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A SWEDISH DILEMMA: SAAMI RIGHTS AND THE WELFARE STATE

by Hugh Beach

The situation of the Saamis (commonly known as Lapps) in Sweden today presents the world with a problem of remarkable character: when cultural preservation comes into conflict with living standard, what constitutes an ethical minority policy? Should cultural self-determination gain precedence over individual well-being, or should the ideals of the socialistic welfare state be prior to those of cultural pluralism? It is my aim to clarify and demonstrate this issue with respect to the Swedish Saamis, for it strikes to the root of Swedish-Saami relations and provides the necessary general framework from which to understand current problems and more specific dealings. For reasons which will later become more apparent, the discussion will focus upon two fundamental aspects of the Reindeer Herding Act of 1971, paragraph 1 which delimits the segment of the population eligible to herd reindeer and paragraph 9 which constrains the economic activity of the actual herders as a Saameby unit to that of reindeer herding.

BACKGROUND

The reindeer grazing lands of Sweden are divided into approximately 50 herding territories (Fig. 1). The herding terri-

tories, called Saamebys, define zones whose use is conferred upon (the reindeer of) certain specific Saami herders. Thus the Saamebys define social as well as territorial entities. Paragraph 1 of the Herding Act of 1971 designates who is and who is not eligible to be a reindeer herder in Sweden. Elsewhere (Beach, 1979), I have traced the evolution of this regulation in Swedish law. Paragraph 1 of the Herding Act of 1971 includes the following statements:

The right according to this law to utilize land and water for support for oneself and one's reindeer (reindeer-herding right) belongs to him who is of Saamish ancestry, if his father or mother or one of his grandparents had reindeer herding as steady occupation. . .

If there are special reasons for it, the County Administration can grant a person of Saamish ancestry herding rights even in cases not intended according to the above paragraph. (SFS 1971:437).

Thus the Saamis are divided into two major categories, those who have the right to herd reindeer and those who do not have this right. Moreover, while the

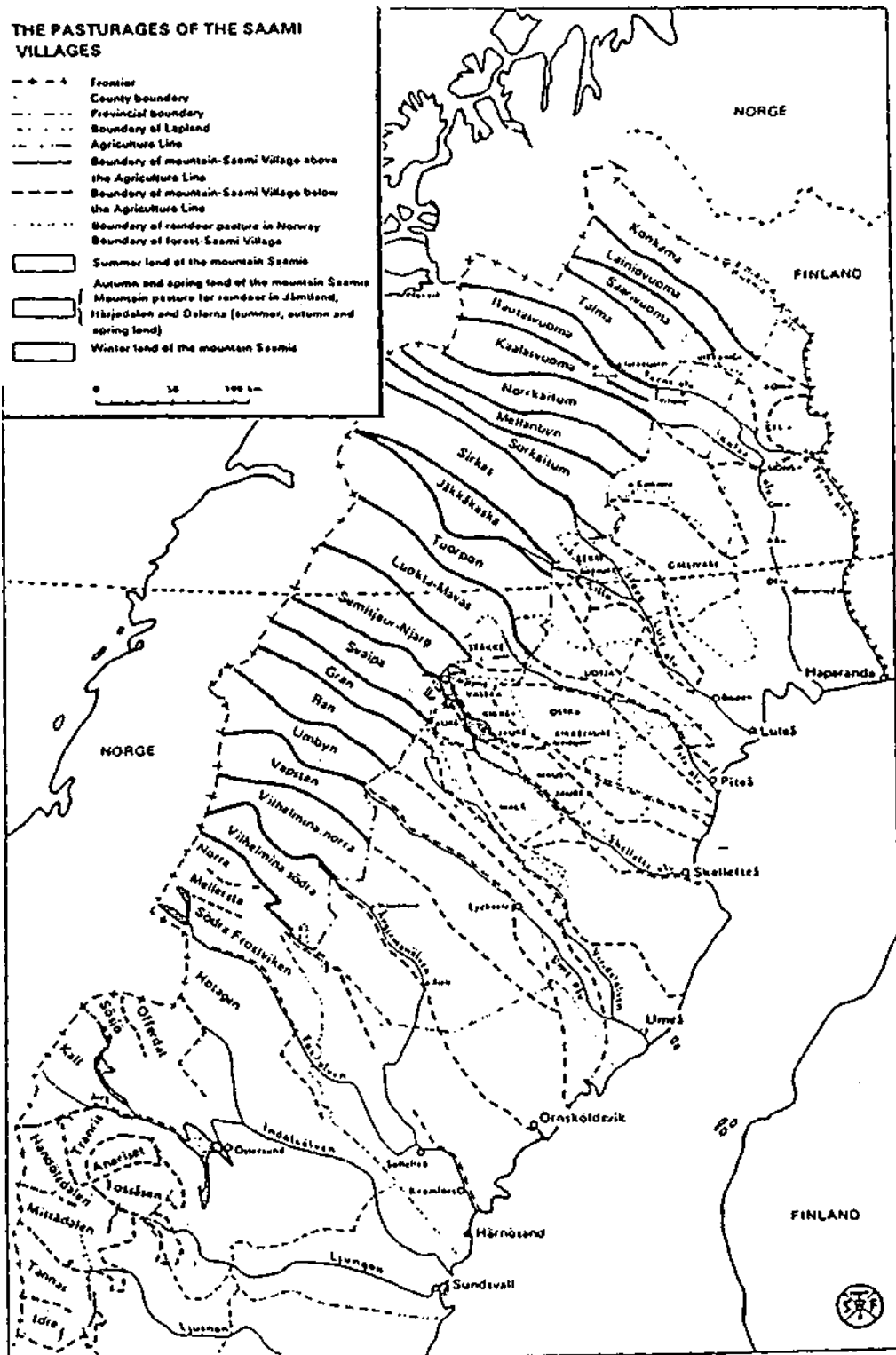


Fig. 1 Map from Manker's book, *De svenska Fjällapparna* (The Swedish Mountain Saamis).

From Beach, 1981:7.

Saamis are distinguished from regular Swedes on the basis of ancestral heritage, the category of Saami is in turn divided according to an occupational criterion. For the most part, it is only those Saamis actually engaged in herding who are legally distinguished as Saamis. Of those who are eligible for herding rights, only those who utilize their herding rights as Saameby members share in any of the accompanying, so-called "Saami privileges", such as hunting and fishing rights. These privileges, legally bound up with herding, are almost all that is left of those ancient, traditional rights of the entire Saamish population (Beach, 1981: 304).

The Swedish government does not recognize any general Saamish ownership of land. The Saami herders are given the use of the land with respect for their traditional herding occupation, to preserve the Saamish culture, but this use is limited to herding use along with some hunting and fishing privileges. Herein lies the fundamental premise of Swedish policy toward its native minority. The policy is one which, while in effect constituting a very damaging minority policy, does so by hardly recognizing any real minority rights and basing Saami privileges rather on the occupation of herding. It is noteworthy that the State recognizes herding as the only traditionally Saamish way of life. This has always been one of the most persistent false assumptions in the history of Swedish colonialism (Ruong, 1978:1).

Paragraph 9 of the Herding Act limits the economic activities of the Saameby to herding alone. For the Saami herder, much of the flexibility and profit that might be available to him through a diversified Saameby economy is thereby cut off. According to paragraph ,9:

The Saameby has as goal to attend to the reindeer-herding within the Saameby's grazing area according to this law for the members' collective welfare.

The Saameby is especially responsible for seeing to it that the herding is conducted in the economically best way and to build, maintain and operate constructions needed for herding.

The Saameby may engage in no other economic activity than herding. (SFS 1971:437).

It is argued that should the Saameby be allowed to invest its profits in any other enterprise, it might risk its herding business, and after all, this is the reason for the privileges - to maintain the Saamish traditions and culture, equated by the Swedish government with herding. In short, the State frequently holds that when not employed in the direct pursuit of the Saamish cultural activity par excellence, herding, Saami privileges should be terminated.

As one has the opinion that one should grant the Saamis these rights, the basis of this has been, on the one hand, consideration of the herding, so important for the national economy and from the social perspective, and, on the other hand, the praiseworthy desire not to ruin unnecessarily the Saamis' special culture, which is for them well adapted, and force them to dissolve into the main population. To the extent, however, that Saamis by the power of circumstance come far away from the livelihood of their forefathers and seek their support in the same manner as the settled population, as farmers, lumberjacks, hired hands of the settlers, etc., to the same extent disappear the reasons for the State to reserve for these Saamis any type of special judicial position. (Prop. 1917:169, p. 56).

Before colonial encounter, the Saamis could hardly be mapped, and then only crudely with a tangled, shifting network of lines showing migration routes or by basic winter encampments.

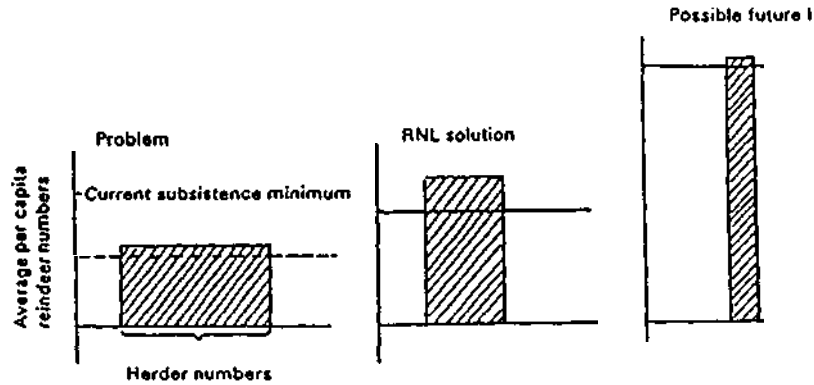


Fig. 2. From Beach 1981 : 477

Afterwards, largely due to taxation policy followed by policing actions to regulate the damage of reindeer to the crops of farmers, the herding territories were carved out with their specific Saameby boundaries. The different Saameby grazing zones have different grazing capacities, both in total as well as in seasonal grazing distribution. In time the Swedish government came to fix different herd size limits for each Saameby, based upon grazing capacity. Assuming for the moment that all reindeer within a Saameby were distributed equally among its herders, the Saameby's fixed herd limit, divided by the subsistence minimum in reindeer for a herding family would yield the maximum number of herding families able to exist within that Saameby. Reindeer ownership, however, is private and unequal. Moreover, herders do not necessarily subsist on reindeer herding alone, so any calculation of this sort is hopelessly more complex than outlined here. Nonetheless, the Saameby herd limit does put a ceiling constraint upon the number of herders likely to be members of the Saameby.

THE PROBLEM

Obviously, the more reindeer needed to constitute the herding subsistence mini-

um, the fewer herders will be able to achieve this minimum within a given Saameby. Shocked by the poor living standards and high infant mortality rates among its herding population (Haraldson, 1962), the Swedish government, with its well established ideals of social welfare, sought to improve the herders' lot by rationalizing the herding industry. Rationalization efforts led to the current Herding Act of 1971 whose efforts toward redirecting and restructuring the herding industry have largely proved a failure. Government reports commonly blame this failure on the traditionalism of the Saami herders. The herding culture, which the State has sworn to protect at the cost of restricting the economic initiative of the herders, is now supposedly to blame for not changing fast enough.

Much of my research has been devoted to uncovering the real reasons for the failure of the Herding Act of 1971. In all of these following histograms, the Saameby's reindeer are depicted as being divided equally among the herders to simplify matters (Fig. 2). To the left we have the problem: the herders with herd sizes below an ever-rising subsistence minimum in reindeer. The histogram in the middle depicts the solution as seen by the Herding Act of 1971. The pro-

fitability of herding is to be increased through practices of selective breeding, grazing rotation and most importantly, calf-slaughter, while at the same time, the number of herders will be decreased to a level where all have enough reindeer to maintain an acceptable living standard.

The histogram to the right gives the result of this policy if the rising subsistence minimum in reindeer is left to rise without check. Eventually there will be only a handful of herders and certainly not enough to form the pillar for the survival of the Saamish minority culture. The histogram in Fig. 3 gives the Saamis' ideal solution to the problem. They favor a lowered subsistence minimum in reindeer, permitting more herders rather than less. In all histograms, the amount of shaded area is the same, indicating the same total herd size for the Saameby.

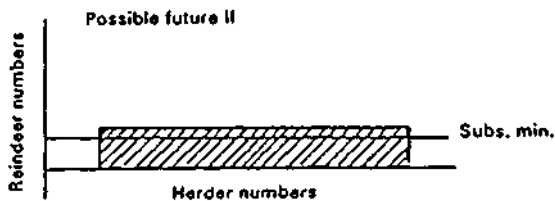


Fig. 3. From Beach 1981 478

The point of balance between the ideals of a decent living standard and cultural preservation is decided in this case by the income that the State fixes as desirable for herders and the means by which it tries to ensure the herders this minimum income. By a recent decision of the Norrbotten County Administration on August 30, 1979, to adopt a plan for the herding industry which the Administration had formed during the past half-year, a firm stand has been taken on the question of what living standard for each herder should be the goal of rationalization

policy. This decision necessarily implies a further decision, that of how many herders is too many for the herding economy to bear.

The income goal can be summarized as follows. The aspiration should be to give those employed in herding a living standard comparable with that of other population groups. In this respect, one should proceed with the idea that the work investment within the herding industry should be given equal compensation to the work investments in other territorial forms of livelihood. (Handlingsprogram Rennäringen, 1979:18, p. 6).

A work force based upon one year-worker per 350 reindeer can be considered on the average enough for all the kinds of work during the herding year. One work investment of this size means that the person in question can be considered a full-time employee of the herding profession. His chances of devoting himself to other work are limited with this size of herd. The gross income from a properly composed herd of 350 animals can be calculated at about 50,000 Cr./year (Ibid, p. 10).

The State is correct in claiming that the low incomes of many herders force them to leave the field, although, as the Saamis continually point out, a living standard in line with that of a Swedish industrial worker is less important to them than a life in the north within the traditional herding livelihood. Nonetheless, there comes a point at which the empty stomach gains control over the heart. This the Saamis acknowledge, and they see the necessity of engaging in the improvement of the herders' income. They refuse, however, to accept such improvement at the cost of the herding population (Beach, 1981:295-6).

Why then, one might ask, do the herders shy away from calf-slaughter, a system proven to maximize the yield of meat and

thus increase profits, enabling more herders to base their livelihoods on the same herd? Is this not simply because calf-slaughter is not traditional for the Saami herders?

ANALYSIS

It is indeed true that calves grow faster per unit of grazing consumed than do more mature animals. The most rational use of grazing land would be to convert it to calf meat, to kill off most of the older bulls and steers and to populate the winter grazing land (commonly the bottle-neck of grazing systems) with the most effective reproductive herd unit consisting mainly of females. Most of the male calves would be slaughtered in late autumn or early winter, sparing only enough males to insure the perpetuation of necessary bull reindeer breeders.

The logic of this system applies, however, only when the Saameby's total herd has reached its fixed, rational limit. Where there is a low reindeer/grazing ratio, as there currently is in many Saamebys whose herd sizes are far below the rational reindeer limit, grazing conservation and rationing for maximal meat production are unnecessary. The herder stands to gain much more profit if he can sell his slaughter animals fully grown. By allowing his male calves to grow to peak weight, the herder does not deprive other reindeer of grazing. It makes no difference if the bull's rate of growth is slower than the calf's when there is grazing enough for all. There will be no reason for the herder to curb the growth of individual reindeer by calf-slaughter. One full-grown reindeer is worth much more, than a calf, and the herder's greatest gains lie in reducing the mortality among his calves, for example, through the control of predators.

Moreover, when there is competition between herders for grazing, if one herder

takes to calf-slaughter, thus limiting his grazing consumption, the grazing he saves may simply be consumed by another herder, who profits by allowing his reindeer to grow to full maturity.

Competition between herders is directly linked to the relation between the actual reindeer population and the Saameby's rational limit. Obviously, it is only when the rational reindeer-population limit is approached that the reindeer of one herder will curb the expansion of another herder's reindeer. It seems, then, that one condition for the compliance with rational-husbandry principles (high reindeer/grazing ratio) will be attained at the expense of the other (low herder competition). When there is an abundance of grazing, calf-slaughter simply is not most rational. And, when grazing is scarce and calf-slaughter would be wise on this basis alone, the Saamebys are torn by internal competition for grazing (Beach, 1982) which destroys all hope of calf-slaughter. With Saami land rights conferred only upon herders and with a government rationalization policy which counts a full 30 % of the already small herding population as unnecessary and a hindrance to the development of the industry, it is little wonder that when pressured by grazing competition, the herders view calf-slaughter as suicidal.

The State has devised selective subsidiary policies, voting systems and loan programs to help the big herders and cause the small to leave the field. The Saamebys usually oppose programs which split them into factions in this way. When grazing is plentiful, the herders generally refuse to drive their less successful members from the field. All recognize that under the rules of paragraph 1 of the Herding Act, this may mean driving entire lines of descent from ever regaining eligibility for Saami rights. With each succeeding generation of Saamis, a greater and greater proportion of the Saami population loses the ability ever to obtain Saami rights.

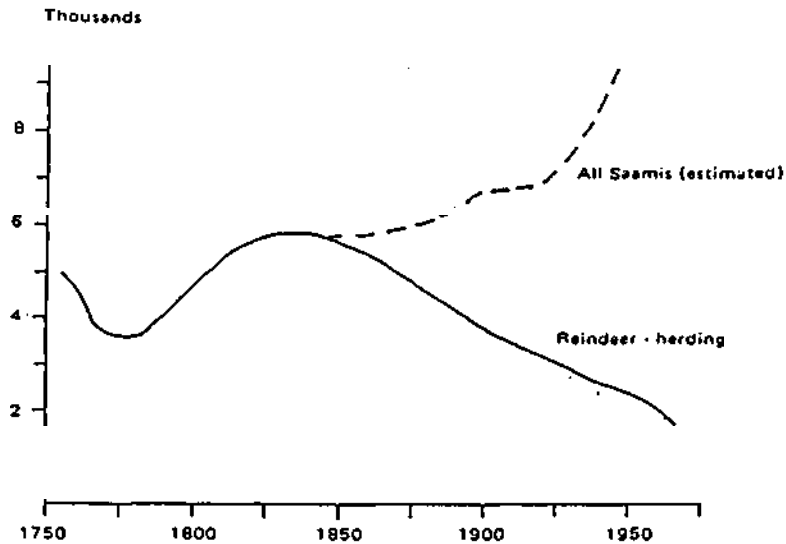


Fig. 4. Total Saami population in Sweden. 1750-1970.
From *The Biography of a People: Past and Future Population Changes in Sweden. Conditions and Consequences*. A Contribution to the United Nations World Population Conference, p. 25. Royal Ministry of Foreign Affairs. 1974.

Note the assumption contained in this graph that, prior to 1850, all Saamis were reindeer-herders.

From Beach 1981 : 297.

Caught between a continually rising subsistence minimum in reindeer and a continually reduced grazing capacity due to the combined encroachments of the timber, tourist, mining and hydro-electric power industries, the Saami herders have decreased drastically. Today there are only about 900 active herders in all of Sweden (Fig. 4).

The decision whether to remain in the core area without satisfactory financial support but with the traditional herding form of livelihood or to relocate to the south and break traditional ties comes in the end to a painful contest between living standard and culture for many herders. Now that they are used to the benefits of and dependence on a strongly socialistic welfare State and the new, part-time

jobs made available by the colonial encounter, many herders are unwilling to let their living standards suffer overly, should the part-time jobs become scarce in the north. They might move south and sacrifice active cultural membership. Others will cling to their traditional livelihood, but not without a sacrifice of living standard. The former alternative is, of course, more easily adopted by the young, who are not so fully committed to herding as their elders and who wish to commit themselves to an occupation with a firm future. This has always been a problem for each small herder. With rationalization, however, a legal program is devised which can enforce this decision through collective voting and financial sanctions. By forcing small herders from the field, in order to better the resource/

consumer ratio for those remaining, the problem of illegalized poverty is thereby created. The raised living standard which the State claims is necessary for the preservation of the Saamish culture, when attained through the proposed rationalization program, means the decimation of the already low, herding population and a deadly blow to Saamish culture.

Only a few decades ago, discriminatory laws were passed to restrict Saami herders to their present state of development. They were, for example, not allowed to build comfortable, modern houses, for it was believed that this would make them "soft" and less willing to maintain the herding intensivity required of them. An attitude in favor of what one might call enforced preservation of underdevelopment (poverty) was common.

The alternative to this preservation of underdevelopment is to make poverty illegal below a certain limit, and thereby one faces a double danger of sailing either too close to Scylla or too close to Charybdis. The different courses are hotly debated in the program of rationalization. At first glance, it might appear that a drifting course between the two perils evades the problem, simply by allowing poverty without pressure either to preserve it or to eradicate it. By such a course, one might hope to avoid the trap of discriminatory legislation by applying its policy of poverty allowance or illegalization equally to all Swedes and Saamis.

If the dominant majority makes it illegal or simply impossible for the weaker minority to accept a certain degree of inefficiency (hence poverty) in order to maintain some of its old ways, then the process of cultural assimilation will, in many respects (especially in those respects related to economic factors), be almost instantaneous. The higher the cut-off point defining poverty, the more

rapid assimilation will be.

If we inspect the other alternative, however, that of allowing all manner of poverty for both Saamis and Swedes, it becomes evident that even here there is a double-bind. For, it can be argued that if the Swedes allow the Saamish children to grow up in ignorance, disease and poverty (not that this is or necessarily was the case), then they refuse them the opportunity to acquire those benefits until they are of age to choose for themselves. This alternative then becomes a more refined form of discrimination. Opportunities are still not equal for all, and the dilemma continues. We are thrown back on the first alternative, that of the illegality or impossibility of poverty below a certain limit, but with the all-important question: where should the line be drawn? The line drawn at one extreme means painful assimilation, while the line drawn at the other extreme results in unequal opportunity. The proper balance is an issue of serious deliberation where all aspects, cultural as well as economical must be weighed. As noted, the authorities have recommended that the line be drawn at 50,000 Cr./year, requiring a herd size of at least 350 reindeer and probably more per herder (Beach, 1981: 293-9). Of the 900 active herders in Sweden today, only a minority of this already small minority has a herd of this size or larger. In reaching this figure, the authorities seem to consider only that the income provided be equivalent to that of "other territorial forms of livelihood", such as farming.

Unfortunately, the State barrels ahead with its rationalization program to increase the efficiency of the reindeer industry seemingly in oblivion of its cultural implications. At least it is to be hoped that these policies are born of ignorance rather than conscious deliberation.

The failure of so many of the rationalization policies is caused by traditionalism only in the sense that survival as a native minority at all with its own identity and special land rights involves tradition. The profit-oriented calculations and stratagems of the Swedish government fail completely in recognizing to what extent social and cultural elements are involved in and affected by herding legislation. The State may predicate Saami rights upon herding occupational rights, but the herders consider themselves Saami herders, not just herders. Herding is to them not a job like any other. The failure of the State to realize the import of its herding economic policy when introduced in tandem with its native minority policy has led to the mismanagement of both.

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