resolution procedures, prior to either party resorting to litigation, have also been built into the new agreement. It is too early to assess how any of these measures relating to resource management, economic development and a more co-operative and conciliatory relationship will actually work out in practice. But there are promising features that bear watching.

The Torres Strait Islanders

Torres Strait Treaty

The Torres Strait Treaty is a bilateral agreement between Australia and Papua New Guinea (PNG), which was ratified in 1985 to settle a border dispute between the two countries in the wake of PNG's independence (1975). The primary controversy was the presence of a residual colonial border within a few hundred metres of the northern shoreline which effectively excluded PNG's access to the waters and resources of the northern part of Torres Strait. Following years of intense negotiations several new boundaries were established, including the international border as well as lines defining separate seabed and fisheries jurisdictions between the two countries (Babbage 1990). Border delimitation also brought into play several other complex functions, making the Treaty a major con-

temporary determinant of the legal and administrative framework for the region.

In relation to indigenous resource use and management, the treaty establishes an area known as the Torres Strait Protected Zone (TSPZ), whose primary purpose is “to acknowledge and protect the traditional way of life and livelihood of the traditional inhabitants,”⁷ while also aiming “to preserve and protect the marine environment and indigenous flora and fauna in and in the vicinity of the Protected Zone” (Article 10). Traditional customary rights of free movement, access to and usage of areas of land, seabed, sea, estuaries and coastal tide areas are also recognized within the Treaty.

Special provisions have been made for Islander use of marine resources within the TSPZ, with official recognition of traditional (subsistence) fishing, including an exemption from prosecution for hunting protected species, subject to considerations of conservation. Both countries undertake to “minimize any restrictive effects on the traditional activities of the traditional inhabitants” in the pursuit of conservation objectives (Article 14). Traditional fishing is given priority over commercial fishing, and Islander involvement in commercial fishing is facilitated through exclusive commercial access to some fisheries (trochus, bêche-de-mer and pearl shell), exclusive rights to any expanded commercial use of certain other fisheries (tropical rock lobster, mackerel and barramundi), and nominal licence fees.

An elaborate consultative and advisory structure was established under Article 30 of the Treaty, involving Islander, central government and industry representatives. The Torres Strait Protected Zone Joint Authority (TSPZJA) represents the top-level fisheries decision-making committee which until recently comprised only the Commonwealth and Queensland ministers in charge of fisheries. Advising the TSPZJA are two bodies on which Islanders, together with fishing industry representatives, have consultative status: the Torres Strait Fisheries Management Committee (TSFMC), and the Torres Strait Fishing Industry and Islanders Consultative Committee (TSFIICC) which includes working groups on individual fisheries. Islander representatives have been a minority on the consultative committees, which, as purely advisory bodies, do not vote, and simply record dissenting views in the event of non-consensus.⁸ A Torres Strait Fisheries Scientific Advisory Committee (TSFSAC) also advises the TSFMC. This scientific committee has not included Islanders and funding has tended to be allocated to fisheries research projects reflecting the dominant commercial fishing interests (Mulrennan and Hanssen 1994) or to research “which has been of little use

to management needs of Torres Strait fisheries” (Sen 2000: 4).

The Treaty also establishes the basis for environmental management in Torres Strait, including the protection and preservation of the marine environment (Article 13), the protection of indigenous flora and fauna (Article 14), and the prohibition of mining and drilling of the seabed (Article 15). An Environmental Management Committee (EMC) has provided the primary mechanism for communication and consultation, while research projects, such as the Torres Strait Baseline Study (Lawrence and Cansfield-Smith 1991) in Australia and relevant studies in PNG, provide information.

Assessment of Provisions for Protection and Co-management

Islander dissatisfaction with the Treaty is deeply held. From the outset Islanders were reduced to mere pawns in the treaty negotiating process with their concerns and interests “lost in the negotiations, political bickering, and media display” (Nietschmann 1985: 149) of the initial talks. Indeed at one point a proposal to draw the international boundary through the centre of the Torres Strait—a move that would have bisected the region with enormous implications for the day to day reality of Islanders—was under consideration. Frustrations with the subsequent implementation of the treaty are related to an on-going sense among the Islanders that the major concern of federal and state government policy in the area is the maintenance of Australia’s territorial integrity and a national frontier with countries to the north, rather than the provision of equitable living conditions and economic opportunities in the region, or a real role for Islanders in managing and developing the region’s resources (Tsamenyi and Mfudwo 1993).

Islander initiatives have tended to be offset by outside commercial fishing and other external interests in the area (Allen 1993). The increasing presence of trawlers and commercial freezer vessels which frequently operate in the immediate vicinity of home islands, exploiting marine resources within the customary marine estates of Islander communities, provide no commercial benefits to Islanders through royalty or lease payments, equity provisions, or as compensation for the adverse environmental impact of commercial fishing, particularly prawn trawling, on the subsistence resources of their communities.

Prawn trawling, in some respects, is the marine equivalent of clear-cut forestry. Both target a few species relatively low in the food chain that may be “sustainable” resources in narrowly defined industrial terms, but the environmental destruction caused can make survival dif-

difficult for a range of other species and the people who depend on them. Prawn trawling rakes the seabed, tearing from the bottom anything of size in its path. Islanders who witnessed the early days of prawning testify with sadness that the sponges and sea whips that used to come up in prawning nets have been all but extirpated in a large section of Torres Strait. Pawning by-catch includes tropical rock lobster on spawning migrations, a mainstay of the Islander small-boat fishery. While it is no longer legal to sell by-catch lobster, Islanders believe that lobsters caught and returned to the water several times in the course of a migration sustain injuries severe enough to make them easy prey for sharks and other predators. Pawning operations are also said by Islanders to negatively impact mackerel populations; prawns were formerly a more abundant food source for this species, which is important in the Islanders' small-boat commercial fishery.

Big-boat reef fishing operations pose a different sort of threat, competing in particular for coral trout and red emperor. These boats can travel in heavy weather, and by anchoring on the lee side of large reefs, send out dinghies to operate in weather that is impossible for Islanders to work in. Islanders have long regarded such conditions as a form of natural respite for the fish, enabling a form of rotational management, since they often prevent Islanders in their dinghies from crossing open seas to get to the shelter of reefs. But increasingly, when the weather settles, Islanders travel to fishing sites, incurring equipment and fuel costs in the process, only to find that non-Islander big boats have already worked over an area. Hence, the economic sustainability of small-boat operations is threatened, even if, from the point of view of scientific managers, the big-boat fishery is sustainable.

Although the concept of "community fishing" in Torres Strait has received national and international acclaim, many Islanders express dissatisfaction with its operation on-the-water (Mulrennan and Hanssen 1994). Islander-oriented initiatives are frequently countered by the sheer strength of commercial fishing interests in the area, which have been more heavily represented on consultative committees. The small-boat fishery focusses on stationary hand-line fishing for coral trout and other restaurant fish, simple line trolling for mackerel, and free diving or hookah diving for tropical rock lobster (crayfish), sea cucumber and trochus shell. Prawn trawling and bigger-boat coral trout and mackerel fishing, in contrast, require large capital outlays and complex bureaucratic procedures, and involve few Islanders.⁹ "Islanders are not involved at all," according to Altman et al. (1994: 11), "in the species [prawns] that represented 78 per cent of the Torres Strait commercial fisheries by value in 1992." The Torres Strait

fishing industry has an estimated total annual value of approximately A\$35 m (Australian Fisheries Management Authority [AFMA], 2000).

Management of dugong and sea turtles in Torres Strait provides an illustration of the practical benefits to be gained from the incorporation of Islander resource management knowledge and expertise into the regime established under the Treaty. Dugongs are listed by the International Union for the Conservation of Nature (IUCN 1996) as "vulnerable to extinction" and as "a vulnerable species" under Queensland's Nature Conservation Act 1992. Scientists express concerns about the level of dugong exploitation in the region (Johannes and MacFarlane 1991; Marsh 1999; Marsh et al. 1997); a recent estimate of the total annual Islander catch is 790 dugongs (AFMA 2000). Population models indicate that a total population of about 16 500 animals would be needed to sustain an annual catch of this order (Marsh 1986). Since population estimates for the region vary between 13 300 (1987 survey) and 27 900 (1996 survey) dugongs, reflecting possible biases in the survey technique and the migration of dugong into and out of the region, it is difficult to evaluate whether the current harvest of dugong is sustainable (Marsh 1999).

Similar uncertainties exist in relation to sea turtle management. Green turtles, which account for about 99% of the traditional turtle catch (Harris et al. 1993), are listed as "endangered" by the IUCN (1996) and were declared "vulnerable" under the Endangered Species Protection Act (Commonwealth) 1992. Population estimates from an aerial survey conducted in 1991 reported a minimum of 65 200 green turtles in the western and central Torres Strait (Harris 1997).¹⁰ An earlier survey in 1987 estimated that there were 44 000 turtles in the same region (Marsh and Lawler 1992). The indigenous harvest in Torres Strait, including the Islanders and coastal Papuans, is thought to be in the order of 5 100 to 6 700 turtles per year (Kwan 1990), a harvest that, in combination with levels of egg harvesting, is judged by some to be unsustainable (Perkins and Limpus 1993). Estimates of harvesting levels over the last two decades suggest that the annual catch within the TSPZ has remained about 3 000 turtles (Harris 1997). This value is consistent with the latest estimated catch level of 2 795 turtles and is regarded as sustainable (AFMA 2000).

Scientists readily admit to the broad margins of uncertainty associated with population estimates and tend to err on the side of caution given limited information on stock identity, population dynamics, estimates of annual catch, and the impact of a range of anthropogenic and environmental factors on these species (Harris 1997; Marsh 1999).

Over the past decade, the potential of community level management to provide an integrated approach to education, caretaking, monitoring and harvest regulation and improve the quality of information available has been strongly endorsed by scientists (Harris 1997; Kwan 2002; Marsh 1999; Marsh et al. 1997) and government managers working in the region (AFMA 2000). Scientific field research has begun to address the knowledge of Islanders, in regard to distinctive stocks, their browsing, reproductive and migratory behaviour and catch per unit effort indicators (Kwan 2003; Nietschmann 1989). While some notable progress has been made in establishing and developing productive dialogue between Islander hunters, research scientists and fisheries managers at the community level (Kwan 2002, 2003), the tendency to frame this dialogue on professional researchers' terms—to define its objectives and channel its outcomes—has been a liability. Islanders tend to view scientific research with some skepticism, a legacy of their limited involvement in the process, inadequate and culturally inappropriate communication of research findings to the community level, and political uses by central governments of research conclusions that Islanders know to be unsound (Mulrennan 2003; Mulrennan and Hanssen 1994).

The EMC, Torres Strait Fisheries Management Committee (TSFMC) and the Torres Strait Fisheries Scientific Advisory Committee (TSFSAC), on which the Islanders have had minority representation, has been heavily biased towards Western scientific approaches and provides an ineffective platform for Islanders to raise their environmental concerns or communicate their knowledge of the resources. More recent proposals to include active Islander hunter/fishers rather than career bureaucrats and politicians from the regional leadership, and to include more social science expertise on the cultural and socio-environmental aspects of natural resource management, are aimed at increased engagement of Islander knowledge and expertise in the research process (Sen 2000). The establishment of true partnerships in management decision-making will however require more substantial transformations, not just in the openness of scientific managers to Islander expertise, but in political structures of authority.

While the Torres Strait Treaty provides for the acknowledgment and protection of the rights of traditional inhabitants, the status of the Torres Strait Treaty as an international treaty by no means resolves the rights of Islanders within Australian domestic law. The 1992 High Court decision on Mabo, rendered on a Torres Strait (Mer Island) claim, established the principle of aboriginal title to land-based traditional estates, which has subsequently been applied to most Islander communities within

the region. The struggle for comparable recognition of sea rights lags behind and will depend on the outcome of a regional claim lodged (November 2001) by the Torres Strait Islanders to the waters, reefs, sandbanks, shoals, seabeds and subsoil of the Torres Strait.

In the interim, as impacts of industrial fishing on Islanders' small-boat operations proceed apace, the unilateral declaration by Eastern Islanders of exclusive "economic zones" within their traditional marine estates is aimed at protecting their economic base and the conservation and management of existing marine resources. Direct action measures to defend these zones have led to physical confrontations on the seas with non-indigenous commercial fishermen, and to the arrest and acquittal of Islanders (Haigh 1999a, 1999b, 2000; Mulrennan 2003; Mulrennan and Scott 2001).

Recognition of traditional marine tenure, in state policy and/or legal arenas, will inevitably require significant changes in management institutions. Fears have been expressed by Commonwealth fisheries officials that decentralized control of the seas could lead to highly complex management regimes which would be difficult to legislate, administer and enforce, in addition to disadvantaging long-range, bigger-boat fishing operations (Mulrennan and Hanssen 1994). Some of these concerns may in time be eased through improved understanding of traditional marine tenure and management practices, and the realization that self-managing small-boat Islander fisheries with properly protected rights could be important partners in co-management. Other concerns may be more persistent—if Islander small-boat fishing is to be sustainable, tighter limits and restrictions on big-boat fishing may be unavoidable and will be politically fraught.

Recent Progress

Over the past two years, a combination of impending Native Title litigation, political negotiations between the Torres Strait Regional Authority (TSRA)¹¹ and the federal government, as well as protest and direct action (including a resolution by Islander fishermen to ban all non-indigenous fishing in the region) has prompted significant steps toward a strengthened Islander role in co-management. Key among these is the creation of a new fisheries management, decision-making and consultative structure "that will revolutionise fisheries management in the Torres Strait" (TSRA press release 06/12/02: 1). The new design is intended to "streamline the current structure and dramatically increase indigenous input into the TSPZJA at both the consultative and decision-making levels" (ibid: 1).

The following measures have been negotiated: inclusion of the Chairman of the TSRA with the Commonwealth and State fisheries ministers on the top level fisheries management committee (the TSPZJA); strengthened Islander representation through the establishment of a Torres Strait Regional Fisheries Council (TSRFC); the creation of a Sea Council of Elders at the community and regional levels, to complement existing Fishermen's Committees; the provision of technical and administrative support through the establishment of a full-time Islander Fisheries Coordinator and a full-time Project Officer position; greater attention to smaller traditional fisheries, including a separate turtle and dugong management committee; and improved collaboration as well as better inter-sectoral exchange of information between working groups for different species (reef fin-fish, rock lobster, prawns, etc.).

According to the Islander leadership, these structural changes, which can be accommodated through amendments to existing legislative frameworks, are intended to achieve the short-term goal of increased Islander participation in fisheries policy. The longer-term goal of "total management and control over the Torres Strait fisheries resources" (James Bon, Eastern Island Cluster Representative, pers. comm. 2001), articulated by many Islanders, would clearly require more substantial changes. As at James Bay, progress has depended partly on reasoned negotiations, and partly on activist measures to increase the political and economic costs to central governments, and to non-indigenous "stakeholders," of ignoring Islander priorities.

Discussion

The terms "co-operative management," "joint management" and "co-management" are used to describe various degrees of integration of local- and state-level management systems. In recent years these terms have been widely applied to regimes that "create a permanent, institutionalized relationship between governments and representative aboriginal bodies" (Usher 1997:1). Efforts to define these terms more precisely are generally avoided in the interest of including "the wide variety of possible arrangements" (Berkes 1994:18). And indeed, the number and range of institutional arrangements that fall under the umbrella of "co-management" is large (Notzke 1995). Berkes (1994) and Pinkerton (1989) recognize a continuum of co-management arrangements based on the extent of power and responsibility sharing, from limited amounts of local participation in government management to the delegation of full management authority to the local level. According to Berkes (1994:18) "real co-management

involves shared decision-making power by the partners and requires governments to devolve some of their power to the partners; but in practice there is a diversity of partnership arrangements that involve various degrees of power-sharing."

Over the past 25 years numerous co-management regimes for lands, resources and the environment have been created in Canada and Australia. While the stated objectives of these regimes are often similar, they differ widely in substance and effect. More judicious application of the term is needed to conceptually clarify and practically test the institutional potential of co-management through comparative study. Two decades ago when there were fewer cases of co-management and little experience with the concept, it was perhaps expedient to employ a broadly inclusive definition of co-management. Apprehension on the part of both government and aboriginal partners was alleviated through the promotion of co-management as a flexible arrangement, open to a range of designs and interpretations; emphasis was placed on the willingness of aboriginal peoples and the state to work together at "bridging the two solitudes" (Berkes 1994:18). Perhaps it was felt that foundational issues of power in the relationship could be diplomatically skirted while the limits of establishing a relationship based on mutual respect were explored. The risk of this approach is that cases of authentically joint management may be confused with arrangements in which state-managers pay no more than lip service to a philosophy of shared decision-making and co-operative-management.

In spite of, or perhaps because of, the ambiguity surrounding the definition of co-management, it has been readily embraced as a desirable end when in many cases self-management may be a more efficient or more just approach—the involvement of state authorities in matters already successfully managed locally is more likely to be disruptive than constructive. In JBNQA negotiations, Crees sought in the first instance to gain recognition of exclusive rights to as many resources as possible, and to erect barriers to the intrusion of state authority into local decision-making. Co-management was resorted to when local tenure arrangements and the authority of indigenous stewardship were unavoidably compromised by the jurisdictional demands of the state, and when Crees needed to stem incremental loss, or to promote recuperation, of a degree of local control. In Torres Strait, similarly, where Islander forms of indigenous tenure and resource management have been largely by-passed by central government policies, aspirations for self-management are expressed in demands for exclusive rights to traditional marine territories and resources; but Islanders have also

been driven into pragmatic compromises to protect their rights and interests through joint management arrangements.

Unfortunately, there were and are important matters of resource policy and administration, crucial to the sustainability of indigenous lifeways and environments, that state-level governments refuse to submit even to shared management. Even in cases where meaningful co-management rights are negotiated and protected in law, they may be undermined by recalcitrant central governments. This has been seen in the case of the JBNQA, whose *raison d'être* was to clear the way for state-sponsored resource development; and in that of the Torres Strait Treaty, born out of the sovereign and transnational concerns of state governments over a strategic waterway. In both cases, since protecting the rights and interests of indigenous inhabitants was a derivative motivation for the central governments concerned, it is not surprising that state-centred decisions and management approaches are prone to eclipse the priorities and initiatives of local people.

Co-management at its best might provide an effective context for dialogue between traditional knowledge and western science. According to Berkes, "co-management creates the potential for some healthy synergy between the kinds of knowledge held by the two solitudes by enabling the use of detailed local knowledge accumulated through a long series of observations over many generations" (Berkes 1994: 20). The integration of indigenous and western scientific knowledge and management practices figures prominently—at least in principle—in the development of conservation and sustainable development strategies like the Arctic Marine Conservation Strategy, the Arctic Environmental Strategy and the Northwest Territories Sustainable Development Policy (see Brooke 1993; Snider 1990) in Canada; or the Cobourg Marine Park Plan of Management, and the Yolngu Marine Protection Strategy (see Smyth 1996) in Australia. Yet the involvement of indigenous knowledge has not kept pace with the institutional development of these management policies and structures. In Torres Strait, as at James Bay, isolated "top-down" studies with narrow policy objectives (such as coping with public anxiety about possible heavy metal contamination from mining and hydro-electric operations) have all too often deflected attention from more inclusive approaches to environmental management and the resolution of conflicts over contested resources that would afford indigenous knowledge and institutions effective scope.

Despite tremendous interest in documenting indigenous knowledge (e.g., CARC 1997), the problem of how to

provide living institutional links between local knowledge, scientific research, and developing co-management institutions has only begun to be broached. It is not at all evident that such synergies of knowledge and management approach can develop except when they are motivated by real power-sharing. A share of jurisdiction in the management of wildlife resources is of central symbolic and material importance to contemporary hunting/fishing societies, and indispensable for overcoming the mistrust engendered by past disenfranchisement and subordination of local knowledge in favour of the perspectives of southern-raised, urban-educated government manager-scientists.

In the cases at hand, James Bay Crees have negotiated a treaty amendment that for the first time obliges forest management planners to think in terms of the Crees' own resource management units, knowledge and authority—their hunting territories, under the stewardship of senior hunting leaders, whose knowledge must now be heard at the level of the local working groups. Torres Strait Islander fishermen and elders, for their part, have negotiated channels, through their regional fisheries council, to deliberate with the Torres Strait Fisheries Management Committees in its advice to the PZJA (which now has the Chair of the TSRA as one of its three voting members). In neither case is there sufficient depth of experience to assess the probable success of these initiatives, but in both cases they have been driven by the demands of local people on the land and on the water, seeking to have their knowledge of urgent environmental issues acted upon.

Conclusions

We have stressed the point, and it is not an original one, that co-management involving true power-sharing with central governments is very different from the variety that offers mere advisory status. The application of "co-" in the latter case is a semantic confusion, and grouping the two kinds together is, in effect, obfuscating. To warrant the term, "co-management" should respond as much to indigenous tenure, knowledge and management practices as to state-organized property definitions, management science and bureaucracy. We have seen that such mutuality is prone to being subverted by the more powerful party imposing its wishes on the weaker. State agencies tend to see their own jurisdictions in isolation, and to protect them even more vigorously from indigenous "competitors" than from other state agencies.

It is possible, however that advisory or consultative arrangements can be developed into something closer to true co-management, whether it is legally recognized or

simply the reality of practical procedure. In either case, it is not likely to be something offered altruistically by state authorities, but rather something won through political activism. Our own and other cases (e.g., Albrecht 1990; Goetze 1998) suggest that when indigenous people manage to threaten the interests of central governments, or of other actors who have high priority with central governments, it is more likely that the political "will" to genuinely co-manage will be forthcoming.

In the case of Torres Strait, direct action undertaken and threatened by Eastern Islanders in defense of exclusive economic zones within their traditional marine estates has helped to induce governments to make concessions at the negotiating table, pending the resolution of Islanders' case for Native title to the sea. At the same time, central government players are not all unhelpful, from Islanders' perspective. There are manager-scientists who have come to believe that Islanders are sources of important knowledge for better marine resource management, or that Islander practices and institutions are more compatible with a healthy marine environment than is industrial fishing. While this combination of strategies and sympathies has not resulted, to date, in devolution to Islanders of jurisdiction for marine resource management, we may observe that their efforts are bearing some fruit to the extent of direct participation in policy-making bodies for the Torres Strait Protected Zone.

Islanders currently lack some of the legal and constitutional tools at the disposal of Crees, and this may in part account for the fact that the latter have seemed less inclined to take direct action in the forests than Islanders have done on the seas. The Crees' *New Relationship* remains partly within but also gets beyond a merely consultative and advisory role in forest management, inasmuch as the terms of the new agreement are specified and embedded in a broader treaty framework secured through nation-to-nation negotiations. Unlike Crees, Islanders have gained neither compensation for past losses, nor revenue-sharing for ongoing resource extraction from their region by non-Islanders. A challenge that remains is to gain from the Australian courts a clear and legally enforceable recognition of title to sea-based resources. Without some combination of title and a share of jurisdictional powers recognized by the state, indigenous power is especially arduous and tenuous, and there is a greater risk of perpetuating the fallacy of "consultative" co-management without decision-making substance or actual protection of indigenous interests.

Our experience with the Cree and Islander cases is that indigenous institutions of land and sea tenure, resource management and environmental knowledge have

had little effect on co-management institutions, processes and decisions, so long as the indigenous role has been merely advisory. The original JBNQA established a self-management role for Cree hunting territories and territory leaders, but this authority did not apply to non-Crees, so the "two solitudes" remained unbridged. Strong self-management anchors true co-management. With the new (treaty-specified) requirements that forests be managed at the scale of Cree hunting territories, and that the management recommendations of local working groups be informed by Cree hunting territory leaders, a bridging step has occurred. Islander fishermen, thanks to their grassroots planning and execution of direct action on the seas, and their lobbying, have secured a role and voice that might lead to the sustained dialogue between local knowledge experts and scientific managers that is needed to make knowledge-based management a truly joint project. Such a project will hold little prospect for Islanders, however, if space for indigenous institutions and practices of marine use and management, free from overwhelming competition from outsiders, fails to be established. Knowledge pertains to a particular complex of socio-environmental relations, which in turn depends on co-existence with outsiders on terms of indigenous consent.

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Notes

- 1 We adopt the term "indigenous" as applying to both Crees and Torres Strait Islanders, rather than the term "aboriginal," because the latter carries a specific connotation in Australia that is unsuitable for this paper. "Aboriginal" connotes continental Aborigines, as opposed to Torres Strait Islanders, who are predominantly Melanesian.
- 2 The term "central government" is used throughout this paper with reference to the Commonwealth or federal government of Australia and the state government of Queensland and/or the federal government of Canada and the provincial government of Quebec. The application of the term "central" is, of course, relative. In federal systems such as Canada and Australia, provinces or states have a stake in limiting or preventing centralist tendencies at the federal government level; but these provinces and states themselves reiterate, from indigenous standpoints, centralist and hierarchical tendencies.
- 3 Deregulation of Native fishing and hunting activities is subject to the principle of conservation.

- 4 Crees were able through court challenges and publicity campaigns, however, to force reluctant Quebec and Canadian governments to comply with the impact assessment procedures of the environmental regime of the JBNQA; a success which postponed the commencement of construction of the Great Whale Hydro-electric Project and led ultimately to its indefinite suspension in 1994. Government resistance has made it costly for Crees to achieve such enforcement of JBNQA provisions, however; at one point, the Grand Council of the Crees of Quebec were conducting 11 court actions against the Quebec and Canadian Governments in their opposition to the Great Whale Project (Mulrennan 1998).
- 5 The HFTCC is regarded as an advisory or consultative body except with respect to certain harvesting limits and allocations where its decisions are binding. HFTCC decisions regarding Native and non-Native upper kill limits for moose, caribou and black bear are subject to ministerial override only when demanded for reasons of conservation (Anon. 1975: section 24.4.30)
- 6 See Scott (2005) for a more detailed account of the terms of the new agreement.
- 7 "Traditional inhabitants" are defined as Torres Strait Islanders and coastal Papua New Guineans who live in and adjacent to Torres Strait, and maintain traditional customary associations with the region. "Traditional activities" are defined as those activities performed by the traditional inhabitants in accordance with local tradition, and include traditional marine harvesting, barter and market trade, as well as religious and secular ceremonies.
- 8 It is noteworthy that this consultative structure has been described as the strongest form of indigenous involvement in marine resource management in Australia (Altman et al. 1994; Smyth 1996).
- 9 Marketing and preparation of products is another major factor in the development and growth of fisheries and is particularly complex in the Torres Strait because of its isolation from southern markets.
- 10 The survey coincided with turtle nesting season and thus missed the large numbers of mating or nesting green turtles in the eastern Torres Strait (Harris 1997).
- 11 The Torres Strait Regional Authority is a regional self-government body representing the Islander communities of Torres Strait vis-à-vis the Commonwealth Government of Australia.

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The Anti-politics of TEK: The Institutionalization of Co-management Discourse and Practice

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Abstract: Co-operative resource management holds out the promise of positive social change on two fronts: improved management and the empowerment of local communities. The institutionalization of co-management discourse and practice, however, has unintended political consequences analogous to those identified by recent critics of development discourse. As a result, co-management may actually be preventing rather than fostering the kind of change proponents desire. In this paper, I examine the discourse and practice of co-management and how they constrain the ways people can act—and even think—about wildlife management. I focus on the case of the Ruby Range Sheep Steering Committee, a co-management body established to address concerns about a population of Dall Sheep in the southwest Yukon.

Keywords: co-management, traditional ecological knowledge, bureaucratization, power, development, First Nations, Yukon

Résumé: La gestion coopérative des ressources porte en elle la promesse de transformations sociales positives à deux niveaux: une meilleure gestion et l'habilitation des collectivités locales. Toutefois, l'institutionnalisation du discours et de la pratique de la cogestion comporte des conséquences politiques non désirées, analogues à celles qui ont été identifiées dans des critiques récentes du discours du développement. Ainsi, la cogestion pourrait en fait empêcher plutôt que promouvoir le type de changements souhaités par ses partisans. Dans cet article, j'examine le discours et la pratique de la cogestion et comment ceux-ci orientent la façon dont les gens peuvent agir, voire penser, en ce qui a trait à la gestion de la faune. Je mets l'accent sur le cas du Comité de direction des moutons du Ruby Range, un organisme de cogestion mis sur pied afin de répondre à des préoccupations relatives à une population de moutons Dall dans le sud-ouest du Yukon.

Mots-clés: cogestion, connaissance traditionnelle sur l'environnement, bureaucratization, pouvoir, développement, Premières Nations, Yukon

Introduction

Over the past 20 years, co-operative management (co-management) has become the accepted—even preferred—approach to wildlife management in the Canadian north.¹ Throughout this period, provincial and territorial governments have worked with First Nations to establish a wide variety of co-management boards and committees throughout the region. Some of these co-management initiatives have been ad hoc responses to specific management problems; but, increasingly, First Nations and governments are establishing permanent co-management bodies through the land claims process. Given the cross-cultural nature of co-management, it is not surprising that anthropologists have been involved with such efforts from the beginning. Whether based at universities, working as consultants, or employed directly by First Nation governments, anthropologists have played an important role in advocating, designing and evaluating processes of wildlife co-management. Despite this involvement, however (and perhaps partially because of it), anthropologists and other scholars studying co-management have generally failed to engage in much critical analysis. Although they have identified numerous problems with the design and implementation of various co-management schemes, few have critically examined the project of co-management itself and the assumptions underlying it. Instead, most have accepted at face value proponents' claims about the potential beneficial effects of co-management and have worked to improve and facilitate co-management processes.²

In the standard view advanced by its proponents, co-management has two important potential benefits. First, proponents believe that co-management will lead to an overall improvement in the practice of wildlife management. For one thing, it allows for the integration of "traditional ecological knowledge" (TEK) held by First Nation hunters with the knowledge produced by wildlife biolo-

gists, thus increasing the overall stock of knowledge on which management strategies are based. In addition, decentralized co-management regimes are potentially more responsive to local ecological conditions and more adaptive to highly variable northern ecosystems than are more centralized systems of state management. Secondly, proponents of co-management claim that the use of TEK will empower the aboriginal elders and hunters that hold such knowledge—and, by extension, aboriginal communities more generally (on the potential benefits of co-management, see e.g., Berkes 1994; Freeman 1992; Freeman and Carbyn 1988; Johannes 1989; Johnson 1992).

In this article, I argue that we must not simply accept these claims at face value if we hope to understand co-management as a social phenomenon and gauge its real impact on northern native communities. Accordingly, I question—rather than proceed from—the standard assumptions about co-management. Without denying the sincerity of those who hope for improved management and the empowerment of First Nation people through co-management, we must also acknowledge that the complex process of co-management may have a number of other unforeseen—and unintended—consequences (see Ferguson 1994: 20-21). To get at these unintended effects, I focus on the “institutionalization” of co-management discourse and practice. The need to integrate co-management processes with existing institutional structures of state management has led to a tendency to view co-management as a series of technical problems (primarily associated with the question of how to gather “traditional knowledge” and incorporate it into the management process), rather than as a real *alternative* to the existing structures and practices of state management. This view effectively obscures the political and ethical dimensions of co-management. Indeed, it has engendered and naturalized a discourse that specifically *excludes* political and ethical considerations, which are treated as externalities, if they are considered at all. It also leads almost automatically to the bureaucratization of the people and communities who participate in co-management. Rather than empowering local aboriginal communities, then, co-management may actually be *preventing* the kind of change proponents desire. Indeed, co-management may actually be serving to extend state power into the very communities that it is supposedly empowering.

This paper is based on three years of fieldwork in Burwash Landing, a small village in the southwest Yukon, and especially on my experiences with a specific co-management process there, that of the Ruby Range Sheep Steering Committee (RRSSC). The RRSSC was a multi-stakeholder body established in 1995 to co-operatively

manage a population of Dall Sheep³ in the Ruby Range, near Burwash Landing. Kluane First Nation (KFN) and the Yukon Territorial Government established the RRSSC in response to concerns about a decline in the sheep population. I was present at the formation of the RRSSC and attended and participated in all its meetings. The committee was given the explicit mandate to consider both scientific and traditional/local knowledge in formulating its recommendations to the Yukon Fish and Wildlife Management Board (itself a co-management body established under the Yukon land claim with jurisdiction over the entire territory). To this end, the RRSSC heard a great deal of testimony by biologists as well as First Nation elders and hunters, some of whom were themselves members of the committee. As will become apparent, however, the discourse of co-management and the institutional context in which the RRSSC was embedded constrained the ways in which it was possible to talk and even think about Dall sheep and how to go about managing them.

Co-management in the Context of International Development

Scholars have generally attributed the rise of co-management in North America to the growing power and political organization of native people in a context of increasing environmental threat posed by development. The close relationship between co-management and aboriginal land claims in Canada indicates that the growth of First Nation political power has indeed played an important role in the proliferation of co-management regimes throughout the country, but it would be a mistake to see co-management as a purely Canadian, or even northern, phenomenon. The rise of co-management is clearly related to the emergence of community-based or “participatory” models of development/conservation elsewhere around the world. Indeed, one might argue that co-management in North America is merely a regional manifestation of what is in reality a global phenomenon. Any attempt to understand co-management in Canada, then, must take this wider international context into account.

By the mid-1970s, it was becoming clear—even to major international aid organizations like the World Bank—that the top-down capital-intensive development projects they had been funding were simply not working. Development experts attributed this to the fact that local people were being left out of the development process and began to advocate a more participatory community-based approach. Participatory development supposedly has a number of advantages over the old centralized approach (Chambers 1997; Rahnema 1992). For one thing, a bottom-

up approach is supposed to be more rational and cost-effective because it reduces the need for centralized bureaucratic management, which tends to be inefficient and expensive. Proponents also claim that the participatory approach to development is actually more likely to succeed than the old top-down approach for two reasons. First, local people have knowledge of their societies and environments that outsiders lack, and this knowledge turns out to be vital to the success of any development project. Thus, the proponents of participatory development advocate the collection and use of "indigenous" or "local" knowledge. Secondly, participatory development is seen as easier to implement. It had long been recognized that one of the biggest obstacles to top-down development was the intransigence of local people. Having had no input into these development projects, and often seeing their own interests threatened, local people frequently opposed them. States and donor agencies found their ability to coerce local communities into accepting unpopular projects quite limited, and problems of enforcement were often a major factor in project failure (Agrawal and Gibson 2001: 5; Wells and Brandon 1992). By involving local people from the start, participatory projects supposedly avoid many of the problems of non-compliance and opposition that plague more centralized projects. Related to this is another oft-cited advantage of participatory development: it is supposed to lead to the "empowerment" of local populations by giving them a meaningful role in planning and implementing projects that will directly affect them.

The shift toward "community" and "participation" in international development has been accompanied by a corresponding shift in the realm of environmental conservation. This should not be surprising since, with the rise of notions about "sustainable development," it has become increasingly difficult to distinguish "development" from "conservation" (Escobar 1995: 192-211; Kottak 1999: 26-27). And, indeed, top-down conservation projects suffered from many of the same problems as their development analogues: financially inefficient bureaucratic management and stiff opposition from local people who saw such projects as threats to their own interests. These difficulties led scholars and conservationists, like their counterparts working in development, to conclude that a community-based approach is the best option for developing workable conservation programs (Wells and Brandon 1992; Western and Wright 1994; World Wide Fund for Nature 1993).

Since its introduction in the early 1980s, the notion of "participation" has become commonplace in the discourse of development/conservation. Indeed, "since the early

1990s every major bilateral development agency emphasized participatory policies," and it has become "difficult to find a development project that does not in one way or another claim to adopt a 'participatory' approach involving 'bottom-up' planning, acknowledging the importance of 'indigenous' knowledge and claiming to 'empower' local people" (Henkel and Stirrat 2001: 168). Along these same lines, Agrawal and Gibson (2001: 1) note a recent survey showing that more than 50 countries currently pursue partnerships with local communities to better protect their forests. From its modest beginnings in the mid 1970s, the participatory community-based model has become one of the most important models for development/conservation around the globe. Indeed, some scholars have begun to refer to participation as the "new orthodoxy" (Henkel and Stirrat 2001; Stirrat 1997).

All this interest in communities and participation has been accompanied by an increase in scholarship around the world exploring approaches to and potential benefits of community participation. Much of this work has focussed on the collection and use of indigenous (or local) knowledge (see, e.g., Fischer 2000; Freeman and Carbyn 1988; Sillitoe 1998) and/or has analyzed local institutions for the ownership and management of common property (Berkes 1989; McCay and Acheson 1989; Ostrom 1990). Often closely interrelated with one another (e.g., see Inglis 1993), traditional knowledge and common property regimes are seen as important community-based resources that can and should be harnessed and used as the foundation for participatory community-based development/conservation.

The emergence of co-management in North America must be understood as a part of this global trend toward community-based and participatory development/conservation. Co-management arose in the North American Arctic and Subarctic as much in response to the problems of centralized state management described above (i.e., problems of inefficiency and enforcement) as to the (admittedly related) rise of First Nation power and political organization (e.g., Feit 1998; Pratt 1994). And, as we shall see below, the discourse of co-management in Canada is strikingly similar to that of participatory development elsewhere in the world. Indeed, it would seem that there is little justification for distinguishing the rise of co-management in the Canadian "Fourth World" from the rise of community-based development/conservation in the "Third World."⁴

Unlike wildlife co-management in the Canadian North, however, the practice of international development/conservation has been the subject of wide-ranging and sustained criticism at the theoretical as well as prac-

tical level, and the new community-based participatory approach has received its share of such criticism (e.g., Agrawal and Gibson 2001; Cooke and Kothari 2001; Mosse 1994; Rahnama 1992; Stirrat 1997). If co-management in North America is, as I maintain, a regional incarnation of the global shift toward participatory community-based forms of development/conservation, it should be vulnerable to many of the same types of criticism. Given the similarities between the discourse and institutional practices of co-management and international development/conservation, however, one approach in particular seems especially relevant: a strand of critical work recently developed by scholars focussing on the discourse of development and the institutional forms and practices that it engenders (see e.g., Cooke and Kothari 2001; Escobar 1991, 1995; Ferguson 1994; Fisher 1997; Sachs 1992).

Discourse-based Critiques of Development/Conservation

Recent discourse-based critics of development are generally in agreement with a long line of other critics when they assert that development projects usually fail to achieve their explicit goals. Indeed, some (e.g., Ferguson 1994) painstakingly document the “failures” of particular projects. They take their analyses of development a step further, however, arguing that while development projects may “fail,” they nevertheless have powerful and far-reaching—if unintended—effects. Following Foucault (1977), James Ferguson refers to these unintended side effects of development as its “instrument-effects,” because they “are effects that are at one and the same time instruments of what ‘turns out’ to be an exercise of power” (1994: 255). Development discourse, he argues, obscures the political dimensions of poverty and state intervention while simultaneously facilitating the expansion of state bureaucratic power (1994: 256).

This recent critique of development by Ferguson and others builds upon the notion that “development,” as a concept, is based on a set of underlying assumptions about the world that are rooted in the political and economic context of global capitalism. Since development projects are explicitly designed to be carried out within existing political and institutional contexts, development workers have no choice but take that context for granted. The practices and complex institutional structures of the “development industry” are not neutral, but instead constrain thought and action in significant ways, and end up reinforcing existing political and economic inequalities. “Development,” then, is “much more than a socio-economic endeavour; it is a perception which models reality...” (Sachs 1992: 1), and this perception, these scholars argue, has

become hegemonic. Because proponents of development necessarily take for granted existing relations of inequality and exploitation, they tend to view the project of development itself as a relatively straightforward exercise that involves identifying a series of “problems” that stand in the way of development (such as poverty), finding technical solutions to those problems, and implementing those solutions (e.g., Escobar 1995: chapter 2). This view of development necessarily obscures the relations of political and economic inequality and exploitation that are the root causes of such “problems” in the first place. In his analysis of the Thaba-Tseka rural development project in Lesotho, for example, Ferguson argues that:

...the project was set up to provide technical solutions to “problems” which were not technical in nature. We have seen that the conceptual apparatus systematically translated all the ills of the country into simple, technical problems and thus constituted a suitable object for the apolitical, technical “development” intervention that “development” agencies are in the business of making. (Ferguson 1994: 87)

According to Ferguson, the “real” solutions to the problems faced by “the poor” in Lesotho are not at all technical in nature, but political. Indeed, he argues that solving the “problem of poverty” in Lesotho would require nothing short of a revolution. Solutions of this sort, however, are of no use to development institutions like the World Bank, which “are not in the business of promoting political realignments or supporting revolutionary struggles” (Ferguson 1994: 68-69). Indeed, in the discourse of development, “political” solutions of this sort are not even recognized as solutions at all. As Ferguson put it, development agencies “seek only the kind of advice they can take,” and he illustrates this with an account of his conversation with a “developer” who had asked him his advice on what his country could do to help the people of Lesotho:

When I suggested that his country might contemplate sanctions against *apartheid*, he replied, with predictable irritation, “No, no! I mean *development!*” The only “advice” that is in question here is advice about how to “do development” better. There is a ready ear for criticisms of “bad development projects,” so long as these are followed up with calls for “good development projects.” (Ferguson 1994: 284, emphasis original)

Thus, the range of possible solutions to development “problems” is constrained by the “development” problematic, which is itself the product of existing political and economic relations. Indeed, development agencies, dependent as they are on existing political structures,

would themselves be threatened by revolutionary “solutions” of the kind advocated by Ferguson and other critics of development discourse. The depoliticizing tendency of development, then, is more than merely an unfortunate, but unavoidable, by-product of development:

By uncompromisingly reducing poverty to a technical problem, and by promising technical solutions to the sufferings of powerless and oppressed people, the hegemonic problematic of “development” is the principle means through which the question of poverty is depoliticized in the world today. At the same time, by making the intentional blueprints for “development” so highly visible, a “development” project can end up performing extremely sensitive political operations involving the extension and expansion of institutional state power almost invisibly, under the cover of a neutral technical mission to which no one can object. (Ferguson 1994: 256)

But what are these “sensitive political operations” that extend and expand state power? Here, Ferguson is referring to the extension of bureaucratic forms of management and control. We have seen that from the vantage point of development organizations, the “problems” of development are seen as technical. Thus, their solution generally requires the application of expert knowledge and the provision of government services. Given the institutional context in which development is carried out, this means the creation of new bureaucratic structures—often physically located in the areas experiencing “development.” Indeed, Ferguson argues that, at least in some cases, the expansion of the state and the bureaucratization of “nearly all aspects of life . . . may well be the most lasting legacy of the ‘development’ intervention” (Ferguson 1994: 266-267). To the extent that the discourse of development portrays this creation of new bureaucratic structures (i.e., “development”) as a neutral technical exercise to which “no one can object,” it serves to disguise—even as it facilitates—the expansion of state bureaucratic power (see also Escobar 1995: 123). It is this dynamic that leads Ferguson to refer to development as “the anti-politics machine.”

Although Ferguson himself focused on a fairly centralized “development” project in Lesotho in the late 1970s and early 1980s, other scholars have demonstrated the usefulness of his discourse-oriented approach for analyzing a wide range of other development/conservation projects and interactions (e.g., Brosius 1999; Fisher 1997; Pigg 1992).

Perhaps most significant for the purposes of this article is a body of recent critical work specifically applying a discourse-oriented approach to the analysis of partici-

patory community-based development projects (Cooke and Kothari 2001; Escobar 1995: 141-153; Rahnema 1992). These scholars have argued that the rhetoric of “participation” is itself a particularly European construct whose use is implicated in relations of power.⁵ These critics of participation point out that participatory development has not brought about a change in existing institutional practices of development; indeed, they argue, participatory processes are quite compatible with top-down planning systems (Mosse 2001: 17). Rather than representing a “new paradigm” of development, as some proponents claim (e.g., Chambers 1997), participatory processes have simply been grafted onto existing centralized planning systems (of donor states or agencies). This means that despite all the rhetoric about “participation,” power relations between donors and local people have not really changed all that much. Important decisions about the distribution of resources continue to be based on the agendas and policies of external donors rather than on information gathered through participatory processes. Indeed, a number of scholars (e.g., Kothari 2001; Mosse 2001) have argued that even the “local/indigenous knowledge” that results from participatory processes is a product of power relations between donors and villagers. Because outside facilitators “own the research tools, choose the topics, record the information, and abstract and summarize according to the project criteria of relevance,” participatory processes end up producing knowledge that reflects donor agendas more than local realities (Mosse 2001: 19).

All of this calls into question assumptions about the liberating effects of participation. Henkel and Stirrat (2001) argue that we must be careful about accepting at face value claims that participatory development leads to the empowerment of local people. This “empowerment,” they argue, may not be as liberating as is often supposed. The key question, they point out, is not “how much” people are empowered, but rather what it is that they are “empowered” to do. Their answer to this question is clear:

...in the case of many if not all participatory projects it seems evident that what people are “empowered to do” is to take part in the modern sector of “developing” societies. More generally, they are being empowered to be elements in the great project of “the modern:” as citizens of the institutions of the modern state, as consumers in the increasingly global market . . . and so on. Empowerment in this sense is not just a matter of “giving power” to formerly disempowered people. The currency in which this power is given is that of the project of modernity. In other words, the attempt to empower people through the projects envisaged and implemented by the practitioners of the new orthodoxy is

always an attempt, however benevolent, to reshape the personhood of the participants. It is in this sense that we argue that “empowerment” is tantamount to what Foucault calls subjection. (2001: 182)

Because participatory development takes for granted existing political and economic relations, the form and nature of “participation” is shaped by those relations and the assumptions underlying them. To be “empowered,” local people must first agree to the rules of the game, rules that they had no role in creating and that constrain what it is possible to do and think. Worse yet, the fact that local people “participate” in these projects makes them much more difficult to challenge than more centralized development projects. For this reason, some scholars have argued that “participation” is often less about providing an alternative to official discourse and practices than it is about legitimizing decisions made in the centre (Cohen 1985; Kothari 2001).

These observations are equally applicable to the discourse and practice of co-management in Canada. Accordingly, I turn now to an examination of the “instrument-effects” of co-management. I begin by looking at the discourse on TEK and how it constrains the ways in which people can act—and even think—about wildlife management.

The Anti-politics of TEK: The Instrument-Effects of Co-management

As we saw above, proponents of co-management, like proponents of participatory development elsewhere, take it for granted that co-management will lead to improved wildlife management and the empowerment of local First Nation communities. Their primary concern is how to make co-management “work.” For this reason, most of the discourse about co-management focusses on improving the techniques of co-management, especially on how to go about collecting “TEK” and integrating it with the knowledge of biologists and other scientists for use in the management process. The collection and integration of TEK, however, is far from straightforward; there are a multitude of epistemological, methodological, practical and ethical difficulties.⁶ Accordingly, much of the discourse on co-management, like that on development, focusses on identifying these “problems” and devising solutions for dealing with them. These problems, along with their solutions, tend to be conceived of as technical; the problem of how to collect TEK requires the development of proper protocols that take into account cultural differences between the holders and the collectors of TEK (e.g., Johnson 1992); the problem of how to integrate TEK and science requires

the development of appropriate techniques for presenting, comparing, and testing these two very different “types” of knowledge (e.g., Usher 2000); the problem of intellectual property rights requires the development of appropriate protocols and laws that safeguard local control over TEK, while making it available to resource managers (e.g., Stevenson 1996; but see Wenzel 1999 for a discussion of the difficulties surrounding the treatment of TEK as intellectual property); and so on.

Problems of this sort are certainly pressing enough in the context of contemporary co-management practice. As I have argued elsewhere (Nadasdy 1999, 2003), however, any treatment of TEK that focusses on “knowledge-integration” as a technical problem necessarily ignores (i.e., takes for granted) the political dimensions of co-management. Yet, co-management is an extremely complex and culturally charged *political* undertaking, if there ever was one. It is, after all, supposed to be a key component in current efforts to restructure aboriginal-state relations in Canada, and it clearly involves (at least theoretically) broad changes in jurisdiction over and regulation of a wide array of important resources. In light of the deeply political nature of co-management, the general lack of attention to power in the discourse on co-management is startling. How is it that those participating in and writing about co-management can have remained so silent on the question of power?

This silence is not simply an oversight, nor is it easily corrected. Rather, it stems almost automatically from one of the assumptions underlying the discourse of co-management: that the value of TEK lies in its *incorporation into* the management process. It is the assumption that traditional knowledge is simply a new form of “data” to be incorporated into existing management bureaucracies and acted upon by scientists and resource managers that has made it possible to see the integration of TEK and science as a purely technical, rather than political or ethical, problem (see Cruikshank 1998; Nadasdy 1999).

As is the case in development/conservation, this “technical” view of co-management has a number of tangible effects that are deeply political in their own right. The focus on “technical” issues takes for granted existing institutions of state management (into which TEK is to be inserted) and so precludes any meaningful inquiry into the political dimensions of co-management. One who takes for granted the institutional context of co-management cannot question the power relations that underlie that context. For this reason, some important questions go unasked: What are people’s “real” motives for engaging in co-management and invoking terms like “traditional knowledge”? How are thoughts and actions constrained and directed by

the use of such terms? Who really benefits from co-management and how?⁷ Insofar as we take for granted the institutionalized bureaucratic system of state management, we necessarily also take for granted an important aspect of existing aboriginal-state relations in the Canadian North. That traditional knowledge might be used to re-think the unexamined assumptions about the world that underlie aboriginal-state relations, *including* scientific wildlife management, is a possibility that is seldom entertained in the literature on co-management.

I now turn to the case of the Ruby Range Sheep Steering Committee to illuminate some of the ways in which the discourse of co-management can serve to constrain thought and action—and so obscure the political dimensions of co-management. First, however, it will be necessary to describe the RRSSC in a bit more detail and situate it in the wider political context of sheep hunting in the Yukon.

The Ruby Range Sheep Steering Committee

In the fall of 1995, the Kluane First Nation hosted a meeting in Burwash Landing, Yukon to express their concerns about declining populations of Dall sheep in the nearby Ruby and Nisling mountain ranges. This meeting led directly to the creation of the Ruby Range Sheep Steering Committee, a multi-stakeholder body charged with the task of developing a set of recommendations for the management of Dall sheep in the Ruby Range. The committee met for a period of three years (from 1995 through 1998) and consisted of representatives from the two First Nations that had interests in Ruby Range sheep, government biologists, members of several territorial co-management boards, local big game outfitters and members of two Yukon environmental organizations.

The RRSSC was a temporary and ad hoc committee established to address a single management issue, the decline of the sheep population in the Ruby Range. It was not, however, completely isolated from the more comprehensive territorial co-management regime that was at the time being established under the auspices of the Yukon Umbrella Final Agreement. This agreement, while not a land claim agreement in itself, provided a framework for the negotiation of individual Yukon First Nation Final Agreements. It also provided for the establishment in 1993 of the Yukon Fish and Wildlife Management Board as the primary instrument for the co-management of wildlife in the territory. Its members, half of whom are appointed by the Yukon government and half by the Council for Yukon First Nations, deal with wildlife issues that are of territory-wide significance. The Umbrella Final

Agreement also provides for the establishment of a Renewable Resources Council in the traditional territory of each of the Yukon First Nations. These Councils, which come into existence one by one with the ratification of each First Nation's Final Agreement, are supposed to deal with a wide array of local resource issues, including wildlife. A Kluane area Renewable Resources Council would have been the proper body to deal with concerns about the Ruby Range Sheep population, but there was no such committee at the time because KFN had not yet concluded their Final Agreement with the federal and territorial governments. The only solution, then, was to establish a temporary committee to address the problem. Thus was born the RRSSC. But since the Yukon Fish and Wildlife Management Board has jurisdiction over the entire Yukon, including KFN's traditional territory, it was decided that the RRSSC would submit its recommendations to the Board, rather than directly to the Yukon Minister of Renewable Resources (now the Minister of Environment) as a Renewable Resources Council would have done, and that the Board would then consider these recommendations and prepare its own set of recommendations regarding Ruby Range sheep for submission to the Minister.

I now turn to a brief description of the political context that gave rise to the RRSSC and in which it functioned.

The Politics of Ruby Range Sheep

Dall sheep are found throughout much of the Yukon and Alaska, but certain areas of the southwest Yukon, including the Ruby Range, boast an especially high density of these animals. The pure white Dall sheep with its large curving horns is a prized trophy animal for big game hunters all over the world. As trophy animals, Dall sheep represent a significant potential income for big game outfitters, who charge hunters quite substantial sums for their hunts, as well as for the territorial government, which sells hunting licences and collects trophy fees and taxes.

At the same time, Dall sheep have been, and continue to be, an important part of the diet of aboriginal people in the southwest Yukon for at least the last 2000 years.⁸ Elsewhere (Nadasdy 2003), I have examined the importance of hunting—and of sheep hunting in particular—to Kluane people. So here I will simply state that Kluane people think of themselves as sheep hunters. They have detailed knowledge of where to go to hunt sheep and know the locations of dozens of traditionally used sheep hunting camps throughout their traditional territory, many of them in the Ruby Range. Kluane people speak

highly of the virtues of sheep meat, and occasionally have gone to great lengths to get it. I was told one story, from the days before the restoration of Kluane people's hunting rights in the Kluane National Park and Game Sanctuary (see Nadasdy 2003: chap. 1), in which a man risked fines and/or imprisonment to get sheep for his father's funeral potlatch, because he felt that a proper ceremony could not be held without sheep meat. On several occasions, I have even heard KFN members use their self-ascribed status as sheep hunters to contrast themselves with members of another First Nation, whom they claimed did not traditionally rely on sheep for subsistence.

Struggles between those who see animals as trophies and those who see them as food have historically played an important role in shaping the politics of big game hunting in the Yukon (see McCandless 1985, n.d.). These struggles were exacerbated by the 1991 Canadian Supreme Court decision *R v. Sparrow*, which upheld Canadian First Nation peoples' aboriginal right to hunt and fish for subsistence, and so effectively exempted them from territorial hunting and fishing regulations. Non-First Nation hunters, on the other hand (even those engaged in subsistence hunting), must abide by all state-imposed hunting regulations, including seasons, bag limits, quotas, and, in the case of sheep, the full curl rule (see below). Perhaps not surprisingly, this situation has led to significant friction and ill will between First Nation and non-First Nation hunters in the territory and throughout Canada.

Because of their economic value and vulnerability to over-hunting, Dall sheep have become the focus of a struggle that especially intense. In fact, it is so intense that, despite overwhelming archaeological and oral evidence of extensive sheep hunting in aboriginal times, it was not until 1998 that the territorial government finally even acknowledged at KFN's land claim negotiations that Dall sheep should qualify as a traditional subsistence animal.⁹ Because of their concerns about the sheep population in the Ruby Range, KFN members claimed to have refrained from hunting sheep there for several years prior to the formation of the Ruby Range Sheep Steering Committee. Since First Nation hunters do not have to report their kills to the Department of Environment, some non-First Nation members of the RRSSC clearly doubted the veracity of this claim.¹⁰ Though all KFN members with whom I spoke supported this voluntary cessation of hunting in principle, some of them clearly had misgivings about it in light of continued (and what they saw as excessive) hunting by non-First Nation hunters, especially outfitters. Several times, when discussions about hunting became heated, one KFN member threatened not only to resume hunting sheep, but to "clean

them out." He argued that First Nation people might as well get as many sheep as they could right now, since the non-native hunters were going to wipe them out anyway.¹¹ It was in this politically charged atmosphere that members of the RRSSC attempted to carry out their mandate.

The Anti-politics of the RRSSC

As discussed above, the RRSSC had a mandate to consider both scientific and traditional knowledge in formulating its management recommendations. Elsewhere (1999, 2003), I have examined the RRSSC in some detail, especially efforts by its members to "integrate" these different "types" of knowledge and the political consequences of those efforts. Here, I will simply point out that the RRSSC's mandate to integrate scientific and traditional knowledge about Dall sheep constrained how RRSSC members could talk and think about the issues they confronted. As is to be expected, there was a great deal of discussion in RRSSC meetings about knowledge: what did various parties know about Ruby Range sheep? How reliable was their knowledge? How could more and better knowledge be obtained? RRSSC members also clearly took a problem-oriented approach to the issue of sheep management. Much of the work of the RRSSC consisted of identifying a series of problems facing either RRSSC members (e.g., how to reconcile discrepancies between the knowledge of different RRSSC members) or the sheep themselves (e.g., aerial harassment, natural predation) and developing solutions to these problems. RRSSC members did not always agree on the severity of some of these problems—or even if they should qualify as "problems" at all (e.g., they were utterly unable to agree on the role human hunting had played in the population decline), nor could they always agree on potential solutions. But all parties to the RRSSC took for granted the need to identify and solve the "problems" of Dall sheep management in the Ruby Range.

As a result of this approach, RRSSC members necessarily also took for granted (some of them in spite of themselves) existing institutional structures of wildlife management in the territory. Some of the solutions that RRSSC members discussed might be considered "extreme" insofar as they entailed changing laws, regulations, or long-standing practices that were, in fact, unlikely to be changed. None of the solutions they discussed, however, were so extreme as to represent a rejection of existing structures of wildlife management in the territory. Indeed, these structures were never seriously questioned at all; instead, they formed the backdrop against which discussions of sheep management took

place. This is not to say, however, that there were not RRSSC members who had more radical “solutions” in mind. One Kluane First Nation hunter and member of the RRSSC, for example, discussed such a solution with me on a number of occasions, though always outside of the formal RRSSC meetings. He felt that the territorial government—beholden as it was to so many special interests and bogged down by the glacial pace of bureaucratic change—would never be able to manage the sheep properly. He suggested that if the government really wanted to save the sheep, it would do well to devolve control over their management to the First Nation. It is significant that, despite his firm beliefs about this, he never suggested this solution at a meeting of the RRSSC.¹² A consummate politician with many years of experience dealing with the territorial government, he was very well aware of how government members of the RRSSC would have received such a “solution.” At best, they would have seen it as “unrealistic,” since there was clearly no chance of such a thing happening; it was simply out of the realm of possibility. As this hunter-politician himself put it: the government was not yet “ready” for such a solution. At worst, government members of the RRSSC might even have viewed his solution as counterproductive, so blatantly “political” that it undermined committee members’ ability to trust one another and work together to manage the Ruby Range sheep. Regardless of how particular RRSSC members might have viewed it, however, a “political” solution of this sort would clearly have fallen well outside the committee’s mandate.

The committee was created to solve a “management problem” (the problem of not enough sheep), not to address “political” issues, such as whether First Nations or the Yukon should have jurisdiction over wildlife in the territory. This highlights the degree to which the RRSSC itself was a product of the technical problem-oriented approach to management that I have been discussing. Just as Ferguson’s “political” solution to the “problem” of poverty in Lesotho (i.e., end apartheid) did not qualify as an acceptable solution in the eyes of development workers, so this Kluane hunter-politician’s call for rethinking jurisdiction over wildlife in the Yukon would not have qualified as an acceptable solution to the *technical* problem of sheep management. That he himself understood this situation clearly is evident in the fact that he quickly lost faith in the RRSSC process, preferring instead to look for a solution to the Ruby Range sheep “problem” in the overtly “political” arena of KFN’s land claim negotiations.¹³

All solutions to the problem of sheep management discussed by the RRSSC took for granted the “realities”

of wildlife management in the Yukon. That many members of the RRSSC would have been unreceptive to a political “solution” like the one described above should not be surprising. After all, the Yukon Department of Environment is no more “in the business of promoting political realignments or supporting revolutionary struggles” than is the World Bank. Like their counterparts in “development” around the world, most of those actively working to promote, plan, and implement co-management in northern Canada have some stake in existing structures of state management; and this goes as much for First Nation Fish and Wildlife Officers and contract anthropologists as it does for territorial biologists. For this reason, it is very difficult for them to question the assumptions upon which these structures are based. The discourse on co-management, then, precisely because it does not explicitly engage the question of power, ends up both reflecting and reinforcing the very power relations it obscures.

Re-examining the Claims for Co-management

We are now in a position to re-examine the claims made by proponents of co-management. As we saw above, they make two major claims regarding the potential benefits of co-management: first, that it is more effective than centralized state management and, second, that it empowers local First Nation people. As we also saw, these are the same claims that are made for participatory community-based development in other parts of the world. Finally, we saw that recent critics of development have effectively called these claims into question. Not surprisingly, many of their criticisms are equally valid when applied to co-management. I shall consider each of the claims for co-management separately.

Claim #1: Co-management is More Effective than State Management

The claim that co-management is more effective than centralized state management is based on the notion that First Nation hunters and elders possess knowledge that government managers do not, and that incorporating this knowledge into existing management processes will necessarily improve those processes. The simplistic assumption that “traditional knowledge” is just sitting out there waiting to be collected and used by those engaged in co-management, however, ignores the institutional realities of wildlife management in the Canadian North. Elsewhere (Nadasdy 1999, 2003), I have argued that the production of “traditional knowledge” for use in co-management involves elaborate processes of compartmentalization and distillation. These processes are specifically geared toward

rendering the lived experiences of local First Nation people into a form that is compatible with (and useable within) existing institutional structures of state management. Because the standards of relevance by which traditional knowledge is distilled derive from the need for it to be “useful,” those aspects of local First Nation people’s experiences that might actually present an alternative to the official discourse are distilled out as useless or irrelevant (see, e.g., Nadasdy 1999: 7-10). For this reason, traditional knowledge often reflects existing management policies and agendas more than local understandings. This is exactly analogous to the process described by critics of participatory development (see above) by which local knowledge is produced in community-based development projects, and it calls into question the degree to which co-management really represents an alternative and “more effective” approach to wildlife management. Many First Nation people are clearly aware of this. One of the most common complaints I heard at meetings and conferences on TEK and co-management was that traditional knowledge is never used as the sole basis for decision-making; instead, it is used only to confirm the knowledge produced by wildlife biologists and legitimate the decisions made by bureaucratic managers.

Claim #2: Co-management Empowers Local First Nation People

As Ferguson and other critics of development discourse point out, to argue that co-management does not work is to say nothing about what co-management actually *does*. So we need to do more than simply deny the claim that co-management is (necessarily) more effective than top-down state management if we want to understand co-management. I have already shown that the discourse of co-management serves to obscure—and so reinforce—existing power relations, but it does even more than that. Like development, co-management actually helps extend the power of the state. Elsewhere (Nadasdy 1999: 11-13), I have argued that the project of “knowledge-integration” effectively extends the networks of scientific resource management into First Nation communities and concentrates power in bureaucratic centres rather than empowering local people. Here I will examine another, though related, aspect of the expansion of state power: bureaucratization.

Recall Ferguson’s claim that bureaucratic expansion may well be the most significant and lasting effect of development. A similar argument can be made for co-management in Canada; after all, co-management is nothing if not bureaucratizing. Indeed, co-management in the North has essentially consisted of establishing a host of

bureaucratic boards and committees whose memberships are appointed equally by First Nations and government. The number of boards and committees so established gives some sense of the bureaucratizing tendencies of co-management. The Yukon Umbrella Final Agreement (UFA), for example, provides for the establishment of no fewer than eight territory-wide co-management bodies,¹⁴ along with a host of regional and local co-management boards and committees that involve members from only a limited number of Yukon First Nations. The consequences of this proliferation for individual First Nations is striking. Kluane First Nation members, for example, currently hold seats on a number of these territorial boards and committees. Upon ratification of KFN’s Final Agreement, they will also have a significant number of seats on the Kluane Park Management Board, the Dän Keyi Renewable Resources Council, the Kluane Settlement Lands Commission, and possibly a few others. Finally, they will no doubt continue to participate in various short term ad hoc co-management initiatives created outside the land claims process, such as the Ruby Range Sheep Steering Committee, the Aishihik-Kluane Caribou Recovery Steering Group, and the Spruce Bark Beetle Advisory Committee, all of which KFN members participated in, to varying degrees, during the period of my fieldwork.

Each of these co-management bodies differs in the level of participation required; some meet only a few times a year, while others require quite significant commitments of time and energy. There is no question, however, that participation in these co-management processes represents a huge burden in terms of both time and labour in a village whose year round population consists of approximately 40 adult members.¹⁵ There is some justifiable fear among First Nation people that co-management processes of this sort might be *preventing* rather than fostering meaningful change by ensnaring participants in a tangle of bureaucracy and endless meetings.

Some might object, however, that while the time devoted to these boards and committees may indeed be significant, these bodies are not “bureaucratic,” but instead stand outside the established bureaucratic system. Indeed, members of the co-management boards established under the UFA are seldom professional bureaucrats; rather, they tend to be “regular citizens” appointed to serve for relatively short terms by First Nation and territorial governments. In what sense, then, is participation on these boards bureaucratizing? To answer this question, it is worth reviewing Max Weber’s characterization of bureaucracy. In his well-known essay on the subject, he noted that the most salient feature of bureaucracies is their tendency to institutionalize “rationality”:

Bureaucratization offers above all the optimum possibility for carrying through the principle of specializing administrative functions according to purely objective considerations. Individual performances are allocated to functionaries who have specialized training and who by constant practice learn more and more. The "objective" discharge of business primarily means a discharge of business according to calculable rules and "without regard for persons."...[Bureaucracy's] specific nature, which is welcomed by capitalism, develops more perfectly, the more bureaucracy is "dehumanized," the more perfectly it succeeds in eliminating from official business love, hatred, and all purely personal, irrational, and emotional elements which escape calculation. This is the specific nature of bureaucracy and it is appraised as its special virtue. (Weber 1946: 215-216)

Co-management boards and committees are never established in an administrative vacuum. Rather, their creation is always accompanied by the creation of a set of administrative rules and procedures that regulate not only how they function internally, but how they relate to external bureaucratic institutions. Indeed, the relationship between co-management bodies and the existing bureaucracy is always clearly spelled out (e.g., in the land claim agreements that created them). These "calculable rules" are necessary precisely because they allow these co-management bodies to function "without regard for persons." That is, the specific identities of co-management board members become irrelevant. So long as they abide by the established rules of procedure, the boards continue to function despite the regular turnover in membership. Such rules enable co-management boards to interface with existing offices and institutions of state management, and this is absolutely essential if they are to play their appointed roles. In this important sense, co-management boards are inherently bureaucratic entities.

These boards and committees, however, are not the only manifestation of the bureaucratization associated with co-management. In an important sense, these co-management bodies have been established to function as intermediaries between First Nation and federal/territorial governments. For First Nations to participate in these processes at all, they have had to organize and express themselves in ways compatible with the government bureaucracies with which they deal. This has necessarily entailed a significant degree of bureaucratization within First Nation communities themselves. Many First Nation people now spend a considerable portion of their lives working in First Nation offices, as Fish and Wildlife Officers, Heritage Directors, Land Claim Negotiators and so on. To function effectively in these positions, they have had

to learn the intricacies of Canadian law, scientific resource management and other fields relevant to their work. They have become adept at using computers, telephones and the other trappings of modern bureaucratic life, and they feel at home meeting with biologists and government bureaucrats in the context of land claim negotiations and co-management meetings. In other words, just to get to the point where co-management is a meaningful possibility, First Nation people have had to build bureaucratic infrastructures modelled on and linked to those of government.

First Nation bureaucracies, like their federal and territorial counterparts, necessarily function "without regard for persons." As long as the Fish and Wildlife Officer, for example, performs his or her job correctly, it does not matter *who* he or she is. This "rationalization" is essential for First Nation participation in co-management and other such processes because it allows federal and territorial bureaucrats (who are responsible for negotiating and implementing these processes on behalf of their respective governments) to interact with their First Nation counterparts according to the "calculable rules" within which they already function. In other words, it makes government to government relations among First Nations, Canada, and the territories possible.

Despite the rhetoric about "co-operation" and "participation," then, co-management does not represent as radical a break from centralized state management as is often supposed. Indeed, far from representing an *alternative* to bureaucratic state management, co-management processes have instead been *inserted into* that bureaucracy. This perspective sheds new light on claims about the empowering tendencies of co-management. Co-management, it seems, much like participatory development elsewhere in the world, has "empowered" First Nation people to participate in existing processes of state management. First Nation people have simply been given their own "slot" in the bureaucratic system. To participate, however, they have had to accept the rules and assumptions of the state management game. This can be seen clearly in the role played by co-management boards in the Yukon.

Co-management bodies in the Yukon have a purely advisory role; they make recommendations, not decisions, and those recommendations must be implemented (or not) by politicians and bureaucrats whose actions are judged by standards that have nothing to do with First Nation peoples' knowledge and values and everything to do with the exigencies of the wider political and economic situation.¹⁶ The Yukon Fish and Wildlife Management Board, for example, which was "established as the primary

instrument of Fish and Wildlife Management in the Yukon" (Council for Yukon Indians 1993: 166) in fact only has the power to make recommendations to the Yukon Minister of Environment, who is under no obligation to follow those recommendations, but only to respond to them in writing within a specified period of time.¹⁷ The minister and his or her bureaucratic advisors in the Department of Environment, regardless of their personal background and/or sympathies,¹⁸ must necessarily act within existing institutional and political frameworks (at least if they want to keep their jobs) (Nadasdy 1999, 2003). Thus, despite the widespread establishment of co-management bodies, the state management system remains essentially unaltered and unchallenged. Indeed, co-management boards and councils (along with First Nation management bureaucracies) can be viewed simply as new elements of existing state management bureaucracies.

Bureaucratization, however, does more than simply force First Nation people to comply with the existing institutional forms and social hierarchies of state management. It forces them to accept, at least implicitly, a set of Euro-Canadian values and assumptions that constrain the ways in which it is possible to think and act. As Marcuse (1964), Habermas (1989) and others have pointed out, the bureaucratic systems of modern capitalism and science, like all cultural systems, are ultimately grounded in subjective values, which themselves derive from non-rational sources. So, although modern Euro-North American bureaucrats pursue their objectives "rationally" according to a institutionalized set of rules for purposive-rational action, those objectives are themselves based on subjective values and non-rational assumptions about the world. Furthermore, the rationalization of bureaucratic and scientific functions serves to legitimize the assumptions underlying bureaucratic objectives. This in turn obscures—and in effect legitimates—the non-rational assumptions that underlie the whole system.

By accepting and adapting to governments' bureaucratic approach to aboriginal-state relations, First Nation people therefore also tacitly accept the assumptions about the nature of land and animals that underlie the rules and functions of that bureaucracy. Though First Nation people can and do voice their disagreements with these assumptions, very little comes of their protests because in the context of contemporary bureaucratic wildlife management and land claim negotiations, decisions/concessions simply *cannot* be based on anything other than Euro-North American assumptions about land and animals (Nadasdy 2003). When First Nation people make arguments based on their conception of animals as intelligent social and spiritual beings, they get nowhere

because government biologists and resource managers, regardless of their own personal beliefs and understandings, simply cannot implement management decisions based on such alternate conceptions of animals. An example from the RRSSC process illustrates this clearly.

The Full Curl Rule, the Nature of Sheep, and the Politics of Sheep Management in the Yukon

At one meeting of the RRSSC, a number of KFN members expressed concern over the use of the "full curl rule" to regulate sheep hunting in the Ruby Range. The full curl rule makes it illegal for a hunter to shoot anything but a full curl ram. The horns of Dall rams curl around and outward from their heads as they grow. Though rams reach sexual maturity at around one and a half years of age, their horns do not usually achieve full curl (360 degrees) until sometime between their eighth and ninth years. Since the maximum life expectancy for Dall sheep in the southwest Yukon is 13—with most rams dying between the ages of seven and 10 (Hoefs 1984: 103)—the full curl rule allows hunters to take only the oldest mature rams from the population.¹⁹ KFN members argued that these old rams are especially important to the overall sheep population because of their role as teachers; it is from them that younger rams learn proper mating and rutting behaviour as well as more general survival strategies. Thus, killing too many full curl rams has an impact on the population far in excess of the number of animals actually killed by hunters. One person specifically likened it to killing off all the elders in the community; although the actual number of people killed might not be great, the damage to the community in terms of knowledge and social reproduction would be incalculable. KFN members raised these concerns in the hopes that they would lead to a switch from use of the full curl rule to a quota system as a means for limiting the sheep kill in the area.²⁰

As it turns out, First Nation people got nowhere with this argument. In response to their concerns, biologists did examine the existing scientific literature that had a bearing on the issue of the full curl rule, but they were unable to find any evidence against its use. As a result, the RRSSC never seriously considered recommending the implementation of a quota system. But why not? How could the committee, charged as it was with the task of integrating TEK and science, have simply ignored such a potentially significant argument rooted in the knowledge of First Nation elders and hunters? Part of the problem was the conception of sheep underlying Kluane people's objections to the full curl rule. Their concerns were based on the notion that sheep are intelligent social beings, that they have agency which must be taken into account in any

attempt to understand them. This contrasts sharply with the conception of sheep (and animals more generally) commonly held and acted upon by Euro-Canadian wildlife biologists. Consider, for example, the rationale underlying the widely accepted (by biologists) prohibition against hunting ewes. Since ewes bear young, they represent not only themselves but all of their unborn potential offspring as well. Thus, killing an ewe has a much greater impact on the future population than the death of a single animal. This argument is structurally identical to First Nation argument against use of the full curl rule. Significantly, however, the argument for a ban on hunting ewes is mathematical rather than social in nature. Everything that one needs to know about sheep to calculate the potential impact of killing an ewe can be expressed numerically (e.g., average numbers of offspring, number of reproductive years per ewe, and so on). One does not need to grant sheep agency in order to find the argument compelling. Instead, they remain passive objects of mathematical manipulation.

This is not to say that the notion of animals as social beings is so foreign to Euro-Canadian biologists that they could not understand or cope with KFN hunters' objections. In fact, I would not want to argue that the notion of animals-as-social beings is foreign to Euro-Canadians at all. Indeed, many are quite accustomed to treating pets in this way. Nor would I argue that Kluane people's conception of sheep-as-social-beings is somehow culturally incompatible with a "scientific" understanding of animal populations. Indeed, the scientific study of primates takes such an approach for granted, and recent work by behavioural ecologists has led them to make claims about African elephants that bear a striking resemblance to those made by Kluane people about sheep (see Pennisi 2001). Thus, there is nothing inherently "unscientific" about a social understanding of even non-primate animal behaviour.

In point of fact, biologists on the RRSSC who had been working with First Nation people for many years had at least a basic understanding of how First Nation conceptions of animals differ from their own. They clearly understood, at least to some degree, Kluane people's justification for opposing the full curl rule. That RRSSC members did not act on First Nation concerns about the full curl rule, then, must have had more to do with their broader political implications than with any epistemological or methodological "problems" of knowledge-integration. The fact is that despite their own personal beliefs and understandings, bureaucratic wildlife managers—in their official capacities—could not act upon those understandings. Biologists on the RRSSC simply could not support

the switch to a quota system based solely on Kluane people's arguments, regardless of how well they understood these arguments or how personally sympathetic they might have been. Biologists have to be able to justify (with scientific evidence) the positions they take on wildlife management. They must be able to answer the criticisms of other biologists employed by those with competing political interests. For them to take a position that they could not defend in this way would be viewed as irresponsible. This could jeopardize not only the management process, but their jobs as well. Had they gone ahead and recommended the switch to a quota system anyway, they would certainly have been criticized by the outfitters on the RRSSC for being biased and "unscientific." They would have been utterly unable to defend themselves from these charges, their reputation as scientists would have been damaged, and they might conceivably even have lost their jobs. And all of this would have been for naught since, without incontrovertible scientific proof showing that the full curl rule was damaging the sheep populations, the government could not have implemented such a recommendation anyway, considering the political power wielded by outfitters in the territory (it would have been difficult enough even *with* such proof). Supporting Kluane people's position regarding the full curl rule in the absence of scientific evidence simply was not an option for biologists on the RRSSC.

It is not only government bureaucrats who are constrained by the implicit assumptions underlying the rules and forms of government bureaucracy. First Nation bureaucrats too, to the extent that they accept the rational rules and functions of Euro-Canadian style bureaucracy, must tacitly accept the underlying assumptions that accompany them (e.g., about the nature of land and animals). Like Euro-North American bureaucrats, they are constrained by the "calculable rules" of bureaucracy and the implicit non-rational assumptions about the nature of the world upon which these rules are based. So long as they accept the existing bureaucratic contexts of land claim negotiations and co-management, they cannot do otherwise. There are simply no acceptable bureaucratic rules or functions that allow First Nation people *as bureaucrats* to act upon the land and animals according to their own particular—and alternative—conceptions of the world. And, to the extent that they accept the existing bureaucratic rules and functions of co-management and land claims, it is difficult for them to question the legitimacy of these processes or the implicit assumptions that inform them.

Thus, we see that co-management, which is supposedly empowering First Nation people, may in fact be hav-

ing exactly the opposite effect. Although on the surface co-management may seem to be giving aboriginal people increased control over their lives and land, these processes might instead be seen as subtle extensions of empire, replacing local aboriginal ways of talking, thinking and acting with those specifically sanctioned by the state. At the same time, First Nation participation in co-management makes it much more difficult for them to challenge these processes than it had been for them to question the top-down decisions of the old state management system. Thus, co-management—like participatory development projects elsewhere in the world—may be less about providing real alternatives to official discourse and practices than legitimating decisions made in (or at least shaped by the assumptions of) the centre (see, e.g., Feit and Beaulieu 2001).

Conclusion

This is not to say that these imperialist aspects of co-management are intentional, or even conscious. I do not mean to impugn the morality of those government officials, anthropologists and others who engage in and contribute to the discourse on co-management. On the contrary, I believe that the vast majority of them sincerely believe in the potential benefits of co-management discussed above (i.e., improved management and the empowerment of aboriginal people) and are genuinely interested in granting First Nation people a meaningful role in their own governance and the management of local resources. The instrument-effects I discuss in this article are unintended and unforeseen by those who participate in the (official) discourse and practice of co-management. As Ferguson notes:

If unintended effects of a project end up having political uses, even seeming to be “instruments” of some larger political deployment, this is not any kind of conspiracy; it really just does happen to be the way things work out. (Ferguson 1994: 256)

Indeed, the negative consequences co-management that I describe in this article are subtle enough that few scholars or government officials seem to have noted them. As a result, when bureaucrats (whether federal, territorial or First Nation) encounter difficulties in their attempts to co-manage wildlife, they tend to put the blame on a lack of technical expertise (e.g., “we’ll get it right when we figure out exactly how to do it”) and/or selfish political interests on the part of others (e.g., bad faith in negotiations) rather than on the structure of and assumptions underlying co-management itself. As processes of co-management, like

development, become more and more bureaucratically entrenched, however, certain segments of society come to have a vested interest in them. To quote Ferguson again:

But because things do work out this way [see above quote], and because “failed” development projects can so successfully help to accomplish important strategic tasks behind the backs of the most sincere participants, it does become less mysterious why “failed” development projects should end up being replicated again and again. It is perhaps reasonable to suggest that it may even be because development projects turn out to have such uses, even if they are in some sense unforeseen, that they continue to attract so much interest and support. (Ferguson 1994: 256)

In some ways it is beginning to make sense to talk about a “co-management industry” that, much like the “development industry” critiqued by Ferguson, Escobar and others, employs or otherwise provides a living for a host of government employees, scholars, First Nation officials and consultants. These people all have a vested interest in the discourse and practice of co-management, whether or not it is “successful” and quite regardless of its instrument-effects. For this reason alone, it is imperative that anthropologists and other scholars critically examine their own involvement in processes of knowledge-integration and co-management.

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Notes

- 1 The meaning of the term “co-management” is somewhat vague, having been used to refer to many different types of institutional arrangements. These run the gamut from simple consultation, which consists of an explicit attempt on the part of resource managers to elicit the views of local people but in which “resource users may be heard but not heeded, and perhaps not even understood” (Berkes, George and Preston 1991: 7), to the actual institutionalization of joint decision-making. See Berkes, George and Preston (1991) for a discussion of the spectrum of co-management institutions.
- 2 Notable exceptions to this include the contributors to this special issue. See also Cruikshank (1998), Ellen et al. (2000), Feit (1998), Morrow and Hensel (1992), Nadasdy (1999) and Scott and Webber (2001).
- 3 A smaller cousin of the Bighorn sheep found in the Rockies, the pure white Dall sheep with its large curving horns is found throughout much of the Yukon Territory and Alaska.
- 4 Even the scholarly literature on co-management in Canada is thoroughly integrated with the literature on community-based development/conservation in the rest of the world. Articles by scholars studying co-management in Canada frequently appear in collections alongside and/or cite the works of scholars working on similar issues in other parts of the world (e.g., Inglis 1993; Johannes 1989; Williams and Hunn 1982).
- 5 In a provocative article, Henkel and Stirrat (2001) argue that the concept of “participation” underlying participatory development has its roots in the Protestant Reformation, and that many of its religious and symbolic connotations have survived—though somewhat transformed—the concept’s application to development.
- 6 This reference to the ethical problems of knowledge-integration may strike some readers as inconsistent in light of my argument that the reduction of co-management to a series of technological problems *obscures* its political and ethical dimensions. The ethical difficulties scholars have addressed, however, have to do with *how* TEK is collected and integrated with science (including the thorny political/ethical problem of how to recognize and protect proprietary rights in traditional knowledge while still allowing for its use in public management processes) and not with *whether* the collection and integration of TEK is even an appropriate undertaking. Notably absent from such discussions is any consideration of broader ethical issues, such as whether knowledge-integration is a good thing in the first place, or the ethical dimensions of existing wildlife management structures.
- 7 Unfortunately, one of the few published articles to ask questions of this sort, a 1996 article entitled “Traditional Knowledge Threatens Environmental Assessment” published in the Canadian Journal *Policy Options* (Howard and Widowson 1996), is closer to a racist tirade than a constructive analysis of the political issues surrounding co-management. Though the article received some effective (and much deserved) criticism (see Berkes and Henley 1997; Stevenson 1997), it nevertheless remains one of the few contributions to the literature on TEK that questions, rather than takes for granted, the political agendas of those engaged in the effort to integrate TEK and science (though, in the process, its authors make their own unfortunate and unsubstantiated assumptions about those actors and their agendas).
- 8 In the summers of 1948 and 1949, McClellan (1975: 120) reports having seen “good numbers of sheep being dried at a Tutchone meat camp on the Big Arm of Kluane Lake.” See also Arthurs (1995) for archaeological evidence of sheep hunting in the area.
- 9 Until that time, they had refused to consider including sheep with moose and caribou as animals to which First Nation people had special rights in the event of the need to establish a Total Allowable Harvest as per 16.9.0 of the Yukon Umbrella Final Agreement (Council for Yukon Indians 1993: 176-177).
- 10 I have no independent way to verify this claim for the period before my arrival in Burwash in December of 1995—aside from the fact that I trust those who made it—but I can verify the fact that no KFN members took any sheep in the Ruby Range during the period in which the RRSSC was meeting.
- 11 It was my impression that no one in the room took this threat very seriously, but it is likely that over the years native people throughout Canada have at least on occasion reacted to excessive hunting and/or trapping by Euro-Canadians in just this way. Harvey Feit, for example, notes that Cree elders in the southernmost section of the Cree area admit that they themselves trapped out the beaver population in the 1930s because they saw no possibility of maintaining that population in the face of increased pressure by Euro-Canadian trappers. By 1950, however, once the area had been closed to Euro-Canadian trappers, the beaver population recovered (Feit 1986: 187). Shepard Krech, too, describes a similar episode of pre-emptive overtrapping among the Northern Ojibwa in the 1840s (1999: 193).
- 12 It also illustrates one of the forms of “self-censorship” in co-management that I have alluded to elsewhere (Nadasdy 1999: 14).
- 13 Another of the potential dangers of co-management is reflected in the fact that KFN’s subsequent efforts to address their concerns about Ruby Range sheep through land claim negotiations were rebuffed by government negotiators, who flatly stated that *because there was already a management tool in place* for dealing with KFN’s concerns about Ruby Range Sheep (i.e., the RRSSC), the Yukon government was unwilling to include provisions for protecting the sheep in KFN’s land claim agreement.
- 14 These include: the Surface Rights Board, the Yukon Land Use Planning Council, the Yukon Development Assessment Board, the Yukon Heritage Resources Board, the Geographical Place Names Board, the Water Board, the Yukon Fish and Wildlife Management Board and the Dispute Resolution Board.
- 15 It is very difficult to give a meaningful figure for the population of Burwash Landing. Although there is a core of perennial year round residents, many people split their time between Burwash and Whitehorse or Haines Junction. A significant number come to live with relatives in Burwash for several months or years at a time, while others go off in a similar fashion to reside in other Yukon communities or to find work elsewhere in the territory or Canada. There is also

- significant seasonal variation; students return to the village in the summer, and many people take seasonal jobs in construction or highway maintenance that take them out of the community for parts of the year. This figure is, therefore, only a very rough estimate.
- 16 The same is true for most of the co-management bodies in Canada. Even in those exceptional cases where co-management bodies technically have some degree of decision-making authority (e.g., under the James Bay and Northern Quebec Agreement), government has been loathe to relinquish its control, often treating these boards *as if* their role was an advisory one (see, e.g., Scott and Webber 2001).
 - 17 As of 2002, when this article was written, territorial ministers had in fact accepted nearly all of the Board's recommendations (in the 11 years of the Board's existence, ministers had rejected only four such recommendations; and the board and minister had eventually been able to work out a compromise on three of these). In 2003, however, the Board submitted 34 recommendations that dealt with wildlife in captivity (e.g., game farming), a very sensitive issue for most First Nation people who regard many such practices as disrespectful to animals (see Nadasdy 2003: 79-94). Of those 34 recommendations, the minister rejected 18, replaced or modified nine, and accepted only seven. The minister's ability to disregard recommendations that were based on First Nation concerns about respectful treatment of animals highlighted the political context within which the Board is embedded. This incident led many First Nation people with whom I spoke to lose faith in the co-management processes set up under the Yukon land claim agreements.
 - 18 There have been First Nation ministers, for example, who have been personally sympathetic to First Nation positions on management.
 - 19 The full curl rule, along with season and bag limits, is at present the principle mechanism for managing sheep hunting in the territory. See Nadasdy (2003) for a more complete description of Sheep management regulations in the Yukon.
 - 20 A quota system would spread the kill more evenly over the entire population, rather than focusing it on a particular age group.

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The Position of Indigenous Knowledge in Canadian Co-management Organizations

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Abstract: Northern Canada has seen the emergence of various forms of resource co-management agreements over the last decades. Co-management arrangements either result from land-claim agreements between First Nations/Inuit, or crises (real or perceived) regarding a particular resource. Co-management organizations consisting of Indigenous and government representatives often claim to base their natural resource management decision-making on both biological resource science and the represented Indigenous peoples' knowledge. This paper examines the actual ability of Canadian natural resource co-management boards to learn from the Indigenous Knowledge of represented First Nations communities. It will explore how the epistemological frameworks and employment structures within which co-management boards in Canada operate, shape the boards relationship to Indigenous knowledge. In particular the paper will examine the effect of power on the position of Indigenous Knowledge vis-a-vis biological resource science in the Canadian co-management arena.

Keywords: co-management, Indigenous Knowledge, traditional environmental knowledge, power

Résumé: Le Nord canadien a vu émerger diverses formes d'accords de cogestion de ressources au cours des dernières décennies. Ces accords résultent soit d'ententes de revendication territoriale entre les Premières nations/Inuits et l'État, soit de crises (réelles ou perçues comme telles) autour d'une ressource donnée. Les organisations de cogestion composées de représentants autochtones et gouvernementaux affirment souvent baser leurs décisions en matière de gestion des ressources naturelles à la fois sur la science des ressources biologiques et sur les connaissances des peuples autochtones représentés dans ces organisations. Cet article examine la capacité réelle des conseils de cogestion de ressources naturelles au Canada à tirer parti des connaissances autochtones des collectivités représentées. Il explore comment les cadres épistémologiques et les structures de l'emploi au sein desquels opèrent les conseils de cogestion du Canada façonnent le rapport qu'entretiennent ces conseils avec les connaissances autochtones. En particulier, l'article examine les effets de pouvoir sur la position des connaissances autochtones face à la science des ressources biologiques, dans le domaine de la cogestion au Canada.

Mots-clés: cogestion, Connaissances autochtones, connaissances traditionnelles sur l'environnement, pouvoir

Introduction

What are the realities of "co-management" in regard to First Nations involvement and Indigenous Knowledge? While there certainly is an extensive literature on Indigenous Knowledge and epistemologies and their importance for natural resource management,¹ inadequate attention has been given both to the settings within which the integration of Indigenous Knowledge and biological resource science is supposed to take place, and to the actual results of such knowledge integration.

Using the "crisis-based" Beverly and Qamanirjuaq Caribou Management Board (BQCMB) as its main case study, this paper will explore the influence of power on the position of Indigenous Knowledge in Canadian co-management organizations. It will analyze how the epistemological frameworks within which co-management boards operate are shaped by structures of power, governance and employment and how these structures affect the ability of Indigenous communities to effectively intervene in the resource management process with their knowledge and concerns.

This paper is based on 18 months of fieldwork carried out between 1996 and 1998 in the Dene communities of Tadoule Lake (Northern Manitoba), Fond du Lac (Northern Saskatchewan) and Lutsel K'e (NWT), as well as on attendance at all BQCMB meetings over the same time period. All three Dene communities (respective populations are about 350, 700 and 250) are inaccessible by road for most of the year (save for approximately six weeks of winter ice roads used to ship in heavy supplies), and country foods such as caribou and fish make up a large part of the diet. In addition to participant observation, I conducted structured and unstructured interviews (at times with the help of a translator) with knowledgeable hunters and Elders regarding their experience with the BQCMB, on which all three communities are represented.² I approached BQCMB meetings through participant obser-

vation (I generally tried to be a silent observer of the meetings but at times I was pulled out of my silent state) and through communication with government and community board members during coffee and evening breaks. I also attended Gwich'in Renewable Resource Board meetings in Inuvik and Tsiigehtchic.

Western/First Nations Understandings of Indigenous Knowledge

Euro-Canadian and First Nations understandings of Indigenous Knowledge, tellingly referred to as Traditional Environmental Knowledge (TEK) in the natural resource management context, are not necessarily congruent. The term "Traditional Environmental Knowledge" became popular in the 1980s when interest in Indigenous ways of knowing (until then only a topic of research in Anthropology, Cultural Ecology, Ethnoscience, etc.) and understanding the environment became more widespread and, in particular, was adopted by international development organizations (see Brokensha et al. 1980). Based on the idea that TEK had been undervalued and could make important contributions to natural resource conservation and management, various TEK working groups were founded in the 1980s (such as the International Conservation Union (IUCN) Traditional Ecological Working Group, etc.). The widespread international recognition of the existence of non-Western environmental knowledge soon led to an increased focus on the existence of such knowledge and its importance for natural resource management within Canada and particularly the Canadian North.

Many Western scientists see Indigenous Knowledge as the knowledge Indigenous peoples have of the plants and animals in their environment, including their overall interaction, and give definitions such as this: "TEK is the system of knowledge gained by experience, observation and analysis of natural events that is transmitted among members of a community" (Huntington 1998:66). Parts of this knowledge are further often paralleled with the scientific discipline of ecology. In spite of the problematic nature of the TEK concept some First Nations scholars are also using the term,³ but their definition of its meaning generally differs considerably from the common definition used in natural resource management contexts. LaDuke, for example, defines TEK as "the culturally and spiritually based way in which Indigenous people relate to their ecosystems" (LaDuke 1994). This definition thus moves away from the purely physical, functional non-Native view of TEK. Discussing Indigenous ways of knowing, Leroy Little Bear writes that: "In Aboriginal philosophy, existence consists of energy. All things are animate,

imbued with spirit and in constant motion. In this realm of energy and spirit, interrelationships between all entities are of paramount importance..." (Little Bear 2000: 77). Little Bear, like LaDuke, therefore draws attention to the importance of the relationship between the physical and spiritual in Indigenous ways of knowing. Explaining their knowledge of animals, and their relationship with important animals such as caribou, Dene Elders often point out that having respect for the animals is of paramount importance to the continued sustainable harvest (Morris Lockhart 1998). From the perspective of many Western resource biologists, however, such fundamental aspects of Indigenous Knowledge are viewed as religious beliefs that should be separated from the physically observable information they have in mind if they are to believe in the validity and importance of TEK in the first place.

As one can see the ideas surrounding Indigenous Knowledge and what it represents are varied. The aspects of Indigenous Knowledge with which I will concern myself in the confines of this paper are the environmental understandings of knowledgeable Dene Elders and community members. In order to avoid the all encompassing generality of the term "Indigenous Knowledge," I will use terms such as knowledge of the Elders, views of the Elders, Dene knowledge etc. as much as possible when referring to the Dene's environmental knowledge.

Power and Its Effect on the Co-management Process

The role of Indigenous, or in our case Dene Knowledge, in co-management organizations presumably depends on whose understanding of the nature of this knowledge is applied. It is thus important to examine whose epistemologies ultimately dominate co-management organizations. Since the position and interpretation of Indigenous Knowledge, (or rather Dene Knowledge or Cree Knowledge or Gwich'in Knowledge) in co-management organizations does in the end likely have more to do with the current power relations within which co-management boards operate than the actual knowledges themselves, an examination of the role of power and its effects on the ability of Indigenous communities participating in co-management processes to intervene in resource management with their knowledge and interest, will thus be necessary.

In his discussion of the integration of TEK and Western science in the Yukon Nadasdy argues that much of this "integration" can more usefully be seen as a process that is "extending the social and conceptual networks of scientific resource management [and with it state power] into local communities rather than as part of an attempt to

meld two distinct epistemological systems” (Nadasdy 1999: 12).

Power is the ability to enforce a certain kind of ideology, a certain way of seeing and understanding the world. Power is the state’s ability to enforce a view of the natural world as a resource to be managed according to maximum sustainable yield principles. How we understand the human/environment relationship and, consequently, what a resource is and how it should be managed, can be seen as having less to do with any ultimate truth but as merely reflecting the way power is organized in a particular time period. The state’s ability to get resource users to accept state resource management practices as the best, most rational approach to resource management, not because they are forced to do so, but rather because they have been educated to believe in the values and rationale behind state management practices and therefore support it voluntarily, can thus be seen as an ultimate expression of state power.

In order to fully appreciate the underlying forces shaping the following co-management case studies this initial discussion of knowledge and power should be kept in mind. Let us proceed to a brief overview of the differing understandings of what “natural resources” are.

What Is a Resource?

Co-management organizations operating in Dene territory claim to use Indigenous Knowledge, or TEK in order to better manage natural resources. Most Dene and government resource “managers” do however generally have different ways of seeing and understanding a resource. Their understanding of what constitutes optimum resource management is therefore also fundamentally different. The term resource management itself is a European expression exemplifying European attitudes and approaches toward nature. It is an expression stemming from the world-view put forward by Western industrialized societies that largely view a resource as something to be “tapped into” and used, generally in the way of providing raw materials for various industries. In this view a resource is something to be used and controlled by humans. In this approach the proper management of such a resource (at least as far as its renewable plant and animal “components” are concerned) ensures its optimum economic exploitation without depleting or destroying its reproductive capacity (i.e., its sustainable use in order to ensure the continuation of the resources as far as they are deemed necessary for human survival). This anthropocentric attitude is a key component upon which the government resource management rationale is based. The usage of the term “management” in regards to

resource activities further conveys the impression that humans actively manage a resource as if they could assign each component of the resource a specific task.

This way of seeing the world and its resources is diametrically opposed to the understandings and paradigms within which many Dene traditionally operate. The most important distinction between European and traditional Dene attitudes towards nature is that the Dene do not see themselves as being separate from or above nature. In this worldview humans are a part of nature. They thus cannot control or manage that of which they are a part, but they can and must regulate their own behaviour in order to ensure the continuation of the balanced reciprocity that exists between them and their surroundings.

When I began talking to Dene hunters about their experience with the Beverly and Qamanirjuaq Caribou Management Board (BQCMB), many immediately stopped me in my tracks to point out that they did not see how one could manage caribou as if one were God. One could only control one’s own behaviour in order to ensure that it did not negatively impact on the caribou. An important aspect of this, they pointed out, consists of treating hunted animals with respect (Enzoe 1998, personal communication).

The term “resource management” is thus a European concept based on human dominance over nature that disregards many non-Western views and understandings. Not surprisingly, there is no equivalent term for resource management in Indigenous languages. The closest one can come in translation is “looking after a resource” (Notzke 1994).

As one can see, Dene Elders and hunters and government resource “managers” may have very different understandings of the human environment relationship and, consequently, of what a resource is. How does the co-management process manage to respect and reflect these different understandings?

Co-management in Canada

The Beverly and Qamanirjuaq Caribou Management Board belongs to what is commonly referred to as “crisis-based” co-management. In Canada, co-management agreements are often divided into “land-claims based” and “crisis-based” agreements (RCAP 1996). These classifications refer to the “events” that led to the creation of a particular co-management agreement.

Since 1975, Canada has signed 13 “agreements” with First Nations and Inuit that are referred to as “Land Claim Agreements.” Federal and Provincial/Territorial governments hold the position that conservation-oriented, renewable resource regulations established in the provinces and territories prior to the signing of a land-

claim agreement are not extinguished through such agreements (Berkes in Pinkerton 1989: 189). Thus, once a land-claim agreement is initiated, wildlife and resource management within the claim area is subject to a "double administration" which consequently leads to the co-management of the natural resources in the claim area. Crisis-based co-management agreements,⁴ as the name implies, generally result out of a real or perceived resource crisis, and/or are set up in order to avert potential biological and/or political crises. Crisis-based co-management boards such as the BQCMB are thus, in essence, tools for conflict resolution. They create a forum at which representatives from Indigenous communities, government and/or industry can come together in an attempt to resolve their differences.

The Beverly and Qamanirjuaq Caribou Management Board

The Beverly and Qamanirjuaq Caribou Management Board was established in 1982 in response to a perceived "caribou crisis." Incomplete biological data on the Beverly and Qamanirjuaq Caribou herd population led to the assumption that both herds were drastically declining in the late 1970s. Biologists, given the task of coming up with a census of the caribou population, could (and can still) only afford to fly over part of the extensive area used by the caribou when they attempted to count the animals. After "sampling" the herd population they proceeded to compile estimates of the total population of the herds. The final result of their survey showed that the population size was dangerously low and most likely decreasing at a precipitous rate (Snowden, Kusagak and Macleod 1982: 1-15).

The Dene and Inuit who have depended on the caribou for countless generations disagreed vehemently with these census results, stating that the animal population density of part of the herd range is not necessarily a good indicator of the rest of the herd range. In that particular year, they pointed out, the caribou had moved further north than normal as a result of disturbances (e.g., noise of machinery and planes, tagging of caribou) from mining operations and biologists. Therefore, they said, biologists had missed the bulk of the herd population (*ibid.*).

The data and viewpoint of the biologists were nevertheless used by provincial and territorial (Saskatchewan, Manitoba, NWT) game officials and governments as the sole point of reference for the decision to impose severe hunting quotas on Inuit, Dene and Metis hunters. Predictably, the Inuit, Dene and Metis were angry and frustrated with this turn of events. They concluded that the biologists' decision had been made out of ignorance, dis-

regarding their long-standing connection with the caribou and their profound knowledge of the animals' habits. Furthermore, they were (and many still are) doubtful of the utility of the biologists' knowledge since biologists, they argue, do not spend much time in the caribou range but are city dwellers with a lack of day-to-day contact with the resource. The counter-argument of many biologists was that they did not believe that hunters, who often only had a limited amount of formal education, could have much to contribute to caribou biology (Snowden, Kusagak and Macleod 1982: 1-6).

In order to address the presumed "caribou crisis," representatives of five government agencies⁵ re-activated a long-standing Administrative Committee on Caribou Conservation in 1979 as a Caribou Management Group (CMG).⁶ Due to the vast nature of the territory and a lack of manpower to actively control hunting, the Committee soon concluded that they could not effectively manage the herds without involving the Indigenous caribou user groups. Thus, they extended an invitation to user communities to have representatives participate in their CMG. In answer to this, and in order to assert their rights to manage their own resources, the Dene and Métis groups in Manitoba, Saskatchewan and the NWT called for a user-only board which would include both treaty and non-treaty Indians, who were the traditional hunters, and would grant government officials advisory status only (Snowdrift Resolution, April 30, 1981, Minutes of the Negotiation of the BQCMB Agreement, December 1981, p. 3). The Dene and Métis were concerned that aboriginal participation as community representatives on a government board would erode existing treaty rights without giving them real management powers. But a user-only board was rejected by the provincial and territorial governments and in June of 1982, after reassurances from the government that participation in an advisory board would not affect existing treaty rights, the Beverly and Qamanirjuaq Caribou Management Board was established (Osherenko 1988: 95; Snowden, Kusagak and Macleod 1982).

The Structure of the BQCMB

Until recently the BQCMB was comprised of 13 members, of whom eight represented Dene, Inuit and Metis communities and five represented the provincial and territorial resource ministries, the Department of Indian Affairs and Northern Development (DIAND) and Environment Canada. DIAND and Environment Canada representation was "phased out" over the last few years while the new Nunavut territory has signed on to the agreement and now also has (apart from the already existing user representation) representation through a regional govern-

ment biologist (Caribou News in Brief, 1999). The Board also has a secretary/treasurer, a retired DIAND employee, who takes the minutes and performs all administrative tasks. Government representatives are appointed by their respective departments while community representatives are appointed by the renewable resource departments administering their respective traditional territory upon the recommendation of the communities (some communities did however seem to be under the impression that the government appoints community representatives).

As can be seen, the majority of BQCMB representatives are Indigenous. This, coupled with the BQCMB's claim to "heavily rely on the traditional knowledge of its user constituents" (BQCMB, 1986: 5), leads one to assume that Indigenous Knowledge and Indigenous concerns must play an extensive role in the BQCMB's operations. It is, however, important to be aware of the actual nature of the agreement establishing the BQCMB. The Beverly and Qamanirjuaq Barren Ground Caribou Management Agreement is really only an agreement between the government of Canada, the government of Manitoba, the government of Saskatchewan and the government of the Northwest Territories (and, since 1999, the Interim Commissioner of Nunavut). While the parties signatory to the agreement recognize that "goodwill and co-operation amongst the above governments and the traditional users of these caribou" (BQCMB Agreement 1982) is necessary, and while the agreement further states that "as well as the value of the caribou to all Canadians generally, a special relationship exists between traditional users and the caribou" (ibid, 1982), the Dene, Metis and Inuit⁷ who sit on the BQCMB as representatives are not actually party to the agreement that established the BQCMB. The BQCMB is further solely of an advisory nature and thus can only effect change if it manages to persuade government agencies of the usefulness of its recommendations. This, as I will elaborate below, further weakens the Board's ability to involve Indigenous Knowledge and represent Indigenous concerns in spite of its claim to "heavily rely on the traditional knowledge of its user constituents" (BQCMB 1986: 5).

Over the years a number of publications have dealt with the BQCMB. Some, such as Scotter (1991), are written by former government employees involved in the creation of the Board and are of a rather overly positive and descriptive nature, claiming, for example, that the BQCMB blends traditional knowledge and practices with modern wildlife science (Scotter 1991: 319). Taking such claims and the publications of the BQCMB at face value, some academics have heralded the BQCMB as a model co-management board that integrates traditional knowledge

and western science for the benefit of the sustainable management of the resource (Osherenko 1988). While only Cizek (1990) thoroughly questioned the actual ability and commitment of the BQCMB to respect and involve the communities' traditional environmental knowledge, Peter Usher also pointed to some of the BQCMB's weaknesses in his 1991 evaluation of the Board.⁸ Asked by the BQCMB to evaluate the first 10 years of the BQCMB's operations and make recommendations for the future, Usher pointed to the difficulties of adequately representing communities through single board members whose only real involvement with government resource management issues was to attend BQCMB meetings twice or three times a year. Usher also noted the BQCMB's strong reliance on scientific and bureaucratic jargon but conceded that efforts had been made to explain technical issues. In this regard he recommended that the Board establish information and orientation procedures in order to educate new community representatives, but in doing so he neglected to thoroughly question the appropriateness of such heavy reliance on bureaucratic and technical jargon. Usher also made reference to the Board's limited use of Indigenous Knowledge of caribou, but without giving clear recommendations on how this could be rectified. Overall Usher rated the BQCMB a success, in part due to its improvement of interagency co-ordination, while pointing out that its real ability had not yet been tested by a crisis. Many of Usher's points and observations made in 1991 are good, but they were not adequately reflected in his recommendations. He assumed overall respect and approval for the Board among community members, whereas my own experience in the communities revealed (see below) a more ambiguous response.⁹ He further failed to question the overall implications of a co-management process in which communities and community representatives are seen to be in need of education on how best to participate in the government's management process.

Attracted by the BQCMB's publications and papers, such as Osherenko's and Scotter's, which claimed that traditional knowledge and Western biology were now integrated by the BQCMB, my own research initially set out with the hope of understanding how the BQCMB brought both Indigenous and Western knowledge to bear on its operations. When I attended my first BQCMB meeting I was struck by the fact that little seemed to distinguish this meeting from any other Euro-Canadian bureaucratic meeting. Meetings were generally held in rented hotel board rooms, or in school classrooms when meetings were held in the Indigenous communities. After the opening prayer (the only visible cultural concession to

the participation of Indigenous community members in BQCMB meetings), the minutes of the previous meeting would be approved as well as the meeting's agenda. Most agenda items concerned issues the respective government agencies were grappling with at the time (e.g., protected areas strategies, review of management plans, fit of administrative activities with those of other government agencies) and since BQCMB meetings only last two to three days, the Board generally does not spend much time on individual items. Due to the essentially bureaucratic nature of much of the discussion on the agenda items, government representatives generally held the floor for about 80% of the time.¹⁰ This cannot be attributed to the disinterest of the community representatives in the overall issues affecting caribou (their strong interest in the continued health and survival of caribou is indisputable). Rather, this lack of active participation by community representatives in the discussion is a direct result of having to participate in a process in which their interests are overwhelmed by the language and expertise of other interest groups (Crowfoot and Wondolleck 1990: 1; Morrow and Hensel 1992). They are not involved in (nor informed about) the various government departments' politics and policies, nor are they (for the most part) familiar with the heavily jargonized "bureaucratese" and "biologese"¹¹ most government representatives employ in their discussions. The lack of intelligibility or relevance of much of the discussions taking place at BQCMB meetings for the community representatives generally manifested itself in increasingly lower attendance rates as the meetings wore on. Even when agenda items did raise comments from Indigenous community members, as was, for example, the case during the discussion of the provinces' "protected areas strategies," the discussion would be steered towards the aspects identified as relevant by the Board's government representatives. The focus tended to be on operational "how to" questions, clearly steering away from possible larger philosophical issues that specific items might raise. Accordingly, the expressed uneasiness of various Indigenous community representatives with the very *idea* of protecting specific areas while allowing the exploitation of the land right next to such areas was essentially ignored in favour of action-oriented suggestions.

One came away with the impression that the BQCMB meeting constituted a good opportunity for the different provincial, federal and territorial renewable resource employees to consult with each other and exchange information. It is admittedly a good idea for provincial, territorial and federal renewable resource organizations to exchange information, especially with respect to migra-

tory species, but I was unable to learn how the BQCMB, with the help of such bureaucratic meetings, managed to "heavily rely on the traditional knowledge of its user constituents." Subsequent discussions with the Indigenous BQCMB representatives and formal and informal interviews with Elders and active hunters in represented communities revealed that they were not under the impression that the BQCMB was interested in their Indigenous knowledge.

The BQCMB and Indigenous Knowledge

While a surprising number of Elders and active hunters were only vaguely aware of the existence of the BQCMB, others who had attended one or two of the BQCMB's community meetings felt that "They [the BQCMB] are not interested in what the Elders have to say. They just go by what is there you know. What's in the books." Most Elders who have had the chance to attend and speak at BQCMB meetings feel a need to speak about their dislike of the practice of satellite collaring caribou. As already mentioned, treating animals with respect is of utmost importance in Dene views on sustainable human/animal relationships. An important aspect of this is to accept the gift of sustenance if an animal has offered itself to the hunter. To many Elders, the practice of satellite collaring is a sign of ultimate disrespect towards the animals. According to traditional Dene understandings, animals consciously participate in hunting and a hunter can only kill animals that have allowed themselves to be hunted. The placing of a satellite collar around an animal, instead of accepting its offer, is denying the animal's right of choice and hence exhibits not only extreme disrespect towards the animal, but also endangers the continuation of everybody's survival as the animals may refrain from offering themselves in the future.¹²

In the eyes of the Elders, the satellite collaring of caribou thus represents a real threat to the future availability of caribou. At every community meeting I attended, Elders stated their discomfort with this practice, attempting to convey the need to be respectful of caribou to government renewable resource biologists. Such comments were either politely ignored by government board members, or attempts were made to explain the usefulness of the information derived from satellite collaring (e.g., hoping to track migration routes) and the lack of harm to the animals given the diminutive size and weight of the collars. The unwillingness or inability of government renewable resource biologists to understand that the issue is much more complex and that it relates to wider philosophical questions of proper human/animal relationships, leads Elders to believe that the BQCMB is not interested in

what they have to say, thus the comment that the biologists only go by what is in the books (i.e., they are only interested in Euro-Canadian approaches).

One Elder in Lutsel K'e further elaborated on the difficulties of meeting and working with Euro-Canadians on resource management issues by pointing out that:

The people, the White people, whatever they write down on a piece of paper, they just follow their rules and they don't care what the people that live off the land have to say, and so that is why it gets really complicated when they have meetings like this you know. They have to have the rules of the White people and the rules of the Dene people, it has to be communicated and a decision has to be made right there instead of, you know, only White people making decisions compared to the Dene people.¹³ (Lutsel K'e 1998)

The Elder's observation speaks of the fact that, while co-management boards such as the BQCMB meet in First Nations communities ostensibly in order to involve the "resource users" in the management of the resources, community members are mostly invited to comment on plans that have already been developed in order to achieve goals set by state-mandated experts (Feit 1998: 130). Thus, in order to be included, community input has to support the plan of action set by state resource management agencies.

In Canadian natural resource management contexts, in particular in the North, reference to the importance of TEK abounds. However, much is made of the difficulty of integrating or utilizing TEK in state-sponsored resource management practices. Generally, state resource managers who are willing to take TEK seriously focus their efforts on attempting to research and package TEK in a manner in which it can fit into, strengthen, and support the goals, problems and objectives that state management agencies have identified as important. Thus Elders and hunters might, for example, be asked about their knowledge of caribou migration patterns in order to fill gaps in the seasonal distribution data of renewable resource agencies. Nadasdy (1999) speaks directly to this issue, observing that scientists and resource managers (who are heavily invested in scientific management as a profession) tend to view TEK as a supplementary body of information that does not threaten the fundamental assumptions of wildlife management. The implicit assumption is thus that the value of TEK lies in its use by wildlife managers rather than seeing it as knowledge that might be used to re-think the unexamined cultural assumptions of how humans ought to relate to the world around them, which unconsciously forms the basis of scientific wildlife management itself (Nadasdy

1999: 5). Thus, rather than seeking out Indigenous Knowledge in order to learn from other perspectives, TEK is often reduced to information or data that can be inserted into state resource management practices, leaving the overall approach of scientific resource management unchanged (Cruikshank 1998: 53; Nadasdy 1999: 5).

Attendance of BQCMB meetings made it clear that if TEK was to be considered at all by the Board, it was seen in exactly this manner. After 15 years of existence, the BQCMB was, at its 44th Meeting in Thompson, Manitoba in 1997, wrestling with the idea of getting a TEK study off the ground in order to seek out information community members had of important Caribou habitats. This TEK was then to be included in a government report titled "Protecting Beverly and Qamanirjuag Caribou and the Caribou Range" (the report was commissioned due to increased pressures from the mining industry). A consultant had been hired to help design the study, but most government board members did not like the wider philosophical issues raised by the consultant. The consultant pointed out that TEK studies must be community-based. The TEK study should thus, so the consultant, be driven by the Dene resource users with the assistance of the government managers, not vice versa. Good TEK studies, he continued, acknowledge and accommodate the principles of reciprocity, that is, they ensure that issues of interest and concern to the Dene resource users are not pushed aside in favour of a research agenda solely set by wildlife managers or biologists. Interview questions, he explained, need a context and rationale resource users can understand, and community members participating in the study need to know what their knowledge will be used for. The consultant also explained the necessity of honouring the individuals' and communities' intellectual property right to their TEK. The consultant further pointed to the dangers of decontextualizing TEK through recording, since TEK, he explained, is a "high context communication system." Taken out of context and used through the "eyes" of Western scientific knowledge, he elaborated, TEK does not only run the risk of being misinterpreted, but it becomes possible to use TEK while excluding the actual holders and interpreters of this knowledge from participating in the decision-making process in any meaningful way (Stevenson 1997: 6, 13).

When the BQCMB received and reviewed the consultants proposal at their 44th board meeting the government board member repeatedly pointed out that they just wanted a quick study that would allow the biologists to fill the gaps they had in their database, or, as one government representative pointed out, "we just want to collect information for our purpose" (44th BQCMB meeting,

Nov. 1997). Being essentially uncomfortable with the consultant's recommendations, most of the Board's government members were quick to cite a lack of funds for such a study. The ensuing discussion made it very clear that the BQCMB was not interested in considering the overall ethical implications of working with Dene Knowledge, but simply wanted to "use TEK data in order to fill its information gaps" (Wakelyn 1996:7). The government representatives seemed to be worried that a, as they called it, "large scale" study would provide them with all kinds of TEK they did not need or want rather than the specific data they had in mind. Continuing on with their arguments against the consultant's proposal they pointed out that government renewable resource officers and aboriginal caribou users should not be seen as occupying two sides in the issue of caribou management since they would all benefit from the caribou's proper management. Thus, as they saw it, their wish to address the specific "gaps" biologists had in their information on caribou with a simple and quick study was justified. They saw no need to consider all of the consultant's recommendations.

While it is of course true that successful caribou protection will benefit the Dene communities who depend on caribou, the underlying assumption behind the government board members' arguments is that only the government's overall approach will ensure the resource's long-term survival. Any approach or knowledge not easily fitted into the government's operations is simply deemed superfluous.

As the topic of TEK was raised during the 44th BQCMB meeting, one of the Board's community representatives further observed that, if the BQCMB was interested in TEK, it should have acted on that interest when the Board was first established. Thus, while a BQCMB report from 1986 already claimed that the Board attempts to "heavily rely on the traditional knowledge of its user constituents," even the Board's long time community representatives had, until 1997, not been given the impression that such an interest actually existed, thereby corroborating the Elder's observation that the BQCMB simply was not interested in their knowledge.

When I discussed the BQCMB's relationship to the communities and their knowledge with community members one hunter explained that in his opinion the BQCMB was: "Trying to pass their way [of doing things] into our life that's how people look at it."¹⁴ The fear is therefore that the "rules of the Dene" are not only ignored but that participation in co-management may be an attempt to get the Dene to buy into the "rules of the White people." Co-management is often romanticized as a Canadian way of dealing with difficult and potentially conflict-laden sit-

uations in a peaceful, inclusive and democratic manner. The heavy emphasis co-management boards such as the BQCMB have on educating resource users about wildlife management (the BQCMB invested much of its meagre funding into a "Caribou Schools Program" in which children and community members learn about important scientific caribou management issues) can, however, indeed be perceived as an attempt to get First Nations to buy into the Western approach to resource management, thus laying the groundwork for future co-operation. Sadly, such attempts at education can be well meant and sincere, but they reflect the ignorance that can be encountered among some wildlife biologists. This ignorance was clearly evident during the 1998 BQCMB meeting in Tadoule Lake. On the last day of the meeting, the community's school invited all Board members to speak to the assembled students. Giving what he seemed to hope would be an inspirational speech, a board member and well known caribou biologist informed the assembled Dene children that if they stayed in school and then went on to higher education, maybe one day they too would know as much about caribou as he did. His well meant speech revealed a stunning lack of understanding, completely ignoring the fact that if it were not for their ancestors' knowledge of caribou the assembled children would never have been born. He further made it very clear that real knowledge about caribou was something to be learned in the institutional scientific setting, not on the land, thus emphasizing the importance of "book learning."

The BQCMB is, unfortunately, not set up to equitably share decision-making in regard to the best possible ways of managing the human/caribou relationship. Rather, it attempts to convince user communities of the importance of the state's approach to resource management. Co-management boards such as the BQCMB involve Indigenous resource users because this is seen as the only way to ensure greater compliance with state resource management policies, and/or because co-management is seen as the only alternative to confrontation when Indigenous resource users become critical of state management policies, rules and regulations, and threaten to assert their rights in political and legal arenas. Most crisis-based co-management agreements are only of an advisory nature and, like the BQCMB itself, simply invite resource users to observe and possibly participate in state resource management procedures. TEK, if it is considered at all, is merely seen as data that may fill information gaps state resource managers have in particular areas (Wakelyn 1996: 7), not knowledge with the potential to refocus the overall approach of state resource management.

Since the BQCMB is only advisory in nature and lacks any real decision-making powers, it is not very surprising that its relationship to Indigenous Knowledge is dominated by an unquestioned adherence to state resource management practices. But to what degree is the BQCMB's inability to be serious about Indigenous Knowledge a direct result of its structure and status and to what degree is it representative of the relationship that all co-management organizations in Canada have to Indigenous Knowledge? An examination of the policy-making, land-claims based Gwich'in Renewable Resource Board (GRRB) will help in delineating the extent to which a view of Indigenous Knowledge as merely data to be inserted into state resource management is endemic to co-management organizations in Canada, or simply a result of the status (advisory versus policy making) of a particular board.

The Gwich'in Renewable Resource Board

As this brief examination of the land-claims based Gwich'in Renewable Resource Board will show, co-management board practices need not be as bureaucratic or distant from communities as those of the BQCMB. Although the structure and scale of these two boards are quite different, this brief example does show that co-management boards can be shaped to better suit knowledge exchanges.

The Gwich'in Renewable Resource Board (GRRB) is the main instrument of renewable resource management in the Gwich'in Settlement Area (GSA).¹⁵ While the Gwich'in Renewable Resource Board does not just concern itself with one species, it (unlike the BQCMB which covers a vast region and involves two provincial and two territorial governments) has the advantage of looking after the renewable resources of just one particular region.

The GRRB has been in operation since 1994 and has professed to have spent \$958 000 on Gwich'in Environmental Knowledge Projects during its first four years of operation alone (Charlie and Clarkson 1998: 8). The GRRB consists of six regular members, of whom three are appointed by the Gwich'in Tribal Council, two by the Government of Canada (Department of Fisheries and Oceans, Canadian Wildlife Service) and one by the Government of the NWT (Department of Resources Wildlife and Economic Development). Each board member has an alternate in case of inability to attend, and all Board members recommend and appoint a Chairperson from the GSA. Counting both the regular and alternate members as well as the Chair, seven of the GRRB's members are Gwich'in, while six represent government departments. The GRRB, further, has a staff support team of 10 to 12 employees.¹⁶

The Board and its support staff are linked to the four Gwich'in communities in the GSA through so-called Renewable Resource Councils (RRCs) that exist in each community and are comprised of up to seven concerned and interested community members. It is within the GRRB's mandate to frequently consult with the RRCs. Thus, unlike the BQCMB, the GRRB does not expect single community representatives to be able to represent entire communities. Rather, the important link to the communities is established through a group of community members.

The GRRB has the power to establish policies and propose regulations. Its decisions are, however, subject to ministerial override (Articles 12.8.23-30 of the Gwich'in Comprehensive Land Claim Agreement).

Attendance at a GRRB meeting in the Gwich'in community of Tsiigehtchic revealed that, while the meeting had the usual trappings of bureaucracy,¹⁷ there were some fundamental differences between GRRB meetings and BQCMB meetings. For example, the language used at the GRRB meeting was kept relatively free of the specialized jargon encountered at the BQCMB, and a much higher percentage of the agenda items covered issues and projects undertaken jointly by the GRRB and the RRCs, as a result of which the overall discussions had much higher Indigenous participation. During a discussion of the progress of a specific fish monitoring study, a direct exchange ensued between the GRRB's staff fish biologist and an Elder concerning the specific locations and methods used in the study. Both made use of Gwich'in place names in order to be more specific. After having hoped in vain to observe such direct exchanges at BQCMB meetings it was refreshing to finally witness such discussions.

The overall attitudes and actions of the GRRB's fisheries and wildlife biologists differed from those I had encountered at the BQCMB. During breaks and at the evening meals of the GRRB meeting I attended in the Gwich'in community of Tsiigehtchic, GRRB biologists could frequently be observed in unofficial conversations with various community members and the seating preference during meals did not break down into Euro-Canadian and Indigenous camps (as had generally been the case at BQCMB meetings). As the GRRB's biologists explained to me during private discussions, being open to and learning from the Elders' "Gwich'in knowledge of the land" (preferably on site) while also sharing their own knowledge with them, was simply common sense. During our conversations it became apparent that especially those biologists who had spent extensive periods of time on the land with Gwich'in had a healthy respect for "Gwich'in knowledge of the land."

With one notable exception, the BQCMB's biologists have not had much exposure of this kind, and thus by and large seemed to view Indigenous Knowledge as either something people may have possessed in the past or as a nebulous sort of knowledge with strong religious, cultural and political undertones. They considered it to be something less real than their scientific knowledge, something they have to consider because of political rather than scientific reasons.

The GRRB's strong commitment to "Gwich'in knowledge of the land" is of course not simply due to the attitudes of its biologists. It results from the GRRB's position as a renewable resource board within the Gwich'in Settlement Area. When referring to wildlife harvesting and management in the Gwich'in Settlement Area, the Gwich'in Comprehensive Land Claim Agreement states that its objectives are "to respect the harvesting and wildlife management customs and practices of the Gwich'in and provide for their ongoing needs for wildlife," as well as "to involve the Gwich'in in a direct and meaningful manner in the planning and management of wildlife and wildlife habitat" (GCLCA 12.1.1). At a renewable resource workshop in February of 1994, the year the GRRB was established, the Gwich'in further stated that their traditional knowledge about the land and wildlife should be recorded and used in resource management (Charlie and Clarkson 1998: 2). Thus the GRRB has clear directives and essentially no choice but to seek out and use "Gwich'in knowledge of the land" in its operations.

When one compares the employment structures within which the BQCMB's and GRRB's biologists work, one can find further explanations for their differing relationship to the represented Indigenous communities and the communities' knowledge. The BQCMB's biologists are employees of the respective government agencies represented at the BQCMB. They are thus under the direct influence of their respective renewable resource agencies whose concerns and interests they are required to represent. Representation of the concerns and interests of the Indigenous communities is not a very important aspect of their overall positions and thus tends to get ignored unless it is in line with the interests of their employers. The fisheries and wildlife biologists advising the GRRB on renewable resource management are, on the other hand, not employed by external government agencies, but work exclusively for the GRRB. An ability to work with, learn from and be responsive to Gwich'in knowledge of the land is thus a necessary component of their successful employment.

Despite its active Gwich'in participation and numerous "Gwich'in knowledge projects," the GRRB does, how-

ever, exhibit a strong tendency toward reliance on "Euro-Canadian scientific/bureaucratic" resource management practices in its overall approach. Animals continue to be outfitted with satellite transmitters, and Gwich'in knowledge of fish, moose, caribou and so on, is in the end predominantly used to support and help the GRRB's biologists, who are trained in the state's approach to resource management, with their work. Ultimately, the GRRB and its staff biologists function within and under the wider Canadian renewable resource management structures. The GRRB's biologists therefore have to work with and be responsive to Gwich'in knowledge and concerns while at the same time reflecting the overall administrative policies of the territorial bureaucracy to whom the GRRB is in the end accountable. The GRRB thus takes Gwich'in knowledge of the land seriously and spends quite a large proportion of its funding on such projects. The use of Gwich'in knowledge of the land does not, nevertheless, generally lead to any challenges or re-examinations of the overall assumptions and theories of state resource management practices (such as the view of resources as something to be managed according to maximum sustainable yield principles and the heavy reliance on numerical data). Rather, Gwich'in knowledge of the land is used to support state resource management practices by providing information on, for instance, animal and habitat health and possible population densities. The GRRB's moose survey, habitat and harvest study of 1998 is a good example of this. The study set out to determine moose density, distribution and population changes using the communities' TEK and biology (Marshal 1998:7). While much of the study was carried out by Gwich'in hunters who relied on their extensive traditional environmental knowledge of the area, the overall rationale and framework within which the study took place remained grounded in classic state resource management practices.

To summarize, then, the land claims based Gwich'in Renewable Resource Board is structured in a manner that allows it to work with Indigenous Knowledge and use Gwich'in knowledge of the land in its operations. The GRRB's use of Gwich'in knowledge does, however, in the end still reflect the view of Indigenous Knowledge as information to be used in order to fill the information gaps of resource biologists, rather than knowledge that might lead to a wider discussion on and re-examinations of state resource management practices.

While the BQCMB's inability to be serious about Indigenous Knowledge is, in part, a direct result of its structure and status, its overall view of Indigenous Knowledge as "data that may fill the information gaps of resource biologists" does, unfortunately, appear to be rep-

representative of the relationship Canadian co-management organizations have to Indigenous Knowledge.

Conclusion

All knowledges, including scientific knowledge, are embedded in the larger socio-cultural processes which give them meaning (Latour 1987; Longino 1990; Nader 1996; Woolgar 1988; Young 1972). The production of scientific knowledge is therefore a social process that simultaneously produces the artefacts of science and their utility (Latour 1987). Taken out of the socio-cultural framework within which it has meaning, knowledge may either appear pointless and illogical, or it becomes reduced to mere data that can be easily understood and fitted into other ways of knowing.

The overall rationale within which co-management boards in Canada operate remains based on Euro-Canadian scientific/bureaucratic knowledge and values (e.g., maximum sustainable yield). Even co-management boards which make a serious effort to include Indigenous Knowledge in their operations (such as the GRRB), do so without stepping outside of the state's Euro-Canadian scientific/bureaucratic framework of resource management. Scientifically trained resource biologists do in the end decide which aspects of Indigenous Knowledge are to be included into the management process and which are to be ignored. Not surprisingly, Indigenous Knowledge not congruent with scientific resource management practices (such as the importance of maintaining respectful relationships with animals and the problematic of satellite collaring) tends to be ignored in favour of TEK data that can be easily inserted into existing biological information gaps. Indigenous knowledge used in the co-management process is thus taken out of the socio-cultural context within which it was created and is "as distilled TEK artefacts" (Nadasdy 1999) or data, integrated into another culture's resource management practices.

Nadasdy's observation that the integration of TEK and science through co-management organizations may more usefully be seen as a process that is "extending the social and conceptual networks of scientific resource management [and with it state power] into local communities rather than as part of an attempt to meld two distinct epistemological systems" (Nadasdy 1999: 12) is therefore unfortunately very accurate. In the end, as Nadasdy points out, this process in which the life experiences of Elders, through distillation and compartmentalization, are rendered into forms that can be used and interpreted far from these communities, only serves to concentrate power in the hands of distant "centres of calculation" at the expense of local people. TEK research and co-management can thus be seen as a way of extending the net-

works of scientific resource management into local communities. Communities who participate in co-management organizations will be trained not only to accept the ultimate authority of science-based resource management, but are also led to see the utility of their own knowledge as mere supporting data for science rather than alternative systems of "resource management."

The use of data stemming from Indigenous Knowledge undoubtedly often leads to improved state resource management. Indigenous participation in state-sponsored natural resource co-management organizations does, however, clearly display the power of the state to "promote certain forms of behaviour, activity and feeling" among Indigenous participants in the co-management process. State-sponsored co-management regimes, whether they are the result of a real or perceived resource crises or part of the administrative structure of land claims, will inevitably exercise the state's power to "educate" the younger generation of Indigenous "resource users" to see the human/animal, human/environment interface in the same way as state resource managers.

Instead of using resource co-management as a tool to assimilate isolated land-based Indigenous communities and thereby aiding in the concentration of power in distant administrative centres, the autonomy of these communities over their resources should be respected. Rather than dictating resource management practices, state resource biologists should serve such communities as experts who are available to help while respecting their autonomy and their right and ability to shape the metamorphosis of their traditions.

Only in settings in which Indigenous Knowledge and biological resource science are brought together in sincere attempts of learning, outside of the structural restraints and power imbalances created by the process of integrating (or subordinating) Indigenous knowledge into biological resource science-based management, can real two-directional learning be facilitated.

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Notes

- 1 See Berkes 1988, 1994, 1999; Feit 1988; Freeman 1992; Johnson 1992; Stevenson 1996; McGregor 2000; Nakashima 1990; Inglis 1993; Battiste 2000; Little Bear 2000; Cajete 2000; Henderson 2000; Freeman and Carbyn 1988; Freeman 1989, 1992; Feit 1988; Doubleday 1993; Lewis 1993; Johnson 1992; Brook 1993; Clarkson 1992; Stevenson 1996; and Charlie and Clarkson 1998.

- 2 I would like to acknowledge and thank the people of Tadoule Lake, Lac Brochet, Fond du Lac and Lutsel K'e for their hospitality and friendship without which none of this research would have been possible. In particular I would like to thank the following Elders for their time, interest and wisdom: Eliza Enzoe, Samuel Enzoe, Morris Lockhart, Madeleine Drybone, the late Zepp Cassoway, Pierre Catholique, Alisette Abel, Joe Martin, the late Pierre Fern, Abraham Samuel, Neomi Denechezeh, Fred Duck, Jimmy Clipping, Charlie Kithithee, Alex Kithithee and Alex Sandberry.
- 3 The non-Native definition of Indigenous Knowledge is inscribed in the three words "Traditional" "Environmental" or "Ecological" and "Knowledge." The term "traditional" freezes practices in time giving the impression that TEK is knowledge of the past. The terms "environmental" or "ecological" speak of the scientific thinking in the West which sees human beings as separate from the non-human parts of the world, a view that is essentially non/sensical from a First Nations perspective. The term "knowledge" leads to the core of the problematic of the TEK concept. Many anthropologists have long argued that knowledge is culturally constructed (e.g., Evans-Pritchard 1937). What is defined as valid TEK by resource biologists and what is excluded from that definition is thus generally based on their cultural assumptions of what constitutes real knowledge and what does not. The type of knowledge readily accepted cross-culturally (e.g., animal health, migration patterns) would be more aptly described as information rather than knowledge (see Hensel and Morrow 1992 and Nadasdy 1999 et al. for a detailed discussion of the Western domination of the TEK discourse through the use of unexamined or contested terminology).
- 4 While this paper focusses solely on agreements between governments and First Nations, agreements between First Nations and particular industries operating in their territory are also frequently referred to as crisis based co-management agreements.
- 5 DIAND, Environment Canada and the renewable resource organizations of the NWT, Manitoba and Saskatchewan.
- 6 This Administrative Committee on Caribou Conservation had been established during the presumed "caribou crisis" of the 1950s and had, albeit not very actively, functioned as a policy advisory body on northern caribou.
- 7 Since 1999, the Inuit are essentially party to the agreement through Nunavut.
- 8 Usher 1991, The Beverly-Kaminuriak Caribou Management Board: An Evaluation of the First Ten Years and Recommendations for the Future.
- 9 Perhaps the longer involvement with the BQCMB has, over time, led to greater knowledge of its shortcomings and hence dissatisfaction with it among community members.
- 10 This was the same at all of the four BQCMB meetings I attended over the 1996-98 period.
- 11 Bureaucratic abbreviations such as RWED (Resources Wildlife and Economic Development), GIS (Geographic Information Systems) etc., as well as biological terminology such as habitat, sustainable management, recruitment etc. were used indiscriminately and without explanation. I was asked about the meaning of some of these terms by community representatives in private, thus revealing that they

generally did not feel comfortable to interrupt the discussion in order to enquire about terminology.

- 12 The importance of not playing with animals in this way is explained in the traditional Dene story "When the Caribou Had no Fear," narrated by John Clipping and translated by Mary Code of Tadoule Lake.
- 13 Not all interviewees wanted to be identified by name due to the potential political nature of their comments.
- 14 Not all interviewees wanted to be identified by name due to the potential political nature of their comments.
- 15 The Gwich'in Renewable Resource Board (GRRB) was established as part of the Gwich'in Comprehensive Land Claim Agreement signed in April of 1992 in Fort McPherson, NWT. Originally, the Gwich'in were part of the Denendeh Claim, but they were frustrated with its slow progress, which was in part due to a debate over whether the proposed Agreement in Principle (AIP) would compromise aboriginal rights and title. The Gwich'in felt that these discussions were too philosophical and, hoping to achieve immediate improvements to the lives of their people, decided to break away and settle a Gwich'in Regional Claim (Abel 1993: 257).
- 16 His staff support team includes a secretary, Gwich'in environmental knowledge co-ordinator, as well as forestry, fisheries and wildlife biologists.
- 17 For example, a structured and itemized agenda, the passing of motions in order to approve or amend, the following of "Robert's Rules of Order," and so on.

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Empowered Co-management: Towards Power-Sharing and Indigenous Rights in Clayoquot Sound, BC¹

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Abstract: This article reports and takes up Aboriginal perspectives on co-management that highlight the intrinsic linkages between the environmental and socio-political dimensions of natural resources. In doing so, it explores the capacity of co-management to address Aboriginal claims for self-determination and increased control over traditional territories within liberal-democratic state systems. Analysis of the Interim Measures Agreement between the Nuu-chah-nulth First Nations and British Columbia demonstrates how co-management involving Aboriginal peoples in a negotiated framework of substantive power-sharing provides a venue for augmented levels of confidence in indigenous-state decision-making processes. Additionally, it advances Aboriginal participants' rights claims against the state. Negotiating such "empowered" co-management represents a positive shift in relations between indigenous peoples and governments within settler states in the absence of constitutional change.

Keywords: co-management, Aboriginal rights, Clayoquot Sound, resource management, Nuu-chah-nulth First Nations, Aboriginal-state relations

Résumé : Cet article décrit et adopte des positions autochtones sur la cogestion qui mettent en relief les liens intrinsèques entre les dimensions environnementales et sociopolitiques des ressources naturelles. Ce faisant, il explore la capacité de la cogestion à répondre aux revendications autochtones pour l'autodétermination et pour le contrôle accru sur les territoires traditionnels à l'intérieur de systèmes étatiques démocrates libéraux. L'analyse de l'Entente de mesures provisoires entre les Premières nations Nuu-chah-nulth et la Colombie-Britannique démontre que la cogestion impliquant des peuples autochtones dans le cadre négocié d'un partage substantiel du pouvoir permet de renforcer la confiance dans les processus de prise de décision conjointe entre les autochtones et l'État, tout en faisant progresser les revendications des droits des participants autochtones contre l'État. La négociation de ce type de cogestion «habilitée» représente une amélioration des rapports entre les peuples autochtones et les gouvernements au sein d'états colonisateurs, en l'absence de changements constitutionnels.

Mots-clés : Cogestion, Droits autochtones, Clayoquot Sound, Gestion de ressources, Premières nations Nuu-chah-nulth, Relations autochtones-État

As long as our Chiefs survive, our rights and title will remain. We exercise our Aboriginal rights and hold our title as a result of the *Hakwulhi* of our Chiefs and we seek to protect the land, sea, and resources within our territories. (Nuu-chah-nulth Tribal Council 1991: 4)

Before, the First Nations were outside the door, and we couldn't get in. If we got in, it would be there just to get up and say what we have, but it had no meaning. Now, we're actually at the table facing the government and various ministries and others, planning and making decisions for resources in Clayoquot Sound, and that's a huge difference than the way it was before. A lot of the things that go on now in Clayoquot Sound, if they don't have First Nations involvement, they don't go anywhere.² (Stephen Charleson, Hesquiaht First Nation)

Introduction

In the past three decades, co-operative management of resources involving indigenous peoples in North America has been investigated from a variety of perspectives. While a spectrum of the theoretical and practical insights concerning indigenous-state co-management regimes has emerged, many of these analyses have been dominated by a particular scope of inquiry: co-management was seen primarily from a resource-centred perspective. This makes sense, given that the primary motivation for initiating co-management in these settings is usually to ameliorate the management of a resource in crisis, threatened by competing interests whose effects are typically compounded by divergent knowledge systems. Yet even early on, the literature revealed a shared understanding that co-management is not only about improving the *management of resources*, it is also about negotiating and redefining *relationships between people* with varying interests in, and varying degrees of authority over, the resource(s) (Finlayson 1994; Hoekema 1995; Pinkerton 1989; Usher 1986).

It is this aspect of co-management, its socio-political nature, that became the focus of my research on co-management in Clayoquot Sound and is, I suggest, an analytical approach in need of development.³

My interest here is to direct the lens to specifically consider the sociality and politics emergent from the management of and claims to natural resources among competing actors which allows for a more comprehensive understanding of the benefits, limitations and challenges of co-management regimes. This is particularly significant for arrangements that involve indigenous peoples as co-managers within liberal-democratic settler state systems.

Research concerning the implications of the *Interim Measures Agreement for Clayoquot Sound* (IMA) between the Government of British Columbia (BC) and the five Central Region Nuu-chah-nulth First Nations serves as a particularly revealing example of how such “analytical reach” is essential in co-management research.⁴ Without the socio-political and historical context one could not understand how a uniquely *empowered* form of co-management developed. Without a sense of indigenous-settler relations that shaped the ongoing regional resource conflicts one could not understand how the institutions and relationships empowered via the Agreement could develop and endure as they did. Without an appreciation, in particular, of long-standing Nuu-chah-nulth negotiation and knowledge practices one could not comprehend the range of goals and relations emerging by means of the process, or the richness of the linkages amongst their social, political and environmental dimensions.

In the process of documenting Nuu-chah-nulth perspectives on the impacts of this co-management agreement, the value of analytically emphasizing the connections between local, resource-driven issues and the broader socio-political concerns of Aboriginal co-managers in Clayoquot Sound emerged with great clarity. Indeed, the two opening statements are representative of the views expressed by Nuu-chah-nulth leaders and participants during the interview process as well as at meetings of the co-management board. Their words reflect the significance of developing co-management regimes that provide a means of recognizing and negotiating the interlinked enviro-socio-political dynamic that characterizes Nuu-chah-nulth understandings of resource management. These understandings, in turn, inform many of their claims against Canadian governments.

Thus informed by Nuu-chah-nulth statements regarding the Interim Measures Agreement (IMA), this analysis illustrates how a co-management arrangement that allows indigenous participants determinative authority in the decision-making process provides the means to

address certain long-standing issues between an indigenous people and Canadian governments. I focus here on the important theoretical and practical insights Nuu-chah-nulth comments reveal concerning, first, politics as power-sharing, secondly, broad-based systemic change in indigenous-state relations, and thirdly, the mobilization of indigenous rights claims at the local level. Acting as the institutional and processual means to these key socio-political ends, empowered co-management thus represents a promising arrangement for shifting Aboriginal-state relations from paternalism towards effective partnership.

Effective Power-Sharing? Incorporating Analytical Reach into the Study of Co-management

Briefly stated, the process of incorporating analytical reach into co-management research reflects the need for a clearer consideration of the political and social outcomes of joint resource management as these relate to co-managers’ interests. As became clear in Clayoquot Sound, this is closely linked to the issue of power-sharing, which “effective” co-management not only requires, but creates, when it is successful.⁵ Having said that, the reality is that provisions for power-sharing in co-management vary widely, most noticeably with respect to the decision-making authority accorded indigenous co-managers. Most co-management arrangements that involve indigenous peoples are designed as measures of “consultation,” inasmuch as they legally designate “advisory” status to the co-management board. This does not involve indigenous participants in the process of decision-making with any substantive or legally binding authority and often results in the continuation of conflict and deterioration of the resource(s) (Berkes 1989; Berkes, George and Preston 1991; Feit 1988; Hoekema 1995; Ivanitz 1996; Mulrennan 1994; Weiner 1991).

The consideration of analytical reach emerged commensurately from two sources. On the one hand, Nuu-chah-nulth statements concerning the benefits of Clayoquot co-management suggested unique perspectives on the significance of co-operating with government in resource management issues. While they were concerned with protecting the ecosystems and resources of their traditional lands, this perspective was framed in terms of a concern for the political mechanisms that would allow them to effectively undertake such protection: devolution of decision-making authority and the implementation of indigenous rights chief among them. The co-management provisions of the IMA are considered to meet some

of those concerns. As Stephen Charleson, an IMA negotiator for the Hesquiaht noted:

One of our rights that the IMA has brought to the fore is that we have a place at the table and we have a big voice and we have all the knowledge about resources that's been passed down from generation to generation. We have something to say about how things go in Clayoquot Sound. We have the right to be consulted, and we have the right to make informed decisions. Before we didn't have that right. In the past...consultation to the Province was a phone call or a letter saying that this is what they're going to do, and "as per our consultation policy, consider this letter as the consultation"...Now it's a lot more than that. It's one of the rights that we have as a people, to be consulted in what happens in our back yards and in our front yards and all around us. [With co-management] what we wanted to do was to flip all of that, put it up in the air, and we'd be on top. We'd be the decision makers and all of these things would go according to the way we say it's going to go, and at the end of [the negotiations] we were confident that it was a start....Everything had to flow through the Central Region [co-management] Board.⁶

Charleson's thinking reflects a broadly held view among Nuu-chah-nulth that resource protection and political engagement are mutually supportive.

On the other hand, as I have indicated above, a common analytical theme in the literature on co-management in North America argues that the resolution of conflicts identified as contributing to a resource crisis is linked to more effective management of the resource through increasing resource users' involvement in the management process (Finlayson 1994; Hoekema 1995; Pinkerton 1989; Usher 1986). Consulting with the stakeholders (often including Aboriginal peoples) at the "bottom" would temper the resource-centred failings of state-driven, "top-down" management regimes.⁷ The socio-political element (users' participation) was generally considered to serve the greater environmental goal (improved resource management); reduced stakeholder conflict led to enhanced ecosystem health. This was evident in case studies from British Columbia, Alaska, the Yukon, Ontario, Quebec, and Newfoundland (Berkes 1989; Berkes, George and Preston 1991; Feit 1988; Finlayson 1994; Shaffer N.d.; Usher 1986; Weiner 1991; Yupitak Bista 1976). There has been little specific consideration of the ways in which joint decision-making regimes might act to augment the determinative power of the "bottom end" co-managers vis-à-vis the state, a significant question where Aboriginal stakeholders are involved. Certainly, the link between the ecological and the socio-political in analyses of co-management across a variety of con-

texts has been considered. Usher argues that resource management should be approached as a practical exercise that, ideally, should meet several public policy objectives: "these include legal or human rights, economic efficiency, social and economic equity, as well as conservation" (1986: 69). Binder and Hanbidge remark that co-management involves issues such as "institutional structures and paradigms, internal and external conflicts, questions of equity, effectiveness and efficiency, and the enforcement and maintenance of interests and rights" as well as the sustainable management of resources (1994: 121). Pinkerton (1989) similarly observes co-management's potential for addressing a spectrum of extra-ecological issues which enhance the primary resource-oriented objectives. These "secondary" benefits include reducing conflict through participatory democracy, community-based development and decentralizing decision-making. Finally, Nakashima asserts that in evaluating co-management "it is important to consider the extent to which it fulfils the aspirations, not only of state managers, but also of Native peoples" (1994: 99). Moreover, researchers have increasingly recognized the connection between the level of power-sharing negotiated in a co-management agreement and the successful implementation of its management decisions, and advocated some form of power-sharing for local users participating in co-management, particularly if they are indigenous peoples (Berkes, George and Preston 1991; M'Gonigle 1988; Usher 1986).⁸ Such early research is useful in inspiring further investigation that identifies *which* Aboriginal aspirations are involved in the negotiation of co-management and *how* they are, or may be, fulfilled through various power-sharing provisions in these agreements.

It is broadly understood that co-management is not a "simple" environmental issue, for the very environment it seeks to manage is itself a socialized and politicized landscape. Like indigenous peoples elsewhere, for Nuu-chah-nulth, the ecological *is* socio-political; such issues are not divisible. This could also be argued for non-Aboriginal stakeholders in Clayoquot Sound, the most obvious example being the activities of local and international environmental groups whose politicization of landscapes and resources is well documented (Berman 1994; Caruthers, Backus, Mertens and Lackey 1997; Dorst 1990). As Aboriginal peoples' and researchers' views emphasize, co-management involves negotiating different cultural perceptions of the environment, understandings which are linked to the political interests and aspirations for Aboriginal and non-Aboriginal peoples alike (Feit 1988, 1998; Goetze 1998; RCAP 1996). In Clayoquot, the act of including indigenous users in a legal and institutional framework of devolved decision-making authority over

traditionally claimed resources forwards several key Nuu-chah-nulth socio-political claims within the state, including governance of their territories and resources, protection of cultural heritage sites, and pursuit of traditional harvesting activities (NTC 1991). For example, Ahousaht *Ha-wiih* Howard Tom explained how “the land and its resources always belonged to the Chiefs, and the positions of all First Nations throughout the Nuu-chah-nulth area—and that’s the first item you’ll see on the negotiating table—is that resources belong to the *Ha-wiih* of the Nuu-chah-nulth people. It’s always been that way, as far back as they can remember.”⁹ Negotiating a resource management agreement with the Nuu-chah-nulth thus necessitates the recognition of their traditional structures of governance in which Hereditary Chiefs were responsible for the management and distribution of lands and resources for their communities.

As Nuu-chah-nulth consistently pointed out, co-management as negotiated in the IMA acts a catalyst for addressing a spectrum of socio-cultural, political and legal issues that are significant in their own right, beyond the managerial challenges of contested resources, yet firmly enmeshed in those processes.¹⁰ In this sense, the Clayoquot experience is somewhat different from that in some other regions of Canada where co-management regimes have been used as forms of co-optation, means of securing or allocating sovereignty among governments, or means of exclusion in practice (Feit this volume; Nadasdy 2002; Scott and Webber 2001).

The Clayoquot experience presents an uncommon opportunity for an inquiry into broader socio-political implications because the Central Region Board (CRB), the institutional structure that co-manages the resources of Clayoquot Sound, was designed to provide Nuu-chah-nulth with the structures and processes of an *empowered* co-management regime. As I explain below, according to Nuu-chah-nulth, this means that it has facilitated the process of advancing their aspirations concerning political and structural equity, or “systemic change,” and the protection and practice of indigenous rights. This paper is therefore focussed on examining the conditions that make the exercise of Aboriginal power through co-management both more likely and more effective.

Nuu-Chah-Nulth Perspectives: Resources, Relationships and Responses

Nuu-chah-nulth approaches to the use and management of resources and their historical experience of European contact and colonial expansion inform their contemporary responses to state control over traditional territories and resources. A brief review of these experiences reveals

a rich history of political organization and strategizing in which Nuu-chah-nulth have made repeated efforts to renegotiate their relationship with the Canadian state. Negotiating the IMA, then, is best understood as another step in a long-standing process aimed at gaining authority over the use and management of Nuu-chah-nulth lands and waters.

As with many Northwest Coast communities, the abundant marine and forest resources available to Nuu-chah-nulth contributed to the evolution of a complex culture that enjoyed consistent material abundance. In the past, Nuu-chah-nulth were whalers, and they continue to rely heavily on marine resources such as salmon, shellfish and roe for subsistence and commercial purposes. In addition to subsistence hunting and trapping of forest animals, gathering forest resources such as plants, roots and berries for food, medicine and ceremonies continue to be important activities. As before, the temperate rainforest provides trees for woven bark items, dugout canoes, boxes and paddles. For Nuu-chah-nulth, the forests and waters of Clayoquot Sound were and still are the source of food, medicine and history; they provide sustenance, education and a connection to the spiritual world.

Historically, Nuu-chah-nulth management of natural resources was closely tied to social and political organization. Nuu-chah-nulth resource use and management strategies are based on two central concepts: *hishuk ish ts’awalk* and *hahwulhi*.¹¹ *Hishuk ish ts’awalk* (translated as “everything is one”) represents the Nuu-chah-nulth respect for and belief in the sacredness of all life forms, and the “oneness” between humans and the environment. It is the belief that all life is sacred and deserving of deep respect, which is understood as the principles of conservation and protection in relation to the earth. It is the ideological foundation for their approach to responsible stewardship. This stewardship is based on a system of land tenure known as *hahwulhi* (translated as “private ownership”), a system of hereditary ownership and management of resources. According to elder and *Ha-wiih* Roy Haiyupis, *hahwulhi* is “the key to the social and cultural practices, tribal membership and property ownership, economical, environmental and resource controls to promote effective enhancement levels to sustain life for the tribe today and for generations to come” (Haiyupis, 1988c: 1 in Scientific Panel 1995: 9). A *Ha-wiih* (Hereditary Chief) inherits his *hahwulhi*, and is responsible for managing the resources within it in a manner that provides for the continued well-being of his *mus chum* (tribal members) and their future generations. Territorial boundaries were continually reaffirmed in the songs, dances and painted curtains that are an integral element of Nuu-chah-nulth

gatherings, and current *Ha-wiith* can indicate the boundaries of their *hahuulhi* on a map.

Coupled with strong traditions of managing their lands and resources, Nuu-chah-nulth have a long history of interaction with non-Native actors. Within these relationships, they have consistently sought to build, maintain, or reinforce their leverage vis-à-vis the relative power of others. These actions can be traced back to the economic partnerships of the fur trade. Beginning in the 1770s, European interests focussed on the profits that the sale of sea otter pelts made possible, drawing coastal peoples into trading relationships, alliances over which Aboriginal partners exercised a significant amount of control. Nuu-chah-nulth were among the first groups involved in the fur trade on the north Pacific coast, during which they “vigorously asserted their demands,” resulting in the observation that they were “expert and skilful traders” (Fisher 1992: 4). Nuu-chah-nulth were known for their bargaining abilities, negotiating with confidence in a manner that forced their European counterparts to modify their trading methods to accommodate Nuu-chah-nulth protocol in order to secure the exchange relationship. As years passed, Nuu-chah-nulth leaders such as Maquinna and Wickaninish were recognized as among the most powerful trading chiefs on the coast, developing long-standing ties with Spanish and English traders. These associations were strengthened by marriages to traders, furthering the alliance between European and Native trading partners. Overall, Nuu-chah-nulth traders resisted various Europeans’ attempts to subjugate their interests during the fur trade era, which proved to establish a mutually beneficial reciprocal relationship, while producing the capital accumulations desired by Europeans (Fisher 1992; Gunther 1972; Innis 1956).

By the late 1850s, the fur trade had ended, and the focus of non-Native activity shifted to consolidating European settlement on the island, which was accomplished by the end of the 19th century. Unlike traders, the more numerous settlers sought to establish a permanent economic, political and socio-cultural presence, a mission that did not require Aboriginal involvement. A few years after the establishment of the colony of Vancouver Island in 1849, Governor James Douglas undertook the purchase of 14 small segments of land from particular tribes living around three major settlement areas along the south and north east coasts of the island. The aim of these reserved areas was the protection of both settlers and tribes from potential conflicts over areas available for occupation and use. Based on a European conception of land tenure, only areas of visible use and occupation by tribes (i.e., villages and cultivated fields) were purchased.

Tribes were free to continue to hunt, fish and trap in other areas. The availability of such lands quickly diminished, however as increasing numbers of settlers bought land traditionally used for Aboriginal subsistence activities. In occupying areas and accessing a wide range of resources once dominated by Aboriginal users, settlers’ growing incursions into traditional territories created increasing displeasure among Aboriginal peoples, and resulted in demands for the recognition of Aboriginal title and political autonomy via the negotiation of comprehensive treaties. The early decades of the 20th century brought awareness among Northwest Coast Aboriginal peoples of the need to politically organize themselves in response to the activities of the settler state (Fisher 1992; Tennant 1990).

Nuu-chah-nulth participated in this process as settlement activities moved into their territories. In the 1930s, the Nuu-chah-nulth were, albeit modestly, involved in the activities of the Native Brotherhood of British Columbia, which was formed after the collapse of the Allied Indian Tribes of British Columbia, whose land-claim activities had been outlawed in 1927. Over the subsequent decades, Nuu-chah-nulth participation increased as the Brotherhood forwarded grievances, including demands for increased recognition of Aboriginal rights relating to traditional resources activities off reserves. At the Brotherhood’s annual assembly in 1958, the Nuu-chah-nulth formed their tribal council, naming it the Allied Tribes of the West Coast. Changing its name to the Nuu-chah-nulth Tribal Council (NTC) in 1973, the group played an important part in the emergence of broad-based tribal groups organized to raise issues and assert various claims against the Canadian state. The NTC represented a departure from state-dominated definitions of Aboriginal identity, issues and political organization in that its founding was inspired by indigenous perspectives and priorities. Prior to the formation of these tribal councils, neither state legislation nor state administrators recognized the existence of tribal groups (Ponting 1997; Tennant 1990). The creation of tribal councils marked a return to the traditional basis of Aboriginal social and political organization in coastal British Columbia. Together with the Nisga’a Tribal Council, the NTC became one of the most powerful and influential Aboriginal lobbying organizations at both the provincial and federal levels, actively shaping Aboriginal peoples’ visions of themselves and their relation to the state (Kopas 1972; Tennant 1990).

In the mid-1970s, the Ahousaht Nation’s increasing opposition to logging in Clayoquot Sound led the NTC to launch the NTC Forestry Program, which involved an in-depth study of forestry issues in the area, and resulted

in an augmented level of co-operation between forestry companies and Nuu-chah-nulth Nations (Cassidy and Dale 1988). Conflicts involving issues of resource use, such as damage to streams from logging debris, were addressed through negotiations. Contracts to repair such damage were often forwarded to newly formed Nuu-chah-nulth companies. A forestry committee was also formed to advise the NTC's forestry manager and interact with companies on a consultative basis, though only relating to activities on reserve lands. At the time, it was "one of the most comprehensive forestry initiatives undertaken by a Native group in the province" (Cassidy and Dale 1988: 110).

The need to settle matters of governance and management of resources in off-reserve lands became a central issue of the Nuu-chah-nulth land claim in the next decade. The NTC's formal claim to their traditional territories covering the west coast of Vancouver Island was accepted by the federal government in 1983, and they entered the treaty process in 1994. The philosophy behind the Nuu-chah-nulth claim is that, while they aim to ensure the recognition and protection of their Aboriginal rights to resources and self-governance, a fair settlement will be based on sharing those resources with non-Native interests within a co-operative decision-making framework (Goetze 1998). As a part of this treaty process, the negotiation of the IMA reflects Nuu-chah-nulth Nations' lengthy historical experience with co-operation, resistance and negotiation as means to forwarding their interests in relations with powerful economic and political actors.¹²

The Road to Clayoquot Co-management

The context for negotiating co-management in Clayoquot Sound was also influenced by British Columbia's historical approach to resource management and land use planning. Management of the Sound's primary resource, old-growth temperate rainforests, was subject to multinational forestry corporations' pursuit of short-term profit through maximally efficient extraction with little interference from the government. The Province's objective was to encourage economic development and job creation (Drushka 1993). Indeed, maximizing timber production was the "traditional role" of the Ministry of Forest's (MOF) Forest Service (CORE 1994: 17). In the 1970s, the provincial government made an effort to promote sustainability in extraction activities, but the economic recession of the early 1980s saw a further relaxation in forest management guidelines.

Henceforth, compliance with forestry guidelines designed to protect other resource values, such as salmon spawning streams, recreation activities and tourism, was

left largely to the goodwill of the forestry companies who held extraction licences. As a result, community consultation was cursory, and MOF's policy regarding First Nations' consultation, participation and protection of rights was only marginally acknowledged by licensees, if at all. According to Richard Lucas, a Hesquiaht negotiator, at that time, "participation" in the forest management process meant that, "we were told what was going on, and then a lot of times we weren't even told. We'd be sitting there and then see people moving in with logging equipment, and that. You never knew what was going on." The political and economic incentive for greater timber extraction meant that both industry and government routinely ignored enforcing provisions for consideration of such values (Pinkerton 1997). By the government's own admission, this approach to resource management was unsustainable (M'Gonigle and Parfitt 1994). In 1992, a new provincial land use strategy was developed, which included initiatives to increase protected areas, develop new forest practices legislation, and promote forest renewal in British Columbia.¹³

In Clayoquot Sound, local ramifications of such regulatory failures were described in numerous of my interviews with Nuu-chah-nulth and non-Native residents alike: a MacMillan Bloedel clearcut threatened the Village of Tofino's water supply; countless sites of cultural and historical significance to Nuu-chah-nulth were destroyed; and there was the popularly observed fact that the majority of salmon streams in the Sound were now dormant. Furthermore, as Tla-o-qui-aht negotiator, Francis Frank, explained, the limited consultative provisions that existed did not provide Nuu-chah-nulth with the ability to participate in the process of decision-making that concerned the resource base of their territories: "Throughout the years, our voice and involvement in management decisions was totally nullified....In years gone by [there] were primarily advisory committees, and that's the only capacity in which they could function. They couldn't make decisions. Decisions were made by Ministers and bureaucrats in Victoria."

Significant public protest against what was seen as unfettered logging in Clayoquot began in 1980, when MacMillan Bloedel announced its intention to begin logging on Meares Island.¹⁴ Nuu-chah-nulth leaders denounced the proposal, citing the spiritual significance of the island to the Tla-o-qui-aht and Ahousaht First Nations and their outstanding land claim over the area. In 1984, when MacMillan Bloedel workers arrived on Meares Island to begin logging operations, they were met by a blockade of Nuu-chah-nulth, local environmentalists and other supporters. Meares Island was declared a Tribal Park. In

response, MacMillan Bloedel sought and won a court injunction to clear the blockades. In 1985, however, the Tla-o-qui-aht and Ahousaht First Nations won their own injunction to stop the logging on Meares until Nuu-chah-nulth land claims had been addressed in a treaty. Similar protests continued in Clayoquot Sound throughout the late 1980s, often involving the blockading of logging access roads.

These protest actions culminated in the summer of 1993, when tens of thousands of Canadians, together with Nuu-chah-nulth and local residents, participated in a previously unprecedented scale of protest in Canada over the existing and proposed resource use policies for Clayoquot Sound. Over 800 citizens were arrested as a result of these protests. To further capture the provincial government's attention, Nuu-chah-nulth allied themselves with the Natural Resources Defence Council, an influential environmental group headed by Bobby Kennedy Jr., and embarked on an intense lobbying campaign in the USA. The resulting publicity, both in the USA and globally, together with the subsequent cancellation of numerous lucrative timber and fibre contracts with American and European companies, provided the economic and political pressure needed to bring the Province to the negotiating table.

Even from a brief summary of the events that led to Clayoquot co-management, the politicization of the central ecological issues is clear; for the Nuu-chah-nulth as well as local citizens and environmentalists concerned, the social, political and ecological issues were fused in a mutual desire to gain increased local control over Clayoquot resources, and cannot be considered exclusive of one another. It is in this context that the agreement establishing Clayoquot Sound co-management was negotiated and subsequently implemented.

The Interim Measures Agreement for Clayoquot Sound: An Empowered Co-management Model

The 1994 *Interim Measures Agreement for Clayoquot Sound* was the direct result of these protests as well as the consistent lobbying efforts of the Nuu-chah-nulth for recognition of their land claim.¹⁵ The Agreement was negotiated over a period of several months, during which time Nuu-chah-nulth negotiators threatened to walk out because of government unwillingness to negotiate the devolution of authority Nuu-chah-nulth desired (Goetze 1998). Persistence and strategic negotiation resulted in an agreement that goes beyond addressing the pressing managerial issues (e.g., stakeholder access and conflict,

sustainable use and ecosystem health) concerning the use of resources in Clayoquot Sound. The IMA also recognizes many key political claims of Nuu-chah-nulth that are inherently tied to resource management: the traditional Nuu-chah-nulth structure of governance; the authority of the *Ha-wiih*; the government-to-government relationship between First Nations and British Columbia formally recognized by the Province in 1993; and the need to incorporate Nuu-chah-nulth perspectives and respect their resource interests in jointly managing the area.

IMA provisions concerning resource management centred on the creation of a new, co-operative management institution, the Central Region Board, with equal Nuu-chah-nulth—provincial representation. As part of the co-operative management of the terrestrial and marine resources in the Sound, with the exception of ocean fisheries, the Board reviews all resource use and development proposals.¹⁶

The key power-sharing feature of the Agreement governing the Board's decision-making activities is that, should voting be necessary, a *double majority* clause would come into effect. As understood by Nuu-chah-nulth, this means that a majority of Nuu-chah-nulth as well as a majority of all CRB members is required for a decision to pass. As the Province understands it, a double majority requires a majority of both Nuu-chah-nulth and provincial—in reality, local—representatives.¹⁷ Either way, the clause gives the Nuu-chah-nulth participants effective veto power over any Board decisions. Board members agreed at their first meeting, however, that the CRB would make its decisions by consensus, a format that most Board members believed to be more inclusive, and one that is consistent with traditional Nuu-chah-nulth decision-making practices.

The legal caveat to this power, common to Aboriginal-state agreements, is that the Province retains ultimate statutory authority, meaning Cabinet may overturn CRB decisions. Should this occur, however, the Central Region Resource Council (CRRC), composed of Nuu-chah-nulth *Ha-wiih* and provincial Cabinet Ministers, would be gathered. The CRRC's role is to conduct a public inquiry into government reversals of Board decisions. Given the continuing volatility of resource issues in Clayoquot Sound this is a situation the provincial government would generally rather avoid, providing an additional degree of leverage for Clayoquot co-managers in the decision-making process.

Thus, in practice, the IMA gives Nuu-chah-nulth co-managers tangible, determinative authority to *make decisions* about resource use in Clayoquot Sound. While CRB decisions may not be *legally* binding, they are most cer-

tainly, and demonstrably, *politically* binding. The importance of this significant level of *de facto* authority which the CRB wields in addition to its *de jure* authority, is founded in part in Nuu-chah-nulth members' capacity to constrain any cavalier behaviour on the part of the Province in the process of implementing Board decisions. Given that there have been complex and contested resource use decisions before the Board, it is noteworthy that since its inception in 1994, the double majority has not been invoked by the CRB, nor has there been an attempt to reverse any of its decisions regarding resource management and land use in Clayoquot Sound.¹⁸

The presence of the Board's "veto" element is unique to this co-management agreement in Canada and it is this powerful provision that, along with recourse to the CRRC, moves the IMA beyond consultation to what may be termed substantive power-sharing. Despite the Province's statutory authority, the IMA gives Nuu-chah-nulth members determinative *de jure* authority and significant legal and political leverage in the decision-making process; the IMA provides for a co-management model in which Nuu-chah-nulth members can effectively exercise decision-making authority concerning their resource-oriented interests.

In making its decisions, the CRB receives most of its referrals from the Ministry of Forests (MOF) and the Ministry of Environment, Lands, and Parks (MELP). Up to 1998, when this study was completed, consensus decisions had been reached on referrals within the 30-day timeframe stipulated in the IMA. Of the forest harvesting applications the Board has reviewed, all had been approved, but modifications were made to many. For instance, the modifications to many MOF referrals involved demanding stricter compliance with new management guidelines, which include: ensuring the integrity of biodiversity in a cutblock to be logged; completing inventories and maps of medicinal plants, sacred sites and culturally modified trees important to Nuu-chah-nulth within areas to be harvested; and increasing opportunities for skills training and economic development for local people, especially Nuu-chah-nulth.¹⁹ Many referrals from the Lands branch of MELP on wildlife management, foreshore development and aquaculture have also involved conditional approval; a few have been deferred due to a lack of information and others denied.²⁰ Clearly, critics' suggestions that the CRB is merely rubber-stamping government initiatives for resource development are misplaced. Toquaht *Ha-wiih* and CRB member, Bert Mack, suggested that CRB co-management initiated a significant improvement in the level of his inclusion in decisions that affect his territories:

The Province [s representatives] come to me when it has to do with any form of, say for instance, an economic development that is to be placed in my territory....Also, the logging companies. If they find anything that has to do with our traditions and our culture in the forest, they'll come and report to me and let me know what they've found.

In the process of reaching decisions regarding management and planning for the resources of Clayoquot Sound, the Board must integrate considerations for economic development and socio-cultural issues. In addition to efficiently managing the resources of the Sound, the CRB is charged with, and has had success in encouraging, conciliation between stakeholders in the Sound, protecting Nuu-chah-nulth rights, and developing opportunities that support economic diversification in the Clayoquot region. In pursuing the goal of creating viable and sustainable communities as well as a viable and sustainable use of the resource base, the CRB "strives to see a broad picture when considering issues. The social, economic and environmental concerns of local communities are addressed in the review of each proposal and application that is brought to the CRB" (CRB 1996a: 2).

The successful operation of the CRB has not, of course, been without challenges. In its first four years of operation, the CRB had not yet developed an overall strategy to guide its operations. Indeed, at this time, most of the Board's energy was directed towards discussing and responding to referrals it received, such as applications for logging permits. During interviews, some representatives argued that the CRB was focussing too much on short-term issues at the expense of dealing with long-term transition processes such as economic diversification, reducing Nuu-chah-nulth unemployment and developing plans for viable forestry in the Sound. Another area of difficulty noted by some Board members was the nature of the consensus decision-making process, which they felt to be a tedious and time-consuming one compared to voting. This, in combination with the complexity of the new resource management regulations, means that co-management has proved to be a slower, more costly and more administratively complex process than the standard top-down state management model. Finally, some community members identified the CRB as the reason for the reduction in logging and the accompanying loss of jobs in the region, although decisions to shut down operations are made by logging companies independently of the CRB's actions. This reflected the low level of community awareness concerning the function and objectives of the CRB. A similar level of ignorance on the part of government bureaucrats regarding the CRB's mandated operations

and scope of authority has resulted in delays in implementing Board decisions, a situation compounded by Cabinet's failure to encourage timely compliance with CRB decisions.

Regardless of its difficulties, the introduction of the CRB has provided several benefits to local Nuu-chah-nulth and non-Native communities. First, it has seen considerable progress being made in incorporating other forest values besides timber production in managing the forests and other natural resources of Clayoquot Sound since 1994.²¹ For example, Nuu-chah-nulth Elders will walk a proposed cut-block with forestry representatives to ensure cutting does not compromise areas of cultural significance. This is also noticeable in the incorporation of Nuu-chah-nulth members' traditional knowledge in CRB decisions that, in turn, govern forestry activities that take place on their territories.

Secondly, the CRB is an institution that provides a substantial increase in local control over local resources for all communities in Clayoquot Sound. Ahousaht *Hawiih*, Nelson Keitlah, former co-chair of the CRB suggested that, "the uniqueness of what we did was the creation of the CRB involving non-First Nations. I think that's the absolute uniqueness, where we all get together and sit around a table in a meaningful way and try to reach an objective." By involving both local non-Native and Nuu-chah-nulth representatives in shared resource management, the CRB is inclusive of other local stakeholders in the management process. This, in turn, has facilitated the process of relationship-building, reducing the level of conflict between stakeholders. In Ucluelet negotiator, Larry Baird's, words: "Three years ago, four years ago [in 1993] it was kind of like a simmering pot, Clayoquot Sound. Occasionally it would boil over. And now...I think it's on low. It's not even simmering. It's lukewarm. Which is good!"

Thirdly, the CRB has allowed for unprecedented co-operative relationships to develop between Nuu-chah-nulth and local representatives. Bob Mundy, a CRB member representing the Ucluelet, reflected on this process:

Our whole scheme in the CRB is that we wanted it to be the people's choice, whatever they wanted, how they wanted things to happen. We wanted the communities to feel that they had a part in decisions....So, that's basically how we handled a lot of different things here, to try and pull people together because...the [non-Native] community is supposed to be a part of it, along with First Nations. I think we've helped to pull people together, in fact. I think it's a good thing, because if we're going to work together then we have to pull together....As we've always stated, we're not going any-

where and probably some of the people that live here now aren't going anywhere, so we have to pull together and make some decisions together, for the good of the land and for the good of everything. Whether it's fishing, logging, or whatever it is, we have to pull together to get the best interests of all the people.

According to this perspective, the foundational impetus for the operation of the CRB is one of negotiating and mobilizing mutual interests wherever possible. The success of this co-operative spirit is evidenced in the consistency with which the Board has been able to reach consensus-based decisions, at times over highly contested issues that have been the source of conflict in the past.

Finally, the veto provision of the IMA profoundly augments the level of practical control the Nuu-chah-nulth may exercise over the management of resources on their traditional territories. It effectively devolves a measure of state authority to the local level in a manner that advances Nuu-chah-nulth aspirations for power-sharing, partnership-oriented arrangements with the Canadian governments. This is *empowered* co-management. It is so termed as it exceeds the advisory powers co-management regimes typically allow indigenous participants to practice. This is not to imply that such co-management "gives power" to "powerless" Aboriginal co-managers. Rather, it is empowering in that it facilitates the exercise of power historically held by Aboriginal peoples in managing their resources as autonomous nations. As described by Stephen Charleson, for Nuu-chah-nulth, this means that the CRB provides them with unprecedented leverage in the decision-making process: "Before [the CRB] a lot of the things that we were trying to stop weren't slowed down. All we could do was beg and plead and yell and scream, and there was no action. Now, with this IMA...we have something in our back pockets that the Province has signed, and...whether they like it or not, they have to listen to us, and...do some things that they weren't prepared to do before." Larry Baird adds that the CRB "gives recognition and gives us a seat at many tables where we're being discussed, as opposed to, "Well, we think this is good for them." I never did like that. I would no more profess to know what is good for you and I wouldn't make that determination. And I wouldn't expect you to accept anything like that." In sum, empowered co-management both recognizes Aboriginal authority over traditional territories and allows for its effective exercise in practice.

Having reviewed the managerial activities of the CRB, as well as the challenges and benefits of such empowered co-management practice, further analysis will highlight the broader socio-political implications of the Clayoquot model. As the next two sections reveal, gaining such a

measure of decision-making authority in the co-management process has allowed Central Region Nuu-chah-nulth to redefine their relationship with the state while protecting and asserting their Aboriginal rights.

Co-management, Confidence-building and Systemic Change

Realizing significant changes in minority-state relations in liberal-democratic state systems typically involves structural changes, such as constitutional amendment, or mutual recognition of rights through treaties and agreements that fundamentally alter the dynamic of interaction between the state and a group demanding a heightened status within it. As such, systemic change as it is used in this analytical context involves the fundamental restructuring of the relationship between indigenous peoples and liberal-democratic governments, specifically in terms of the distribution of power. This is a forbidding prospect for most, if not all, governments.

In Canada, the drive for such restructuring of the state-indigenous relationship centres on Aboriginal peoples' demands to shift relations from the paternalistic colonial vestiges of the past to a government-to-government, nation-to-nation relationship based on respect and partnership (RCAP 1996). As noted in the Report of the Royal Commission on Aboriginal Peoples, while Canadian governments are "coming gradually to accept the idea of shared sovereignty and Aboriginal self-government, they have been loath to hand over the full range of powers needed by genuinely self-governing nations or the resources needed to make self-government a success" (RCAP 1996: 25). In other words, both the federal and provincial governments are "using the phraseology of Aboriginal self-government, but denying its substance" (Penner 1987: 22-23). The notion of empowering Aboriginal peoples is viewed as possible only at the sufferance of the state, and as such, it has been limited to delegation of administrative authority, as opposed to the negotiation of legislative powers.

This explicit reluctance, along with a long history of troubled relations between Aboriginal peoples and successive governments, represent some of the most significant impediments to mobilizing such a relational shift in the Canadian context, as in other settler states.²² The resulting reality is that attempts at negotiating new relationships must contend with a firmly entrenched legacy of suspicion and distrust. As elsewhere, in Clayoquot Sound, Aboriginal peoples suspect governments' capacity to negotiate in good faith, and to share power beyond the tokenism of delegated municipal authority. Governments continue to doubt Aboriginal peoples' capacity to make

sound decisions and to limit their claims against the state. Needless to say, this lack of trust, or "crisis of confidence," profoundly limits the progression towards negotiating power-sharing relationships with Aboriginal peoples in Canada.²³ In such an atmosphere, the first objective must be to build confidence, a process which ultimately seeks to "transform [hostile] relationships into more cooperative ones" (Richter 1994: 81). Only when a minimum level of mutual confidence has been established can serious restructuring of a relationship occur.²⁴ My evaluation of Clayoquot co-management includes an examination of the potential for veto-based joint management arrangements to address such crises of confidence by enhancing confidence between participants.

As suggested above, Nuu-chah-nulth experiences with Canadian governments both historically and more recently have done little to foster relations characterized by confidence or mutual trust. Indeed, the lack of trust between Nuu-chah-nulth, state representatives, local stakeholders and the forestry industry is fittingly described as a "crisis of confidence." It is interesting then, that several Nuu-chah-nulth interviewees indicated that the IMA has acted as an interim measure, not just in the literal, legal sense, but as a political middle ground: though the power-sharing relationship is limited to an institution defined by the state, the provisions of the Agreement allow the state to experience power-sharing with First Nations, while affording Nuu-chah-nulth a degree of the autonomy they ultimately desire with a broader treaty.

On the one hand, the presence of the double majority clause regarding CRB operations represents a successful negotiation of greater decision-making power for First Nations. Bob Mundy, explained that with the double majority clause, "if we have to, we have that veto power within our reach....We're able to say no to something that we don't like and [we're] able to make sure that it doesn't happen...we have the power to do that." At the same time, the Province can maintain it has not given up any of its statutory authority. On the other hand, the fact that the veto element of the IMA has never been used has both surprised and assured government representatives and local communities, who feared the Nuu-chah-nulth would invoke it readily and indiscriminately. That the Agreement was extended in 1996 and again in 1999 further augmented the Nuu-chah-nulth sense of confidence in negotiating a more autonomous relationship with the government of British Columbia.

Tensions still remain, primarily between Nuu-chah-nulth and the Province but also between local stakeholders and forestry corporations. Yet most conflicts may now

be negotiated within the co-operative framework of the CRB. In providing such a space for discussion, co-management allows for a period of adjustment or confidence-building for governments, First Nations and local communities to be affected by the changes the broader NTC treaty will bring. As suggested by Stephen Charleson:

[The Interim Measures Extension Agreement] is the second generation of a negotiated agreement that the Premier signed on behalf of the provincial government [with our] Hereditary Chiefs....So, their honour's at stake, you know, if they don't honour this IMA, what do we have to look forward to in their treatment of a treaty, the Province and Canada? There's not much to look forward to if something like this, a small step in the huge plans that we have, if they don't honour that.... And what this also accomplishes is that in this period in Clayoquot Sound [the CRB] acclimatizes the rest of the population of BC on how things are changing. They're going to change when treaty's signed, and they're going to be implemented. There are a lot of attitudes and ideas of First Nations that they're going to have to throw out the window.

The IMA introduced a new partnership-oriented decision-making institution that encourages dialogue between Nuu-chah-nulth, government representatives and local communities. As noted above, the CRB has facilitated the development of more positive and constructive stakeholder relationships within a structure of co-operative power-sharing between First Nations and the provincial government.

Elder Nelson Keitlah believes that "power is going into the hands of the people that should have had the power to begin with." Keitlah's sentiment was echoed by many Nuu-chah-nulth whom I interviewed, who see this context of a power-sharing partnership as a significant shift from the state paternalism they have historically experienced. Indeed, several Nuu-chah-nulth Nations outside of the Central Region consider the CRB a desirable model for resource management of traditional territories as a part of the new treaty structures. This continuity would certainly ease the transition to a post-Treaty environment in Clayoquot Sound, given the familiarity with sharing decision-making authority the IMA has made possible.

With Nuu-chah-nulth themselves identifying the confidence-building capacity of the CRB when questioned generally about the benefits of CRB co-management, the political mechanisms and implications of co-management under the IMA take on a new significance. The success of the CRB lies not only in its continued operation as a nego-

tiated arrangement which emphasizes a co-operative relationship between the state and First Nations in a context of joint decision-making regarding the management of highly contested resources. Beyond this, the CRB is an arena of Aboriginal-state power-sharing which is building the confidence of the parties currently negotiating broader legal and political arrangements of self-governance for a group of indigenous peoples encapsulated by the state. It familiarizes the parties to the viability of power-sharing arrangements between Aboriginal peoples and governments. Finally, it reveals that Nuu-chah-nulth are both aware of and pursue strategies that address the "crisis of confidence" between stakeholders.

In sum, from the Nuu-chah-nulth perspective, co-management of resources as negotiated in the IMA provides a means to two key socio-political ends: (1) greater systemic changes in terms of restructuring the relationship between Nuu-chah-nulth and the provincial government from one of monopolized control to one of partnership in resource management decision-making; and (2), establishing confidence in the long-term feasibility of such a co-operative, power-sharing relationship in a more extensive treaty arrangement.

Co-management and Indigenous Rights

The relationship between empowered co-management and the demands for rights made by indigenous peoples within state systems is another issue Nuu-chah-nulth raised in discussing the Clayoquot co-management model. Co-management may be connected to indigenous rights as they relate to ownership or access to resources, and the authority over the resources that ownership confers. Yet the recognition of indigenous rights in legal documents does not necessarily result in those rights being enjoyed by people in their day-to-day lives. Herein lies the problem for Nuu-chah-nulth, as for other indigenous peoples: to what extent do those provisions allow the recognized rights to be *exercised*?

Evaluating co-management regimes from a "rights-in-practice" perspective expands this discussion. This analytical approach understands rights not only as legal categories or features of political discourse but also as tangible activities to be enjoyed in daily life. It is important, then, that rights are both "recognized" and "practiced": they are relevant only insofar as they are part of the *lived experiences* of an individual or group. As Stavenhagen (1994) notes, rights are only *protected* inasmuch as they are *exercised*. Since many indigenous claims against settler states are based on demands for the recognition and protection of certain rights, it is relevant in analyses of co-

management to assess how these institutional arrangements might address these demands. Nuu-chah-nulth statements highlight the ways in which the CRB model achieves two critical goals regarding their Aboriginal rights by facilitating the process of clarifying and engaging rights that remain legally undefined, and secondly, transposing internationally formulated rights declarations to locally exercised rights-in-practice.

As several Nuu-chah-nulth interviewees pointed out, a number of their cultural, political and resource rights are implicitly recognized and protected by the IMA and the operations of the CRB. For example, *Ha-wiih* Howard Tom noted how the IMA is “about sharing of the resource, getting some of the revenue, making sure that it’s environmentally sensitive, whether it be forestry or fisheries or mining...it takes in many things, the C[ulturally] M[odified] T[rees], the heritage sites, economic development.”²⁵ Stephen Charleson adds that the IMA is significant in that “First Nations’ rights to govern themselves are recognized in the [Interim Measures] Agreement where they recognized the Hereditary system [of governance]. That’s a huge achievement, you know, that they recognized our form of government.” Several of the IMA’s general provisions were repeatedly identified as being tied to Nuu-chah-nulth rights claims. These include: the explicit endorsement of the government-to-government relationship between First Nations and the Province; engaging the traditional *Ha-wiih* structure of authority as signatories to the Agreement; the numerous provisions that stipulate the necessity of “incorporating the perspective of First Nations;” and Article 9(d), which states that it is the responsibility of the CRB to “ensur[e] that British Columbia’s fiduciary obligation with respect to Aboriginal rights have been met.”²⁶

Furthermore, Nuu-chah-nulth co-managers and negotiators point to the fact that, one of the CRB’s stated objectives is the consideration of “options for treaty settlement for the First Nations,” including the “expansion of the land and resource base for First Nations” and the protection of “Aboriginal uses of resources” in Clayoquot Sound. Such considerations speak to Nuu-chah-nulth demands for the recognition of their traditional property rights. Finally, the ability to veto decisions relating to their land and resource interests via the double majority clause is considered, as noted above, a powerful form of rights protection, and an assertion of the right to decision-making authority over traditional territories and resources. This, in turn, addresses Nuu-chah-nulth demands for self-determination within the Canadian state. Cliff Atleo, an Ahousaht negotiator, insists that the IMA plays an important role concerning Nuu-chah-nulth rights: “[The IMA]

wasn’t intended to be a panacea for Aboriginal rights definition as it says right up front. [That] doesn’t diminish the importance, the level of importance of some of those [rights] that it has touched, because it’s a start, and lays some of the foundations for doing that in the treaty.”

It must be noted that, as an *interim* agreement, the IMA is not legally or politically designed to address issues of Aboriginal rights, which the parties agree is the domain of the ongoing treaty negotiations also involving the federal government. IMA Article 4 explicitly notes that the Agreement “does not define or limit the Aboriginal rights, title and interests of the First Nations.” It therefore appears vague and limited in the range of rights protection its provisions provide. As Atleo’s words suggest, Nuu-chah-nulth consistently emphasized the potential for IMA co-management to begin the process of clarifying the meaning and position of indigenous rights within state systems that have thus far failed to satisfactorily incorporate those rights. With over three decades of leadership and negotiation experience behind him, Nelson Keitlah articulated this situation well:

...what has not been defined by courts is Aboriginal rights, what it really means. And every decision that’s been made, even if we’ve lost or if we’ve won, the judge has said, go and negotiate, that’s what each one has said. So, that’s something that we see, that [the IMA] was there doing exactly that.

The issue of explicitly defining or clarifying the meaning of indigenous rights is often the crux of the impasse in advancing indigenous claims to rights within state systems, Canada being no exception (Asch 1993; Kulchyski 1994). This frustrates Aboriginal peoples, Nuu-chah-nulth among them. In light of this, Keitlah points out one of the most intriguing possibilities that co-management arrangements present regarding indigenous rights. Though Canadian courts and governments have demonstrated a reluctance to develop clear and detailed definitions concerning the substance of Aboriginal rights, the IMA has provided a vehicle for the negotiation of Aboriginal rights in what amounts to a vacuum of legal and political will concerning the issue.

When asked to describe some of the key issues concerning their Aboriginal rights, Nuu-chah-nulth statements revealed an additional dimension of significance to analyses of co-management. Consider Larry Baird’s answer:

...we had certain rights and when we fished, we exercised our rights....If I want to go fishing, I’ll go fishing. It’s not a privilege...it’s a right...I don’t have to have

a license...I want to go out and utilize the resource, then I just go and do it....[In] Ucluelet where I grew up...we would just go and dig clams in the harbour or take crabs....So anywhere we went, we'd just hunt and fish at our leisure, because it's my right to do it....It comes from our teachings, from our elders, from our Chiefs. They did that, they were taught that, and it's...handed down. Your rights. And then we got caught up in all this bureaucratic, "you've got to have a license"—well, that's somebody else's colonialist imposition of privilege or licensing schemes...on us.

Similarly, Stephen Charleson said of Nuu-chah-nulth rights: "Our rights have been eroded, all of those, fishing, hunting, and all of those things....The way it's been is we haven't had any rights to do anything, to say anything like that before, but now [under the IMA] we have the right." Here, Baird and Charleson speak of their Aboriginal rights as Nuu-chah-nulth typically do: it is often in a context of activity, signalling the notion of rights being *things you do* as well as *things you have*. Enjoying them includes not only having them recognised, but being able to *engage* those rights in their daily activities. The clarification of rights is one step closer to the ultimate goal of *practising* them, of realizing them as pragmatic experiences that produce tangible results. Participation on the CRB moves the issue of rights beyond legal or legislative definition, allowing Nuu-chah-nulth to begin to exercise those rights constrained for decades by governments' paternalistic policies and their tacit political and economic complicity with forestry industry's aggressive pattern of extraction on traditional territories.

This point is further clarified when Nuu-chah-nulth make a connection between the recognition, protection and exercising of their rights and the exercise of power over their territories and resource activities that participation on the CRB makes possible. Francis Frank explained: "Regarding [Nuu-chah-nulth] rights with respect to resources...the Agreement provides, through our involvement in the management board, the ability to protect resources that are under negotiation at the treaty table." Like other Nuu-chah-nulth, Frank connects this "protection" of resource-based rights to CRB membership, which allows Nuu-chah-nulth participants to "have a direct say over all our traditional territories." He went on to describe how this "direct say" mechanism of the CRB results from a combination of "equal representation, the co-chair, and veto power." Together these provide a marked increase in the level of "influence" accorded Nuu-chah-nulth vis-à-vis the provincial government, and represent the "greatest significance" of the IMA.

Such determinative decision-making allows Nuu-chah-nulth to exercise their rights to manage and protect resources within their traditional territories, once the exclusive role of the *Ha-wiih*. *Ha-wiih* Bert Mack asserted that the CRB initiated a significant improvement in the level of his inclusion in decisions that affect his territories:

If anyone wants do business...they'll come and see me first before they make the move. In fact, the government will tell them to come and see me!...And sometimes I disagree with what these parties are coming in with. To me, it could be dangerous for our people, especially once the treaty is signed and we have our land selections....

This is a good example of how the decision-making role of the CRB expanded the opportunity for Nuu-chah-nulth to exercise their right self-determination, which is typically defined by Nuu-chah-nulth as having the authority to themselves decide on issues that affect their communities and territories (Goetze 1998).

The point here is that Aboriginal peoples need not necessarily wait for definition of the rights in order for rights to be enjoyed or exercised. Rights can be practised without being identified and defined by the state. Negotiating a context of empowered co-management facilitates this process. Moreover, practising rights in the absence of a state-sanctioned or state-initiated definition may be more useful for First Nations. Kulchyski warns against over-emphasizing the importance of state-sanctioned definitions of Aboriginal rights, lest it allow the state to "confine, constrain, demarcate, and delimit those rights [as] part of the process of confining, constraining, demarcating and delimiting Aboriginal peoples" (1994: 4). Aboriginal rights should be "a [fluid] line of negotiation" between indigenous peoples and the state (1994: 19). The focus should be on gaining the means to practice those rights, rather than on conceptualizing them, or fixing them in text. Co-management under the IMA has created a context of power-sharing and negotiation that facilitates the capacity of Nuu-chah-nulth to exercise many of their rights with reduced interference, yet without the political upheaval of constitutional revision or the limitations of explicit legal definition. As such, empowered co-management has allowed Nuu-chah-nulth to advance some of their key aspirations regarding their Aboriginal rights within the Canadian state system.

Still discussing rights-based benefits of IMA co-management, some Nuu-chah-nulth emphasized the importance of having rights standards formulated by indigenous peoples in the international arena exercised at the local

level. For instance, Francis Frank remarked that such standards were of little use “unless they can be applied on the ground.” In considering the means of mobilizing international indigenous rights conventions he considers it important to ask, “do they involve First Nations?” and to ensure that “governments do something about it and put it into action and have something, some implementation plan, in place that actually gives effect to that.”

Similar to the challenge of locally mobilizing national recognition of indigenous rights, one of the key difficulties of international rights declarations exists in engaging those rights on the ground. Many activists and scholars question the utility of international endorsement of rights standards as “the machinery for their protection in most cases remains embryonic, or there are still important areas of uncertainty about the [mechanism for the] application of those rights” (Crawford 1988: 162). Such concerns are certainly well-placed when considering the utility of the *UN Draft Declaration on Indigenous Rights*, which documents “indigenous views on indigenous rights” (UN 1993). Though the *Draft Declaration* outlines a set of guiding principles for meeting such demands within encapsulating states, as Anaya observes, “it is one thing for international law to incorporate norms concerning indigenous peoples; it is quite another thing for the norms to take effect in the actual lives of people” (1996: 127); there is a need to identify pragmatic mechanisms that would allow for the effective transposition of internationally formulated indigenous rights discourse to locally engaged rights in practice. Larry Baird suggested opportunities for Aboriginal action:

It's all part of this whole mosaic of rights, self-determination, self-governance. If it's recognized there [at the international level], then we better grasp onto it and start pulling some of that down here so it meshes with what we're trying to achieve here because somebody else had recognized it up there! Pull it together and the more we do that...the more we put into it, the better we're going to be in terms of being able to get to this nationhood we talk about.

Baird's comments reflect the thoughts of many Nuu-chah-nulth, who recognize the importance of locally mobilizing international standards for the protection of indigenous rights, which, in turn, is a means to buttressing Aboriginal claims in Canada.

The unique shared decision-making forum created by the IMA serves to illustrate how this model of co-management translates several specific elements of the *Draft Declaration on Indigenous Rights* into action in Clayoquot Sound. Three articles of the *Draft Declaration* are

particularly relevant here. Article 19 states that indigenous peoples have the right to participate at all levels of decision-making in instances where their interests may be affected. Indigenous peoples' right to own, develop, control and use their traditional lands and resources is noted in Article 26. Finally, Article 30 asserts the right of indigenous peoples to prioritize usages of their territories, and to require all activities on those territories have their free and informed consent prior to state approval (UN 1993).

By sharing determinative authority with Nuu-chah-nulth in the decision-making process (Article 19) regarding resource-related activities on their traditional territories (Articles 26 and 30), the CRB allows Nuu-chah-nulth to exercise many of the rights set out in these articles.²⁷ This is the case despite the fact that the Canadian government—as others—has not formally endorsed the *UN Draft Declaration*, and it has yet to co-operatively negotiate an effective response to Aboriginal rights claims within Canada. Transposing international indigenous rights standards into locally realized actions in the daily lives of individuals is, therefore, another way co-management might contribute to pragmatically advancing indigenous claims within encapsulating state systems.

Berkes, George and Preston make reference to the important connection between indigenous rights claims and co-management processes, noting, “the issue of co-management is...one of the more tangible aspects of [indigenous] sovereignty” (1991: 17). Nuu-chah-nulth comments suggest that, for them, IMA co-management is a means to addressing some of their key rights claims, thereby forwarding their aspirations of greater sovereignty within the Canadian state system. Further deepening the analysis of the Clayoquot model reveals that when the government shares substantive decision-making authority with Aboriginal partners in matters involving their traditional territories, their ability to exercise their rights to lands, resources and self-determination is enhanced.

The Road Ahead...

The aim of this paper has been to present Nuu-chah-nulth thoughts on co-management in Clayoquot Sound and to demonstrate how such insightful reflections prompted deeper analyses of the socio-political significance of co-management when it creates conditions in which indigenous participants can effectively exercise authority over their traditional territories and resources. Throughout the research process, Nuu-chah-nulth comments on their experience with co-management consistently pointed to the ways in which the IMA model of co-management has

allowed them to move forward with their aspirations for systemic change in the form of broad power-sharing relationships with the Canadian state and engaging their inherent rights within their traditional territories. This suggests that, over the long term, an empowered co-management process provides a positive and viable context within which to implement treaties or other negotiated agreements addressing broader issues of sovereignty within encapsulating states.

One of the key advantages of co-management regimes is that, since they do not require the explicit definition of rights, or any legal transfer of jurisdiction, governments are often less averse to negotiating these agreements. Where there is a recognized and urgent crisis that requires addressing, they will usually do so with relatively little delay. Moreover, besides being pragmatic initiatives for shared resource management, co-management arrangements can provide indigenous peoples the opportunity to exercise more power, to engage their rights and to improve circumstances immediately, rather than awaiting government action or the outcome of lengthy land claims processes.

Of course, co-management is also limited, regardless of the degree of power-sharing, to control over resources, and does not address other goals important to Aboriginal peoples related to education, healthcare and justice. As in the case of Clayoquot Sound, developments in other regions may prove that co-management involving substantive power-sharing may only be negotiated as a result of extreme political duress. Despite the fact that this successful precedent has been set, or because of it, the provincial government has been reluctant to negotiate another interim measures with an empowered co-management board like the CRB. Another issue is whether the Province would allow the CRB to continue under a treaty, where the Board's decisions would gain formal statutory authority and hence, greater power.

In this paper I have attempted to engage Nuu-chah-nulth suggestions concerning the significance of co-management beyond its managerial benefits and its potential entrapments, and their insistence that provisions for substantive power-sharing make several socio-political benefits possible. The Clayoquot model clearly demonstrates that co-management of natural resources may also serve as an institutional and processual means to forwarding indigenous aspirations that demand augmented levels of decision-making authority over their communities and traditional territories within encapsulating settler states. Serious consideration needs to be given by researchers to pursuing these ideas by analyzing how co-management initiatives that expand indigenous access to decision-mak-

ing in law and practice embody and further enhance wider political processes, for example power-sharing and confidence-building between indigenous peoples and the state. As Nuu-chah-nulth themselves describe, such forms of co-management represent a significant change in relations with the state and settler society:

I think it's—I wouldn't say the total—respect the government has for our First Nations. But there is a change in their attitude. I think that's the biggest difference since the IMA....To me, it means the government has looked at us in a different light, in a different way now, in a way that they're not opposed to every move we make, which was happening. It's become easier with this Agreement, and I think it's actually spread all over to the other Nations. It's not only the Central Region, it's beyond that now....I think that that was the influence we wanted with the governments. Not the influence, but to let them know that we are here and we want to be part of the peoples of the country. That's it.
— *Ha-wiih* Bert Mack

Basically, the IMA is a political agreement. It is a tool to force the Province [of British Columbia] into finally looking at First Nations in a serious way. And that's something that the courts have not been able to do. So, it's still flagged as something totally extraordinary in the world of First Nations, this Interim Measures [Agreement] that the Central Region Chiefs have today in their hands. And by appearances...it may be a model that is going to be considered to be something of great significance to both worlds, of non-Aboriginal people and Aboriginal people living side by side.
— *Ha-wiih* Nelson Keitlah

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Notes

- 1 Funding for this research was provided by The Institute for the Study of Man, New York City, Ruth Landes Field Research Award. An earlier version of this article was given as an initial report of research findings at the 1998 Conference of the International Association for the Study of Common Property.
- 2 Excerpts are direct quotations from interviews I conducted while in Clayoquot Sound in 1997.
- 3 This research is based on three months of fieldwork conducted in 1997 for a Masters Thesis (Goetze 1998). Most of my efforts were directed toward organizing and conducting 27 semi-structured interviews (averaging 90 minutes) with Nuu-chah-nulth co-managers, leaders and community members; observing Board meetings; and attending numerous Nuu-chah-nulth and local community events where discussions concerning the co-management agreement often took place. I found additional information on Clayoquot Sound, the co-management agreement and Nuu-chah-nulth views in archival sources, including the Nuu-chah-nulth newspaper, Board minutes and newsletters, Nuu-chah-nulth Tribal Council documents and provincial government documents.
- 4 The Nuu-chah-nulth First Nations (formerly called the "Nootka") include 14 nations living along the west coast of Vancouver Island just off the mainland coast of Canada's western-most province, British Columbia. Clayoquot Sound is located midway along the west coast of Vancouver Island and is home to some of the largest remaining stands of old-growth temperate rainforest in the world. The Nuu-chah-nulth Tribal Council represents these nations, which are divided into three regional groups according to their location along the coast: Southern Region, Central Region and Northern Region. Clayoquot Sound lies among the traditional territories of the Central Region Nuu-chah-nulth, which is comprised of five First Nations: Tla-o-qui-aht, Ahousaht, Hesquiaht, Ucluelet and Toquaht. In this article, use of 'Nuu-chah-nulth' refers to the Central Region Nuu-chah-nulth who are the signatories of the IMA. Together, the Central Region Nuu-chah-nulth represent over 4 000 people, just over half of the population of the Sound.
- 5 In this context, I use "effective" to suggest the timely implementation of co-management measures as well as the ability to meet Aboriginal participants' demands for determinative decision-making authority over traditional territories (see Goetze 1998).
- 6 In the context of this paper the term "negotiator" is used to identify members of the five Central Region Nuu-chah-nulth First Nations who participated in the extensive process of negotiating the IMA in 1993-94.
- 7 In Canada, the term Aboriginal peoples includes First Nations ("Indians"), Inuit and Métis peoples.
- 8 Suggestions included devolution of authority (Usher 1986), decentralizing control over the resource base (M'Gonigle 1988) and self-management (Berkes, George and Preston 1991) for indigenous participants.
- 9 Like other Aboriginal peoples in Canada under the *Indian Act* legislation, the Nuu-chah-nulth have an elected system of leadership, which while functional, has not replaced the traditional form of *Ha-wiih* (Hereditary Chief) leadership. Under the *Ha-wiih* system, future Chiefs undergo years of training in order to acquire the skills necessary to manage the lands and resources for which they are responsible for the present and future benefit of their tribes. In recent years, Nuu-chah-nulth have worked to increase the recognition and governing role of the *Ha-wiih* system both within their own communities and in dealings with Canadian governments.
- 10 The "managerial challenges" typical in implementing co-management practices include, but are not limited to: ensuring compliance with and enforcement of regulations; managing stakeholder access to resources (usually through a system of use zones); monitoring ecosystem health; and establishing harvest quotas (Borrini-Feyerabend et al. 2000; Kanton et al. 1997)
- 11 Pronounced he-shook-*ish*-sha-walk and ha-*hool*-thee.
- 12 In British Columbia, interim measures agreements are designed to protect First Nations' resource interests while their land claim treaty is negotiated. Following the recommendation of the BC Treaty Commission to negotiate such agreements in cases of conflict over claimed territories and their resources, the aim is to allow resource activities to continue, albeit in a restricted manner. Prior to this, only court injunctions would serve the purpose of protecting these indigenous interests by halting resource-related activities in the disputed area, a costly avenue for all parties involved.
- 13 These initiatives included the *Forest Practices Code Act*, the *Forest Renewal Act*, the *Environmental Assessment Act*, the *Sustainability Act*, and the Protected Areas Strategy. Successfully implementing and enforcing them remains a challenge.
- 14 At the time, MacMillan Bloedel held Tree Farm Licence 44, an area of tenure that included parts of Clayoquot Sound.
- 15 The *Interim Measures Extension Agreement* (IMEA) renewed the provisions of the IMA for another three years in March 1996. It was subsequently renewed again in 1999. It will expire in March 2006, or with the completion of a land claims treaty between the Nuu-chah-nulth and Canadian governments, whichever occurs first.
- 16 Ocean fisheries are the jurisdiction of the federal Department of Oceans and Fisheries. Since IMA negotiations were strictly bilateral, between the Government of British Columbia and Central Region Nuu-chah-nulth, fisheries such as the salmon fishery could not be included in the mandate of the CRB. However, the IMA does cover foreshore fisheries such as aquaculture, and the harvesting of marine resources such as oysters and clams.
- 17 The provincial representatives on the CRB are, in fact, all local people, who represent the local villages of Tofino, Ucluelet and the town of Port Alberni, as well as local environmental interests, loggers and tourism businesses.
- 18 This is not to say, of course, that implementation occurs smoothly and without delay. A key challenge that Clayoquot co-management faces is bureaucratic resistance to its decision-making powers which manifests itself largely through foot-dragging and "misplacing" of Board queries regarding land use proposals meant to inform its decisions (see Goetze 1998).
- 19 Culturally Modified Trees (CMTs) are defined in the IMA as "any tree or portion of a tree from which Aboriginal peoples in the exercise of an Aboriginal right have used bark

- or wood for traditional, sustenance, ceremonial, or transportation purposes.”
- 20 For instance, in 1995, a referral involving the amendment of a company’s lease agreement was refused, citing the need for further consultations with Nuu-chah-nulth and local residents. In 1996, an application to build a boat dock on Flores Island was rejected by the Board.
 - 21 Such values would include the spiritual, medicinal and subsistence usages of forest resources by Nuu-chah-nulth. It also includes recreational and educational activities pursued by Nuu-chah-nulth and non-Natives alike.
 - 22 In the absence of a lengthy historical review of the inequality that Aboriginal peoples in Canada have endured and continue to struggle against, the neo-colonial relationship between Aboriginal peoples and governments in Canada may instead be summarized through three periods in history. From Confederation to the Second World War, assimilationist strategies relied mainly on the tactics of segregation, wardship and protection. After the war, policies focussed on integrating Aboriginal peoples into the Canadian social and political landscape as “equal” citizens absent of any “special” inherent rights. Since the mid-1970s, governments’ focus has been on limiting Aboriginal autonomy via the restriction of devolved or inherent decision-making authority within the Canadian state system (Fleras and Elliott 1992: 10).
 - 23 A “crisis of confidence” refers to the fundamental mistrust underlying the perception of parties to a negotiation process about their motives and objectives in those negotiations (Goetze 1984). These misperceptions can be based on ideological, cultural or political differences or simply on the belief by either party that the other side wants to secure their objectives without seeking an outcome that would be acceptable to all (Goetze 1997).
 - 24 Confidence-building is associated with a process of transformation which facilitates a “shift in the way leaders and publics think about potential adversaries and the sorts of threats that they pose” (Richter 1994: 80). This process is important not just for how it acts to correct suspicions or misperceptions, but how it affects the actions, decisions and behaviour of actors controlling policy.
 - 25 According to several Nuu-chah-nulth informants, the review of proposed cutblocks by the CRB is considered an important way of protecting culturally significant Aboriginal rights, for CMTs form an important source of traditional heritage and knowledge for Nuu-chah-nulth. The same could be said for the protection of Aboriginal heritage sites throughout the Sound, including burial and historic sites as well as physical artifacts found in the area.
 - 26 Both BC and Canada have fiduciary obligations (i.e., a trust-like legal duty) that require them to consult with and meet the concerns of Aboriginal people whenever possible.
 - 27 Nuu-chah-nulth may not own their lands, but participation on the CRB allows them to control activities on their traditional territories. While they do not participate at all levels of decision-making, the veto provision of the IMA does afford them the capacity in practice to block land-use decisions made elsewhere which may adversely affect their future resource interests or territories.

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Re-cognizing Co-management as Co-governance: Visions and Histories of Conservation at James Bay

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Abstract: James Bay Cree “hunting leaders” claim extensive authority over their hunting territories, including authority to control non-Native activities on them. They are encouraged by recalling that their authority has been recognized repeatedly by government officials over decades. I show that beaver conservation and co-management included repeated acknowledgments that nation state and Cree governing practices co-existed and were necessary to each other. I examine how recognition of co-governance can be an “effect” of co-management. But co-governance is a governmentality whose logic is outside the claims of nation states to exclusive sovereignty, and therefore its practice is acknowledged ambiguously and inconsistently.

Keywords: co-management, governance, governmentality, conservation, James Bay Crees, nation states

Résumé : «Les maîtres de chasse» cris de la Baie James revendiquent une autorité élargie sur leurs territoires de chasse, y compris l'autorité pour contrôler les activités non-autochtones sur ceux-ci. Ils s'enhardissent en rappelant le fait que leur autorité a été reconnue à de nombreuses reprises par les représentants du gouvernement, et ce, depuis plusieurs décennies. Je montre que la conservation et la cogestion des castors ont été accompagnées d'une reconnaissance réitérée du fait que les pratiques de gouvernance de l'État-nation et celles des Cris coexistent et sont interdépendantes. J'examine comment la reconnaissance de la co-gouvernance peut être un «effet» de la cogestion. Toutefois, la co-gouvernance est une gouvernementalité dont la logique se situe hors des prétentions des États-nations à la souveraineté exclusive, aussi la pratique de la co-gouvernance n'est-elle reconnue que de façon ambiguë et contradictoire.

Mots-clés : cogestion, gouvernance, gouvernementalité, conservation, Cris de la Baie James, états-nations

Remembering and Listening

As *Ndoho Ouchimau* I [Charlie Etapp] have full authority over my hunting territory and I am recognized by the community as having it. This authority allows me to grant access, assure guidance or refuse access to my *Ndoho Istchee* [hunting territory] to other Crees and to other Native persons. I especially try to grant access and provide guidance for others who are in need. I should also be able to exercise this authority with non-Native users, but they do not understand my role....

The logging companies have built roads in my hunting territory which allowed forestry operations and a lot of sport hunting and fishing by non-Natives. Because of this the number of animals has been greatly reduced. I am trying to protect the wildlife from over hunting. The government, the companies and the non-Natives don't listen to me....We owned, controlled and managed our land....All forestry operations are in complete disrespect of my authority over *Ndoho Istchee*...

I told representatives of the Québec Government in meetings, when they were planning to cut about 15 years ago, not to cut in certain areas, particularly moose yards. They ignored my authority as *Ndoho Ouchimau*. I even produced maps of these special areas for better understanding. These efforts have proven useless. They have allowed the forest cutting to take place in all the areas I asked them to preserve. When logging first came to my land I understood that the government and the forestry companies would respect my way of life while they carried out their forestry activities. This has not happened....

As manager of my hunting territory and as guardian for future generations, I believe that it is time for all forestry activities, wherever they may take place, to stop in my territory....

I understand that the forestry workers presently working in my hunting territory need to work for their families. Presently only their rights and interests are being looked after. I would prefer not to affect the basic

needs of the forestry workers' families, especially their children, but the forestry operations in my hunting territory have gone too far. My traditional way of life has been seriously harmed and is not respected.

—Charlie Etapp, of Mistissini, Quebec.
Affidavit, July 7, 1999, translated by
Charlie Mianscum, brackets mine.

About 45 years ago a representative of the Department of Indian Affairs visited Simon [Matabie] and me [Charlie Coon Blacksmith] and confirmed that we were *Ndoho Ouchimauch* of this territory.¹

I have never consented to any [forestry] cutting on my land. I did hear that they were coming into my land from our Band council but I have had no word on where or how they cut. This is not right. As *Ndoho Ouchimauch* I am responsible for the land.

—Charlie Coon Blacksmith, of Mistissini, Quebec
Affidavit, July 7, 1999, translated by
Charlie Mianscum, brackets mine.

I remember so many years ago when Indian Affairs [agents] came to draw boundary lines [of the traplines for the Beaver Reserves, see below]. Allen [her husband] was already the tallyman [an *Ndoho Ouchimauch*]. They gave him a badge to show he was a game warden. I still have that badge and carry it with me...."

—Christine [Jolly] Saganash, of Waswanipi, Quebec,
Affidavit, July 22, 1999, translated by
Johnny Cooper, brackets mine.

When lawyers for the Grand Council of the Crees (*Eeyou Istchee*) went to northern Quebec in 1999 to collect affidavits from the *Ndoho Ouchimauch*, the "hunting leaders" of the Cree hunting territories, for a court case against commercial logging operations the latter explained eloquently why, after many years of trying to work with governments on conservation and proper use of the forests of the region, they had to oppose the destructive and insufficiently regulated practices of the forestry companies and governments.² They also recalled that the governments had in the past recognized their authority over the land, and that memory supported their demand that their authority needed to be respected now.

What the *Ndoho Ouchimauch* said has some links to the findings of recent scholarly research on resource use and conservation, but it also suggests a need to extend those findings. Recent analysis on the political contexts, histories and effects of conservation and co-management give a sense of the connections of conservation to governance. These studies show that conservation, and related forms of co-management, like development (Ferguson 1990), may be means of extending the capacity of a nation

state to govern lands and peoples. Nancy Lee Peluso shows how creating programs for conservation can emphasize formal, state planned resource management, while devaluing local conservation capacities and institutions (1993: 214). She shows how conservation ideology was used by some nation states to justify coercion against local populations, and how international conservation agencies frequently funded para-military conservation corps and their technologies, thereby facilitating state institution building, enhancing capacities for social control and strengthening the state in conflicts with groups that contested state authority (Peluso 1993: 199-200). As with development, she shows that the tools provided through conservation projects are especially useful means of legitimating and implementing government coercive responses because they are presented as apolitical actions (1993: 202). Even in states or regions where the use of weapons is more restricted, an organized cadre of conservation officers can still serve the state by expanding ongoing surveillance and communication functions within a region (1993: 213-214). Recent studies by Roderick P. Neumann show that where the coercive conservation rhetoric is avoided or dropped, and more "community" oriented approaches replace them in international conservation organizations and in governments, conservation measures still may be inherently violent or conducive to violence in practice (Neumann 2001: 306, 325-326).

Neumann goes on to suggest that some of the new "community friendly" forms of conservation and "co-management" are closely linked to disciplinary forms of power (Ferguson 1990; Foucault 1981, 1991). For example, in Tanzania where he did his research, villager space is restructured into conservation areas by community-based conservation programs. Within these areas village activities are limited, and villagers "voluntarily" agree to self-police, in exchange for a limited and jointly "planned" and secured access to wildlife resources of the areas from which the state had recently sought to exclude them. Thus conservation projects may institute practices consistent with state needs, extend resource controls consistent with state practices into areas previously unsuccessfully managed by the state, and in the process internalize forms of self-surveillance and a new consciousness about wildlife (2001: 325-327). Similar effects are cited in northern Canada by Nadasdy (2003, and this issue).

However, Neumann also notes that this pattern of disciplinary control may not be common to all groups adjacent to parks and conservation areas in Tanzania (2000: 131). History and political experience are important factors in shaping responses and consequences. For exam-

ple, in communities that have a recent involvement with more active pastoral lands rights movements he expects the transformations brought about by community friendly conservation projects will be more systematically contested, and the outcomes will be less easily anticipated.

Such contested co-management processes have been studied particularly in relation to public participation in forestry and natural resource decision-making in Canada (Feit and Beaulieu 2001; Nixon 1993; Richardson, Sherman and Gismondi 1993). These cases show how impact review processes and co-management institutions can channel the demands of groups affected by resource developments into specific forms of participation in managerial decision-making on terms initially set by governments and often formulated in terms of science and expertise. Thus co-management can direct increasingly vocal demands for more consideration of a diversity of interests and values in the use of natural resources into co-management boards, public hearings and negotiations, where public groups are often put into the position of being called both self-interested and lacking in expertise. Participation in a system controlled by professional management cadres of governments and corporations is legitimated as co-operation for the sake of the resources, and as a means to reach effective solutions among the competing economic and environmental interests of "stakeholders," who have interests but not rights. Within these frameworks public involvement is also constrained by limited political, legal and monetary resources.

Nevertheless, these studies also show that participation does not necessarily signal co-optation, and often contestation by consulted groups emerges in and then expands beyond the context of the participatory regimes. In some cases the terms initially set by governments have been contested and changed, alliances of affected groups have been built, and struggles continue albeit often with a mix of victories and setbacks (Richardson, Sherman, Gismondi 1993). These counter-hegemonic outcomes cannot be dismissed, nor can the achievement of changes to development plans which make a difference in people's lives, even where the developments are not stopped. Thus co-management is both a means of subordination and a tool used to contest government and corporate resource use plans by those in subordinated positions, with diverse effects. New consciousnesses and subject positions do develop, including those that limit forms of contestation, but they are not entirely shaped within state-dominated scenarios.

These latter research findings, specifically that the effects of co-management may be diverse, point to some of the insights that the statements of Cree *Ndoho Ouch-*

imauch highlight. The hunting leaders were not only actively opposing forestry developments, and seeking participation in decision-making, but they were also calling on governments to recognize a Cree system of governance. Further, they said that such Cree governance had been recognized by governments in the past and that such joint recognition should continue to be the basis on which the use of the lands and forests of the region is now decided. This does not suggest extensive disciplinary control, co-optation, or passive recognition of state claims to governance.

When I read these statements by *Ndoho Ouchimauch* and their families they echoed ones I have heard from other Crees over the course of more than three decades of periodic field research. But they also recalled my own initial surprise and slight discomfort at these types of statements. I was familiar with Cree claims to rights over their lands, and I had supported gaining recognition for those rights. But the view that these rights had been recognized over the course of decades by governments and non-Natives seemed likely to be the result of inter-cultural "miscommunications" rather than proper acknowledgments. It was true that there had been key historical practices and legal documents in the colonial period in North America, like the Royal Proclamation of 1763 and the 19th century treaties, that recognized Aboriginal rights, but Crees were talking about much more recent, recurrent and ordinary events. They were talking about what the Canadian and Quebec governments had done within their life times. What they recalled might be described as the everyday events that signify governance arrangements, not the jurisprudence or the political histories and ideologies of the state. While it was clear that the Cree hunting families which made these statements lived by them to the fullest extent that they could, I had never examined whether governments made statements and acted in ways that recognized Cree governance. Because it seemed "implausible," I never fully inquired whether governments had co-operated with the existing Cree governance of the region. In this paper I begin to look at these questions.

The questions have also become more urgent as Cree organizations and leaders have themselves been emphasizing their right of self-governance, and citing the recognitions they have of it in Cree law, in international law and in Canadian jurisprudence (Awashish 2002, 2005; Grand Council of the Crees [GCC] 2004: 13-15). This has been stimulated both by a growing sense of the need to formalize some aspects of "Cree governance" as Cree social relations become more complex and diverse, and also by the continuing struggles of Crees to define their place in

relation to Quebec and Canada, in part through their campaigns against hydro-electric development and against their assumed incorporation into Quebec, should it separate from Canada (GCC 1998). These developments open the taken for granted understandings of what is "governance" and "sovereignty" for re-examination (see Awashish 2002; Blaser, Feit and McRae 2004; GCC 1998).

In this paper I suggest that it is important to extend analyses of co-management to include issues and possibilities of co-governance. My exploration focusses on a historical study of the setting up of the beaver reserves in northern Quebec, which occurred within the lifetimes of some of the Crees quoted at the beginning of this article.

Incomplete Sovereignty as Context: The Canadian State and "Indian" Lands

The rights and sovereignty of the Canadian state to govern the lands and people that were to become Canadian were and are both complicated and incomplete, largely but not solely because of the unsettled rights of Indigenous peoples on these lands.³ As a result, use and management of lands and resources and the conservation and co-management of wildlife have repeatedly been at the centre of the processes of formation of the Canadian state, and of the processes of dispossession of Indigenous peoples.

Canadian rights to the lands draining into James and Hudson's Bays were acquired in 1869 by purchase from the Hudson's Bay Company (HBC), which had been given rights to trade and govern the region under a British royal charter granted some 200 years previous. In 1898, when the lands of the southern portion of the eastern drainage of James Bay were transferred to Quebec with respect to provincial powers under the Canadian constitution of 1867, it was intended that Quebec would deal with Indigenous rights to these lands as Canada had done as it expanded west. That is to say, it too would make treaties that in the governments' views both recognized some Indigenous rights within Canada while seeking Indigenous acquiescence to the rights claimed by the state. It did not matter that Indigenous peoples understood these treaties quite differently, and they did not generally acquiesce to government reinterpretations (see Asch 1997). But when Quebec did not seek a treaty on the lands transferred in 1898, an explicit obligation to do so was written into the 1912 legislation transferring the more northerly portions of the eastern James and Hudson's Bay drainages to Quebec. These obligations remained unaddressed by Quebec until the Crees took the province to court over hydro-electric development plans in the 1970s.

Whether the obligations have been fully met by the James Bay and Northern Quebec Agreement (JBNQA) of 1975, which was signed in response to an initial court victory in favour of Cree rights, is still contested today. The issues are not solely legal, but also ones of effective control and of autonomous Indigenous societies and governance.

Starting in the 1890s Quebec passed a series of hunting laws applying to all its lands. These laws initially banned all beaver hunting, and later sought to regulate beaver hunting by season and region. The government made informal provisions for special permits for "Indians in need" to hunt.⁴ Beaver was a main subsistence staple of many Indigenous peoples in the northern portions of the province and an important pelt in the fur trade, and therefore also an important source of cash incomes for Indigenous people. There were a variety of views in governments and the public about whether hunting laws applied to "Indians," whether Aboriginal Peoples had special rights, whether they had their own law, and whether the new game conservation laws were intended to be, or could be, enforced for Indians.

The HBC, which was quick to see the implications of the ban on hunting beaver for its fur trade, expressed some of the understandings about Indian rights that were common at the time among those who were familiar with northern Indian peoples when it wrote the federal Deputy Superintendent General of Indian Affairs to ask whether the acts by Quebec were legal,⁵ and later when it argued:

The proposition to grant licenses to certain Indians is a good one so far as it goes, but to endeavour to select cases of those who require to hunt Beaver as a means of subsistence would be an impossibility. As you are aware, the Indian regards his right to hunt as one which cannot be taken from him, and he will therefore, with Permit or no, take Beaver if he considers it at all necessary....⁶

In another submission the HBC highlighted Indigenous rights to lands not just to hunting, "in any case it would be difficult if not quite impossible to prevent the Indians from taking Beaver in hunting grounds which they not unnaturally look upon as their own...."⁷

Thus, in asserting its own interests as a fur trader the HBC, former government of these lands, cited a widely held recognition among non-Natives that Indian peoples considered that they had an inalienable right to hunt on these lands, and they considered the lands to be their own. While these initial statements leave unclear whether the HBC believed that what the "Indian regards [as] his right" could be recognized as legitimate in the Canadian legal system, it was willing, when it had difficulties pur-

suings its fur trade under the laws in 1911 and again in 1916, to initiate legal actions in which it argued that Indian people's rights were recognized by the Canadian legal system and therefore the HBC had a right to trade with them.⁸

The federal government recognized Quebec's right to legislate concerning wildlife, lands and natural resources, given the constitutional division of powers, but it was concerned because "Indians" were a federal responsibility, and as Quebec had no agents in the remote regions the enforcement of the law would fall on federal agents, to the extent that they were present. In addition, any financial burden to help impoverished Indians that was created by the ban on fur bearer harvests and sales of pelts would create a burden on the federal treasury. In the House of Commons the government said in 1897 that "it is the intention of the Department [responsible for Indians] to continue to urge that a general exception should be made in favour of the Indians,"⁹ not just an exemption based on need. This claim was not only a government opinion made in the public chambers of the House of Commons, but the federal government made its case through the highest state institutions: the federal Privy Council addressed correspondence to the Lieutenant Governor of the Province of Quebec, the Crown's representative, noting in the argument that "it will not be possible strictly to enforce observance of the prohibitory legislation among Indians in the outlying districts, and that experience has shown that little if any diminution of beaver has occurred in districts where Indians alone are to be found..."¹⁰ But Quebec refused general exemptions.

As the HBC and federal government predicted, and everyone effectively acknowledged, the Quebec legislation was unenforceable in remote regions, and Quebec did not bother to inform Cree hunters in the James Bay region of its laws, nor establish mechanisms for their enforcement in the region. Indeed, it would have been difficult to prosecute Crees under Canadian or Quebec law in the absence of treaties "settling" their Aboriginal rights. The Crees did not cease to hunt beaver nor did they change their activities, and the HBC and its competitors continued to purchase beaver and fur pelts in the James Bay drainage over the decades.¹¹

Thus, throughout the first three decades of the 20th century effective control, tenure and governance of lands, wildlife, resources of the James Bay region and the hunting activities of everyone except the HBC employees, were in Cree hands. *Ndoho Ouchimauch* decided how these lands were used, and this was well understood by governments and fur traders, despite the passage of new conservation legislation. Indeed, Cree practices were rec-

ognized as facilitating game conservation by governments, geologists, anthropologists, fur traders and missionaries (see Cooper 1932, 1938; Low 1895; Privy Council quote above; Speck 1915a, 1915b; and for reviews see Feit 1991, 2004; Morantz 1986; Scott and Morrison 2004),¹² and some also recognized that Cree tenure constrained state governance (see HBC references above, Speck 1915a, 1915b). Thus, at the beginning of the 20th century, the relationship of Cree rights and "on the ground" governance to the rights and governance of the nation state were not settled in Canadian law, nor by the inconsistent and ambiguous practices of state institutions, nor in the minds of various non-Natives actively setting policies for the region or working in the area.

Economic Contexts: A Booming Fur Trade, Conservation and Welfare Budgets

In the 1920s and 1930s many lands around James Bay experienced a serious decline in beaver populations, as fur prices boomed and the region became more accessible to outside trappers (see Scott and Morrison 2004). What was happening in 1927, and what Crees were thinking, was reported by Harry G. Cartlidge, an Anglican Missionary who visited and resided at Waswanipi trading post during the previous decade, in a letter to the Director of Indian Affairs:

At the request of the Chief, the councillors, and the Indians living at Waswanipi in Northern Quebec I desire to bring to your notice a serious situation which is arising in the region of Waswanipi and Mistassini owing to the advent of numbers of white trappers....

Until very recently the only hunters in these territories were Indians, and they, realizing that hunting was their only means of livelihood, hunted diligently but intelligently. By this I mean, each man divided his lands into sections and hunted on the sections alternate winters, and in this manner conserved the fur-bearing animals because they realized that they had to return to the same territory another year.¹³ The result has been that these bands of Indians are self supporting and are an asset to the Dominion. In recent years...large gangs of men...engage in trapping, more or less, and have practically killed most of the fur bearing animals [in the areas they trap]....The chief said that last winter there were ten white trappers hunting on his territory and that wherever they go they kill every thing, especially the beaver, therefore leaving nothing to breed for future winters hunting....The white men having killed all fur-bearing animals in one region always move to another Indian's hunting land the following year....

...I am afraid that unless steps are taken immediately to safe-guard their only means of earning their liv-

ing—which is hunting—that they will have to be supported entirely by the Government (brackets mine).¹⁴

The problem was widespread, and resident Cree hunters often trapped out in advance of the trespassers (Feit N.d. a; Scott and Morrison 2004). In response to this and other entreaties Quebec set up game reserves exclusively for Indigenous hunters on the more accessible and overrun lands to the south of James Bay starting in 1927, and in 1932 it established the whole of the unsettled portions of northern Quebec as a Game Reserve¹⁵ where Indians only could hunt for fur-bearing animals.¹⁶

These conservation measures regulated non-Native trapping in order to conserve game, and they prioritized Indigenous access to wildlife and lands for their welfare. Indians benefited from game reserves, but without controlling them or having their Aboriginal rights recognized. The exclusive hunting areas were not leased to Indians, as were sport hunting clubs' lands elsewhere in the province, because this was thought not to be "practical," instead Indians benefited by being exempt from restrictions on hunting inside reserves set aside for game.¹⁷

Beaver Reserves, a Response to Cree Ideas and a Claim of Exclusive State Sovereignty

Coincident with some of the developments just described, a quite different series of responses to beaver depletion emerged within the James Bay region, initially from interchanges between a concerned HBC trader, James Watt, and Rupert's House Crees (now the Crees of the Waskaganish First Nation). The situation at Rupert's House, on the James Bay coast, had deteriorated further by the late 1920s than what was described above at Waswanipi by Cartlidge, beaver were already seriously depleted over most of the land, and the hunting territory system had been partly disrupted (see Scott and Morrison 2004, 2005). In response to some HBC initiatives, Watt wrote a proposal to his superior in August 1929 to try fur farming of several species.¹⁸ The day after sending his "Fur Farming" proposal Watt wrote the same superior about the "Conservation of Beaver" (see Morantz 2002: 159) proposing a plan for aiding the general recovery of beaver over the entire landscape, with the active involvement of Crees, and recognition of their hunting territories and their rights. Watt began by explaining:

While questioning the Indians as to the best locality for establishing fur farming etc., a fact came out, which although I have known it for years did not strike me before as being the principal factor in the extermination of fur bearing animals.

I happened to ask the Indians, why, with so many old houses on Ministakwatin [peninsula] there were no

beaver at present. The answer was that now-a-days the Indians do not respect each others hunting lands as formerly, and consequently kill everything in sight, knowing that if they do not do so, some other Indian will come along and do so....

From a long discussion I had with several Indians on this subject it would appear that were it possible for a hunter to uphold his right to certain hunting lands it would do more to conserve beaver than any close season, which is always difficult to enforce in a country of such extent and of such difficult transportation (brackets mine).¹⁹

The key idea here was to recognize or reconstitute Cree hunting territory rights by some sort of a lease, as the means to conserve beaver. But the wording is imprecise, as Watt later admitted to not knowing or being very interested in Cree tenure arrangements at this stage of his career.²⁰

Watt's initiative led to a long exchange with the HBC officials and friends as he sought to get "The Company" involved, but nothing came of it from within the HBC.²¹ Frustrated and determined, James Watt and his wife Maud, who was well known in her own right as one of the first women who had made long expeditions across the remote Quebec-Labrador Peninsula, determined that she would seek Quebec support directly, as James was an HBC employee and she was a Quebecer. Arriving in Quebec City just two months after all of the north had been made a game reserve in 1932, she convinced the sympathetic Deputy Minister of Lands, L.A. Richard to act, and he set up a beaver reserve just north and east of Rupert's House on 18 500 sq. km., and leased it to her for 15 years for beaver conservation that would aid the Indians.²² There were some discussions between Maud and the Deputy Minister about how to set the land aside (W.A. Anderson 1961: 140-141), and what was granted by the government was a lease to her and not to the Crees.

When Maud returned to Rupert's House after securing the lease the Watts had to explain to the Crees what the government had done, at their request, for they were aware that a lease to Maud was not what the Crees had suggested, nor what the Watt's initially sought. In the rough notes for his first speech to the Crees at Rupert's House to announce the Beaver Reserve Watt explained that, "all Beaver **are going to be** *the property of the Government* and when they think they are plentiful enough to kill the Government will tell you how many to kill, and will settle the price you will be paid" (quoted on Morantz, 2002: 162; italics in Morantz, bold face added; see also W.A. Anderson 1961: 144, although the text is quite different). Watt's use of the future tense to describe government

ownership, rather than the past perfect, suggests that he knew that what he was saying represented a change from previous Cree understandings of whether beaver could be owned, and who took decisions about whether they could be hunted. Indeed this was very probably the first attempt to get Crees to accept government sovereign control over lands, animals and their hunting.

Jimmie Watt also seems to have anticipated that there would be Cree challenges to these claims, as the HBC had asserted there would be if Quebec game laws were enforced back at the turn of the century. He preceded his assertion of government ownership with the statement that the Crees had brought the change on themselves: "You have already killed off nearly all the Beaver so you cannot say that the Government has taken anything away from you" (quoted by Morantz 2002: 162).²³ Watt also went on to try to get the Crees to accept government control by threatening that if they did not agree, the government would set up a beaver reserve elsewhere. Watt's statements signal how his initial idea of Cree hunting territory rights being recognized by the state had been transformed in the process of working out legal arrangements into a state-mandated program of beaver conservation that asserted state tenure and governance.

But, having succeeded in their goal of trying to protect beaver so they could replenish, for Crees and for the fur trade, it nevertheless took the Watts nearly a year to convince the HBC to take over the lease and to make the necessary financial investments.²⁴

Government Conservation and the Expansion of State Governance

Over the next decades the beaver reserves clearly served to enhance the legitimacy and the effectiveness of both the Canadian state and the HBC. When the Rupert's House beaver reserve was clearly a success and the number of beaver reserves was increased, the government and HBC agents actively publicized the reserves in specialist magazines and popular publications in Canada and the United States (e.g., Bonnycastle 1936, 1938, 1943; Denmark 1948). Jumping ahead in the story, by the mid-1950s the process had been written up in several mass-circulation popular magazines, and the operation of the beaver reserves had been memorialized by professional photographers and film makers on contract to government agencies to spread public awareness of the successes (see Feit N.d. b).

This series of reports and promotions demonstrated to the general public the expanding presence of the government in the north, and its ability to govern and manage northern resources and peoples. A widely read romantic view of the need for northern conservation was presented

by the Indian impostor Archie Belaney (Grey Owl) who described the beaver depletions on northern frontier in Quebec and Ontario (Belaney 1972 [1931], 1968 [1935]). While earlier stories of exploration, heroism, missionization, policing, benevolence and the conquering of the northern wilderness were common in Canadian literature, the government beaver reserve story was part of a transition from frontier stories to accounts of a modern nation state governing the north by means of rational and scientific management of resources, lands and people. The beaver reserves also contributed in a general way to the growing assertion of Canada's northern sovereignty during World War II and then the Cold War (Feit N.d. b.)

The beaver reserves were also part of creating the new bureaucracy needed for effective, if partial, governmental control of the James Bay region and of the Cree. The occasional visits of government agents, doctors and Royal Canadian Mounted Police (RCMP), were expanded by staff of a new regional Indian Affairs office and of the federal and Quebec beaver reserves, starting in the early 1940s. There were more bureaucrats running the beaver reserves than were running Indian social services in the early years.

The first director of the Quebec Fur Service recalled some of the effects of the establishment of the buildings constructed by Quebec for the administration of a beaver reserve at Mistassini, a Cree settlement and trading post northeast of Waswanipi, in his semi-fictionalized reflections:

C'est en 1943 [sic 1953] que le Québec, par le ministère de la Chasse et de la Pêche, décida d'imposer sa présence au lac Mistassini en y érigeant un poste permanent. Il fallait démontrer aux Indiens que le grand, le plus grand des manitous [spirit leaders or bosses], était le Gouvernement du Québec... les Indiens ne voyaient que des représentants de la compagnie de la Baie d'Hudson ou du ministère des Affaires Indiennes du gouvernement fédéral. Depuis le Québec y a bien assis son autorité. (Tremblay 1974: 97, my brackets)

The beaver reserves were exercises in governance that reduced Cree control of the land and of their hunting, asserted the competing claims of governments and fur trade companies for authority, jurisdiction and control of the region and enhanced the legitimacy of their claims of northern rule more generally. The new bureaucratic presence in the region gave the governments more knowledge about the Crees and the lands and resources of the region, knowledge that was used later as the region was opened to industrial development (Feit 1985; Scott 2001). But the beaver reserves also required Cree involvement and legitimacy.

Cree Support for Conservation as a Government Initiative

In 1933 14 Crees were appointed “game guardians” on the new Rupert’s House Beaver Reserve and according to the agreement with Quebec they were to be paid \$100 per year by the HBC for their official duties. Each was to be given a badge and an “impressive document with a fancy seal as his certificate of office.” They surveyed the locations and prepared maps of beaver lodges, and were to report trespassing and to help fight forest fires.²⁵

Ethnohistorian Toby Morantz suggests that the benefits of the beaver reserve were quickly perceived by Cree hunters (2002: 161), but she also notes that several prominent Rupert’s House Crees spoke of it as Jimmy Watt’s idea to try and preserve the beaver, although they noted that he consulted them. Malcolm Diamond, for many years the Chief at Rupert’s House starting in the 1950s recalled in the 1980s, “this was the time the company manager has closed down trapping of the beaver, for a few years,” and he added “[h]e was right” (quoted in Morantz 2002: 162). A noted Cree story teller and historian recounted in the 1970s that Cree participated in the beaver reserve not for the money but because project made sense on Cree terms (John Blackned, recorded in 1975 and cited in Morantz 2002: 163; see also Preston 2002). That Crees approved of the development of additional beaver reserves also indicates a general Cree support, as does their agreement not to kill beaver on the reserves, so populations could recover now that non-Native trappers were excluded.

John M. Cooper, of the Catholic University of America, who was doing field research on Cree hunting territories and general ethnography along the James Bay coast in the summer of 1932, provides some insight into Crees views at the time. Cooper wrote in 1932 to the Governor of the HBC seeking assistance for his research on hunting territories, but also indirectly offering support for the Watts’ beaver reserve, having met them that summer.²⁶ The next year he prepared a memo for the federal director of Indian Affairs on hunting territories which described the views of James Bay Indians in those years:

...Public opinion among the Indians will enthusiastically support any measures that the government may find it wise to take to bring back the aboriginal family hunting ground and conservation system....Such is the force of public opinion among them as regards their traditional family hunting ground and conservation system that little appreciable expenditure for enforcement on the part of the government would be necessary.²⁷

Cooper’s account reaffirms the urgency the Crees felt about the need to respond to the situation at the time, and their willingness to support government conservation measures that might aid them, although their focus was on hunting territories according to Cooper. In 1936 several “prominent Indians” told an Indian Affairs official in Rupert’s House that they were “very pleased with the results of the beaver preserve operated by the HBC” (Morantz 2002: 161).

However Cree support was qualified, as some of the quotes above suggest. J.W. Anderson, an HBC trader and close collaborator of the Watts, reported in 1936 that Crees who were involved in the Rupert’s House Beaver Reserve said that “Indians should be given trapping lands but should be protected in the matter of beaver only.” Anderson took it to mean that they did not necessarily want recognition of their hunting territories, at least for the time being.²⁸ But given the evidence of Cree concerns for hunting territories as distinct from beaver reserves one might consider whether the Crees also did not want the involvement of the governments and the HBC in other of their hunting activities besides beaver trapping.

Crees saw the conservation of beaver as a project they had a role in initiating, and they supported it, but neither Malcolm Diamond, John Blackned, nor the Crees whom Cooper or Anderson talked with claimed “ownership” of the initiative, nor did they equate it with their own practices. They participated in and supported what was seen a government form of conservation, not their own.

Cree Visions: Exercising Cree Governance, Inviting Government Co-operation

In 1933 the Chief at Waswanipi southeast and inland from Rupert’s House wrote to the HBC requesting a moratorium on the trapping of beaver and the buying of pelts in their area for three years. In 1936 a new Chief and Council at Waswanipi reported that the community had started to conserve beaver although they did not have a beaver reserve, and they asked for government support (Morantz 2002: 161, 167).²⁹ The Waswanipi were not alone, the adjacent Rupert’s House Crees also agreed not to hunt beaver on hunting territories outside the initial beaver reserve, the Eastmain, Fort George (now Chisasibi) and Mistassini Crees also did so on their respective hunting territories (ibid.: 161, 167).³⁰

No doubt Crees sometimes received encouragement to do this from traders and government agents, but they also did so against the views of some non-Natives. The 1936 request from Waswanipi was sent first to the HBC District Manager who thought it was a request for a new HBC-run beaver reserve, like that at Rupert’s House. So

when forwarding the request to Ottawa he made clear in his covering letter that this was not an HBC initiative and that the HBC were not trying to start another beaver reserve, apparently fearing new financial responsibilities.³¹

What did Crees have in mind with these initiatives? How did they see relationships with the governments and the HBC? The clearest record is the request from Waswanipi where Fred McLeod, the HBC post manager, wrote the 1936 letter in English which was signed by Chief Joseph Shaganash and Councillors Diom Blacksmith and Samuel Gull. McLeod was linked by his wife's kin to the community, and he had grown up at a nearby post and had an "excellent command of Eastern Cree" (*Moccasin Telegraph* 1957, 16[1]: 19; see also 1963, 22[2]: 50). The letter to Indian Affairs subtly described what decisions the Chief, Councillors and Waswanipi hunters had taken, and the specific kinds of support they requested:

...we think it would be best if the Beaver hunting was forbidden altogether, at least for three years, in fact we of the Waswanipi Band, have decided to protect the Beaver on our lands, as far as we can, and as we called a meeting among the Waswanipi Indians to this effect all the Indians were agreeable, so all we ask is if the Department will honour our move, and give us the authority to keep any outsiders off the said lands which we are determin[ed] to protect as far as Beavers are concerned[,] what we mean by outsiders, are Indians from other Posts (brackets mine).³²

The Waswanipi were not asking for a beaver reserve, they agreed among themselves to a closed season on beaver on their *Ndoho Istchee*. They were not asking the government to legalize or authorize what they had done. It had been done on the authority of the community meeting, the *Ndoho Ouchimauch* and their own consensual agreement. They wanted government to "honour" their decision, to add such authority as it had to theirs to help assure the decision was respected by other Indians who were not part of the community decision. The Waswanipi thought that their initiative would benefit from government recognizing it, and the request applied "as far as Beavers are concerned," not more generally.

This provides an insight into how some Crees thought the new relationship between themselves and governments should work. Cree were using the initiatives, legitimacy and authority of the *Ndoho Ouchimauch*, community meetings and consensual decision-making to pursue their goals. But this did not preclude doing things jointly with government involvement. The Cree decisions were

not exclusionary, they were not making a claim against government but a request for mutual "honouring," they sought a sharing of the government's authority with the Crees.

Thus, there were several forms of co-management developing here, a claim to state sovereignty was being asserted and assumed by many non-Crees, and there was Cree co-operation.³³ Crees were themselves using, and sometimes reinvigorating, the hunting territory system and practices in order to conserve beaver on their initiative. But they also sought government recognition and support. In addition, there was awareness on the part of Crees that governments and fur traders sought exclusive governance of lands, tenure, wildlife, conservation and Cree hunting, but this was not accepted, and Crees sought to limit government involvement to beaver. Thus Crees did not adopt government ideas or practices as their own, nor accept the claim of government exclusivity, quite the opposite, Crees developed their own ideas and practices while they co-operated with government initiatives and sought mutual recognition.

From the perspective of the fur traders and government officials, Cree initiatives were generally perceived as support for their developing beaver reserves. When the HBC District Manager forwarded the 1936 request from Waswanipi to Ottawa he suggested that Indian Affairs send "badges of some sort to the Chief and his two assistants," thereby giving a sign of the government's recognition of the Waswanipi Chief and Council and of the community's conservation initiative. We have no record that these badges were sent on this occasion, but such recognitions were widely given out to Cree community leaders, and to all the *Ndoho Ouchimauch* as beaver reserves were set up in each area, as recalled in the statements 60 years later by Charlie Coon Blacksmith and Christine (Jolly) Saganash above.

The context of the 1936 request shows how such recognitions could have been understood both as exercises in exclusive nation state authority to bestow recognition on Cree leaders and initiatives, as the HBC District Manager intended, or as government recognition of autonomous Cree leadership and initiatives, as the Waswanipi Crees and the HBC Post Manager requested. Thus mutual recognitions began with misunderstandings about whom and what was being recognized, but this was to become clearer.

Emerging Recognition of Cree Tenure and Rights—Acknowledging Co-existence

Jimmy Watt had originally thought that the Cree guardians who were hired by the HBC would be rotated periodically so their modest "honoraria" could be dis-

tributed widely in the community (W.A. Anderson 1961: 145; Morantz 2002: 162). But it soon became clear that the people who lived on the beaver reserve most of the year, because their hunting territories overlapped with it, had much more information about the lands and beaver and that they should be chosen as the game guardians.³⁴ In this way the operation of the beaver reserve started to be adapted to the Cree system of hunting territories.

When John M. Cooper met Watt and Anderson in 1932 and they told him about the newly established beaver reserve, he responded by emphasizing the need to get recognition of Cree hunting territory practices and rights. He argued that while the beaver reserve was the means to re-establishing beaver populations, in the long run the benefits would only continue if there were recognition of the Cree hunting territories. After leaving "the bay" at the end of his summer fieldwork in 1932 Cooper sent a map of the hunting territories he had documented to Anderson along with his observations on "Indian conservation customs" and their links to the family hunting territory system. He mentioned the scholarly works of Frank G. Speck, D.S. Davidson and A. Irving Hallowell as well as his own, and sent offprints. Watt and Anderson supported his ideas and accepted that the recognition of Cree rights would be essential to assuring the continuing conservation of beaver after the restocking of beaver was complete.³⁵

When Cooper contacted the Governor of the HBC in London at the end of 1932 he argued that a "crucial element in the rebuilding of the fur trade seems to be the reinforcing, protecting, salvaging, and where still possible, the restoring of the native systems of conservation and of land rights and tenure." He went on to explain how with the recent breakdowns in the "family hunting ground system...we are witnessing...a transition from private ownership of the land to something very similar to outright communism in land."³⁶ His solution, from a "scientific" point of view, was the family hunting ground system. The HBC senior managers saw these more as issues for governments to decide rather than fur traders.³⁷

Cooper pursued the recognition of Cree hunting territories when he passed through Ottawa while returning from James Bay in the summer of 1933, meeting with Dr. Harold W. McGill, the new federal Director of Indian Affairs, to whom he presented the argument about the importance of the Indigenous tenure and conservation system for the welfare and future of the Aboriginal peoples.³⁸ At the Director's invitation he prepared a detailed memo addressing the same points he made to the HBC Governor, but adding that in some areas:

The Indians themselves have gotten the impression that they no longer have government recognition of their family hunting grounds. They are further under the impression that the government not only does not recognize but actively denies such rights...³⁹

The practical remedy appears pretty clearly to be some form of recognition or guarantee,—perhaps by some form of *leasing or land patent* or by some form of recognition similar to that given for mining claims,—of the traditional individual and family hunting grounds of the Indians. Without some such recognition there appears to be no reasonable hope of conservation of game and fur-bearing animals except perhaps at a great expense to the government for enforcement of such conservation laws and regulations as would be deemed necessary. With however some form of guarantee or recognition...[Indians would again achieve] economic independence and self-support" (brackets and italics mine).⁴⁰

Almost immediately McGill at Indian Affairs gave the agent at James Bay "more or less a free hand to do all he can towards restoring the traditional Indian hunting land system," and he started planning to map out the hunting territories on the western or Ontario James Bay coast and made plans to give each "Indian" the right to his lands. J.W. Anderson was asked to assist.⁴¹

But provincial responses continued to be a complication. Ontario initially supported the idea, but Watt reported that it might not put the funding aside to implement the recognition of Indigenous lands, and complications did arise. Quebec continued to support beaver reserves on the east side of the bay.⁴² By 1934 Anderson noted that most now agreed "to the restoration of the Indian trapping land system," but how to do this was not clear. In 1935 Anderson wrote to Cooper that while Indian Affairs remained sympathetic, they were "too much influenced, I think, by legal and technical difficulties as to title," and he was "somewhat fearful" as to the results.⁴³

Thus, by the mid-1930s there was a relatively broad agreement on the dual need to restore beaver populations with beaver reserves, and also to recognize Aboriginal tenure and rights. Both were being talked about within the framework of state sovereignty, but they implicated constitutional problems of authority over unsettled Indian tenure and rights. Although implementation of recognitions of Aboriginal rights was stalled, this did not foreclose future possibilities, because with beaver not being hunted for some years the issue was not yet urgent.

The consensus that emerged on the value and need to recognize Aboriginal rights also indicates that what was being developing now was a complex, plural form of game

management. Beaver reserves were not to be just state-mandated conservation with Cree participation, but both government game reserves and a parallel Indigenous system of tenure and conservation that co-existed with beaver reserves were envisaged by Crees and non-Natives. They were seen as complementary by both. Nevertheless, no one as yet had much of an idea of how a relationship between these tenure regimes would work, in law or in practice. This would emerge as practices for organizing beaver harvests were developed.

Beaver Conservation in Practice—A Need to Co-manage

By the beginning of the 1940s beaver numbers had grown sufficiently that the first of the beaver reserves was ready to be put into “production.” This was a challenge for all concerned, because the reserve managers had limited knowledge of beaver populations, of the land and of trapping. Yet, they claimed that they could decide when the beaver could be hunted again and how many could be harvested.

They thus had to decide: how many beaver there were within a reserve, when the beaver were numerous enough to sustain a significant harvest, what the harvest quota would be for the given area, how that quota would be allocated among Cree hunters and how it would be distributed over the land in relation to re-established beaver populations. None of the beaver reserve managers was a biologist, they were all fur traders, former traders, land surveyors or others with some northern living experience. Even if they had been biologists there was no relevant biological data at that time on carrying capacities, reproductive potential, the effects of harvests on beaver population dynamics or sustainable harvest levels for a subarctic region.⁴⁴

On the social questions the managers faced a considerable gap in knowledge as well. New beaver reserves were set up regularly until they covered almost the whole of the northern forested area of Quebec, and the lands draining into the James Bay coast of Quebec were all included by 1948.⁴⁵ On the nearly 400 000 sq. km. of beaver reserves in James Bay region of Quebec, there would be tens of thousands of beaver lodges, and many hundreds of hunters. This was much too big an area for the less than half dozen managers to travel over and come to know. They quickly came to depend on Cree knowledge, expertise and organization.

The experiences of the early years at Rupert’s House foreshadowed what would come. Jimmy Watt originally envisaged that he would survey the Rupert’s House beaver reserve each year in the company of a few Cree

game guardians to count the growing number of beaver lodges. In practice the planned summer surveys by Watt were limited by how busy he was at that time of year and by the difficult summer access to many areas. But the Cree who lived there all winter on hunting territories could provide considerable information not otherwise available to Watt. In addition to locating beaver colonies and marking them on maps, they reported on the availability of suitable food and aquatic habitats for beaver on areas not yet reoccupied by beaver, and whether these lands had previously supported beaver populations. These reports of the general distribution of appropriate food supplies and of potential colony sites were the basis of HBC managers’ ability to assess how extensively beaver might repopulate the reserve.

With the beaver lodge counts being made by several people, it became necessary to be sure that lodges were not double counted, as had happened in the early years. The process of counting lodges thus came to depend on Crees and non-Crees agreeing that everyone should report the beaver lodges found within the boundaries of the *Ndoho Istchee* (Kerr 1950: 157).⁴⁶ There were no other socially recognized boundaries on the land in either society. The *Ndoho Istchee* boundaries were mapped by Crees to provide some cross-cultural understanding of the areas that everyone was reporting on.⁴⁷

Figuring out how many beaver lodges the land could support and what quotas could be harvested was more guesswork than reliable calculation, especially in the early years. J.W. Anderson hinted at some numerical scepticism in 1936,⁴⁸ and in a memoir drafted in 1960 after he retired he wrote, “I used to study and ponder the figures with Watt and can remember summing up on one occasion with the statement that if he secured twenty-five percent of his estimates, the scheme would be a success. And that’s just about how it turned out...”⁴⁹ With the number of beaver the land could support not clear the decision to start trapping on the Rupert’s House reserve in 1940 was not taken on the basis of clear biological calculations of a sustainable harvest of the beaver populations, but on economic and welfare considerations.

The quota that could be sustained when the Rupert’s House reserve came into production was a guess. But the experience gained from the trapping of the Rupert’s House reserve was then turned to when trapping was beginning on the other reserves, starting in 1945. However, even then an apparently straightforward application of rule-of-thumb calculations—aiming for two lodges per square mile as the target density, and setting a quota of one beaver per reported lodge—was not the result of simple observations or experience. The beaver harvests

for some years at Rupert's House did not reflect only the estimates of the beaver population, they were influenced by the economic conditions of the fur traders. The HBC decided that "owing to the scarcity of some articles of merchandise, it was necessary to keep the [beaver] quota down," i.e., below what was thought to be a sustainable harvest. With high fur prices the HBC could not transport and supply sufficient goods to sell to hunters so that they could spend all their fur incomes, and the HBC feared that they might go to competitors to spend the surplus incomes. So they reduced the beaver quotas. Thus, they anticipated that if the following year (1945-46) "the beaver continue to increase and more goods are available, more beaver will be trapped."⁵⁰ Not surprisingly, there were disagreements between the HBC and government agencies, as well as with Crees, on when to start harvesting, and how many to harvest.⁵¹

There were also questionable biological assumptions used in the quota setting. The quota assumed that there was always a negative relationship between the number of beaver harvested from the population and the number surviving in the following year, because the reproductive potential of the population was not responsive to the harvest. But recent studies have shown that the fecundity of female beaver is density-dependent, increasing in response to trapping intensity. Researchers found that trapping increased the number of embryos formed and the number of young born, at least up to fairly intensive trapping levels (Novak 1987: 286). Beaver thus have a capacity to increase reproductive rates in response to being trapped at moderate levels (see Feit in press).

In the 1950s common rules-of-thumb were developed which did take account of longer experience, if not of density-dependent beaver population dynamics. But still by the 1960s beaver populations were declining on many of the reserves, which was thought to have resulted from setting quotas too high (Marcel Beaudet, Fieldnotes, 2 March 1972; see also Drolet 1965).⁵² Thus managers did not succeed in setting sustainable harvest quotas during the decades of managing the reserves, although they did create conditions for beaver population recovery.

When beaver started to be trapped questions arose about how to divide the quotas among trappers, where the harvests would be taken and how would compliance be monitored? In the initial harvests at Rupert's House the answers were decided mainly on the basis of social welfare. Married adult men with families got 20 beaver, unmarried men, widows less. In this way the total quota of the reserve was allocated to hunters who used the *Ndoho Istchee* within the beaver reserve, but without any effort to allocate the quotas to particular traplines which had more

abundant beaver counts. The distributions of harvests in relation to beaver abundance was thus entirely up to the Crees who arranged and exchanged access to *Ndoho Istchee* (Kerr 1950: 157-160). Their harvests were monitored by having trappers report their harvests and by tabulating the fur pelt purchases made from each hunter and trapline.

The quota distribution problems that arose when arranging harvesting on the beaver reserves could not be solved by beaver reserve managers running government and HBC created beaver reserves for the Crees. There was no way for reserve managers to systematically decide which hunters should trap with whom and thereby decide which families should live together for nine or more months of the year. Nor could they decide which hunters had enough knowledge of a particular area of land to lead and assure the security of a group of hunters and their families who would live together in an area and provide most of their subsistence needs, as they trapped through the subarctic fall, winter and spring trapping seasons. The managers had to co-operate with the Cree who continued to use their own tenure arrangements, knowledge of the land and game, and social practices as the means by which hunters and the hunt were organized across the land, and as means to decide the social and territorial distribution of quotas. Reserve managers might make an occasional decision to send a particular trapper with another group, but their capacity to take such decisions depended on co-operation by the Crees affected, and on the whole set of Cree social and territorial governance practices, see below.

Anderson noted shortly after he left the James Bay District, that the beaver reserve was "essentially a cooperative effort" in as much as government agencies, traders, missionaries and "not least in importance," Indians, had to work together.⁵³ Beaver reserves had become a form of co-management not just set up by governments, but closely tied to co-existing ideas and practices of Cree tenure and leadership.

Co-management as a Recognition of Co-governance

In 1942 the Nottaway Beaver Reserve south of the Rupert's House reserve, and the Old Factory Beaver Reserve to the north, were described as "in the process of being organized under a tallymen system" (Morantz 2002: 168),⁵⁴ thus acknowledging that the beaver reserve system was developing a systematic use of Cree *Ndoho Istchee* and *Ndoho Ouchimauch*. At the end of 1942 the Deputy Minister of Indian Affairs wrote the Commissioner of the RCMP in response to reports of problems on

beaver reserves which the police were being asked to settle, and about which they needed clarification. He sought to explain and affirm what the federal agencies were doing:

[The RCMP Officer] *rightly stresses the importance of trapping ground rights* and the following explanation of our tallyman system will show that *we also not only recognize these rights* but have put them to practical use in our administration of Fur Preserves.

When an area is set aside by the Province for the exclusive use of the Indians and marked by our Branch for development as a Fur Preserve, the first step is to divide the area into band or tribal areas generally called sections. These tribal areas are further divided into family hunting areas which we call districts [also widely but incorrectly called “traplines”] and one Tallyman is placed in charge of each district and charged with the following duties:

1. Count and mark—with special metal markers supplied for the purpose—every colony of beaver on his district.
2. Indicate the location of the colonies on a map and report the location to the Supervisor.
3. Report promptly to the supervisor the presence of white trappers on his district.
4. Report any cases of encroachment of other Indians on his district.
5. Put up posters throughout his district.

When it is borne in mind that a Tallyman is the head of a family; that a district is a family trapping ground; that a section is the area trapped over by a whole tribe or band and that all boundaries are laid out by the Indians themselves, it is apparent that we have not only adhered strictly to Indian custom but have actually improved on it since, through our Supervisor, we have maps of the districts and written records, which we can use to settle future disputes over trapping grounds (italics and brackets mine).⁵⁵

This correspondence from a senior federal government official explicitly affirms that federal departments are recognizing Cree rights, and later he reports recognition of Cree tenure and leadership (see italics). These recognitions were repeated in various forms over the course of the next two decades. When Quebec established the largest of the beaver reserves at Mistassini in 1948 and decided to manage it, and when it took over management of the other beaver reserves, it used exactly the same system. The Quebec official who set up the Mistassini reserve described, in his later role as Director of the Quebec Fur Service and of Beaver Reserves, how all the beaver reserves in Quebec worked on the same terms

(Tremblay 1959: 2). Marcel Beudet, also a former fur trader, and Quebec fur manager confirmed the traplines were drawn by the Crees, they reported beaver and game abundance, and tallymen arranged or approved the hunters who used their traplines. The tallymen would tell the beaver managers who would be trapping on their trapline the coming winter, and the beaver quota based on the number of lodges the tallyman reported seeing on that trapline would be divided among those hunters, usually taking account of their marital status and age.⁵⁶ Thus, now that harvest quotas were assigned by trapline, the quotas could in effect be distributed among the hunters by the *Ndoho Ouchimau*, taking account of the total quota and the social categories used for allocations. He could include those who usually hunted with him, those whom he invited or offered reciprocity to, and those whom he might agree to include on the recommendation of the fur supervisor. Both extensive Cree autonomy and extensive co-management were the practice.

In 1946 Hugh Conn the former fur trader who was the federal fur manager for the region could give a general description of the tallyman-trapline system to explain how the beaver reserves worked to the federal Parliamentary “Special Joint Committee of the Senate and the House of Commons Appointed to Examine and Consider the Indian Act”:

...our organization is based on Indian tradition and custom...once the white man’s practices of written leases and agreements are disposed of we revert to Indian custom, pattern our organization after their sound, well-established practice and divide our preserves according to the original plan of land tenure that from time immemorial has served the Indian population.⁵⁷ (cited in Morantz 2002: 307, italics mine)

Thus using *Ndoho Ouchimauch* and *Ndoho Istchee* as “tallymen” and “traplines” not only resolved many of the key problems of how to administer the beaver reserves, they were recognitions of Cree tenure and rights. As Hugh Conn explained to Parliamentarians, “written leases and agreements” had to be “disposed of.” His felicitous phrasing acknowledged the need of managers like himself to put aside the law of the nation state and a strictly legal viewpoint, and to recognize Cree tenure and rights in order to put conservation into practice. He also was implicitly inviting the parliamentarians to whom he spoke to do the same, in order to understand how beaver reserves and conservation worked.

There were parallel systems not just of game management but of tenure and governance, which were linked

in various ways, but each was sufficiently autonomous that it did not conform to the logic and authority of the other. Yet, each was recognized by the other. Co-governance was not created by one group, but recognition of co-governance was an effect of co-management.

Co-governance: Clearly Recognized but Still Inherently Ambiguous and Contradictory

Co-management thus involved certain forms of recognition of Indigenous rights and of co-governance. But not everything that was said or done by government agents and HBC traders was consistent with recognizing rights. The officials involved had varying degrees of awareness of co-governance. Where there was recognition of co-governance, there were nevertheless ambiguities and contradictions. Describing the links of “traditional” tenure to their adoption in the running of beaver reserves was not easy because such linked processes and practices were not conventional within the political and administrative practices and ideas of a nation state. It is not surprising that many of the recognitions of Cree tenure cited above occur in administrative policies, official correspondence, and explanations of how beaver managers work on beaver reserves, where acknowledgments of ambiguities could be inserted as Conn did, but not so often in the documents that make the law. The ambiguities and contradictions of what was being done could not be readily put into law, or explained, because they conflicted with the assumptions of exclusive sovereignty that underlay state legal instruments. This does not mean that what was being done and written had no legal standing or effects. The recognitions by government officials, some of them quite senior, were given in the course of exercising of their legally mandated authority. The practices went on for decades. The situation was as complex legally and administratively as it was ethnographically.

As a result, ambiguities also inevitably crept into the legal instruments. For example, a 1946 Quebec Order in Council concerning the hunting of beaver in the three southernmost beaver reserves mandated that all Indian trappers would be licensed to hunt beaver. A condition of granting a beaver reserve licence to a hunter was that “[e]very trapper will be obliged to make an annual inventory of his hunting ground and to make a report” respecting beaver. The Order in Council also stipulated that the quota allowed for a license be fixed at one beaver per lodge, and that special coupons be attached to the pelts before they were put on the market.⁵⁸ Legally, the Order in Council and the licensing of trappers can be seen as an extension of the exclusive claim of Quebec to regulate

hunting activities of the Crees, acting as the constitutionally sovereign authority over these matters on its territory. But the licence to be issued by Quebec requires a report about each trappers’ “hunting ground,” and it authorizes trapping based on the number of lodges on that hunting ground, yet nowhere is the legal status of the “hunting ground” defined by a Quebec legal instrument. As we have seen above, the reserve managers and heads of Indian Affairs and the Quebec Fur Service acknowledged that the “traps” or “hunting grounds” were a form of Cree tenure. The Order in Council thus assumes not just the “hunting ground[s]” but Cree tenure and the social practices and authority associated with *Ndoho Ouchimauch* and *Ndoho Istchee*. Here a mix of nation state law and Cree tenure and law are implicitly recognized and put into state law in a way that mixes them together.

The Order in Council was also unworkable because its drafters did not understand how Cree hunting territoriality worked. There were roughly 200 to 300 Crees who were *Ndoho Ouchimauch* and who were tallymen recognized by the beaver reserves. All the other Cree trappers, numbering several times as many as the tallymen, did not have their own hunting grounds, they hunted with the tallymen. Thus the majority of Cree trappers could not make personal reports of beaver numbers on “his” hunting grounds, and therefore could not comply with the Order in Council conditions for a beaver permit. In practice what they did was to report their beaver kills to the reserve managers. This problem continued in later legal documents about beaver reserves right through the 1960s.⁵⁹ The drafting of legal instruments required simplifications of co-management practices that linked the two systems of governance to the point that inconsistencies developed in the official documents meant to encode them into state law.

Furthermore, to return to ethnography, from a Cree trappers’ point of view the licence and coupons provided by governments could be seen not as an assertion of state sovereignty but equally as an extension of other recognitions of Cree authority, like the recognition the badges and certificates distributed since the 1930s gave to Cree *Ndoho Ouchimauch*. This was implied in the way some Waswanipi hunters took out and showed me their trapping licences when we talked about their *Ndoho Istchee* in 1968-70, not just when we talked about game regulations.

Clear recognitions of Cree tenure and authority were made repeatedly by senior government officials, in public reports to Parliament, and in indirect ways within legal documents themselves. But ambiguities and contradictions existed at numerous levels, including the way reserves

enhanced both state authority and capacity and Cree authority and capacity.

Messy Co-governance: Coercion and Autonomy on Beaver Reserves and Ndoho Istchee

There were also contexts in which reserve managers wanted to change Cree practices and in which they did not avoid conflict or the use of coercion. The most sustained was the insistence of the governments that the hunting territory boundaries be redrawn to fit the longitude line that separated Quebec and Ontario south of James Bay, and that Cree hunters be reallocated lands so that they had traplines in the province where they “resided,” where they traded or were registered by Indian Affairs. The latter changes conflicted with Cree views of their “residence,” which was on hunting territories, and neither change was readily accepted by many Crees. Conn noted in 1941 that even having Indians on each side of the border swap territories would be troublesome “because any interference with their traditional hunting grounds results in lack of cooperation among the Indians.”⁶⁰ He also wondered if royalties and other administrative needs could not be adapted to Cree social arrangements. But coercive force was used to initiate the changes, although the changes were never enforced with complete success (see Scott and Morrison 2005 for a history and analysis that I summarize here).

Trapline boundaries were redrawn and a number of the affected Crees did move their “residences” under threat of arrest. Some others were expelled from their lands by threats, harassment and brief arrest. Some moved and then moved back, some became “problems” to authorities in their areas of “exile,” some refused and never complied (Scott and Morrison 2005).

Crees also used their own customary practices to make adjustments. Some respected the boundary imposed on them by the beaver reserves, but they continued the hunting of non-fur game animals for food, such as moose and geese, on both sides of the border, and the Cree tallymen on both sides accepted that this was their customary right (Scott and Morrison 2005). Sometimes hunting territories were retained by in-laws “resident” in the appropriate province. Sometimes the invitations to hunt within a network of agnatic and affinal kin and friends upheld invitations to regularly access hunting territories across the border. And over time a substantial number of Cree were readmitted to trap in the reserves in the province of their original traplines. In some cases the traditional link to lands, “although under stress, was sustained through continued intermarriage between people

from traditional hunting territories on both ‘sides’ of the border” (quotations from Scott and Morrison 2005 are from the pre-publication English version).

Summing up this most conflict ridden area of beaver reserve implementation, Scott and Morrison say, “extraordinary concessions had now to be made to alien ideologies, and to alien authorities who occasionally exercised powers of police investigation and arrest to enforce their version of the proper regime....[and Cree responses were now] selectively and strategically attuned to Euro-Canadian fiscal and resource management priorities....” (2005, brackets mine).

In most areas away from this border there were neither major nor daily conflicts, and many Cree practices appeared to be indistinguishably part of both beaver reserve activities and the exercise of *Ndoho Ouchimau* leadership on *Ndoho Istchee*. But the general difference remained clear for Crees. The beaver reserve managers were called *Amisk Ouchimau* or “beaver bosses” by the Crees, reflecting the view of most Crees that the legitimacy of the HBC and the governments was limited to beaver. By contrast to the more restricted *Amisk Ouchimau*, the *Ndoho Ouchimau* were hunting bosses who took leadership in organizing social relations and access to all game animals and the land.

Ethnographic research starting in the late 1960s has radically changed our understandings of *Ndoho Istchee* and related forms of Cree tenure from those which prevailed when Cooper circulated anthropological accounts of hunting territories among governments and fur traders. The new post-beaver reserves studies show that hunting territories are not forms of private property, nor results of commodification or assimilation as had been assumed by some mid-century analysts and commentators. Hunting territories are both expressions and means of reproduction of Algonquian social relations, symbolic meanings and relations to the land and wildlife, i.e., they are integral to social reproduction broadly construed (see especially Feit 1973, 1991, 2004; Scott 1979, 1983, 1988; Tanner 1979). This is not to deny their long histories in the fur trade and beaver reserves, or the changes that those histories have brought, but the principles and values that inform these cultural practices do not themselves obviously derive from market ideas of property, or from the fur trade or beaver reserve ideas or practices, they are rooted in recognition of reciprocity between humans and animals, and in Cree ways of negotiating the tensions between collective and individual claims of access to lands and control of the products of one’s labour (see Feit 2004 for a recent review; and Scott 1979).

Nevertheless, hunting territories have been modified by the beaver reserves. Mapping the territories and having *Ndoho Ouchimau* understand that they should do so in such a way that there were no overlaps, or gaps between traplines, as well as having government agents redraw some boundaries, emphasized the boundaries and the fixity of terrains. Having *Ndoho Istchee* grouped as beaver reserves, or sections thereof, helped to enhance a collective identity among members of each of the different Cree administrative bands or First Nations. Listing territories and hunting leaders officially as tallymen led to a more formal and rigid application of leadership, authority and inheritance ideas. This also added non-Cree recognitions and authority for the role of *Ndoho Ouchimau*, some of whom then sought to enlist government authorities in their disputes with other Crees (for discussions of these changes see: Frenette 1990; Kerr 1950; S. Preston in preparation; Scott and Morrison 2005).

The demonstration of governmental capacity to use coercion, based in part on the knowledge gained through the new co-operation, also created diverse changes. In the late 1960s I observed Cree caution whenever it was thought that actions might provoke a response from government agents. These actions were typically accompanied by the use of both normal and also distinctly Cree forms of everyday resistance and aversion. But these responses did not dramatically transform Cree practices or ideas of what was proper. They did not greatly disturb Cree occupancy and use of the land and resources since the “customary individual and collective rights recognized by the community were to a significant extent reflected in the boundaries of individual and band territories” (Scott and Morrison 2005). Because *Ndoho Ouchimau* were appointed tallymen they still tended to control the flow of information about their lands, and their authority tended to be maintained, and some tallymen thought it had been enhanced by recognition (Scott and Morrison 2005).

The survival of Cree idea/practices was indicated when I first went to the Waswanipi region in 1968. The Waswanipi Beaver Reserve still existed on paper but government managers were no longer managing the reserve. Non-Native trapping was still illegal in the area, but the Quebec government had concluded that it could not any longer manage the reserve effectively as Cree mobility increased with roads, and furs could be sold at numerous places so sales could not be monitored as a check on catches. I was told that it made no sense to map the lodges and fix beaver quotas under these conditions. There was an expectation among government managers that the beaver would be depleted, and the Cree were “changing” anyway.

But Waswanipi hunters told me who each *Ndoho Ouchimau* was, and many explained how they organized hunting of beaver, moose and other animals on their hunting territories. I recorded their *Ndoho Istchee*, the beaver lodges and their harvests, and I showed that they were still managing beaver, and they were also managing moose which had never been co-managed with governments (Feit 1973). The leadership of *Ndoho Ouchimau* continued to be asserted and acknowledged by Crees, and it played an important role when Cree mobilized to oppose a direct threat to the land by hydro-electric development in the 1970s (Feit 1985). In the negotiations that led up to the 1975 treaty Crees insisted that the *Ndoho Ouchimau* and *Ndoho Istchee* be formally recognized in the agreement they signed with the governments (JBNQA 1976: clauses 24.1.8 and 24.1.9).⁶¹ Thus, Cree hunting leadership was partly integrated with the beaver reserve operations, and partly altered by them, but it remained distinct in practice and authority, and it survived the government withdrawal from beaver reserve management.

Nevertheless, in recent decades many *Ndoho Ouchimau* have continued to find their lands increasingly transformed by logging operations, road networks, hydro-electric projects, tourism and sport hunters, as the quotes stress at the beginning of this paper. How the practices of co-management and co-governance I have described in this paper were transformed following the signing of the JBNQA, and how co-governance has become more marginalized, will be analyzed elsewhere. Today neither the national state governments nor the Cree hunters fully control lands, wildlife or peoples, nor can any one of them alone fully conserve game or forests. But their capacities are not equal, and the failures of the nation state governments to conserve lands, forests and wildlife since the 1970s are tragic (see Cree quotes at the beginning of this paper; Feit and Beaulieu 2001; Mulrennan and Scott, this volume; Scott 2001).

Conclusions: Co-governance as Effect and Vision

What was created during this half century was a “messy” system because beaver reserves did not merge or reconcile Cree authority with that of the nation state, nor did they subsume one under the authority of the other. Nation state governance and tenure, Cree governance and tenure, and the institutions and practices of beaver reserves all co-existed, and they constituted a messy, complex network.⁶²

Thus, as the recent research in political ecology emphasizes, the process of developing beaver reserves as conservation and co-management regimes was a process

of expanding the authority, legitimacy and capacity of state institutions to govern northern Quebec. And responses and resistance varied. But, as Cree hunters emphasize, it was also a process of multiple recognitions of the capacity, authority and legitimacy of Cree governance, albeit these recognitions, while explicit, were always surrounded by ambiguities and contradictions and they were also often ignored. Informed by Cree insights, this story shows that non-state governance may not only be recognized, but actively taken up in the workings of state projects over long periods of time, and while this partly enhances nation state control, it may also partly enhance the autonomy of non-state groups.

These conclusions do not challenge those developed by recent research in political ecology, rather they layer other effects of co-governance onto them in counter-intuitive ways that make the processes more complex and the outcomes less certain. They help explain why non-state based struggles continue, as do some alternatives to the state institutions and practices, despite the unequal relations.

In this particular case the long history of co-governance also challenges the view that state sovereignty is exclusive, an idea being reexamined in several quarters today, for this history shows that the Canadian nation state has been engaged in some joint governance in their everyday practices throughout the contemporary period (see Feit, In Press, and Under Review).

Ndoho Ouchimauch keep pointing out these processes, recalling their presence, and asserting their significance for how they, governments and corporations can act today. These experiences shape Crees' challenges to the current operations that abuse their lands, as the quotes at the beginning of this paper indicate. The record shows that co-governance has been hard to ignore, it is both unexpected and obvious. Its renewed recognition is laden with possibilities, possibilities which have been happening all along.

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Notes

Abbreviations for Archival Sources Cited in the Endnotes:

CUAA	Catholic University of America Archives (Washington, DC)
FTD	Fur Trade Department (In HBC Archives)
HBCA	Hudson's Bay Company Archives (In Public Archives of Manitoba)
JMC Papers	John M. Cooper Papers (In CUA Archives)
PAC	Public Archives of Canada (Ottawa)
PAM	Public Archives of Manitoba (Winnipeg)

- 1 Simon Metabie was Charlie's brother-in-law, from whom Charlie inherited the position of *Ndoho Ouchimau*.
- 2 The forestry case for which these affidavits were made was dropped by the Crees in 2002.
- 3 I use the term Indigenous as the general term of preference, but where legal rights are the focus I sometimes use the Canadian Constitutional term Aboriginal, and in some contexts where the historical sources speak of Indians I use that term. The latter is a term that many contemporary Crees continue to use today, albeit with an awareness of its complex history and meaning.
- 4 PAC, RG10, Vol. 6750, File 420-10, reel C8106, "The Game Laws of the Province of Quebec...1894.;" "An Act to Amend the Quebec Game Laws, assented to 21st December 1895," 6p.; "Law Clerk" to The Deputy Superintendent General [Indian Affairs], 30 December, 1902; E.E. Tache [Quebec] to Hayter Reed [Ottawa], December 5, 1896.
- 5 PAC, RG10, Vol. 6750, File 420-10, reel C8106, C.C. Chipman to Hayter Reed, 1 December 1896; Hayter Reed to C.C. Chipman, 12th December, 1896.
- 6 PAC, RG10, Vol. 6750, File 420-10, reel C8106, C.C. Chipman to Reed, 7 January, 1897.
- 7 PAC, RG10, Vol. 6750, File 420-10, reel C8106, [undated and unsigned memorandum, ca. May 15, 1897] which is referred to in another "Memorandum" by J.D. McLean, attached to a report to the "Governor General in Council," 2 June, 1897, in which he says it was delivered by C.C. Chipman, Chief Commissioner of the HBC on a visit to Ottawa.
- 8 PAC, RG10, Vol. 6750, File 420-10, reel C8106, Meredith, MacPherson, Hague & Holden to J.D. McLean, 2 November, 1911; and, Meredith, MacPherson, Hague, Holden,

- Shaughnessy & Heward to J.D. McLean, February 26, 1916. Its case did not proceed, but not because of a ruling on Aboriginal rights.
- 9 PAC, RG10, Vol. 6750, File 420-10, reel C8106, [typed reply to] Mr. Poupore, 19 May, 1897.
 - 10 PAC, RG10, Vol. 6750, File 420-10, reel C8106, "Extract form a Report from the Committee of the Honourable the Privy Council, approved by His Excellency on the 14th June, 1897;" "Copy of a Report of a Committee of the Honourable the Executive Council, dated the 16th July, 1897, and approved by the Lieutenant Governor on the 16th July 1897."
 - 11 By 1917-20 fur traders and non-Native commercial trappers, who clearly were subject to Canadian and Quebec law, had to be licensed annually in Quebec, and they were prohibited to transport furs within the province or to export them unless a royalty had been paid to the benefit of the province; PAC, RG10, Vol. 6750, File 420-10, reel C8106, Meredith, MacPherson, Hague, Holden, Shaughnessy & Heward to J.D. McLean, February 26, 1916.; "Summary of the Game Law of the Province of Quebec," no date indicated in the file.
 - 12 Also see, CUA, JMC Papers, "Aboriginal Land Holding Systems," Memorandum to Dr. Harold W. McGill, 11 October, 1933,
 - 13 Cartlidge could describe hunting territories from his experience on lands around the trading post, but he was also familiar with Frank Speck's accounts of the Algonquian hunting territory system. Cartlidge had prepared a map of the location of Waswanipi Cree hunting camps in 1915 at the request of the National Museum of Canada where Edward Sapir was engaged, which sponsored some of Speck's work in those years. Cartlidge's map was later published by D.S. Davidson (1928; see also Feit, 1991).
 - 14 PAC, RG10, Vol. 6750, file 420-10 H. C. Cartlidge to D.C. Scott, Department of Indian Affairs. 29 October 1927. The federal government forwarded his letter to Quebec, L.A. Richard to J.D. McLean, November 22, 1927. The fur records show that a decline in beaver pelt sales began about this time at Waswanipi (Feit n.d. a.).
 - 15 That the government established reserves initially in limited areas, and later only in isolated areas, would appear to confirm the assessment made C.S. Elton, of the Oxford University Bureau of Animal Population, who met wildlife officials while on a tour in Canada for the HBC in 1928. He noted that conservation efforts were often hindered by two political difficulties: "Fear of offending the white trapper, who is a voter;" and use of royalties as a general tax that does not directly subsidize protective measures. PAM, HBCA, Dead Dossier, Box 85, "Report of Research Work in Canada," 28 November, 1928.
 - 16 PAC, RG10, Vol. 6750, File 420-10A, reel C8106, "Indians of Province Promised Legislative Protection Against Invasion of the White Hunters," *Quebec Chronicle Telegraph*, 29 September [1927, marked on attached sheet]; J.J. Wall "Grand Lake Victoria," 1927; Vol. 6751, File 420-10X1, "Respecting the creation of two game reserves in favour of the Indians," "Copy of the Report of a Committee of the Honourable the Executive Council, dated 20th of April, 1928, approved by the Lieutenant-Governor on the 21st of April, 1928;" File 420-10A, reel C8106, "Copy of the Report of the committee of the Honourable the Executive Council dated January 15, 1932, approved by the Lieutenant Governor on 16 January, 1932," "Respecting the erection of the whole of the Northern Region of the Province as a Game Reserve."
 - 17 PAC, RG10, Vol. 6750, File 420-10A, reel C8106, "Indians of Province Promised Legislative Protection against Invasion of the White Hunters," *Quebec Chronicle Telegraph*, 29 September [1927, marked on attached sheet]. The reasoning behind the decision that it was not "practical" was not made clear, but it was noted at the time that the reserves were much bigger than hunting club areas (W.A. Anderson, 1960: 141). On the other hand, in the 1970s it was a concern of Quebec that lands set aside for the benefit of Indians could be recognized as "Indian lands" under the Constitution, and they would therefore be federal lands. Whether this was a concern in the 1920s is not clear from the records examined.
 - 18 PAM, HBCA, Reel E82/2, Personal Papers W.R. Parsons, J.S.C. Watt 1925-1943, Watt to West, 16 August 1929; see also: Watt to Ralph Parsons, 3 March, 1929; D.D., Box #79a, Fur Trade Commissioner to Governor and Committee, March 15, 1929; Secretary to Fur Trade Commissioner, 28 June, 1929 and 12 July, 1929.
 - 19 PAM, HBCA, Reel E82/2, Personal Papers W.R. Parsons, J.S.C. Watt 1925-1943, Watt to West, 17 August 1929.
 - 20 Watt wrote that "although I have lived a long time with Indians I never was interested in their customs until your visit here," addressing anthropologist John M. Cooper who first met Watt at Rupert's House in 1932, CUA, JMC Papers, Watt to Cooper, 23 February, 1940.
 - 21 For support see PAM, HBCA, Reel E82/2, Personal Papers W.R. Parsons, J.S.C. Watt 1925-1943, Parsons to Watt May 2, 1930; proposal to district manager, Unclassified, FTD, File 2-4-95, Buildings and Lands, Charlton Island 1854-1930, Watt to West, 24 April, 1930, and 3 May, 1930; and Watt to West 4 July, 1930; correspondence passed to Fur Trade Commissioner, West to French, 15 July, 1930. More senior HBC staff considered such preserves, which shortly after developed in several other provinces as well, to be "experimental," and a clear policy to pursue them only emerged in the mid 1930s, Dead Dossier, Box 79A, "Fur Farming," "enclosure to C.C.P. No. 218 of 5th December, 1935"; "To Mr. Brooks [Secretary], Message from the Governor," 29 January, 1936; Secretary to The Canadian Committee, "L.C.P. No. 5301," 30 January, 1936; "Fur Farming," "Encl. to C.C.P. 229, 5/3/36," "Submitted to the Board on the 7th April, 1936."
 - 22 "Concernant l'érection d'une Réserve de Chasse," Conseil exécutif, 24 March, 1932. See W.A. Anderson, 1961 for a semi-fictionalized account of Maud Watt's life and of these events based, one presumes, on interviews with Maud Watt. His account has many discrepancies with archival materials. Also see a brief account in Maud Watt, 1938.
 - 23 This instance of blaming the Cree is primarily strategic because it ignores the complicated circumstances and responsibilities for the depletion of beaver mentioned above by Cartlidge and sometimes cited in Watt's own correspondence (see, for example, PAM, HBCA, Unclass., FTD, File 2-4-95, Buildings and Lands, Charlton Island, 1854-1930, Watt to West, July 4, 1930).

- 24 CUAU, JMC Papers, Watt to Cooper, 9 October, 1932; support of the Fur Trade Commissioner confirmed by Anderson, Anderson to Cooper, 2 December, 1932. This may, or may not, have been putting a good face on what has been described elsewhere as a tumultuous period of debate (W.A. Anderson, 1961: 146-49).
- 25 PAM, HBCA, Unclassified. FTD, Fur Trade Conference Minutes, 1933, Appendix F. "Report on Rupert's House Beaver Sanctuary, by J.W. Anderson."
- 26 CUAU, JMC Papers, John M. Cooper to Patrick Ashley Cooper, 23 December, 1932; P.A. Cooper to J.M. Cooper, 12 January, 1933; Secretary, Canadian Committee to J.M. Cooper, 20 February, 1933; Cooper to Watt, 22 September, 1932; Saindon, O. M. I. to Cooper, 23 October, 1932; Cooper to Anderson, 12 November, 1932; Anderson to Cooper, 14 November, 1932 and 2 December, 1932.
- 27 CUAU, JMC Papers, "Aboriginal Land Holding Systems," Memorandum to Dr. Harold W. McGill, 11 October, 1933, Appendix A, page 3.
- 28 PAM, HBCA, Unclass., FTD, Fur Trade Conference 1936, Minutes, Appendix "G," "Report on Beaver Conservation in James Bay District," by J.W. Anderson. He reported that the Crees explained their views by saying that "great sections of the country are so poor in wild life that, until such times as the beaver had been restocked thereon, the Indians would starve," therefore other recognition was not necessary.
- 29 PAC, RG 10, Vol. 6750, File 420-10-4, reel C8106, Chief Saganash to Department of Indian Affairs, 3 August, 1936; District Manager to A. F. MacKenzie, 12 August, 1936.
- 30 Also see, CUAU, JMC Papers, Anderson to Cooper, 25 May, 1936; Watt to Cooper 9 December, 1939; PAC, RG 10, Vol. 6750, File 420-10-5, reel C8106, Hervé Larivière to D.J. Allan, 6 September, 1941; "Report on Annual visit to Mistassini Band, Abitibi Agency," H. Larivière, 31 July, 1943.
- 31 In response, Indian Affairs asked the HBC to refer the matter of the beaver to the provincial authorities. PAC, RG 10, Vol. 6750, File 420-10-4, reel C8106, District Manager to A. F. MacKenzie, 12 August, 1936; A.F. MacKenzie to Manager, HBC, Montreal, 16 September, 1936.
- 32 PAC, RG 10, Vol. 6750, File 420-10-4, reel C8106, Chief Saganash to Department of Indian Affairs, 3 August, 1936.
- 33 This pattern was not always the case elsewhere. To the southeast of James Bay at Lake St. John where Montagnais had experienced the dispossession of their lands at the hands of agricultural settlers since the mid-19th century, willingness to work with governments was more limited and beaver reserves met with "indifferent success" and "a certain measure of non-cooperation." It was "very difficult to convince them [the Montagnais] that, at last, the white man has decided to help them protect their trapping rights" (Burgess 1945: 13, brackets mine).
- 34 PAM, HBCA, Unclass., FTD, Fur Trade Conference, 1933, Minutes, Appendix F, "Report on Rupert's House Beaver Sanctuary, by J. W. Anderson."
- 35 CUAU, JMC Papers, "Notes for Father Cooper" [1932], attached to J.S.C. Watt "17th August 1929, Copy, Fur Conservation." Anderson, an experienced HBC District Manager presented the material Cooper sent to the annual HBC Fur Trade Conference, after which he wrote to Cooper "quite candid[ly]" to say "none of the district managers present seemed to be particularly interested although they were quite willing to discuss the problem in a general way." CUAU, JMC Papers, Anderson to Cooper, 2 December, 1932.
- 36 CUAU, JMC papers, J.M. Cooper to P.A. Cooper, 23 December, 1932.
- 37 CUAU, JMC Papers, Secretary, Canadian Committee to Cooper, 20 February, 1933.
- 38 CUAU, JMC Papers, Cooper to Anderson, 13 October, 1933.
- 39 CUAU, JMC Papers, "Aboriginal Land Holding Systems," Memorandum to Dr. Harold W. McGill, 11 October, 1933, page 7. The reference to denial of rights probably refers to statements made by federal government agents after the signing of a treaty with the Indian peoples in northern Ontario on the west coast of James Bay where Cooper did much of his field research. Scott and Morrison (2004) have cited and discussed Cooper's comments on how the treaty led to government agents asserting that hunting territories were superseded by treaty rights on those and adjacent lands, and how this affected conditions at Rupert's House.
- 40 CUAU, JMC Papers, "Aboriginal Land Holding Systems," Memorandum to Dr. Harold W. McGill, 11 October, 1933, Appendix A, page 1.
- 41 CUAU, JMC Papers, Cooper to Speck, 2 November, 1933; McGill to Cooper, 23 October, 1933; Anderson to Cooper, 9 November, 1933, 22 February, 1934, 15 December, 1933, and 25 May, 1934; Cooper to Anderson, 5 January, 1934.
- 42 CUAU, JMC Papers, Watt to Cooper, 2 March, 1934; Cooper to Watt, 30 October, 1934.
- 43 PAM, HBCA, Unclass., FTD, Fur Trade Conference, 1934, Minutes, "Appendix H. Paper on Fur Conservation....J.W. Anderson" pg. 4 "H"; CUAU, JMC Papers, Anderson to Cooper, 21 December, 1935.
- 44 Systematic biological research data on beaver productivity in the James Bay region was only gathered in the 1960s, indeed scientific studies of beaver reproduction in other regions only started to appear about 1949 (see citations in Novak 1987).
- 45 "Map Indicating the Beaver Preserves and the Areas of Trap-lines Where the Trapping of Beaver is Permitted Under Control." Quebec: Quebec, Ministry of Game, 1960.
- 46 Also see, PAM, HBCA, Unclass., FTD, Annual Reports, from Manager, Fur Preserves, to Manager FTD, 1945-50, Report 1/2/45-31/1/46, pages 9, 13.
- 47 There was not always agreement on whose base maps to use. One HBC trader reported that some Crees "say they would sooner have their own map [of the streams and lakes] printed as they understand it better it being so much larger and more clear to them..." (brackets mine). PAM, HBCA. Unclass. FTD, File 6-9-2 (3), Furs, Beaver Sanctuary, Not-taway Reserve, A.H. Mitchell to Denmark, received 22 January, 1945.
- 48 CUAU, JMC Papers, Anderson to Cooper, 25 May, 1936.
- 49 PAM, HBCA, E.93/28, pages 201-202.
- 50 PAM, HBCA, Unclass., FTD, "Annual Reports from Manager, Fur Preserves, to Manager FTD, 1945-50, Report 1/2/44 to 31/1/45," page 14.

- 51 PAM, HBCA, Unclass. FTD, File 6-9-2 (3), Furs, Beaver Sanctuary, Nottaway Reserve, D.J. Allan to Denmark, 15 September, 1945; Denmark to Allan, 18 September, 1945; Allan to Denmark, 3 October, 1945; Denmark to Allan, 16 October, 1945; "Report on Nottaway Beaver Preserve, 20 November, 1945" [initialled "DED"].
- 52 The reasons for these declines have not been clearly identified. One possibility is that Cree populations which increased rapidly as medical services were improved, and declining fur prices, made it difficult to meet nutritional and social needs while keeping harvests sustainable, both for the fur reserve managers and *Ndoho Ouchimauch*.
- 53 PAM, HBCA, E.93/8, "The Role of the Trader in Indian Affairs," page 15.
- 54 Also see, PAC, RG10, Vol. 6750, File 420-10-5, reel C8106, Hugh R. Conn, Memorandum to D.J. Allen "Re Fur Conservation—Province of Quebec," 31 January, 1942.
- 55 PAC, RG10, Vol. 6750, File 420-10-5, reel C8106, Deputy Minister to The Commissioner, R. C. M. P. 10 December, 1942.
- 56 Described by Marcel Beaudet in court testimony in 1972 in Superior Court, re: Chief Robert Kanetawat, et al. vs The Attorney General of the Province of Quebec and the Quebec Hydro-electric Commission.
- 57 The phrase "time immemorial" is imprecise and much debated (see Feit, In Press). Morantz cites this quotation as anonymous.
- 58 Order in Council, Chamber of the Executive Council, Number 3437, Québec, August 28, 1946.
- 59 Order in Council, Executive Council Chamber, Number 1638, Québec, June 14, 1967.
- 60 PAC, R.G.10, Vol. 6750, File 420-10-5, Reel C8106, Conn to D.J. Allan, "Re: Fur Conservation—Province of Quebec," 31 January, 1942.
- 61 The JBNQA (1976) defines "Cree tallyman" as "a Cree person recognized by a Cree community as responsible for the supervision of harvesting activity on a Cree trapline." (24.1.18), and "Cree trapline" as "an area where harvesting activities are by tradition carried on under the supervision of a Cree tallyman" (24.1.9). In this context, the English terms "Cree tallyman" and "Cree trapline" refer to what have been called *Ndoho Ouchimau* and *Ndoho Istchee* in this paper.
- 62 In thinking about this I have drawn on insights from the work of Bruno Latour, Donna Haraway, Jasmin Habib and Mario Blaser (see 2004).

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Social and Economic Barriers to Subsistence Harvesting in a Northern Alberta Aboriginal Community

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Abstract: A community survey conducted in the Little Red River Cree Nation of northern Alberta identified several socio-economic barriers that impede peoples' ability to spend time in the bush and to engage in subsistence harvesting. This paper presents the results of the community survey, along with a discussion of the impacts of reduced harvesting and several options for mitigating harvesting barriers. The practice of subsistence harvesting is understood here as being essential for the enactment and maintenance of certain local social systems and cultural values.

Keywords: aboriginal peoples, subsistence harvesting, country foods, community health, traditional knowledge, Little Red River Cree Nation

Résumé: Une enquête communautaire réalisée au sein de la Nation crie de Little Red River au nord de l'Alberta a identifié plusieurs obstacles socioéconomiques limitant la capacité des membres de la collectivité à passer du temps dans la brousse et à pratiquer la récolte de subsistance. Cet article présente les résultats de l'enquête communautaire, ainsi qu'une discussion des conséquences de la récolte réduite et des nombreuses options pouvant pallier les obstacles à la récolte. La pratique de la récolte de subsistance est entendue ici comme essentielle à l'actualisation et à la préservation de certains systèmes sociaux et valeurs culturelles au sein de la collectivité locale.

Mots-clés: peuples autochtones, récolte de subsistance, aliments traditionnels, santé communautaire, connaissances traditionnelles, Nation crie de Little Red River

Introduction

For several decades now, a good deal of academic research concerning aboriginal peoples has striven to overcome the popular notion that these cultures have been assimilated, that whatever remains of the "traditional" is peripheral while the core of aboriginal life has been westernized. Much of this work has focussed upon hunting and gathering practices by illustrating their resiliency and importance, both in terms of their economic benefit for communities and in terms of their cultural significance. This research tradition, which was nascent in Canada in the early 1970s (Feit 1973; Freeman 1976), was infused with a new spark by the monumental Mackenzie Valley Pipeline Inquiry of the mid-1970s. In his final report, Mr. Justice Thomas Berger (1977) illustrated that the northern Canadian landscape continues to be a homeland and provider for aboriginal peoples rather than a desolate frontier awaiting modernization. This principle has been continuously substantiated and reiterated in writings by various scholars over the past three decades concerning aboriginal groups across Canada (Berkes, Hughes, George, Preston, Cummins and Turner 1995; Brody 1982, 2001; Condon, Collings and Wenzel 1995; Feit 1987; Jolles 2002; Salisbury 1986; Scott 1986; Tanner 1979; Tobias and Kay 1993; Usher 1987). In Alaska, an entire government department has been devoted to addressing the importance of subsistence harvesting (see Fall 1990 for an overview). As social changes in aboriginal communities have persisted and intensified, so too have academic efforts to depict these changes as part of a complex cultural process of negotiation and interweaving, rather than a wholesale process of assimilation.

While subsistence harvesting regimes remain strong in many aboriginal communities, there is cause for concern about the impacts of the vast sociocultural changes that have occurred in these settings over a relatively short period of time. The widespread shift from a mobile

lifestyle following a seasonal round to a sedentary one of community living has resulted in certain disruptions to harvesting regimes (see Damas 2002 for an examination of the Canadian Inuit case). In many parts of northern Canada, this shift to community life may have occurred as recently as the 1960s, just two generations ago. In these new community settings, Aboriginal peoples have witnessed the introduction of wage employment, the decline of the trapping industry and the introduction of a wide range of consumer goods, including new, high-cost harvesting technologies. While all these conditions existed in presedentary life to some degree, they have multiplied in scope and intensity following community settlement. In addition, the vast knowledge base that guides aboriginal hunters and gatherers has come under threat as bureaucracies have become entrenched in their societies, making demands on their time and reshaping the way that knowledge is transferred between generations (Cruikshank 1998: 45-70; Ingold 2000; Nadasdy 2003). These elements combine together to produce a set of circumstances in which it can be difficult to maintain harvesting regimes with the same coherence and frequency as in the past. This condition has very real quality of life implications in Aboriginal communities, where in many cases harvesting practices have been the focus around which life is oriented.

Following the lead of other authors (such as Fienup-Riordan 1986; Wenzel 1991), this paper examines the causes and effects of barriers to subsistence harvesting, in this instance through a case study conducted in the Little Red River Cree Nation (LRRCN) in northern Alberta, Canada. During the summers of 2001 and 2002, the LRRCN partnered with the Sustainable Forest Management Network¹ to undertake a harvest survey and a land-use mapping project in order to document the activities of local harvesters. The harvest survey also posed several questions about people's access to bush resources and factors that may impede their access, which are the focus of this paper. We shall first begin with some background information on the LRRCN and its subsistence harvesting regime before discussing the survey results and the potential (and realized) impacts of a decline in harvesting. While the findings here are unique to the communities in question, they very likely have application in aboriginal communities that exhibit a similar harvesting pattern and settlement history to that of the LRRCN.

Background on the Little Red River Cree Nation

The LRRCN is comprised of three communities (Fox Lake, Garden River and John D'or Prairie) that lie on the

Peace River in northeastern Alberta. The total population of the LRRCN is around 2 500, with the largest community (Fox Lake) numbering around 1 300. Only John D'or Prairie is accessible by an all-weather road, while the other two communities can be reached via seasonal roads that are very sensitive to precipitation. These communities were formed quite recently, between about 1959 and 1969. Prior to this, people followed a seasonal round of subsistence hunting, gathering and trapping. They moved through the bush in extended family units, emerging several times throughout the year to congregate in larger numbers at the mouth of the Mikkwa (Little Red) River, where the Hudson's Bay Company had established a trading post (Lore 1990). Today, Cree language and traditional culture, including hunting and gathering, remain strongest in the two more isolated communities.

While LRRCN hunters and gatherers no longer spend as much time in the bush as their ancestors did, they continue to follow the same basic practice of focussing upon particular species at times when their behaviour is most predictable while engaging in more opportunistic harvesting at other times. Moose is by far the most important local food species, and moose hunting becomes the major focus of community attention during the rut, which lasts from around late September to late October. During this time, moose are responsive to imitation mating calls, and hunters may move to the bush for several weeks, often taking their families with them. Other species are also hunted during predictable periods, but are of lesser importance than moose. Bears are commonly found near rivers in the late summer and early fall as they seek out food to prepare for winter. They become fat at this time and are therefore more desirable to hunters. Ducks are often hunted during late summer as well, when they are unable to fly during moulting. Various species of berries and medicinally useful plants are harvested as they ripen at certain times of the summer and fall. Intensive trapping is becoming increasingly less common within the LRRCN (Pyc 1998: 74). Some people make short trips to traplines and cabins during the winter in order to trap part-time, but virtually no one moves their families to the bush for extended periods for this purpose any longer. Low fur prices make trapping an inefficient and unviable vocation today, and it is largely pursued in order to maintain ties to the past and simply to spend time in the bush and for the socialization of children to the cultural landscape.

Access to hunting grounds near the LRRCN communities continues to be regulated along kinship lines, as was the case prior to community formation. Families maintain seasonal camps in the same place every year, and hunt within the surrounding area. The locations of these

camps and the approximate areas used by others are well known to local hunters. One hunter was able to identify the hunting areas of the other families on a 1:250 000 topographic map, and the accuracy of his map was corroborated by several others. The family territories he identified covered virtually all of the area around his community for quite a distance. While the boundaries of family territories appear static and rigid on a map, in practice they are more fluid and approximate, with rights to access being recognized based upon continued use of the area in question. These family territories can be compared with those of the eastern Canadian Cree (as discussed by Berkes et al. 1991; Feit 1987; Scott 1986; Tanner 1986) though they do not appear to function as wildlife management units as explicitly as their eastern counterparts (see Nelson 2003: 50-54 for a fuller discussion of this comparison).

Impacts of Diminished Harvesting

Despite the high degree of continuity between present and past harvesting, there is cause for concern regarding the changes that have occurred. Many of the social problems facing First Nations communities, including alcoholism, physical abuse, suicide and a general feeling of anomie can be linked to the social vacuum that was created when subsistence harvesting and the seasonal round ceased to be the orienting focus of life. Previous research conducted in the LRRCN indicates that among adult males, those who maintain strong ties to the bush and the hunting lifestyle are best able to cope with the challenges of modern life (Crabbé 1998). These people derive much of their personal well-being and sense of belonging through a connection with the lifestyles of their ancestors. Those with little or no ties to the bush lifestyle were found most likely to be "drifting" in their lives, with no sense of direction or foundation.

Reduced harvesting can also have negative effects on a more collective level. For countless generations, the family unit has defined the Little Red River Cree hunting and gathering group, and vice versa. Subsistence harvesting remains one of the primary activities for actualizing kin relationships through shared activity. Spending time in the bush together also serves to express a sacred worldview concerning human relationships to animals and the land, which binds people together on a level not experienced in other commonly shared activities, such as games and crafting. Without this common experience, kin relationships are not strengthened. Consanguineal and affinal relationships (e.g., mother, uncle, sister-in-law) of course remain, but the substance of those relationships is diminished without the connection offered by

shared experience. This effectively weakens the social fabric that has provided stability and support for generations of Little Red River Cree. For those who can not or do not hunt, alternatives are limited. Local jobs are few, and, even if obtained, do not very well replace the spiritual element of the bush lifestyle, nor the companionship of family. Men who do not hunt and are unemployed retain their position as father, brother, son-in-law, etc. within their family, but Crabbé's (1998) research indicates their social role in it is greatly reduced.

Kin relationships are not only maintained through the shared act of harvesting, but also through the distribution and consumption of country foods. Without any foods to share, the social networks governing their distribution would be lost, along with all of their positive influences. As Jolles (2002: 314) notes, the importance of food in constituting identity and relationships is frequently underestimated vis à vis the actual harvesting practice. The sharing of country foods along with shared consumption expresses a whole range of sacred beliefs and values that are not embodied in more secular activities. As one person told the lead author, "You treat it like a gift;" to share country foods generously is to acknowledge that they have been given to the hunter rather than taken (Nuttall 1992: 142). We encountered many instances during fieldwork where hunters gave away their entire share of a kill to their relatives. In most cases, harvesters were unable to give to everyone as much as they would like to, because there is simply not enough country foods being brought into the communities to provide for the demands of the growing population. Many people stated that they would like to share more outside their families, but that they rarely had enough to do so. This reduction in extra-familial food sharing has been noted in other aboriginal communities as well (Condon et al. 1995).

A diminished harvesting regime would of course have more explicitly economic impacts as well, as the potential losses in terms of food value would be considerable. The results of the 2001 community harvest survey indicate that the LRRCN bush harvest would cost around \$2 million to replace at the local grocery store (Nelson 2003: 46). Loss of country foods would particularly affect impoverished households, who may rely on them for basic nourishment. A study by the Alberta Treaty 8 Health Authority (2001) indicates that buying a healthy family food basket in Fox Lake would require nearly all of a family's monthly social assistance cheque. This is quite a substantial figure when one considers that the majority of the adult LRRCN population receives some form of social assistance (Webb 2001). The statistic is even more troubling when one considers the nutritional contribution of country foods to

local diets (see Wein, Henderson Sabry and Evers 1991). Lack of access to cash, coupled with reduced availability of country foods means that many people are unable to meet all their dietary needs.

A reduction in harvesting and concurrent atrophy of land use may also create the potential for loss of future access to harvesting lands. The hunting territories discussed in the previous section are not owned per se, but are occupied based upon a recognized usufruct right. Should a kin group cease to use a territory for several seasons in a row, another group may justifiably occupy it for subsistence purposes. Should an area remain unused for considerable time, it may even open a window to intrusion from outsiders. Diminished harvesting might allow industrial developers to encroach upon previously used territories without fear of violating treaty rights. An inter-generational reduction in lifetime land-use area is already evident in the LRRCN, which can be seen as a “shrinking circle” when mapped out (Pyc 1998: 120). The demise of the trapping economy has played a large role in this reduction. During a mapping interview, one man expressed concern that the land-use area he outlined would be misconstrued as the extent of the LRRCN traditional territory, when in fact both he and previous generations of his family had utilized a much wider range. He worried that resource developers could use mapping information to justify operations in areas of importance to LRRCN harvesters that are not currently in use. Another man suggested that old trails should be kept open and old hunting areas occupied in order to preserve access for future generations.

Barriers to Subsistence Harvesting

The data discussed here concerning barriers to harvesting results from a household harvest survey conducted in all three LRRCN communities during the summers of 2001 and 2002. Owing to budgetary and time constraints, not all citizens could be interviewed, so a senior member of each respondent household reported on behalf of all members. This spokesperson was selected at the discretion of the household members, rather than through any specific direction from the research team. Two local research assistants from each community administered the survey in person. Households were defined in terms of actual physical living units, and approximately 50% coverage of all LRRCN households was achieved. In addition, the lead author conducted semi-structured interviews concerning subsistence harvesting and participated in harvesting activities. These experiences inform and enrich the discussion below.

In order to establish a baseline, respondents were asked if they would spend more time in the bush if they could. The vast majority (92%) answered positively. They were next asked their perceptions of inter-generational access to bush resources: specifically, whether the previous generation had greater or lesser access, and whether the future generation will have greater or lesser access. The majority (69%) perceive a steady decline, in which the previous generation had greater access than they do, and the next generation will have even less access. Finally, the survey asked people to report any factors that they feel act as barriers to their subsistence harvesting practices. The results are shown in Figure 1, and are summarized below.

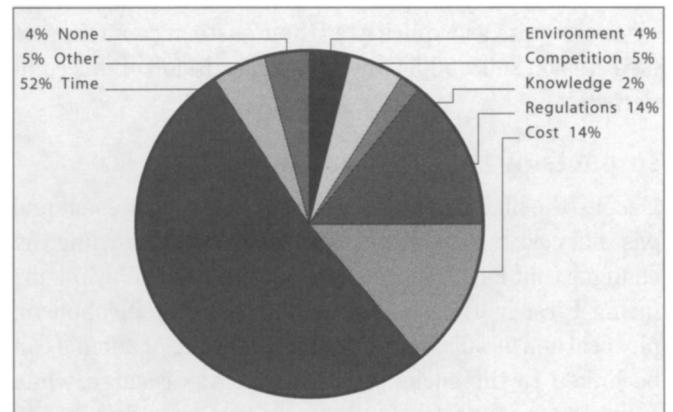


Figure 1: Perceived Barriers to Harvesting

Time (52%)

For clarity, several different responses are grouped under this heading, as they all reflect the essence of this barrier. Responses such as “kids in school,” “kids play sports,” “my job,” and “husband works” all refer to factors that limit the time available to engage in subsistence harvesting. If grouped this way, time barriers are by far the most commonly reported factor that inhibits harvesting activity. The lead author also noted during his interviews that lack of time to devote to subsistence harvesting was a recurrent complaint about the contemporary lifestyle in the LRRCN.

Lack of time may limit not only the duration spent in the bush on hunting trips, but may also inhibit one’s ability to get there in the first place. Hunting territories often lie a good distance from the community, and require extensive travel time to reach. Inability to make these trips may relegate hunters to more easily accessible, though less productive, hunting areas along roads and cutlines. In the minds of many Little Red River Cree, this barely qualifies as hunting, and provides none of the personal satisfaction of extended stays in the bush.² As shall be demonstrated below, time functions in a reciprocal relationship with other barriers such as cost and knowledge.

Wildlife Harvesting Regulations (14%)

Most reports of regulations as a barrier come from Garden River, which lies within Wood Buffalo National Park (WBNP). The residents there are subject to federal regulations on their harvesting that are enforced by Parks Canada, several of which are quite limiting. Each hunter must obtain a licence from Park officials, and is allowed to take only one moose per year. Moose hunting is prohibited altogether between June and September. The use of four-wheeled ATVs (All Terrain Vehicles, i.e., "quads") outside the settlement is prohibited and snowmobile use is allowed only for trapping purposes. Several Garden River residents have had quads confiscated by Parks officials in the past.

Regulations are, however, beginning to arise as an issue outside WBNP as well. In the spring of 2002 (the year following the survey), Provincial authorities attempted to enforce what they claimed was a long-standing ban on walleye fishing during their spawning run. Several people fishing at the mouth of the Mekkwa River (which lies just outside the reserve boundary) were threatened with prosecution if they failed to comply with this directive, which had never been locally heard of nor enforced previously. It is quite likely that "regulations" would be cited as a barrier more frequently if the harvest survey were conducted today.

Cost (14%)

Response bias may have in fact reduced the frequency of cost as a reported barrier on the survey. We found a relatively low level of unemployment among the survey respondents (29%) when compared with the estimate of 70% unemployment for the Nation as a whole (Webb 2001). Possibly those with employment were also more likely to participate in the survey, or the heads of household who completed the survey were more likely to be employed than other household members. Cost is frequently discussed as a harvesting barrier by social scientists who study changes to hunting and gathering cultures (e.g., Condon et al. 1995; Feit 1982; Fienup-Riordan 1986). Involvement in the fur trade created dependence among aboriginal peoples upon newer technologies for use in subsistence harvesting. This demand has continued to grow as new technologies become more available and accessible. Once initiated, new technologies tend to permeate hunting activity very quickly, and it becomes very difficult to reverse this process. For example, quads only became available in Fox Lake in the early 1990s, prior to which people commonly used horses to reach their bush camps. Today there are more quads than households in

Fox Lake. Quads enable hunters to make a greater number of trips in a shorter time, thereby allowing them to incorporate other activities into their schedule. While there are still a few horses around Fox Lake, it would be very difficult for an individual who could not afford a quad to use a horse for harvesting. The infrastructure of harvesting has changed so as to discourage this; it would be difficult for the horse-based hunter to co-ordinate activities with quad-based hunters, to obtain the needed tack, saddlebags and gear. Transportation is generally the greatest cost associated with contemporary harvesting (Feit 1982), and results at least in part from the time demands of modern life. Employed hunters must often make frequent short weekend trips to the bush if they are to make any, thereby necessitating speedy transportation. Other large expenses include firearms, ammunition, tents and food.

Competition (5%)

This barrier was reported quite infrequently. Competition amongst Nation members for hunting grounds is rare at this point, although one interviewee commented that some younger hunters have problems finding new places to hunt during the moose rut. There is a minimal degree of competition for hunting territories with non-aboriginal hunters and outfitters. Several families who formerly hunted along the western boundary of WBNP have left the area because of a bear outfitter operating there. Another family reported encountering a moose outfitter on their hunting grounds for the past two years. Even a small number of encounters, however, can have a disruptive effect on local harvesting practices. Those people with whom the lead author discussed this issue are unlikely either to share a hunting area with outsiders or to overtly challenge their presence; they are more likely to move elsewhere. This is partly a reflection of cultural norms concerning confrontation, and partly a mistrust of outsiders. Local hunters often report finding empty alcohol bottles at abandoned campsites, and doubt the judgment of what they consider to be inexperienced and careless trophy hunters. They are in fact more afraid of being shot than they are of sharing the land.

Environment (4%)

While many Little Red River Cree are concerned with the impacts of industrial activities upon the ecosystem, the survey results indicate that these impacts do not yet appear to inhibit harvesting. Pollution and ecosystem alteration in the areas are at this point minimal enough that the current situation might be described as preventative. However, while these factors do not yet limit har-

vesting *activity*, they may affect harvesting *success*. Several older interviewees commented that hunting was easier in the past because animals were more abundant. They also commented on the changes in the seasonal behaviour of the Peace River and its tributaries, which are corroborated by the findings of the Northern River Basins Study (Alberta Environmental Protection 1997). Since the W.C. Bennett Dam began operating on the Peace River in northern British Columbia., water levels have generally declined and seasonal floods have ceased. This has affected the small creeks and marshes that previously served as travel routes and as good wildlife habitat. Many have dried up while others have become stagnant and contaminated. One elder reported recently contracting "beaver fever" by drinking from a creek that he has used all his life.

Knowledge (2%)

It is interesting that knowledge (or lack thereof) was not more frequently cited as a harvesting barrier given the frequency with which it is discussed by community members, both in public and semi-directed interviews we conducted. Pyc (1998) also encountered repeated concerns that younger LRRCN hunters do not possess the same skills as their elders, and do not appear to be learning them. This knowledge gap is large enough that older hunters fear that the younger ones are "losing their culture" (Pyc 1998: 72).

Respondents may have failed to report knowledge as a barrier for several reasons. First, people may be reluctant to admit that their knowledge is lacking in some way. Further, respondents may indeed perceive lack of knowledge to be a problem, but do not consider it a barrier to being in the bush or to harvesting (though it may be a barrier to success). For some people, this may indeed be the case, but for others, the knowledge gap does indeed deter them from spending time in the bush. Nelson asked an interviewee who is in his late-teens if he believed that the bush culture would continue, and if he would become an active hunter in the future. He was not optimistic, and stated that "Maybe it would be different if I knew how to hunt."

Potential Solutions to Harvesting Barriers

While the effects of the barriers cited above may be summed up quite simply, generating solutions is much more complex. To do so is an attempt to reconcile lifestyles that are to some degree structurally incompatible, or at the very least not conducive to each other. Quite likely the affects of modern lifestyles on traditional harvesting practices will never be fully eliminated, but they may be mit-

igated. Given the importance of these traditional practices to Cree identity and well-being, it is essential that communities wishing to maintain these values and practices persist in generating even imperfect solutions. The following section suggests potential solutions for all the major barriers identified on the survey except for environmental degradation, which is both beyond our expertise and too complex a topic to discuss in the available space. For quick reference, the solutions presented here are summarized in Figure 2 at the end of the section.

Time

There will undoubtedly be growing demands on the time of adult LRRCN citizens as greater levels of education are sought, and as more people are able to find employment. School children will continue to face the same time constraints already present. While there is no real way to avoid these demands, steps can be taken to mitigate their impacts on people's time.

Most of the jobs that are available in the communities are administered by the LRRCN. It is therefore quite possible to structure job schedules so as to ensure that those who wish to hunt have the time to do so, particularly during favourable hunting periods. Some employees might choose to accept a reduced salary in exchange for more holidays or leaves of absence. For example, in the lead author's experience, some Yukon First Nations offer one week of paid "traditional leave" to their employees who wish to spend time on the land. At present, the demands on the administrative infrastructure of the LRRCN are reasonable enough that such flexibility is possible.

Education is also administered by the LRRCN, although the schools must meet the basic Alberta curriculum requirements. This allows for some degree of freedom in allocating time towards bush activities. At present, some of the LRRCN schools are quite proactive in this regard. Children are generally encouraged to accompany their parents during the moose hunting season, and sometimes to incorporate their experiences into their schoolwork. Students might be required to keep a journal of their activities or to complete a writing exercise on their experience. This not only alleviates the time barrier for children, but for their parents as well, who might not wish to leave their children for long periods of time to go hunting. Another approach to this problem is the incorporation of bush time into the school curriculum. J.B. Sewepegaham School in Fox Lake has conducted an extended fall fieldtrip for its students over the last few years. Parents are encouraged to accompany their children on these trips, thereby facilitating some incorporation of the children's school lives and home lives. Unfor-

tunately, extended fieldtrips can be expensive, and there is as yet no secure and consistent source of funding for these endeavours. It would be prudent for Provincial authorities to allocate education funds to such projects, and to replicate them in Garden River and John D'or Prairie (and hopefully in other First Nations as well).

Cost

Because of the apparently high employment level of our survey respondents, cost is probably a more substantial barrier than indicated by the survey results. Further, cost as a barrier functions in concert with lack of time; many people are only able to meet the costs of harvesting because they have permanent full-time employment. These jobs limit the time that they can devote to harvesting, which was indeed a frequently cited barrier. Fienup-Riordan points out that aboriginal hunters who work part-time or seasonally often have the best harvesting returns because they are best able to balance time and money (1986: 260). Unfortunately, they are often plagued by poor equipment that needs repair or replacement. Further, many younger hunters with families to support do not have the luxury of exchanging full-time for part-time employment. It is possible that many people would choose to focus more intensely on making their living through harvesting rather than through wage employment if they felt that this was possible in the face of the costs involved.

The most direct way to address this barrier would be the establishment of a guaranteed income program for subsistence hunters. Several such programs have already been established under various bodies, including two under the James Bay and Northern Quebec Agreement—JBNQA (one administered to the Cree by the Quebec government, the other administered to the Inuit by the Kativik regional government in northern Quebec), and more recently a program run by Nunavut Tunngavik Inc. (Royal Commission on Aboriginal Peoples [RCAP] 1996). The Crees' Income Security Program (ISP) under the JBNQA has received the most analysis because it is the oldest and most complex of the guaranteed income programs. Its mandate is to preserve subsistence harvesting as a viable way of life, recognizing its cultural significance to the James Bay Cree. The situation for them is much like the one I have described for the LRRCN: initial dependence upon fur markets, followed by drastically reduced fur prices and ever-increasing costs for hunting and camping equipment. Through the ISP, people can secure long-term access to funds that will allow them to remain on, or to return to, the land. Beneficiaries qualify for the program based upon the number of days they

have spent in the bush (away from the settlement) over the past year (RCAP 1996: 987).

Several evaluations following the introduction of the program indicate a positive reception and fulfillment of the stated goals. The average number of days per year spent on the land by practicing harvesters increased by 26% (from 170 to 214), and over 300 families used ISP funding to begin intensive harvesting (Feit 1982: 69). Of these families, over 200 remained in the program following the first year of funding. These tended to be families who had previous intensive harvesting experience but were forced to settle in town because they could not meet the expenses of long durations in the bush (*ibid.*). Critics of income security programs might point to several pitfalls, including the potential for misuse of funds and nepotism. These issues, however, plague many social programs administered in northern aboriginal communities, and should not be the basis for abandoning such efforts. While subsidization of subsistence harvesting is not a panacea, it is preferable to social assistance and other transfer payments. Unlike direct transfer payments, the ISP requires active participation by the recipient and promotes production, whereas social assistance does not (RCAP 1996: 985). Condon et al. found that many Inuit consider welfare to be detrimental to their community's health because it promotes laziness: "That's why them guys don't like to hunt anymore. They get free money, easy money from the government. Right there! Big spoiler for the younger people" (1995: 34). The ISP, on the other hand, promotes activities and attitudes that benefit both the individual and the community, and allows people to maintain traditional systems of self-sufficiency that have been upset by colonialism. Increasing the amount of time that hunters can spend in the bush can also prevent their economic marginalization. Greater productivity allows hunters to continue to make significant contributions to the family vis à vis wage-earners, thereby preserving egalitarian social ideals (Scott 1984: 83). Further, the ISP tends to promote family solidarity by allowing all the members to spend time in the bush. Feit reports that prior to the ISP, many all-male hunting camps had formed because there were insufficient funds to bring the entire family for an extended stay in the bush (1982: 66).

An increase in the number of hunters and time spent hunting might raise some concerns about potential over-harvesting of animal populations. This possibility is mitigated partly by the structure of the ISP (which pays beneficiaries based on their effort, i.e., days in the bush, rather than upon their harvesting returns), and partly through strong taboos against wastage. A comparison of harvests before and after the introduction of the Quebec

ISP does indeed demonstrate an increase in total big game and small game harvests (Scott 1984: 82). This resulted from the presence of new hunters, as each individual hunter maintained their pre-ISP harvest level (*ibid.*). However, the increase levelled out in subsequent years, probably once people were able to adapt their practices to accommodate greater numbers of hunters (Scott and Feit 1983). When more families began to produce meat for themselves, demand for this surplus decreased and people adjusted their harvest levels.

Wildlife Harvesting Regulations

This barrier will need to be addressed through dialogue with external parties, and possibly through legal procedures. Efforts have been underway for several years to establish a co-operative management relationship between Parks Canada and the LRRCN regarding Wood Buffalo National Park (Honda-McNeil 2000; Pyc 1998), but have been largely unsuccessful to date. As mentioned above, Nation members living outside WBNP have only recently encountered regulations upon their harvesting activities in the form of fishing regulations. Some effort at dialogue with provincial wildlife managers was made, though no consensus was achieved and no long-term relationship was established. While the LRRCN is part of a co-operative management arrangement that involves the Alberta government (see Natcher and Hickey 2002), this process focusses primarily upon commercial forestry and its effects upon animal habitat. Unfortunately, the arrangement currently involves neither federal Parks representatives, nor provincial wildlife managers who are responsible for harvesting regulations.

Competition

Limiting competition from outside hunters for the finite resources within the LRRCN traditional use area will most likely require co-ordination between the Nation and provincial wildlife managers. Efforts could be directed towards limiting the number of game tags awarded to recreational hunters and outfitters, and towards defining their geographic range such that it interferes with LRRCN harvesters as little as possible. At present, there exists no formal process for Nation leaders to consult with wildlife authorities on this level. Again, the co-operative management process mentioned above does not involve the authorities responsible for wildlife harvesting quotas.

Some Nation members discuss the possibility of becoming outfitters themselves in order to have more control over outsiders' hunting on their traditional lands. Some also feel that the economic benefits generated by

outsiders' hunting in the area should go to the Nation rather than to non-local outfitters. While this would certainly help the Nation put existing skills to use for economic growth, some members worry that outfitting would represent a violation of their relationship to animals because they do not perceive that non-aboriginal hunters have the same sacred relationship towards animals as they do. Further, outfitting would represent a re-allocation of scarce resources from local harvesters to foreign ones, which may be unacceptable to some. Outfitting is not unprecedented in the LRRCN, though. The Nation currently owns and operates a fishing lodge in the nearby Caribou Mountains, which caters to sport fishers. However, this area is rarely used by local harvesters, and therefore the lodge does not interfere much with local activity. Perhaps an outfitting operation that met this criterion might prove more acceptable to Nation members.

Knowledge

This is undoubtedly the most difficult barrier to address, partly because it is the cumulative result of several other barriers acting in concert (such as time and cost), and partly because it reflects a substantial change in Little Red River Cree lifestyle and social organization that is impossible to reverse. Overcoming this barrier is therefore a long-term challenge, one in which great efforts will not necessarily yield immediate results. As Ingold (2000) points out, skills are too often discussed as though they behave in a genetic pattern, as if they are simply passed down from one generation to the next, much like genes. He counters that we should instead conceive of a process of "enskillment," in which skills are grown in each individual, with room for variation and adaptation (Ingold 2000: 138). They are therefore subject to the context of the learner, rather than existing unto themselves. We have presented several possible explanations of why this barrier ranked low in the survey results, when it is in fact quite prevalent in the minds of Nation members. Because of the importance and complexity of this issue, we shall devote more time to addressing solutions than the survey results appear to warrant.

It is clear that children's life training and accumulation of knowledge in the LRRCN must be woven in with the new institutions that characterize modern life, especially schooling, since living in the bush full-time is simply not an option for most people. The lead author asked several elders if young people should focus more on learning about the bush, or if they should concentrate on schooling and jobs. They replied that school is most important because one can no longer live off the bush. Still, they said, it would be good if the youth could do both. This is not to say that tra-

ditional methods of teaching and learning should be subordinated to classroom learning. Indeed, it is unlikely that children could acquire much of the knowledge necessary for subsistence harvesting in this setting; they would instead be limited only to having *information*. This is a critical distinction. Goulet (1998) writes that knowledge acquisition among the Dene-Tha (the LRRCN's western neighbour) is considered to be the product of personal experience rather than the possession of information. In our experience, this is true of the Little Red River Cree as well. For example, the authors know that one can tell the difference between the tracks left in the late-spring by a cow moose that is pregnant and one that is not, because the hooves of the former tend to be more splayed than the latter. We cannot, however, translate this information into skilled practice on the land. To do so would require much experience along with guidance from learned trackers, which of course cannot be achieved in the classroom. To employ Ingold's (2000) metaphor of growth again, skills are planted rather than implanted, and must be given fertile ground in which to develop. This ground exists out on the land, rather than inside the school. It is therefore imperative that children are provided with the opportunity to spend a significant amount of time in the bush, and that this time is facilitated through the schools which have come to dominate their time. The fieldtrip program discussed above currently addresses this need in Fox Lake. However, similar efforts in the other two LRRCN communities have been more sporadic and of lesser duration. Taking 30 students to the bush for a week can be a costly endeavour, even if some gear is loaned to the program. As yet, there is no institutional support for this project because it lies outside the Alberta curriculum. It is vital that spending time in the bush and learning the necessary skills be considered a core subject for aboriginal students, rather than an extra-curricular activity.

There are also more pedagogical reasons to doubt the appropriateness of the classroom as a venue for learning subsistence harvesting and related skills. Aboriginal teaching styles have traditionally been indirect, and pupils learn from watching and questioning when needed, rather than through direct instruction (Goulet 1998). An interviewee explained that being in the bush with an elder is different from being in the classroom. There is more quiet time for reflection in order to absorb what one has learned. There is more independence for the pupil, and greater emphasis on self-sufficiency and individual practice rather than following rigid guidelines. Instructions are given when asked for. Indeed, it is rather contrary to local ideals to forcibly limit or direct the actions of another. It would be almost inconceivable for an elder to come into a class-

room and "teach" a lesson on subsistence harvesting. When invited to the classroom, elders tend to talk about their own experiences as an example for others to consider, rather than directly instructing students on what to do in the bush. As Cruikshank (1998: 54) points out, modern bureaucratic institutions (including schools) tend to fragment and compartmentalize knowledge so as to render it compatible with their bureaucratic guidelines. As a result, the "knowledge" that is delivered through these institutions is not an accurate or holistic reflection of knowledge transference and use in Aboriginal societies.

In addition, the Cree people with whom we worked tended to be much more at ease and open to conversation about these topics when they are in the bush. We have experienced a marked difference between conducting interviews in town versus in a bush camp. Those conducted in the bush tend to last longer, require less questioning or prompting on the interviewer's part, and elicit more in depth and profound responses. The bush is considered an appropriate setting for discussing things that are considered sacred in nature, such as human relationships toward animals. Institutions such as schools, in contrast, are part of the secular or profane realm. While they are not prohibitive of such topics, they are certainly not an inviting setting to discuss them from an elder's point of view. Transferring knowledge between these sacred and profane settings is frequently problematic for those who attempt to integrate traditional culture with modern institutions. Kayas Cultural College in Fox Lake has recently initiated a Cree Support Program (CSP) in order to develop a language and culture curriculum to be employed in the LRRCN's schools. The CSP co-ordinators are frequently required to deal with matters of protocol in the process of gathering learning materials for delivery in the classroom. Attempts to elicit stories from community members were largely unsuccessful until a teepee was constructed as an appropriate venue for conveying them.³ Certain subjects were considered altogether inappropriate for schools. In early community consultation meetings, elders dismissed the possibility of teaching about medicinal plants in the classroom, stating that this is best conducted in the traditional person-to-person manner (Tyler Tokaryk, Personal Communication, July, 2002). This is a particularly sensitive subject in the LRRCN, where medicine is still considered very sacred and powerful, and where many protocols regarding the transference of this knowledge persist. Other aspects of traditional culture are more open to negotiation, but often the same tension remains.

Much of this tension results from the persistence of cultural norms regarding teaching and learning in the

LRRCN, which are often incommensurate with Western ones. Knowledge and power are considered to be the products of experience rather than the possession of information, so one must therefore learn by doing, not by being told. Further, it is poor etiquette to claim publicly to be knowledgeable, directly or indirectly, by stating so or by offering knowledge to people who have not respectfully requested it (e.g., through a gift of tobacco) for an appropriate reason. As one interviewee said, "You are not supposed to put that stuff on display." Goulet notes this belief among Dene Tha: "[A] Dene's verbal claim that she or he is knowledgeable and powerful would be seen by other Dene as evidence that the speaker lacks knowledge and power" (1998: xxx). LRRCN elders are well aware of the challenges facing young learners today, and are eager to take proactive steps to help them. Yet, they are hesitant simply to abandon existing values in order to ease the transition, and are reluctant to rely wholly upon new institutions like schools for enskillment. Many feel that to do so would compromise the integrity of sacred knowledge. Thus, when they do participate in this new arena, there are many questions and concerns: Are these things being treated as sacred? Are they being respected and delivered in an appropriate way? The best way to alleviate such concerns is to ensure a high degree of community control in these matters, which can be best achieved by focussing attention on the bush as a learning venue.

All this is not to say that the schools have no place in teaching the skills and beliefs of subsistence harvesting, only that the entire learning domain should not be transferred there. Certain exercises are well suited to the classroom, such as hide scraping or butchering.⁴ It is also possible to plant knowledge before growing skills. Information about animals, animal parts, plants and other relevant items could be introduced in early grades before conducting field exercises. Fletcher (2001) has developed such a program in the form of an interactive CD-ROM for Innu students between grades four and six. This is accompanied by a teacher's manual with lists of associated activities. These are useful exercises that can be conducted prior to fieldtrips, but should not be taken as an adequate substitute for time spent on the land.

<i>Barrier</i>	<i>Elements</i>	<i>Potential Solutions</i>
<i>Time</i>	-wage employment -kids in school	<ul style="list-style-type: none"> • build harvesting leave opportunities into band jobs • incorporate field trips into the school curriculum
<i>Cost</i>	-transportation -firearms, ammunition, tents, etc.	<ul style="list-style-type: none"> • income security program for hunters
<i>Regulations</i>	-WBNP harvesting limitations -Alberta provincial regulations	<ul style="list-style-type: none"> • negotiation with Parks officials and Alberta wildlife managers for recognition of treaty rights • legal action to protect treaty rights
<i>Competition</i>	-outside hunters and outfitters	<ul style="list-style-type: none"> • work with Alberta wildlife managers to limit number of game tags and outfitting licences • become outfitters in order to increase control over outsiders' access to the area
<i>Knowledge</i>	-lack of bush time and experience for youth	<ul style="list-style-type: none"> • school-based fieldtrips to learn bush skills • in-class instruction on appropriate bush skills (e.g., hide scraping) • development of instructional tools/programs to teach bush skills

Figure 2: Summary of Barriers to Harvesting and Potential Solutions

Symbolic and Practical Values of Subsistence Harvesting

As more and more Aboriginal people migrate to cities, discussions of aboriginal identity increasingly revolve around symbolism and heritage. Since most urban aboriginal people's lifestyles (and, quite importantly, language) are not apparently different from those of other Canadians, symbols become more important for defining a unique aboriginal identity. Various emblems, clothing styles and ceremonial practices may be employed in order to distinguish themselves from others: dreamcatchers, the medicine wheel and clothes decorated with beadwork are commonly encountered symbols. Ceremonial practices such as sweat lodges and blessings are enjoying a revival in urban settings (Kulchyski et al. 1999: xxiii). These symbols and activities denote an allegiance to a certain heritage and a set of ideas that are held to be integral to aboriginal identity. It is increasingly understood within Native Studies scholarship that in the future, Aboriginal peoples will

draw upon this well of common heritage in order to forge a new self-concept within modern Canadian society, even though their daily lives will differ markedly from those of their ancestors (Newhouse 2000).

These concepts are less applicable, however, to rural Aboriginal communities, particularly those living in the isolated regions of the north. For these people, the traditional bush lifestyle does not merely represent a symbolic heritage, but rather survives as lived experience. The bush lifestyle does, of course, possess a symbolic value, and Aboriginal people have become more conscious of this value as the viability of subsistence harvesting becomes threatened (Fienup-Riordan 1986: 316). Still, this lifestyle does not retain its symbolic vitality and influence by existing as an abstract concept. Rather, its value is constituted and maintained through the practice of subsistence harvesting and related activities on the landscape. Enactment serves to define publicly one's social position with regard both to the land and animals as they exist in Aboriginal cosmology and to other people who share similar lifestyles and beliefs. Being in the bush and interacting with the landscape and animals is also said to produce certain characteristics, values and skills in individuals. During an interview, one woman compared her two sons, one of whom was raised mostly in the bush, the other in town. She noted a significant difference between them in terms respect and character, which she attributed to their different upbringings. The practice of harvesting further serves to maintain social networks between people who share a common worldview that is rooted in their relationship to the land and animals. Spending time in the bush serves to reify a set of values and beliefs that otherwise would exist only in abstract form.

For these reasons, it is vital that barriers to subsistence harvesting receive due attention through the types of measures suggested above, and that the bush lifestyle not be relegated to the status of a relic, or a symbolic heritage that exists only in memory. At the beginning of this paper, we illustrated how the basic structure of the subsistence harvesting regime in the LRRCN today mirrors that of the pre-settlement era. Despite changes in frequency and intensity, the essential organizational elements of the harvesting regime remain, including seasonal focus on various species, reciprocal exchange of country foods and organization of harvesting activities along kinship lines. It is equally important to understand that Aboriginal peoples have not become recreational hunters because they have moved into permanent settlements with grocery stores (Usher 1981). The 2001 harvest survey clearly demonstrates country foods continue to be harvested in significant quantities by LRRCN members, and distributed so

as to provide for as many people as possible. Further, the practice of hunting and gathering plays a vital role in maintaining social structures and relationships, a role far beyond mere recreation. The social influence of harvesting is especially important in northern communities like those of the LRRCN, where anyone under the age of 30 is likely just one generation away from a seasonally mobile subsistence lifestyle. The modest number of on-reserve career opportunities or other life-defining roles means that there are few alternatives for many young people who wish to remain in their communities. In such a case, the stability and empowerment offered by the bush lifestyle becomes a vital resource for people who are trying to negotiate a balance between old and new ways.

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Notes

- 1 The Sustainable Forest Management Network is one of several Networks of Centres of Excellence that are funded by the Canadian government in order to promote research in areas of vital interest to Canadians. Please see <http://sfm-1.biology.ualberta.ca> for more information.
- 2 This type of opportunistic hunting has been described to myself and others (Pyc 1998) as "crow hunting" by LRRCN hunters, as it resembles scavenging more than skilled activity in the bush.
- 3 Therrien and Laugrand (2001) experienced a similar problem when conducting a workshop on traditional medicine with Inuit elders. The elders' first request was to alter the setting of the room so that it more closely resembled a campsite out on the land, which they considered to be an appropriate venue for discussing such things.

- 4 J.B. Sewepegaham school conducted a hide scraping program in the fall of 2002. Hunters were asked to loan their moose hides to the students to scrape and stretch for them.

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Art and Museum Review / Compte rendu d'exposition

Expomédiatour : une initiative franco-ontarienne de muséologie communautaire

Recenseuse : Marie-Ève Plante
Muséologue, Gatineau, QC

Dans l'absence quasi-totale d'expositions reliées au patrimoine des communautés franco-ontariennes, le *Regroupement des organismes du patrimoine franco-ontarien* (ROPFO) a créé en 2001 le projet *Expomédiatour*, un projet de formation sur la mise en exposition communautaire et virtuelle. Cette initiative s'insère dans la ligne des expériences de la muséologie communautaire. Le projet cherche d'abord et avant tout à sensibiliser la communauté à la sauvegarde et à la transmission de son patrimoine en la transformant en actrice, c'est-à-dire en l'impliquant dans le processus comme le suggère les écomusées (Doucet et Cloutier 1998).

Les activités d'*Expomédiatour* se divisent en quatre volets : la formation sur la mise en exposition, les expositions communautaires, les expositions virtuelles et le réseautage.

Au cours de huit mois, trois types de formation sont offertes afin de procurer un soutien moral et technique nécessaire à la réalisation des expositions. Le projet démarre avec une formation intensive de trois jours qui présentent les différents aspects de la mise en exposition. À la mi-parcours, une formation en région complète la première en répondant aux besoins exprimés par les participants. Habituellement elle se fait plus technique puisque le montage approche à grands pas.

Tout au long du projet, la formation se poursuit à distance. *Expomédiatour* couvre un très large territoire, la province de l'Ontario, et pallie à cet inconvénient par un tutorat à distance. Par le biais d'un réseau *Extranet*, les chargés de projet d'exposition sont en communication avec leur formateur sur une base hebdomadaire pour discuter de l'avancement du projet, des obstacles rencontrés et obtenir des conseils spécialisés. Via des conférences, les participants ont aussi la chance d'échanger sur différents sujets tels que la fabrication et le montage, la recherche de commanditaires et l'identité franco-ontarienne. Des capsules d'information, des documents et des outils sont aussi mis en ligne pour compléter le

Guide pratique : comment développer une exposition communautaire conçu par *Muséobus* et l'équipe de formation d'*Expomédiatour*.

Toutes ces activités de formation ont pour objectif d'encadrer la réalisation d'*expositions communautaires*. Dans les trois années du projet, 23 centres culturels et organismes franco-ontariens ont participé et réalisé des expositions dans leurs communautés. Les sujets des expositions sont libres : l'histoire de sa communauté, d'une institution, de la culture actuelle, du patrimoine architectural, etc. Que ce soit des expositions en salle, des capsules radiophoniques, des parcours interprétatifs ou autre, la forme que prennent les projets est tout aussi diversifiée. Une seule règle prévaut : les expositions doivent adopter une approche communautaire c'est-à-dire des expositions créées par et pour la communauté (Rivard 1985).

Les chargés de projet d'exposition sont fortement encouragés à consulter et à impliquer les gens de leurs communautés et cela à toutes les étapes du projet, du choix du contenu à la forme de l'exposition et du remue-ménages au montage de l'exposition. En plus de l'approbation du conseil d'administration du centre culturel, le chargé de projet d'exposition doit obtenir l'accord du groupe de validation formé de membres de la communauté. Cependant, l'implication de la communauté déborde souvent de cette tâche. Certains aideront en fournissant des matériaux, d'autres à la fabrication des supports, à la cueillette de données sur le terrain, à promouvoir l'événement, etc. Le projet devient celui des gens de la communauté qui mettent de côté leur rôle de spectateur pour devenir acteurs et artisans.

Le processus devient aussi important que le résultat. *Expomédiatour* pose une action à la fois culturelle et communautaire. Réaliser un projet et prendre conscience de la richesse de sa culture et de son histoire solidifie l'identité personnelle et collective. Fiers de leur héritage culturel et impatients de le faire connaître, les chargés de projet d'exposition et les bénévoles deviennent des agents culturels dans leur propre communauté.

Cependant, à la troisième année, il est possible de constater un certain essoufflement de l'implication de la communauté. Tout comme plusieurs écomusées, les expositions ont

tendance à retourner à une approche traditionnelle et à se réaliser en vase clos. Les centres culturels choisissent la thématique et la forme des projets. Sur 16 projets, sept seulement ont respecté fidèlement l'approche communautaire. Considérant ce fait il serait aussi très intéressant de vérifier les répercussions à long terme de ce type de projet sur la communauté et ses artisans. Est-ce que la muséologie communautaire réussit à faire une réelle différence ou si les effets se ressentent qu'à court terme?

Les expositions montées, elles sont reprises sur Internet. Les *expositions virtuelles* accroissent la longévité des projets, leurs accessibilités et par le fait même permet une plus grande diffusion du patrimoine franco-ontarien.

Finalement, à travers le réseau qu'il crée, *Expomédiatour* développe une action concertée dans les domaines du patrimoine et du tourisme (parcours patrimonial pour découvrir l'héritage francophone de la province). Depuis l'an dernier,

les expositions itinérantes sont encouragées afin d'exploiter encore mieux ce réseau. Cet exercice rapprochera sûrement les communautés francophones éloignées les unes des autres.

Cette année, faute de financement, le projet *Expomédiatour* est encore en suspend. Parce qu'il constitue une belle initiative de muséologie communautaire, il est à espérer que ses activités reprendront sous peu.

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Book Reviews / Comptes rendus

Denis Blondin, *La mort de l'argent. Essai d'anthropologie naïve*, Lachine (Québec) : Éditions de la Pleine Lune, 2003, 304 pages.

Recenseuse : *Manon Boulianne*
Université Laval

L'essai d'anthropologie «naïve» proposé par Denis Blondin est un réquisitoire engagé qui s'inscrit à la fois dans la lignée des critiques anthropologiques adressées au développement et dans celle des publications des dernières années (voir entre autres Bennholdt-Thomsen, Faraclas et Von Werlhof 2001, Raddon 2003 ou encore Dobson 1993) qui proposent de réfléchir et d'agir en vue de développer des alternatives à l'économie de marché capitaliste globalisée qui détruit systématiquement l'environnement en plus de creuser chaque jour davantage le fossé entre riches et pauvres. L'auteur aborde un sujet sérieux, celui des inégalités sociales et de l'avenir de l'humanité, dans un style qui s'éloigne d'autant plus de l'académisme qu'il adopte un ton résolument sarcastique. Avec humour, il s'attaque notamment à certaines propositions théoriques que la science économique a élevé en postulats, dont la loi de l'offre et de la demande.

Tout en ayant recours à ses connaissances dans le domaine de l'anthropologie, Denis Blondin veut de toute évidence rejoindre un public large. L'anthropologie naïve (par opposition à anthropologie «savante») dont il se réclame renvoie à un procédé analytique et discursif qui consiste, dans un premier temps, à poser un regard renouvelé sur un certain nombre d'idées reçues et de pratiques quotidiennes qui nous semblent aller de soi, provoquant ainsi une rupture épistémologique qui préside à une ouverture sur d'autres mondes possibles. En appliquant ce procédé, des institutions qui nous semblent parfois «naturelles» comme, par exemple, la propriété privée, sont remises en cause. Dans un deuxième temps, Blondin porte son regard au loin pour mieux mettre en évidence le caractère culturel, c'est-à-dire socio-historiquement construit, de nos manières de penser et de faire. En cours de route, il fait usage de formules métaphoriques empreintes d'ironie afin de mieux déconstruire des notions d'usage courant. Par exemple, il écrit que : «Ce n'est pas un hasard si le langage de l'héma-

tologie (flux, circulation, etc.) est utilisé pour parler de l'argent. Il lui va comme un gant, car la fonction du système monétaire est justement d'opérer une saignée générale» (p. 87). Cette anthropologie «naïve» ne se réclame d'aucune grande théorie qui, de l'avis de l'auteur, limiterait l'imagination. Ainsi, les idées, les images et les chapitres se succèdent comme une sorte de collage car la structure d'ensemble, l'argument général est plus ou moins explicite au point de départ.

Que propose cet ouvrage essentiellement? De prendre conscience que l'argent, qu'il traite dans son ouvrage comme un «fait social total», n'est puissant que parce que l'on y croit; à la manière de la magie, son efficacité symbolique tient en grande partie à l'importance qu'on lui accorde et non pas à ses qualités intrinsèques. Blondin invite donc ses lecteurs à réaliser que l'argent est une création humaine, dont l'apparente puissance repose sur des institutions politiques et juridiques qui, parce qu'elles sont le produit de l'imagination humaine, peuvent donc être repensées et transformées. Ainsi, comme «(...) l'argent n'a pas toujours existé, il n'est donc pas éternel» (p. 13).

Dans la première partie de l'ouvrage, l'auteur présente l'argent comme possédant deux visages opposés. Il y montre que l'argent est à la fois, dans la société occidentale, considéré comme bon et mauvais, vénéré et haï. Vénéré parce qu'il donne du pouvoir à celles et ceux qui le possèdent; haï parce qu'associé aux inégalités sociales, à l'exploitation, à l'aliénation voire à la perte du lien social, comme l'ont également montré d'autres anthropologues comme Hart (2001), Oliven (1998) ou Parry et Bloch (1989). Dans la seconde partie du livre, sont exposés les calamités provoquées partout dans le monde par un système économique qui valorise par-dessus tout la possession et l'accumulation de l'argent, lequel est devenu la valeur suprême, une valeur détachée de toute économie morale.

En troisième partie, l'argent est présenté comme un principe organisateur du social, qui aurait succédé dans l'histoire de l'humanité à la parenté et à la religion. L'auteur y expose *Pourquoi l'argent doit [ou plutôt va] mourir* : «...Essentiellement, c'est parce qu'il ne résout pas les problèmes posés par une mondialisation plus étendue et plus achevée, et parce qu'il en crée de nouveaux, qu'il est incapable de résoudre» (p. 206). En quelques mots, disons que la négation de la diffé-

rence culturelle opérée par un système économique qui, par ailleurs, crée un fossé toujours plus grand entre riches et pauvres sur la planète entière y est considérée comme le talon d'Achille de ce même système : «(...) la culture, dans toute sa diversité, est l'immense problème que l'argent n'a pas résolu et qu'il ne pourra jamais résoudre, ne serait-ce que parce que son essence est de le nier» (p. 253). Pour Blondin, il semble inévitable que nous parvenions éventuellement à «(...) une certaine forme de saturation, à un état du système social devenu dysfonctionnel, mais donnant graduellement naissance à un autre type de système...» (pp. 155-156). Précisons que, si Blondin souhaite sa mort, il ne suggère toutefois pas que l'argent, en tant qu'unité de compte et moyen de paiement qui facilite les échanges de biens et de services, disparaisse nécessairement. En réalité, pour l'auteur, ce n'est pas l'argent comme tel mais bien le fait qu'il prenne autant de place dans notre société et qu'il contribue à la reproduction de rapports de domination d'une minorité sur les autres qu'il faut condamner. Ainsi, contrairement à ce que le titre de l'ouvrage pourrait laisser croire à première vue, c'est bien le fétichisme de l'argent, la marchandisation de la vie et ce qu'il appelle la «biologisation» des rapports sociaux, une forme d'essentialisme qui s'est développée avec la modernité et la croyance aveugle dans la science et la technologie, qu'y dénonce Blondin, et pas l'existence de la monnaie comme telle.

On en arrive ensuite, dans la quatrième section du livre, aux scénarios qui concernent le processus de changement et à l'«après» : comment la mort de l'argent aura-t-elle lieu? Par le biais d'un changement graduel ou à la suite d'un brusque effondrement du système et de ses institutions? Si cela semble impossible à prédire et si plusieurs scénarios sont envisageables, pour Blondin cette inévitable révolution devra nécessairement se jouer à l'échelle internationale. En attendant, les alternatives qui se multiplient aux échelles locale et régionale (systèmes d'échange local, simplicité volontaire, agriculture soutenue par la communauté, etc.) jouent un rôle important puisqu'elles offrent des «modèles culturels» différents qui contribuent à alimenter notre imaginaire. Il s'agirait donc, pour changer l'ordre des choses, de créer des symboles et de les manipuler collectivement pour développer des institutions et des organisations différentes car «(...) nous possédons tous ce pouvoir magique de manipuler les symboles et de réécrire le monde sur le coin d'un napperon» (p. 279).

Après avoir connu des sociétés organisées successivement autour de la parenté, de la religion et de l'argent, la Culture devrait constituer pour Blondin le principe organisateur de la société qui succéderait à un monde centré sur l'argent. Ce type de société reconnaîtrait la diversité culturelle et s'y alimenterait constamment, faisant de la complémentarité et non plus de la réciprocité, de la soumission ou de la domination (comme dans les types précédents de société) la règle d'or de la vie sociale. Bref, c'est à un exercice de création utopique que nous convie Blondin, tout en nous exhortant à agir dès maintenant pour changer le monde, car le pire est de penser qu'on

ne peut rien faire devant les dynamiques en cours et de rendre les armes : «...Pour construire une autre société sans argent, ce n'est pas la matière première qui fait défaut, c'est le manque d'imagination résultant de la résignation» (p. 268).

Enfin, cet ouvrage participe d'un débat public de plus en plus global et qui s'est étendu depuis quelques années avec les manifestations anti puis alter-mondialistes, les revendications qui concernent le droit à la différence sexuelle aussi bien que culturelle et les initiatives collectives visant la mise en place de manières alternatives de produire, d'échanger ou de consommer, qui s'inscrivent dans une économie solidaire. Il s'adresse au grand public mais aussi aux anthropologues en quête de manières originales de transmettre les connaissances issues de l'ethnographie à leurs concitoyennes et concitoyens dans un langage accessible et mobilisateur.

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Han Min, *Social Change and Continuity in a Village in Northern Anhui, China: A Response to Revolution and Reform*. *Senri Ethnological Studies* 58, Suita, Osaka, Japan: National Museum of Ethnology, 2001.

Reviewer: *Laurel Bossen*
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Packed with interesting and useful information, Han Min's ethnography of a north Chinese village is one of the most comprehensive and data-rich anthropological studies published in the post-Mao period. Examining different periods before and after the 1949 revolution, it describes the many forces affecting village life in China's northern Anhui Province, an area where little ethnographic work has been done. Its detailed social history of the patrilineage is an outstanding illustration of the importance of kinship to understanding political and economic dynamics in rural society.

Han's research site was Lijialou, a single-lineage village, or "natural village," where nearly all the families share the surname, "Li." Located close to the borders of Henan and Jiangsu Provinces, and near a major east-west railway built by the French in 1914, this region is part of the north central plain, the heartland of Chinese civilization, and the site of many military campaigns. It is also the site of Nobel Prize winner Pearl Buck's famous novel, *The Good Earth* (2004 [1931]).

This is one of the first English-language ethnographies of rural China written by a woman from the People's Republic of China. Han was not trained in the West, but was exposed to Western anthropology in Japan. (She wrote her PhD at the University of Tokyo, under the supervision of Funabiki Takeo, and also worked with Jerry Eades). This background contributes to a unique perspective drawing on different Asian and Western academic traditions as well as insider access to Chinese political culture. As an outsider to the village (she grew up in northeast China), she developed unusually good relations with the villagers by pursuing their shared interest in lineage genealogy. Her fieldwork was conducted from 1989 to 1991, supplemented by follow-up visits.

The central focus of Han's book is her detailed description and analysis of a Chinese lineage. She traces its long history, and its survival through the political transformations of the last half century, and the significance of its current revival. This was formerly a lineage of gentry landlords that produced many scholars and officials. Scholarship, not farming, was the fountain of their success in past centuries. Comparing this Anhui village to other lineage studies, Han reinterprets the various forms lineages have taken in different regions and contexts within China. The lineage revival and reunification she witnessed in the reform period shows how lineage ideas still provide a powerful template for social organization in rural Chinese culture. The lineage is a familiar social tool and source of identity employed by villagers as they adapt to the social and economic conditions of reform China.

Understanding lineage dynamics is inherently complex but Han has made it easier through a variety of helpful aids. The book includes a detailed fold-out genealogy that looks intimidating at first, but is actually very easy to follow and helps keep track of individuals described in the text using a simple code. There are also useful maps and diagrams of housing compounds, tables, and an appendix with a detailed cast of characters (full of anecdotes about each one) listed according to their location in the lineage and in the village, as well as significant individuals from outside the village. The photographs include a good selection of images of villagers at work, and at ritual and ceremonial events. The most powerful image illustrating lineage unity is that of a hundred solemn men on their knees, facing forward, at a ceremony for their lineage ancestor. Han succeeds in demonstrating the central role of the lineage in this particular village and in showing how lineage relationships were affected by the politics of the collective and reform periods.

Given the centrality of men in patrilineal organization, it is surprising to learn that many women were recorded (Han

counts 82 between 1 370 and 1 670) in the genealogies that the lineage has kept over the past centuries, and also that from the 18th century they recorded the men whom many of their daughters married (pp. 47-48). Han argues that this was evidence of the growing significance of influential affines as a measure of lineage success.

In addition to careful reconstruction of lineage history and village conditions prior to the revolution, Han's chapter on socialist collectivization in Rural China is a very useful account, both for its overview of the political process, and the local details of land reform and collectivization. I particularly value the information she gleaned on the local impact of the Great Leap Forward famine (1958-61), a tragedy hushed up for too long. Unlike the accounts in other village studies claiming that their village was spared deaths from the Great Leap famine, Han gives a more complete account. She refers to the Great Leap Forward, a disastrous national policy fusing villages into large rural communes, as "militarization" (p. 99). She reports that 39 villagers (out of 205), or 19% of Lijialou's population, died of starvation in 1961, with more than 80 deaths in a nearby larger village (pp. 103-104). She also describes how and why some managed to survive while others perished. Overall, she gives vivid accounts from different villagers and different generations on the political mobilizations and how they were carried out locally.

With a chapter on gender, marriage and affines to balance the emphasis on the patrilineage, Han also provides useful summary information about village women's lives, supplemented by revealing quotes and stories from individuals. Han maintains that women's lives have generally improved during the reform period. In the early 20th century, rich and poor women in this village had bound feet and spent their time at home "sewing, spinning, weaving and cooking,"—activities which did not bring much income (p. 71). During the militarization of the Great Leap Forward, men and women were made to leave their village to live in segregated barracks or "long houses" until they rebelled and returned to their village (p. 100). During the collective period, women had to work at farming by day, and in the evening they spent hours cooking, weaving and sewing clothes for the family. Following the reforms of the early 1980s, women's double workload decreased as they began to purchase cloth rather than weave their own. With high cotton prices, women concentrated their labour in cotton production, increasing their incomes and bargaining power (pp. 160-161). In marriage negotiations, this helped give brides' families the incentive to bargain hard for money and gifts from the grooms' families.

Han addresses the subject of unequal sex ratios (a shortage of women) in this region in terms of the difficulties and deceptions encountered by poor men who cannot find local wives. Her detailed description of their attempts to get wives from afar is complemented by reporting research of the county women's federation on the problem of abducted women among out-of-province wives. This innovative material complements other recent research on out-of-province wives in north China

(Bossen N.d.) and on bachelor men, or “bare branches” as a social problem in Asia China (Hudson and de Boer 2004).

One obvious omission in the book, however, is a discussion of the state family planning policy and its impact on families’ plans to have sons. The policy would have been in effect for nearly a decade, although perhaps not rigorously enforced at the time of Han’s research in 1990. The village demographic data show a drop in the number of children born in the 1980s compared to the previous decade and, surprisingly, show more daughters (30) than sons (25) in the 0 to 10 age group (p. 24). This makes it unlikely these villagers were practising female infanticide in the 1980s, although they were reported to have done so in the past. In a village with such a strong emphasis on patrilineal descent, one would expect some kind of collision with the family planning policy. It would have been interesting to know villagers’ responses to the policy, particularly those who had no son.

The chapter on Christianity and its revival in the community is also very interesting and one of the few anthropological studies apart from Lozada (2001) that discusses village Christianity. Christianity appeals to some villagers as it is more inclusive than the lineage. Examining religious conversion from a social and economic point of view, Han suggests that Christianity attracts people who are more marginal to the family and lineage structure, many of them women.

Taken as a whole, Han’s work makes a valuable contribution to anthropological research on rural China. Its story of continuity and change is supported by clear empirical data, qualitative and quantitative, on a range of important issues. Would that more Western anthropologists would make the effort to collect such useful data! Refreshingly free of Western academic jargon and posturing, this multi-angled story of village change reveals the working and reworking of power relations at different levels. Researchers will appreciate the thorough examination of the village over time, and will find the data useful for historical and regional comparison with other anthropological studies of Chinese villages and lineages such as those by Gao (1999), Ruf (1999) and Ku (2003). Her reconstruction of lineage records and residence patterns confirms the importance of examining kinship in village social organization.

As both social history and ethnography covering the late imperial, republican, revolutionary and reform periods, Han’s study documents not only the revival of the patrilineage, but also the local changes in land tenure, politics and policies, economic relations, marriage and affinal relations, gift exchanges and rituals and religion. Beyond this, her discussions of the changing economic role of women, the growing power of the bride’s side in marriage negotiations, the problem of finding brides for poor men, and the role of the women’s federation in tracking the fate of out-of-province wives provide stimulating material for comparative analysis.

There are three very useful appendices, one describing fieldwork, the second identifying the cast of characters, and the third with a glossary of Chinese *pinyin* terms in Chinese characters (but not in English). Unfortunately, the book lacks

an index to help locate information on particular topics. The English is clearly written, with a few minor editing errors. Because this book was published in Japan in English, it has not yet received the wider exposure in the West that it deserves. It will soon be published in Chinese and will become an important resource for the rapidly growing anthropology of China.

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Éric Jolly, *Boire avec esprit. Bière de mil et société dogon*, Collection «Sociétés Africaines 18», Paris/Nanterre : Société d’ethnologie, 2004, 499 pages.

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Voici un livre d’une très grande richesse qui explore la totalité de ce qu’il faut savoir sur la bière de mil et ses significations profondes dans la célèbre société dogon du Mali. Dans ce livre de cinq cents pages, le lecteur découvre mille aspects insoupçonnés de la place que remplit la bière de mil dans toutes les niches de la vie sociale des Dogons, dans sa symbolique et son imaginaire. Bien que l’importance de la bière de mil et de sorgho dans les sociétés d’Afrique occidentale ait été abondamment notée par les observateurs, seuls quelques rares d’entre eux se sont penchés sur la question, et encore de manière assez peu exhaustive si on compare leurs écrits à ce monument qu’est l’ouvrage ici recensé.

Après avoir cité et rendu hommage à ces rares ethnologues précurseurs qui tentèrent de réhabiliter la consommation de la bière de mil, considérée jusqu’alors comme un frein au développement ou une monstruosité débilite, Éric Jolly

nous introduit dans l'univers dogon en citant ce que Marcel Griaule, Michel Leiris et Denise Paulme ont dit de la bière dogon depuis les années 1930, date de leurs premières recherches dans cette ethnie. Il nous raconte ensuite son itinéraire personnel : à 18 ans, en 1979, après avoir traversé le Sahara, il s'est retrouvé au pied des falaises dogons armé du *Guide du routard* (!) et du livre clé de Griaule, *Dieu d'eau*, pensant pouvoir recevoir des Dogons un enseignement philosophique et métaphysique. Il y reçut plutôt une calebasse de bière qui le rendit définitivement un adepte (*addict*) de cette région où il revint, cette fois comme ethnologue, entre 1984 et 2000. Il résida principalement dans le village de Konsogou-donu mais visita également les villages environnants. Comme les Dogons regroupent environ un demi-million de personnes et que l'on ne parle la plupart du temps que de Sangha, haut-lieu spirituel décrit par Griaule (et aujourd'hui destination touristique), l'auteur situe son village et sa région d'étude dans l'ensemble dogon, avec à la fois ce qui leur est commun et différent. C'est un excellent résumé de la structure sociale dogon et de son économie, suivi d'un précis de la fabrication de la bière de mil dans ses aspects techniques et temporels.

Le chapitre deux décrit qui sont les buveurs, qui a le droit de boire quand, comment et où. Ce panorama nous donne une image des buveurs et des buveuses, des frontières qu'il ne faut pas dépasser et qui font la différence entre le bon buveur et l'ivrogne. Tout un imaginaire stéréotypé au sujet des hommes et des femmes, des aînés, des hommes mûrs et des jeunes gens et jeunes filles est déployé, en comparaison avec le nôtre. S'il y a des points communs, les différences sont patentes. Ce chapitre offre aussi une dimension diachronique car les occasions de boire ont beaucoup évolué tout au long du siècle dernier, surtout à cause du développement des cabarets et des marchés à bière. L'islam et le protestantisme local ont aussi engendré une catégorie d'abstinents, les uns totaux et d'autres ayant remplacé la bière par des alcools distillés venus du sud pour les premiers alors que les seconds semblent plus rigoureux. La consommation d'alcool est ici individualisée, plus rien de collectif... Cependant, la bière de mil a continué de jouer un rôle chez les catholiques qui ont intégré la bière collective dans leurs fêtes religieuses, les missionnaires ne s'y étant pas opposés, voyant même la chose d'un assez bon œil. Mais Jolly voit aussi actuellement un désintérêt pour la bière de mil chez les jeunes, toutes religions confondues.

Le chapitre trois se penche sur les entités de la surnature et leur rapport à la bière des vivants : «La bière relie les vivants aux ancêtres, tout en les opposant aux génies, aux sorciers et aux mauvais morts, responsables de l'introduction de l'ivresse, de l'empoisonnement des consommateurs ou de la contamination du moût.» Toute la vie d'un individu, de la naissance au statut d'ancêtre est construite au travers de libations de bière à différents stades de sa fabrication et de sa maturation. Le cycle rituel annuel qui accompagne le cycle agricole est également accompagné de diverses libations. Les Dogons fabriquent leurs ancêtres à partir de la bière, ils ne communiquent pas avec eux; la bière leur permet de les pla-

cer dans cette catégorie par le truchement d'une série de rituels allant de l'offrande au sacrifice en passant par les diverses sortes de libations, toutes chargées de significations différentes. Ceux qui s'intéressent à ce problème théorique épineux de la différence entre ces deux notions, offrande et/ou sacrifice, auront intérêt à méditer ce chapitre même si l'auteur ne suggère pas de solution. Il se contente de nous présenter de riches données assorties de commentaires dogons très pertinents qui feront réfléchir ceux qui se préoccupent de cette question d'une manière plus formelle. Toujours est-il que cette multitude de rituels publics et privés sont décrits avec une grande minutie, ce qui montre une fois de plus la pertinence et la vertu des descriptions exhaustives.

Le quatrième chapitre s'intéresse aux occasions où la bière communautaire est requise, lors des fêtes annuelles qui ouvrent et ferment le cycle agricole. Les villages voisins s'invitent aussi mutuellement chaque année ainsi qu'aux levées de deuil et d'autres invitations inter-villageoises précèdent et annoncent le *sigi*, le rituel soixantenaire qui annonce un changement de génération, selon des chaînes très élaborées. Les unions matrimoniales sont ponctuées entre les parties par des dons et des contre-dons de bière d'un symbolisme très subtil dans le remplissage, complet ou non, des pots échangés. D'autres échanges de bière scellent des amitiés personnelles entre deux hommes ou entre un homme et une femme dans une relation platonique. Les fabricantes de bière commerciale, les dolotières, ont aussi une relation de dons de bière avec leurs voisins, leurs aides et leurs clients habituels.

Le chapitre cinq, joliment intitulé *Les excédents céréaliers sont-ils solubles dans l'alcool?* est une réponse aux nutritionnistes, anti-alcooliques et «développeurs» de tout poil qui pensent que la consommation de bière se fait au détriment de la société en gaspillant les calories du grain qui seraient mieux employées si elles étaient converties en nourriture solide. C'est la redoutable question théorique des surplus qui a intrigué plusieurs chercheurs en anthropologie économique. Dans une économie d'auto-subsistance, dans laquelle on assume sans preuves que la société se débat au niveau de la survie, voire de la famine, peut-il y avoir des surplus? La réponse est non pour tous ces gens qui voient l'Africain comme imprévoyant et dilapidant une part de précieuse nourriture, ce qui va l'affaiblir et le rendre encore plus indolent. Or, ce chapitre nous montre tout le contraire. Les Dogons planifient soigneusement leur production de céréales pour les bières cérémonielles d'une part et, de l'autre, pour la nourriture dans un enchevêtrement extrêmement savant. D'ailleurs, dans la région étudiée, Konsogou-donu, la plupart du grain employé pour les bières de marché, non-cérémonielles par définition, est acheté dans la plaine où il pousse mieux et coûte moins cher. Une partie du mil pour la nourriture est aussi achetée en plaine, les producteurs maraîchers de l'endroit, situés sur le plateau, préférant acheter du mil en plaine et cultiver des légumes qui rapportent davantage. Des réserves de mil cultivé localement pour les cérémonies sont constituées au fil des années pour les levées de deuil et d'autres cérémonies selon un système de

conservation et de stockage bien rodé. On ne mélange pas les catégories...Les années médiocres, les bières cérémonielles sont minimalement brassées et la bière du marché très réduite. En période de disette, un système d'entraide d'urgence est institué. Les Dogons produisent donc volontairement et très consciemment des surplus pour la consommation ostentatoire de bière lors de certaines cérémonies. L'administration de ces stocks individuellement produits est laissée au chef de lignage pour les cérémonies lignagères et à des officiels pour les distributions prestigieuses, surtout lors des funérailles du hogon, le chef sacré d'une entité territoriale.

Le dernier chapitre montre comment un homme dogon peut devenir célèbre par des distributions voyantes de bière. La richesse matérielle doit se montrer par de telles occasions. Elle peut l'être du vivant de quelqu'un, surtout s'il organise un rituel prestigieux destiné à pleurer les ancêtres collectifs de son lignage qui avaient disparu ou avaient été tués à la guerre, ou s'il est un grand chasseur ou encore un tisserand émérite. Ces distributions prestigieuses ont disparu récemment mais elles ont été reprises par les catholiques à l'occasion des mariages où le nouveau mari distribue des jarres de bière de manière ostentatoire. Après son décès, un homme sera remémoré selon les jarres de bière distribuées à ses funérailles dans lesquelles s'engloutira son héritage ainsi transformé. C'est donc la maîtrise de la bière qui confère de l'importance. Les titulaires d'offices sont ceux qui contrôlent les plus grandes distributions et les hommes ordinaires contrôlent les cadets en demandant des paiements en bière pour l'initiation des jeunes gens. Les masques exigent aussi leur tribut de bière des cadets. Les aînés contrôlent la bière mais, arrivés à ce stade, il leur faut boire modérément. Pas étonnant dans ces circonstances que beaucoup rechignent et tentent de retarder leur accession à ce stade ultime le plus tard possible. Cette maîtrise de la bière va de pair avec l'autorité diffuse qu'ont, au sommet de l'échelle, les porteurs de titres, le hogon et le *lagan*, suivis des aînés sur les cadets qui contrôlent la distribution et la consommation différentielle de la bière de mil. Mais les jeunes contestent aujourd'hui cet ordre des choses en buvant entre eux autre chose que de la bière de mil qui est, au contraire, un facteur d'émancipation sociale et économique pour les dolotières. Ces émancipations sont une manifestation d'individualisme, d'abord apparu en ville, qui rejoint aujourd'hui la campagne.

Si la bière de mil dogon permet et recommande de «boire avec esprit », ceci s'est transmué et prolongé chez l'auteur en une autre qualité. Cette bière dogon lui fait aussi « écrire avec esprit». Le style est sûr, limpide et frais comme une bonne bière, les titres et sous-titres sont tout à fait accrocheurs et pertinents. On ne s'ennuie pas une minute à la lecture de ce gros ouvrage qui semble, à le voir, rébarbatif, mais qui se laisse déguster avec délice jusqu'à la dernière goutte.

Bertell Ollman, *Dance of the Dialectic: Steps in Marx's Method*. Urbana and Chicago: University of Illinois Press, 2003, 232 pages (paper).

Reviewer: *Christopher Krupa*
University of California, Davis

Bertell Ollman has spent the past three decades reconstructing Marx's methodology and finding the most approachable ways to present it to audiences not necessarily trained in the specialist language of Marxist philosophy. It was Ollman, after all, who in 1978 released the anti-Monopoly board game "Class Struggle" to help, says the game box, "kids from 8-80" "prepare for life in capitalist America." *Dance of the Dialectic: Steps in Marx's Method* continues this project. This book is a compilation of selections taken from Ollman's previously published books and articles, re-arranged as a general primer on the dialectical method that he claims to be both indispensable for understanding Marx's analysis and necessary now for demystifying the hidden workings of 21st-century capitalism. As a treatise on method stripped of many of the technical discussions that have long occupied Marxist scholarship (such as value), this potted version of Ollman's theories shows just how provocative his work can be for anthropologists seeking to throw *our own* methodological heritage up for reconsideration.

Ollman has always wanted to distinguish sharply between the tools investigators use to interpret social reality and those they use to explain it. With respect to Marx's work, this translates to reading the *Grundrisse* and the 1844 Manuscripts differently from *Capital* since they were written for different purposes: the former to identify the objects of analysis, the latter to help others understand these findings. Ollman is more interested in the former, where he sees Marx using dialectics like a geneticist might use a microscope, an instrument that in the right hands makes the invisible visible. The central objects thrown to light by dialectics, however, are not objects at all but relations and histories sedimented for the moment as "things." As the author explains, "Dialectics restructures our thinking about reality by replacing the commonsense notion of 'thing' (as something that has a history and has external connections with other things) with notions of 'process' (which contains its history and possible futures) and 'relation' (which contains as part of what it is its ties with other relations)" (p. 13).

Where Ollman's work becomes most useful for anthropologists is in his ability to translate this focus on "social relations as subject matter" (p. 23) from epistemology into a research program, from methodology to method, without losing any of its richness. The core sections of the book, chapters 2 through 5, offer a new coupling of Ollman's trademark "philosophy of internal relations" with the process of abstraction as an instruction for, in his words, "putting dialectics to work" (p. 59). This involves commencing a to and fro procedure which entails first of all abstracting things and social positions into the relations that constitute them, secondly tracing how the transformations of each over time involve changes in the inter-

connections between them, and finally re-abstracting them into some level of generality to identify latent patterns, tendencies and points of conflict. To Ollman, this simply follows how Marx deconstructed the social premises of the key units of bourgeois society, such as the commodity, labour and capital, while still using them as place-holders to expose the many contradictions inherent to capitalism. But Ollman adds considerably to the method he ascribes to Marx, if only in parsing out the many layers of investigation needed to undertake an analysis of such magnitude. He brings new concepts (such as extension, identity, vantage point) in to the fray and invests older ones (such as contradiction, totality and form) with new meanings to build a most applicable arsenal of conceptual tools that will help orient us, probably with greater ease than any of Marx's texts, in unpacking the dense social fields we are prone to find in our sites of research.

By the time we reach the final Steps (four and five) in Ollman's exegesis we find ourselves already partnered with him in the dance. Here, as dialectics are escorted out into the worlds of debate and case study, their movements come to seem somewhat familiar if not altogether repetitive. But even as Ollman's song seems to remain the same, he throws up new melodies to catch our ear. The two gems of the book's latter half are only tangentially related to the themes of the first, a novel essay on Marx's historical method ("Reading History Backwards") that convincingly debunks accusations of its teleology, and a fascinating chapter on the Japanese State that finds the basis of its social legitimacy to be dispersed among a capitalist bureaucracy, the emperor and the country's mafia.

Much of Ollman's charm comes from his unwillingness to relinquish a mode of investigation that, by today's standards, may seem slightly antiquated. The method he advocates is unabashedly structuralist, demands a detailed analysis of grounded social relations, and appears almost oblivious to the directions materialist theory has taken lately via postmodernism, post-structuralism and cultural studies. In a sense, *Dance of the Dialectic* reads as a refreshing antidote to the recent turn in political economy toward studying diffuse forms of power, amorphous rationalities of governance, and discursive modes of subject formation. Readers may wish, however, that Ollman chose to engage more directly with writers of this ilk, rather than debating only fellow dialectical theorists like Roy Bhaskar (chap. 10) and the Systematic Dialectics school (chap. 11), which do nothing to show how instructive his work can be for analysts attempting to construct more grounded and dynamic engagements with power in contemporary class societies, neo-liberal or otherwise. Despite this book's commitment to explaining the nuances of Marx's method and working through concepts traditionally rooted in political economy, it will be compelling for any anthropologist about to enter the field and, particularly with respect to the first half, would make a valuable contribution to a course on research methodology.

Sherry B. Ortner, *New Jersey Dreaming: Capital, Culture, and the Class of '58*. Durham and London: Duke University Press, 2003.

Reviewer: *Thomas Dunk*
Lakehead University

In *New Jersey Dreaming* Sherry Ortner describes and analyzes the life courses of her classmates from Weequahic High School in Newark. The story that is told is for the most part a common American tale of postwar upward mobility and success. With a few exceptions, the children of the mostly Jewish workers and small independent business people that comprised the class of '58 have fared very well. The majority of them are now part of the professional middle class and have moved far beyond their childhood neighbourhood in New Jersey. Raised in a culture that celebrated self-improvement and getting ahead, it appears most students internalized these values and have lived them out. There are a few rebels in the mix who have lived what Ortner refers to as "counterlives," dropping out of the competitive race to success, and not everyone discussed in the book has lived a charmed existence, but the overall picture is one of success.

Ortner explains the upward mobility of her subjects in terms of the interplay of the internalization of relevant values by individuals and the broader social movements (feminism, civil rights) and structural changes in the economy (growth of the service sector, growth of the new middle class) that were part of the postwar American experience. She carefully tries to keep class-based cultural issues in focus without ignoring the ethnic, racial and gendered dimension of social experience. Indeed, she explicitly critiques the tendency to ignore class in favour of race, ethnicity and gender in much social science.

As one of a relatively few efforts to "bring class back in" at a time when class has been abandoned as a useful analytical category by many, this book deserves the high praise which George Marcus bestows in a book jacket quote. But his claim that the book "makes one of the most important sociological arguments in recent years on the dynamics of class in post-World War II American society" is arguable. Perhaps, it is more a statement about the impoverished state of such analysis in the U.S. While the book is certainly an enjoyable and interesting read, the argument itself is rather flat. True to her anthropological roots, Ortner prefers native class categories over those imposed by social scientists. In opting to employ the concepts of her research subjects, Ortner reflects the natives' point of view. This certainly has the advantage of helping us understand the world as they do. This approach, however, also leaves us stuck in middle-class common sense thinking and as such, limits a more critical understanding of American society. Ortner's argument can be summed up as follows: the class of '58 was not homogeneous. Some people had more cultural capital than others and that influenced their experience of school and life after school but for the most part they were very successful because they worked hard, were committed to get-

ting ahead in life, economic changes created new opportunities for them and they both benefited from and to some extent participated in feminist and civil rights movements which opened up opportunities for women and ethnic/racial minorities. This is a very conventional understanding of the American baby boom middle-class experience.

Class here is understood, as I have said, in terms of the three category model—lower, middle, upper—that is common in U.S. and Canadian popular culture. The discussion of other theoretical models of class is thin. Marxist models are mistakenly said to be based only on a binary opposition—something that was true neither for Marx himself, nor for the various neo-Marxists. For Ortner class is not understood as sets of relationships involving conflict and struggle. Class is treated as an economic category with accompanying cultural values that contribute to (or presumably potentially inhibit) one's ability to succeed in the system. There are stories of high school and familial difficulties and disappointment but the overall discussion is about upward mobility. This may be both the strength and weakness of the book. In telling this story Ortner is doing what we do need more of; more studies of the powerful and the successful—studying up so to speak. But in many ways, because it is a story of success as understood by the successful it is an analysis with which everyone raised in Canada and the United States is deeply familiar. It is the one communicated via the mass media regularly. The book thus does not move beyond a superficial understanding of the post-war boom and how the social and economic rewards of the largest economic expansion in world history have been distributed. Marx's famous statement in the Preface to *A Contribution to a Critique of Political Economy*—"Just as our opinion of an individual is not based on what he [*sic*] thinks of himself, so can we not judge of such a period of transformation by its own consciousness..."—is very relevant here. The principle value of Ortner's book is as a representation of the consciousness of the American middle class. If the reader is searching for an explanation of that consciousness, she or he will have to look elsewhere.

Gregory Forth (ed.), *Guardians of the Land in Kelimado: Louis Fontijne's Study of a Colonial District in Eastern Indonesia*, 2004, 266 pages.

Reviewer: *Sheri Gibbings*
University of Toronto

In *Guardians of the land of Kelimado*, Gregory Forth offers commentary on a previously unpublished and largely unknown report by a colonial administrator, Louis Fontijne. Fontijne was stationed in the Timor region of the Netherlands East Indies between 1939 and 1942. The focus of the book is specifically on the Kelimado, a region in the Nage district of central Flores, Indonesia. Because Forth has conducted extensive

research in the area, the book is centred on a comparison between Fontijne's and Forth's precolonial data regarding the beliefs, practices and organization of settlements, as well as the impacts of colonialism on the Nage region.

The Introduction of the book provides detailed information about the life and profession of Fontijne, the conditions of Fontijne's study and the process of translating the report. Fontijne joined the colonial service in Indonesia first as district officer in Sumatra, and following a series of stints in other parts of Indonesia, he became assistant commissioner in Kupang in 1942. Forth believes that Fontijne was interested in doing a doctoral degree at the University of Leiden, which could explain why the report produced by Fontijne resembles an anthropological study (p. 9). Forth provides at least three reasons why the colonial report is important today: (1) it is similar to ethnographic studies done by anthropologists at the time, (2) it is one of the only comprehensive studies on the Nage region during the colonial period, and (3) it describes the effects of Dutch colonialism on the practices and beliefs of the society (p. 4).

The main body of the book is the translation of Fontijne's report, which encompasses nine chapters describing topics ranging from sacrificial posts to land rights, from public worship to the impact of the Dutch authority on the region of Kelimado. The Resident of Timor authorized Fontijne to look into the "position of the landed guardian and his activities as they influence indigenous societies in the Residency" (p. 15). The land guardian was a leadership role associated with "ensuring the general well-being of the land" (p. 15). In the report, Fontijne draws three conclusions about the land guardians. First, the guardian leaders were all-purpose leaders. Second, these leaders were looking out for the best interest of the community as a whole and land was just one of the issues they addressed. Finally, the leaders addressed both "worldly affairs" as well as "religious affairs" (p. 165).

In general Fontijne is concerned with determining the origins and significance of "traditional" authority, ritual beliefs and practices and how they have been affected by Christianity and colonialism. For instance, he is discouraged by the fact that local descriptions of Ga'e Déwa (the Supreme Being) were tainted by Christian influence (p. 154). He states, "The real Nage region offers richer data than Kelimado proper for testing these hypotheses. There one finds more authentic and perhaps even purer pagan religion, including myths and legends among which appear creation stories of the sort that are entirely lacking here" (p. 155).

In the Editor's afterword, Forth examines Fontijne's report based on his own fieldwork in the region (p. 201). Forth and Fontijne share an interest in reconstructing the precolonial history of Kelimado, a political entity constituted after the arrival of the Dutch administration. However, they disagree about the organization of political groups in the area. Fontijne argues that the Kelimado territory was dominated by three different groups (So'a, Bamo, and Doa) that were

“pre-colonial political units corresponding to the name Kelimado” (p. 203). According to Fontijne there was a kind of unity and a relationship between the groups that existed prior to the Dutch colonial district whereby the Bamo held power over the others (p. 204). Forth disagrees, arguing that, instead of three groups there were two. The district was composed of a “dual organization” associated with two sacrificial posts (pp. 210-211). In other words, Forth maintains that the So’a and the Doa people were one group and that the Bamo constituted the other major group in the area (p. 211). The unity of the former group, however, was altered when the Dutch created the district of Kelimado (p. 204). When the Dutch arrived, they gave authority to leaders (a Bamo man was made district headman) who previously held little or no influence over groups of that region (p. 204). Thus according to Forth, Fontijne “overestimates the extent to which the colonial district of Kelimado existed as a distinct and unitary political entity before the arrival of the Dutch” (p. 4).

Both Fontijne and Forth are likewise interested in how leadership operated before colonial times in the Kelimado proper. Forth concludes that one of Fontijne’s important findings is that: “traditionally, the Kelimado district did not admit a formal diarchical division of religious and political authority” (p. 212). Leading us through a series of arguments, Forth asserts that traditionally the role of land guardian was played by a single person but over time the role has been divided among two people. Forth, comparing the findings of Fontijne to his own field work, determines that the “imposition of colonial rule in Kelimado resulted in a reversal, whereby the occupants of the junior position in the traditional leadership (which as Fontijne effectively demonstrated, did not admit a separation of religious and worldly authority) obtained the highest position of leadership in the colonial district” (p. 228). Also, Forth concludes that even though the Dutch desired that the organization of their administration match traditional authority this never happened in practice. They were “...explicitly political divisions, fundamentally different from the units, territorial and otherwise, of the traditional society” (p. 247).

Besides drawing attention to the reorganization of authority, Forth also highlights Fontijne’s recognition of the significance of the concept of “precedence” in shaping indigenous society (p. 248). The idea of “precedence” is that those groups or individuals who consider themselves as the “originators” of various practices are more valued (p. 248; 250). Forth argues that Fontijne’s study is important because it is one of the first discussions of the concept of “precedence,” which was later identified and developed by a number of scholars in eastern Indonesia.

Had space permitted, Forth could have made further connections to other colonial writings at the time, in different parts of Indonesia. Forth states, “Another feature of Fontijne’s report contributing to its singular character is the author’s forthright criticism of colonial policy and the proselytizing efforts of the Catholic mission, both of which are

described as adversely affecting the local society” (p. 7). Forth recognizes that Fontijne’s study should be read against the background of a colonial administration that was trying to reorganize itself to maintain “traditional social forms” (p. 15). During this time in other parts of Indonesia, the anxiety over the loss of traditions was a common theme. Nevertheless, Forth interprets Fontijne’s critique of the colonial administration as insightful rather than as part of an ongoing debate about what today might be called technologies of rule.

The 20th century brought about new debates over colonial policy. Some administrators (of which Fontijne is presumably one) were supporting an Ethical Policy that was concerned with studying customary law (*adat*) in order to ensure that programs and projects such as health, education, welfare and justice were based on “authentic” traditions (Schrauwers 2000, p. 40). Henk Schulte Nordholt describes the enormous efforts the colonial administration undertook to restore Balinese villages to their “traditional” character (1999: 253). V.E. Korn, a district administrator in South Bali, writing close to the same time as Louis Fontijne, also feared the loss of Balinese culture and was highly critical of the Roman Catholic Church (1999: 263). Thus, Fontijne’s report on the Nage may not be as unique as Forth claims; rather, it parallels late-colonial policies aimed at maintaining or restoring the “real” Bali or in this case the “real” traditions of the Nage.

If Fontijne’s colonial report is part of a broader, ethical approach to governance, we could read his document as a technology of rule for two reasons. First, it recognizes Fontijne’s connection to the larger system of colonial governmentality in Indonesia. Second, and more significantly, it recognizes that power operates not only through the destruction and loss of tradition; it sees how governance can occur *through* attempts to revive tradition (as viewed by the colonial administrators) (Foucault 1991).

Albert Schrauwers’ (2000) approach to reading colonial reports in Central Sulawesi is an interesting juxtaposition to Forth’s work. Schrauwers like Forth analyzes colonial reports that were ethnographically inclined (by Dr. A.C. Kruyt and Dr. N. Adriani who were missionaries in Central Sulawesi). Schrauwers, however, reads the reports in a different way than Forth does. Schrauwers, unlike Forth, does not search for what the “real” history is but how ethnographic knowledge was *used* by the church and state (p. 59). He claims that while reading these reports:

We must remember that the *adat* preserved by the state and the church is “discursive” traditionalism; it does not describe an implicit cultural logic of practice, but is a textually derived “tradition” infused with dominant colonial discourses’ assumptions of secularization and modernization. It is this discursive traditionalism that has been rationalized, systematized, and bureaucratized, and put in its place. As “tradition,” it stands by definition as persistence of the past, as an isolated, untouched remnant. (p. 27)

I tend to agree with Schrauwers that we must examine these colonial documents less as a source of knowledge but more as historical artefacts that need to be examined for the categories and conceptual frameworks they produced.

Overall, Forth provides a meticulous reading of Louis Fontijne's study. We finish the book knowing much more about Louis Fontijne's life, the purposes and limitations of his research, and extensive details about the practices and the beliefs in the Nage district of central Flores in the colonial period and more recently.

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Northwestern Lake Superior Jesuit Diary Project,¹ *Diary of the Mission of the Immaculate Conception, Volume I, 1848-49*, CD-ROM, Thunder Bay: Northwestern Lake Superior Jesuit Diary Project, 2003.

Reviewer: *Ed Hedican*
Guelph University

The standard sources of research material for ethnohistorians, anthropologists and others interested in Canada's First Nations peoples have been restricted up until now mostly to the Jesuit Relations and the account books of the Hudson's Bay Company. A new resource is now being compiled consisting of Jesuit diaries of the mission of the Immaculate Conception situated in northwestern Lake Superior, principally in the Thunder Bay (Fort William) region, for the period of 1848-49. This compact disc is a preview version of the project, consisting of sample diaries, manuscripts, letters, maps, a glossary and bibliography. The CD begins with a slide show introduction which outlines the historical background of the Jesuits and their activities among the Micmac, Huron and other associated tribes, and then finally their arrival at Sault St. Marie and Fort William. The goal of the project is to publish in an electronic format the entire 80-year history of the Jesuits in the northern Lake Superior region.

The Diaries begin on July 19, 1848 when three Jesuit missionaries were put ashore with a boatload of miners at a

remote destination on the western shore of Lake Superior. The Jesuit Relations (1632-1672), which had previously recorded the exploits of the "Black Robe" missionaries, were serially published in Europe and were a popular source of information concerning the New World. Eventually, in 1773, the Society of Jesus was dissolved, yet reappeared after it was reinstated by Pope Pius VII in 1842. In Ontario missions were subsequently established on Walpole Island on Lake St. Clair (1844) and a few months later on Wiwemikong on Manitoulin Island. Two years later the Jesuits proceeded further west to Sault Ste. Marie and, in 1848, arrived at the trading posts of Fort William and Grand Portage. The plan of the missionaries originally was to minister to the existing Ojibwa communities in the area, but by 1849 they evidently had dreams of building a self-sufficient Native village based on subsistence agriculture in the vicinity of their new headquarters on the Kaministiquia River.

The diaries give us a day to day account of the many obstacles faced by the missionaries, such as the harsh weather conditions (a frost in the middle of July in 1849 that almost destroyed their potato crop), barriers created by language, and serious injury (one of the missionaries cut his leg open with an axe while attempting to square a log). Historically this time period of the late 1840s is of particular interest because of the struggles between the First Nations people and the Canadian and American mining companies. The missionaries were also witness to the preliminary negotiations for the 1850 Robinson Superior Treaty, and found themselves embroiled in a dispute between two chiefs competing for leadership of the Fort William Ojibwa community.

Ultimately it is envisioned that the Northwestern Lake Superior Diary Project will be expanded to include the Diary up to 1926, and would include various other letters and journals. It is anticipated that up to 4 000 pages of these documents could be processed and published. On the basis of the present sample of some 60 pages of material, it is difficult to assess how useful this material would be for those interested in historical ethnography, or northwestern Ontario history. For the most part the journal entries are quite sketchy, consisting usually of three or four lines of brief information, although there are occasionally much longer paragraphs. There are only two entries, for example, for the entire month of October, 1848. On another occasion (November 27, 1848) it is commented that "almost all the men go away hunting for 15 days or 3 weeks." Consequently, I suspect that those readers who are seeking the sort of detailed information such as that found in Charles Bishop's *The Northern Ojibwa and the Fur Trade* will be disappointed. None the less, the diaries provide information that cannot be gleaned from other existing sources, such as the triad of relationships between the Jesuits, the personnel at the Hudson's Bay Company post, and the followers of local Ojibwa leader Joseph Peau-de-Chat. The Diary Project certainly has the potential to provide a new beginning for researchers interested in the complex developing relationships in Northern Ontario's frontier between

fur traders, missionaries, mining interests, officials of the Government's Indian Department and the various Aboriginal populations in the Lake Superior region. I look forward to the eventual completion of the entire project and then we will be in a better position to assess the historical value of the Jesuit diaries.

Note

- 1 The Northwestern Lake Superior Jesuit Diary Project is led by Dr. Patrick R. Chapin, 25 Leys Street, Thunder Bay, Ontario, P7A 5E5.
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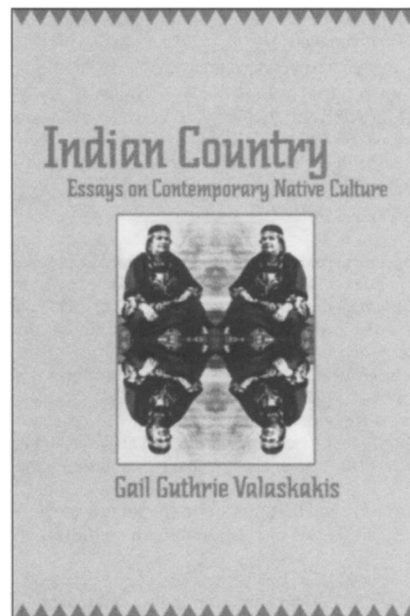
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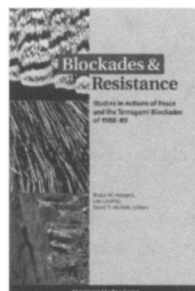
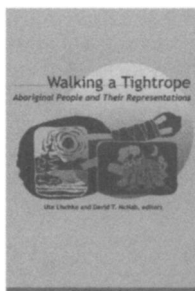
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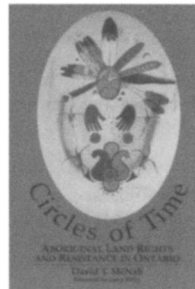
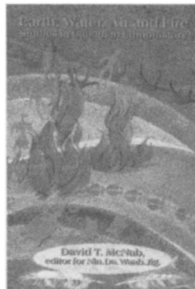
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