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The Saami of Lapland

Introduction

The Saami, or Lapps, are the native people of the area in northernmost Europe known as Lapland. The land of the Saami is a land of extremes: the midnight sun can circle the horizon without ever descending below it during the summer, while in winter there are short, pale ‘days’ when the sun never rises above the horizon at all. A hike from the high mountains to the lowland forests can resemble a journey in time through three different seasons. In early June the high mountain lakes are often still frozen over. Snow is still abundant, and will never fully disappear from the mountain slopes before winter replenishes the supply. Further down the mountains, birches show the first light green foliage of spring, while down in the deep evergreen forest valleys, summer is in full bloom.

Due to the national borders forced upon them, the Saami have been parcelled into four separate countries: Norway, Sweden, Finland and Russia. The description of this part of the world by the 10th Century Viking poet Egill Skallagrímsson can hardly be bettered:

'In northern Norway one finds the wide flat tundra land called the "vidda", and along the Norwegian coast there are deep fjords that penetrate into the heart of the mountains. Finland's broad forests are broken by innumerable lakes and waterways. All along the western frontier of Sweden there is a massive mountain chain. These mountains continue into and cover most of northern Norway, but in Sweden the land drops into a broad lowland forest district of pine and fir before meeting the Baltic Sea.'
There were social, economic and linguistic differences within the
general Saami population before the division into separate states, but
these were and largely still are subordinated to the overall unity of
Saami ethnic identity. Unlike many other ethnic minorities, the Saami
maintain access to much of their land, despite ongoing debates con-
cerning questions of legal ownership. Yet, in spite of the fundamental
differences between the Saami minority and other non-indigenous
minorities in these countries, the Saami have been treated in many
respects like immigrants, to the extent of being subjected to powerful
assimilation policies. (In fact, in some respects it is only thanks to poli-
cies forged to support the cultures and languages of immigrant groups
that the Saami too have gained similar support.)

The last ten years have been momentous for the Saami. Norway and
Sweden have established democratically elected Saami Parliaments
(Sameting) and altered significant aspects of governmental Saami poli-
cy following upon the extensive work of Saami Rights Commissions in
both of these countries. Although Finland has had a Saami Parliament
since 1973, well in advance of both Norway and Sweden, here too sig-
ificant policy changes have been enacted largely in the light of
important new findings from research into Saami resource rights and
because of efforts to harmonize Saami policies within the Nordic coun-
tries. The dissolution of the Soviet Union has had a profound effect on
the Saami of the Kola Peninsula. With the economy in shambles, the
Russian government has terminated the old state-owned farms, svolkhove -
including the reindeer svolkhozes in which many of Russia's Saami
were employed. Farm capital (reindeer stock) has been thrown on to the
open market for purchase by the highest bidder. Yet this eco-

conomic turmoil is accompanied by new freedoms, and the Kola Saami
have in record time organized themselves politically, made firm con-
nections with their Saami neighbours to the west (cultural and educa-
tional exchange programmes, for example) and even joined the Nordic
Saami Council (Sámíráddá), first as observers, but by 1992 as full voting
members (causing the modifier 'Nordic' to be omitted from the name of
the organization).

Accurate demographic statistics on Saami population size and distri-
bution are largely lacking. Much depends, of course, on the operatio-
nal definition of 'Saami', and this presents a difficult problem.
Ruong's standard work on the Saami from 1975 claims there to be a
total of 35,000 Saami, of whom 20,000 are in Norway, 10,000 in Swe-
den, 3,000 in Finland and 2,000 in Russia. The 1982 revised edition of
this work, however, gives considerably higher numbers: a total of
60,000 Saami, of whom 40,000 are in Norway, 15,000 in Sweden,
4,000 in Finland and 1,500 to 2,000 in Russia. Obviously this rise of over 58 per cent in seven years reflects more than a growing birth rate; it reflects various definitions of Saamihood based largely on criteria of language and individual self-ascriptions (criteria still debated but commonly accepted by the Saami themselves and formalized in the definition of those eligible to participate in the election of representatives to their respective Saami Parliaments in Norway, Sweden and Finland). Finnish figures from 1991 indicate that there are 4,000 Saami living in northern Finland and 2,000 Saami living in other parts of Finland. There is furthermore a growing tendency for those Saami who earlier sought to avoid public admission of their ethnic roots for fear of stigmatization to take new pride in their ethnic membership.

Saami political organizations have demanded for a long time that government census record their ethnicity. Knowledge of Saami numbers would indicate potential Saami political strength. Later, while legislation for the establishment of Saami Parliaments (see pp. 197-202) in Norway and Sweden was under formulation, the issue of a Saami registry was again actualized in order to define the Saami electorate for these new democratically elected assemblies. Finland, however, has kept a voluntary Saami registry for over 30 years. Just who is to be recognized as a Saami for voting purposes in the officially recognized Saami electorates in the election of their representatives to the Saami Parliaments has only recently been finalized and ‘harmonized’ within the Fennoscandia nations (with the construction of the Swedish Saami Parliament). It has been a major concern of the Saami that someone recognized as such in one of the countries with a Saami indigenous population should also be recognized as such in the others.

In Russia, ethnic registration is involuntary and depends upon the ethnicity of one’s parents, children of mixed marriages being given the option to choose registration with the ethnic group of one or the other parent at the age of 16. Such registration in Russia, however, does not entail eligibility for Saami to vote for any kind of special Saami representation.

In the spirit of Nordic harmonization of Saami policies, the governments of Norway and Sweden (following the Finnish precedent) have instituted a combination of subjective and objective criteria defining those Saami who, if they so desire, can register themselves to vote in their respective Saami Parliament elections. In order to join the Saami electorate, one must feel oneself to be a Saami (subjective criterion), and one must have used the Saami language in the home or had a parent or grandparent for whom Saami was a home language (objective criterion). The Saami Parliaments of Norway and Sweden are composed of Saami representatives elected by freely registered Saami, as is already the case in the existing Finnish Saami Parliament. However, some Saami are anxious that apathy causes many Saami to refrain from joining the Saami electorate, and if Saami language skills decline further over the generations, the potential electorate, not to mention those who actually register, will decrease severely. Sweden, unlike Norway, has therefore added a further clause to the objective criteria: if someone of Saami descent is not eligible to join the Saami electorate in Sweden according to the language criterion, this person might still register simply if his or her parents or grandparents have been registered.

Continuity of registration can in effect substitute for language continuity; yet, nonetheless, if both registration and language continuity lapse for more than two generations, eligibility to join the electorate under this legally constructed Saami definition is lost. While there are proponents among the Saami for a mandatory, objectively determined Saami census, most agree that ethnic registration should only occur voluntarily. Critics of the Saami voting definitions point out that the reliance on language for those eligible to vote is extremely narrow compared to the provisions in international texts for the definition of both minorities and indigenous peoples.

The Saami call themselves saemien, sápmi, saam'm or similar dialectical variations. For many years Saami spokesmen in Norway, Sweden and Finland have campaigned to substitute ‘Saami’ for ‘Lapp’ (considered by many Saami to be a derogatory term). In Russia, ‘Saami’ is already the accepted usage. During the 1960s and 1970s ‘Saami’ (in Swedish and Norwegian ‘Same’) has come to replace ‘Lapp’ in all official texts. Similar replacement has gained momentum internationally. For a small minority people, threatened with assimilation, the destruction of their resource base and deterioration of their language, gaining authentication for their own name for themselves by others is a symbolically significant step towards international recognition of their cultural needs and rights to self-determination.

Few groups have had so much written about them as have the Saami, and in this short space it is impossible to do this material justice. My purpose, therefore, will be to provide basic information about the situation of the Saami and to contribute a much-needed analytical update in view of recent and highly significant developments.

The Saami people

In the capital cities of the Fennoscandian countries (Norway, Sweden and Finland), where many Saami have settled, it is generally impossible to distinguish a Saami who is not traditionally dressed from any other
Swede, Norwegian or Finn. In fact, Saami representatives have been known to cause consternation at international congresses among their aboriginal brethren who have never imagined that indigenous peoples could be ‘white’. A common stereotype of the Saami is that they are short, with dark hair and eyes, high cheek bones and narrow nose bones; yet, there are many tall, blond-haired and blue-eyed Saami.

Despite a broad range of traditional subsistence lifestyles and adopted modern livelihoods, the Saami are best known to the world for their reindeer herding. Nonetheless, one cannot take for granted that in Fennoscandia all reindeer owners are reindeer herders, that all herders are owners, or even that all herders are Saami. While in Sweden and most but not all of Norway, reindeer herders are of Saami origin, this is not necessarily the case in Finland at all. In Sweden, even though Saami origin is not a criterion to own reindeer, any non-Saami owner must employ the services of a Saami herder to herd his or her deer.

Characteristic of Saami, however, whether herders or non-herders is that they regard the reindeer as a basic guardian of their culture, their language and identity. It is true that the policies of their encompassing nation states have commonly interpreted Saami resource rights as privileges (which can be revoked as a simple policy adjustment without due process of law or just compensation) and conferred these exclusively upon the reindeer-herding Saami, but the Saami preoccupation with reindeer stretches far beyond the resource rights practised by the herders alone. Reindeer-herding Saami are a small minority of the entire Saami population (in Sweden, for example, only about 10–15 per cent, in Norway 5–8 per cent), but the herding livelihood is something all Saami will fight to protect. It is regarded as the source of their culture and the flame which keeps their identity and Saami alive.

Of course, reindeer herding is a broad term for a livelihood which has undergone tremendous development. Besides keeping deer for decay (see p. 170) and transport purposes, one can base one’s herding economy upon the use of the deer primarily for milk or meat, and whichever one practises the manner of utilization determines largely the kind of herding one pursues. Before modern transportation linked the herders to a broader, non-Saami market and also provided them the means to meet commercial demands, herding was basically a subsistence livelihood with few external transactions. Herding families kept tight control of their deer (continually guarding them and preventing them from straying or mixing with other herds) and for a large part of the year milked them daily. The milk was usually made into cheese, and it was an old saying that the last cheese of one year should ‘see’ the first cheese of the next.

When a reindeer was slaughtered, there was little which was not used. Early texts recording meetings with Saami generally comment upon the herders’ knowledge of each individual deer and of their great usefulness for the Saami, providing everything in the way of food and clothing. Later, when new foodstuffs and materials could be purchased, and when the sale of meat could provide the funds for such purchases, milking gradually disappeared, and the herds were used basically as a meat resource. This change was accompanied by pressures for changes in herd size and methods of herding. However, the seasonal cycle of herding work today is still regulated by the reindeer’s natural rhythm and by the availability of grazing.

In early spring the reindeer herds migrate to the calving grounds, in Sweden in the mountainous area near the Norwegian border and in Norway along the coast or on the many offshore islands. The herders follow to guard against predators and in the summer to round up the herd for the marking of the calves. Then, as the autumn approaches, the herds begin to pull towards new grazing lands and the rutting season begins. The herders are engaged in driving the herds and in slaughtering. Later still, the reindeer move on to the winter, lichen grazing lands, and the herders must perform further herd divisions and slaughtering, all the while guarding against predators. Herders often split into their smallest groups (commonly just the nuclear family) in order to best utilize the scarce winter pastures, and it is therefore necessary to divide the reindeer according to owner.

During the winter, each owner prefers to guard his own animals against predators (not always four-footed), and he naturally wants ready access to his own animals for slaughter. An ill-timed thaw can ‘lock’ the lichen, that is, coat it with a hard layer of ice rendering it inedible for the reindeer. Or else the snow cover can freeze into such a hard surface that the deer cannot break through it to dig down to the lichen. In such cases, which in the past would have been disastrous (but even today can still prove devastating), the herders must try to feed their deer expensive artificial fodder twice a day. Should the greenhouse effect cause milder winters and more frequent oscillations between warmer and cooler periods, lichens might be ‘locked’ more often, causing regular use of artificial fodder and threatening the entire Saami pastoral pattern.

In many Saami summer camps the traditional dome-shaped Saami hut, built with a log frame, waterproofed by birch bark and insulated by a final cover of turf, is still in use. In the centre is an open hearth (sometimes replaced by a wood stove), and if someone is at home, a column of smoke usually rises from a smoke hole directly overhead. In
the past, when herding was more intensive, for example during the
days when the deer were milked regularly and the herders’ camp
moved frequently; mobile tent goatliass were used. Some Saami fami-
lies, especially on the Norwegian vidda, still use a tent during migra-
tions, but on the whole, camps have become more permanent, and
the turf-covered frame has been increasingly used, although in turn has
now frequently been replaced by a wooden cabin. During the winters,
when the herders are generally no longer in the high mountains but
dwelling in smaller, often mixed Saami and non-Saami settlements, or
at least enjoying access to the road network, they commonly live in
regular houses with modern facilities.

Active herders relish the free life it affords them in one of the
world’s most beautiful regions. It is a tough existence of frequent
moves, physical risk (Swedish statistics based on proportion of
work-related fatalities and serious injuries show reindeer herding to be
the country’s most dangerous job) and long separations of family
members. While there are a few so-called big herders with many head
of reindeer, most have only enough to get by when the family income
is supplemented by other part-time jobs. Yet reindeer herding itself is
precisely a life within a Saami community, as a Saami, and not just a
job. Those who are used to it are not at all necessarily inclined to leave
it for higher paying employment and better living standards in the
south. Nonetheless, be it by carrot or stick, many Saami have left their
traditional core geographical areas and moved to the cities.

Reindeer herding has spread widely outside of its traditional bor-
ders. Saami have often been contracted as herding teachers among dis-
tant Inuit groups. At the end of the 19th Century, for example,
approximately 70 Saami from northern Norway (in two waves) were
imported to Alaska to help build a strong herding industry and, so it
was planned, to seed a permanent Saami colony there for the supply of
future herding instructors. As it turned out, many of the would-be
instructors were swept up into the Alaskan Gold Rush instead. Some
did indeed teach herding to the Inuit and with the termination of
their contracts stayed on to tend their own private herds, but most
returned to Norway after only a few years. When in 1937 new Ameri-
can legislation prohibited reindeer ownership to anyone but a Native
Alaskan Inuit, Indian or Aleut, the few remaining Saami herders were
forced to sell out.

Similar programmes where Saami were brought over to care for
fledgling domesticated reindeer enterprises occurred in Canada. In
Greenland too, where herding has not been confined to native Green-
landers, Saami established herds. A Swedish Saami who married a

British anthropologist moved with his reindeer over to Scotland in the
early 1950s, and individual Saami also immigrated to other countries
along with the great waves of other Scandinavians in the 1800s with-
out necessarily any connection to reindeer herding. While permanent
Saami colonies were not founded in any of these instances, Saami
descendants have been spread far and wide. There has recently been a
revalued interest in Saami heritage in North America. Balzi, the North
American Journal of Saami Living (quarterly) based in Duluth, Min-
nesota, was launched in 1991 and has elicited enthusiastic response.
The Saami have regular and increasing communication with a wide
variety of indigenous peoples’ organizations. Pursuant to the inaugura-
tion of the Swedish Sameting in August 1993, communication and
organization within the national Saami communities will take a major
step forward with the founding of a Nordic Saami Parliament with rep-
resentatives from the national Saami Sametings, a development firmly
on the agenda.

Origins

Tacitus wrote in AD 98 wrote of the fenmi, north of the Germanic
tribes. According to his description, these fenmi had no horses, no
weapons and no houses. They dressed in hides and slept on the
ground. Women as well as men joined in the hunt. In AD 550, Proko-
pios described what he termed the skritthipahoi in much the same way.
The prefix skriti- used by Prokopios is an Old Norse word meaning ‘to
ski’. The Saami have been referred to as scridiifner, scridiifner, rewefer,
scifiener or simply finner and finnar. Finner is an old Nordic name for
the Saami which is still used at times in Norway and evident in the
name of Norway’s northernmost region, Finnmarken. The Finns,
inhabitants of Finland, were then known as kiviner.

Around AD 1200, Saxo Grammaticus described the Saami as moving
with their houses and was the first to use the term Lappia for Lapp-
land. Gradually it became common to speak of Lappia inhabitants as
Lapps, usually together with the modifier ‘wild’. Thus the term ‘Lapp’
is a relatively recent name for the Saami which spread via Swedish to
the rest of the world. (Another, probably mistaken derivation of the
term ‘Lapp’ claims it to come from the word lapp used to signify a
piece of cloth, a rag or a triangular cloth piece used in sewing clothes.)

Early researchers into Saami racial traits were largely preoccupied
with measuring Saami skulls, and have presented a range of hypothe-
ses claiming almost every conceivable origin for the Saami. Guerault
(1860–3) and Nilsson (1866) considered the Saami to be mongoloid.
Schefferus (1673) grouped the Saami with the Finns. Giuffrida-Ruggeri (1913) placed them with the Samoyeds. Wiklund conceived of the Saami as the remnants of the root race for both yellow and white races. The Saami have even been called the lost tribe of Israel. The confidence with which these theories are presented must be weighed against the enormous range of their variability. We simply do not really know where the Saami originated or even if this is the proper question. Pouli Simonsen (1959) suggests that the appropriate question to ask is not where the Saami came from, but rather when the various peoples in the north coalesced into Saami with a Saami identity.

From the mid-1800s to the mid-1900s, it seems that many scholars wished to isolate the characteristics of their own 'civilized race' by making crude comparisons with other peoples. Social or 'vulgar' Darwinism was in vogue. So-called racial hygiene, condemning intermarriage between races seen to be of different order, was a respectable topic. As a result, descriptions of the Saami race from this period are often hard-drawn, absolute and derogatory. In any case, scholars have been convinced that Saami traits bespeak long isolation. For example, as a population, Saami demonstrate some special physical characteristics, such as an extremely high frequency of the A-2 blood type. New forms of research using so-called genetic markers may well alter greatly our understanding of Saami origins. According to Professor Pekka Sammalhhti from Oulu University in Finland, Indo-European genes prevail over Finno-Ugric genes in Finland as a whole, whereas the situation is clearly reversed among the Saami. He views the Finns as Indo-Europeanized Saami to a large extent.

The often-encountered debate over who was 'first in the mountains', Saami or Scandinavians, as linked to the question of who should therefore be given special resource rights, is misguided. The fact is that the Saami as a fully developed ethnic group held the area and had held it past the brink of human memory when the nations to the south took the first steps to colonize it. New evidence presents itself continually on this topic. The recent archaeological finds of Dr Inger Zachrisson, for instance, indicate that Saami already inhabited the Härjedalen area of Sweden in the year AD 1000, a postulate casting strong doubt on one of the main pillars of argument in the Swedish Supreme Court's 1981 ruling in the famous Skattefjäll or Tax Mountain Case (see p.190) in which Saami land rights were tested.

Language

The Saami language belongs to the western division of the Finno-Ugric branch of the Uralic family. Finnish, Estonian, Livonian, Votic, Vepsian, Mordvin, Mari and Permian (Udmurt and Komi) belong to this same western group. Although it is undergoing change, Saami is basically a so-called agglutinated language, meaning that the function of a word in a sentence is decided by building prefixes and suffixes onto a root. Additions can be pasted on to the root in long chains. The root is often characterized by internal consonant value changes according to the form of the agglutinating syllables.

Saami is characterized by as many as 7-8 noun cases and numerous diminutives. Its personal pronouns exhibit the dual as well as singular and plural forms. As a language, it is equipped to deal with the ecology of the far North and especially with the reindeer-herding livelihood. For example, Saami terminology distinguishes reindeer according to a three- or four-category nomenclature based on: 1) sex and age, 2) colour and 3) the form or absence of horns. By combining the distinctions of each category in different permutations, hundreds of descriptive terms can be generated and used to pinpoint accurately each particular reindeer in an entire herd. The herder who does not speak Saami is at a distinct disadvantage.

The Saami language is divided into a number of major dialects with variations so marked that a Northern Saami and a Southern Saami in Sweden might resort to Swedish in order to communicate. In fact, Hansegård (1974) claims that these major variations can be considered different languages. Marjut Aikio (1991) corroborates this view, claiming it more appropriate to speak of seven Saami languages. The major languages/dialects encompass sub-dialects so that the trained ear can pinpoint quite accurately the original home area of a speaker.

The Saami dialects are: Skolt, Kildin and Ter Saami, spoken on the Kola Peninsula of Russia; Enare Saami, spoken around Enare Lake in Finland; Northern Saami, spoken in northern Norway; Torne Lappmark in Sweden and neighbouring zones in Finland; Lule Saami, spoken in Lule Lappmark; Pite Saami, spoken in Pite Lappmark; Ume Saami, spoken in the southern Arvidsjaur region and in northern Västerbotten; Southern Saami, spoken in most of Västerbotten and in Jämtland, Härjedalen, the Ide region in Dalecarlia and nearby areas in Norway. These can be grouped into three major categories: Eastern, Central and Southern Saami. However, because of border disputes constraining the traditionally free flow of nomadic Saami across the Nordic countries and the Kola Peninsula, and in particular the
enforced relocation of many Northern Saami families southwards during the first half of the 1900s (to be discussed later), the Northern Saami dialect is now widely spread to the more southerly areas as well.

Saami contains many borrowed words from Finnish, indicating Saami-Finnish relations for at least 2,000 years, and also from Old Norse, going back at least 1,300 years. Even in recent times, large parts of northern Sweden and Norway have been bilingual in Saami and Finnish, although Swedish and Norwegian have increasingly pushed out Finnish in these areas. Yet, in certain areas it is not uncommon to find trilingual populations, speaking Saami, Finnish, and Swedish or Norwegian. On the Kola Peninsula it is the rule that all Saami can speak Russian. However, of the 1,615 Saami registered on the Kola Peninsula in 1989 (about 200 live off the peninsula), 707 could speak both Russian and Saami (Afanaseva and Rantala).

The colonizing powers have had fluctuating attitudes towards the Saami language. On the one hand, Saami has been suppressed as a language unfit to carry the weight of higher civilization or to convey the glories of Christianity: some churchmen even considered the Saami language to be the Devil's tongue. On the other hand, more enlightened churchmen understood that the most effective way to spread the gospel to the Saami was through the Saami language.

In the early 1700s, Thomas von Westen led the Saami Mission in northern Norway. He saw the use of Saami as essential for missionary work, and the Saami Mission continued in this spirit for many years after his death. By the late 1700s, however, the tide had changed in Norway. The Saami language did not receive renewed support until around the 1820s, but then enjoyed a comeback largely due to the work of the priests Deimboll and Stockfleth. With the rise of Norwegian nationalism around the mid-1850s, the Saami language was once again suppressed. Apparently, large-scale immigration of Finns to northern Norway at this time fanned the flames of a one-state-one-culture ideology, and in many ways, the Saami suffered from the Norwegianization fear of ‘Finnicization’. For example, a ruling in 1902 forbade the sale of land to citizens who had not mastered Norwegian and used it daily. This bleak period for Saami language and schooling in Norway continued until the close of the Second World War, when human rights issues re-emerged. During the war Norwegian Saami and non-Saami fought side by side against the German occupants and saw their homes destroyed. The war was a watershed in the relations between Saami and non-Saami in Norway; the most severe discrimination ceased.

Similar shifts between the poles of Saami language support and suppression have occurred in Sweden and Finland. During the worst peri-

ods, Saami children received instruction only in the Nordic language of their encompassing state and were often not permitted to speak Saami together in school. Saami speakers were stigmatized in general, with the result that this stigma frequently became internalized by the Saami themselves.

Under the Soviet regime in Russia, while the study of the Russian language was compulsory for all schoolchildren, considerable support was given to the language maintenance of the northern indigenous peoples. Orthographies were developed, and native language instruction was provided. Nonetheless, on the Kola Peninsula among the non-herding Saami population, Saami language loss is a serious problem causing much concern. There are few school texts for teaching Kildin Saami, the main Saami dialect spoken there, and these are the focus of heated debate. The one side claims that the only way to preserve the Kola Saami language is to join with the standardized Saami orthography based on the Latin alphabet used in Fennoscandia. In this way, the Kola Saami children will be able to utilize school texts from the West and to enjoy the far larger body of Saami publications. The other side maintains that the Kola Saami children should have their Saami school texts in the Cyrillic alphabet, an orthography they already know through Russian. If they are required to learn an entirely new orthography to preserve their Saami language, it will disappear all the faster. They argue that once Saami has been mastered, there is time enough to learn the Latin alphabet and to link with the Western Saami literature if one so desires.

The Saami language was first put into writing by missionaries of the colonizing powers in the 1600s. In 1755 the New Testament was translated into Saami, and the whole Bible followed in 1811. In fact, the use of written Saami in Finland was mainly confined to religious texts up until the 1970s. Naturally the various churchmen wrote the Saami dialect they had learned from their mission station, and as there was no standard orthography, they devised their own systems. Dialectal variation was thereby compounded by orthographic variation. In the interests of maintaining a strong, living Saami language, it has been important to try to achieve a standardized orthography. Professor Knut Bergsland from Norway together with the Saami professor Israël Ruong from Sweden composed a standard Saami orthography which was used by many dialect groups from 1951 to 1979. Later, some adjustments were made so that now the major Saami dialect groups in Norway, Sweden and Finland have agreed upon a standard.

Language loss and lack of reading and writing skills have been pressing problems for the Saami. The research of Henning Johansson for
the non-herding Saami population in Sweden showed alarming results: 20 per cent cannot understand Saami; 40 per cent cannot speak Saami; 65 per cent cannot read Saami; 85 per cent cannot write Saami. In Finland, the outlook for maintaining the Saami language is not good. Measures to teach reading and writing skills in Saami through the schools have been focused upon children alone. While figures demonstrating Saami linguistic competence give cause for alarm, the situation is far worse when it comes to actual language use. Individual linguistic competence has been found to persist far longer than actual usage, but it is the latter which keeps a language alive through generations, breeding new competence. Aikio has pointed out that in Finland, shortage of teaching material, shortage of Saami-speaking teachers, little media exposure and lack of official recognition even within the realm of the reindeer-herding administration have all inhibited the use of the Saami language even by those competent to do so. Recent research by Guttorm found that Saami-speaking children often spoke Finnish outside the home even when speaking to each other.

Now, with increasing pride in Saami identity, the rise of Saami political and cultural organizations and support from state governments, this situation can be improved. Largely due to laws designed to cope with the great influx of immigrants to Sweden, the Saami have been given increased support for the maintenance of their language. Saami children have the right to mother-tongue training within the Swedish schools. In the so-called Saami schools, of which there remain only six in Sweden, elementary Saami school children now receive much of their instruction in Saami.

Earlier, children of reindeer herders had to attend so-called Nomad Schools, but after 1962 these schools for nomad children were opened to all Saami. Nonetheless, of the 2,500 or so Saami children of school age in Sweden, only about 5 per cent attend the Saami schools. In these schools, instruction is given in both Swedish and Saami. In some areas, Saami kindergartens have been started where the children receive language training and also contact with Saami culture. However, home language support for children of kindergarten age in Sweden is not strictly commanded by law as is that of older children.

There is a Saami Folk High School for older children and adults in Jokkmokk, Sweden, but after 1968 financial difficulties forced the school to open itself to non-Saami students as well. This school maintains a strong Saami profile, with courses in Saami language, handicraft and reindeer herding. A Saami School Board was established in 1980, also in Jokkmokk.

In 1975 a Saami department was founded at the University of Umeå, Sweden. This department has a professor and a lecturer; it provides courses in Northern, Southern and Lule Saami dialects for both beginners and mother-tongue speakers. Saami language courses are also available at Uppsala University and at the Teacher Training College in Luleå.

In Norway, the Primary School Act of 1969 and its later revisions assure the Saami children in the Saami areas the right to Saami language lessons through the first six school years (until they are about 13 years old) upon parental request. With the 1985 revision, these children could also obtain Saami as a language of instruction (at least until they were about nine years old). Older children, from about 13 to 15 years of age, make their own decisions about language classes in school. Saami is a school subject taught to children 16 through 18 years of age in Saami centres such as Kautokeino, Karasjok and Hamarøy. Even outside the traditional Saami areas, such as in Oslo, Saami immigration has occasioned Saami language instruction in schools. Alta, Bodo and Levanger host teacher training colleges with Saami courses, and advanced language studies can be followed at Oslo and Tromsø universities. A professor's chair in Saami was established in 1986 in Tromsø, while a chair in Finno-Ugrian languages has existed in Oslo since 1866.

In Finland, with but minor exceptions, the Saami language was not taught at all to Saami children in school prior to 1970. Since then, it is permitted to instruct Saami students in their own language dialects, thanks to the efforts of a Planning Committee for Instruction in Saami. Nonetheless, in Finland, Saami children do not have special Saami schools, and it has not always been possible to offer them all instruction in Saami. The obligation for the municipalities to provide Saami instruction in the so-called Saami Homeland has been especially stressed in recent legislation. Gains have been considerable, if uneven. During the 1992-3 school year, instruction in Northern Saami was given at 20 lower classes of the comprehensive school, 6 upper classes of the comprehensive school and 4 senior secondary schools. Inari Saami was taught in 5 lower classes and 2 upper classes, while Skolt Saami was taught in 3 lower and 2 upper classes.

In Finland as in Norway and Sweden, one of the main stumbling blocks to Saami language instruction until recently has been the lack of appropriate teaching material. Teachers in Finland since 1975 have been able to take a leave of absence in order to study the Saami language, and since 1981 paid leaves of absence have been provided for those who wish to prepare educational materials in Saami. A standardized orthography has meant much in overcoming the lack of
Saami teaching material, as Saami texts produced in any one of the Nordic countries can be used in the others.

At university level in Finland, there are presently three lecturers' chairs: one at the University of Lapland, founded in 1979; one at the University of Oulu; and one at the University of Helsinki. A professor's chair in Saami language and culture has existed since 1982 at the University of Oulu. Saami language courses are regularly offered at Oulu and Helsinki. It is also possible to find courses in Saami ethnography offered at the major universities of the north.

Inter-Nordic cooperation took a major step forward with the founding of the Nordic Saami Institute (NSI) in 1973 in Kautokeino, Norway, whose goals are to further the social, cultural, legal and economic situation of all the Saami in the Nordic countries. Among other things, the NSI supports research in Saami linguistics and history and also arranges language courses.

An excellent example of cooperation among the Nordic nations is the production of the Saami language course, Davvin, through both textbooks and radio broadcasts. This cooperation involved the national radio networks of Norway, Sweden and Finland. Davvin is designed for those who do not already have Saami as their first language. Another radio course, Samas, has been produced to teach reading and writing skills to those with Saami as mother tongue. This course has also been broadcast on TV. Saami representation on the Nordic TV networks has otherwise been weak but is growing slowly. Swedish television broadcasts 4–7 hours of Saami programmes per year, reports and documentaries in the Saami language. These two kinds of programme are produced by the Swedish Saami TV department in Kiruna, and others are bought in from Norway. In Norway there is now a permanent Saami TV department, also with its own programme production, transmitting 10–15 hours per year. There is as yet no Saami TV department in Finland to produce its own Saami programmes, but Saami-related ones are bought in from Sweden and Norway and shown for approximately 4–6 hours per year.

There are, however, regular radio programmes and news broadcasts for the Saami, both in their own language and in that of the majority. In Norway, Saami radio broadcasts from Karasjok three times daily in the Northern Saami dialect for a total of about ten hours a week. There is also a small programme in the Southern Saami dialect sent from Trondheim. In Sweden there is a national Saami programme (in Swedish) 30 minutes a week and national programmes in the Northern dialect ¾ hours a week, and in the Southern dialect for 30 minutes a week. In Sweden, the regional radio station of the Norrbotten province also broadcasts programmes in the Northern dialect for one hour a week. Unfortunately, broadcasts in the Lule dialect are absent for the time being in both Norway and Sweden. It has proven difficult to find trained radio personnel in the various dialects. However, it is a top priority to establish a position for Lule Saami broadcasts with a broadcasting time of 30 minutes a week.

In 1986, Aikio listed for Finland only about ¾ hours of radio broadcasts per week in the Saami language. Today in Finland, however, the Saami have their own special radio channel, broadcasting Saami-related programmes all day using the Northern, Enare and Skolt Saami dialects, and Finnish, and covering the so-called Saami Homeland. Except for the summer months and on weekends when reductions occur, approximately 5 hours of broadcast time per day is in the Saami language. It is plain that Saami radio broadcasting in Finland has made major progress. Finland is the first country to establish a radio channel entirely in Saami control.

The Saami Radio departments of Norway, Sweden and Finland have themselves organized a cooperative news team with combined broadcasts in the three countries. For example, from 8:00 to 8:10 each morning each of these three countries transmits the same Saami news. Sweden's morning Saami programme continues for another 20 minutes and Finland carries the full half hour as well as three days a week. The team hopes to expand its combined broadcasts.

Along with reindeer herding and Saami handicrafts, the Saami language stands as a major feature of Saami identity. Understandably, those Saami in groups which have been most severely weakened by language loss and assimilation, while attributing significance to the ability to speak Saami, may consider other aspects of Saami identity more important. Nonetheless, all Saami would agree on the vital importance of maintaining and developing the Saami language for the continuation of Saami culture and collective identity.

As noted, the Saami Parliaments in both Norway and Sweden implement a language criterion to define their Saami electorates, and if those Saami who do not speak the language have a parent or a grandparent who speaks or spoke Saami, then the non-Saami speaker can still register as a Saami for voting purposes. Not so long ago, the overlap of Saami ethnicity and language was much more complete. Language loss on a large scale has been a more recent if frighteningly rapid development, and it is thought that the extended language criterion should cast a net broad enough to capture all those Saami who wish to vote.

While an official Saami electorate can probably be maintained
Despite language erosion, it is doubtful if the very content of the term Saami as an identity and culture marker can survive the death of the Saami language. Helander (1986) lists four major conditions essential for the maintenance and development of the Saami language: official status; institutional support; experienced need and interest; and actual use of a language in daily life.

In order to strengthen the Saami language, an Act of the Saami Language was introduced in Finland in 1991. It entered into force on 1 January 1992. A person who fulfills the criteria for a Saami may use the Saami language in matters regarding him or herself or in which he or she is heard before courts of law, regional or local state authorities, whose jurisdiction covers all or parts of the Saami Homeland (Section 6) and the authorities of the municipalities of Enontekiö, Inari, Utsjoki and Sodankylä (Section 14). Such a right exists also with respect to the Saami Parliament, the Advisory Board on Saami Affairs, the Chancellor of Justice and some other officials. When cases are dealt with on the initiative of an authority in the Saami Homeland, a civil servant shall use the Saami language if a Saami party so requests. Acts and government decrees and decisions which especially relate to the Saami shall also be published in Saami translation (Section 12). The problem with implementing this Saami Language Act stems from the scant efforts to educate civil servants in the Saami language.

In Norway, a new chapter (Chapter 3) on Saami language use was inserted into the Saami legislation from 1987. This chapter applies to the municipalities of Karasjok, Kautokeino, Nesseby, Porsanger, Tana and Kåfjord. As in Finland, acts and decrees of special concern to the Saami shall be translated into the Saami language. A person who addresses in writing a local or regional public body in Saami has the right to a written answer in Saami. A party may use Saami orally and in writing before courts with jurisdiction in the six Saami municipalities. A person also has the right to be served in the Saami language by institutions in the fields of health care and social service. Like Finnish colleagues in the Finnish Saami Homeland, Norwegian civil servants in the six municipalities are entitled to paid leave of absence in order to study the Saami language.

In Sweden, a similar proposal pertaining to the municipalities of Kiruna and Gällivare was put forward by the Swedish Saami Rights Commission, but it was ignored by Proposition 1992/93:32 and has not been acted upon.

**Cultural expression**

Traditionally, the Saami have been a sparsely spread hunting and pastoral people whose cultural activities have not been directed towards grand exhibition or material permanency. Saami creative genius has instead been concentrated in the improvised and the transient. Utilitarian articles, such as wooden reindeer milking bowls and knives sheathed in reindeer antler, demonstrate excellent craftsmanship and individual variation within a traditional framework of form and function. After the colonial encounter, to be sure, Saami forms of expression developed considerably, but within this development there has always been a continuity, a basic Saami sense of pattern and design. For those acquainted with it, the Saami touch is unmistakable.

Perhaps the most unique and characteristic art form is the *yöki*. The Saami Johan Turi has called such singing ‘a way to remember’. To describe it as a song is to indicate its outer mode of expression only. It is vocal, melodic and rhythmic, and yet its original purpose was not simply to entertain. In fact, yöks were and still are often improvised on the spot, not repeated and not meant for any ears except those of their creator. It was the expression of the yöki which was its essence. By conceptualizing in sound the characteristics of a person, animal or place, the yöker could feel himself close to his object, he could ‘remember’ it.

People have personal yöks which somehow describe them in sound even though the yöki is often totally lacking in words. A bear yöki cannot be mistaken for the yöki of a reindeer calf. The yöki has roots deep in the shamanistic past, and it is probable that once the yöki was not only a means to remember, but also a means to become. With the yöki a shaman might transpose his spirit into the shape of an animal or travel to far-off places. It has been said that the yöker ‘imitates’ its subject, but this word does not convey its spirit, for the yöker is not striving for some external accuracy (even if he can achieve it to a great degree). He is opening himself to his subject, filling himself with it; in a sense he remembers by becoming.

The yöki is often a very emotional experience for the yöker. Should a listener be present who shares the yöker’s vocal grammar and who can feel with him the object of the experience, a good yöki will be equally moving. Of course there are yöks which have become true songs – that is, they have become standardized in music and text and are now in the public domain. Today one can hear yöks accompanied by guitar and accordion, and they can be performed in front of a large crowd or bought on a record. Yöks can indeed be beautiful songs. But
the proper criteria for appreciating a yfolk are quite different from those appropriate to the rhythms and melodies of standard European folk music. For a Saami a yfolk can be a yfolk, while to an outsider the same yfolk can only be heard as a song. To hear a yfolk spring unannounced from the lips of a herder in the context which inspired it and to share its feeling as a yfolk is an unforgettable experience.

Saami handicrafts are now famous in Scandinavia and are becoming increasingly known throughout the world. Men commonly work in horn and wood, while women work with leather, pewter thread, roots and fabrics. Traditionally each family produced its own utensils. Someone especially skilled at a certain form of handicraft might make things for a wider circle, but there was no large, external cash market as there is today. With the introduction of modern materials and the transition to more settled lifestyle, many of the old handicraft skills began to disappear. Basketry weaving with roots, for example, has only barely been rescued from oblivion through the efforts of Asa Kitok and her daughters. The art of pewter thread embroidery has been revived largely through the interest of Andreas Wilks.

Saami handicraft work has become of considerable economic importance, not only to those few who have become full-time Saami handicraft artists, but also to reindeer herders, for whom it can afford seasonal work and much-needed supplementary income. Now, in Sweden, after much lobbying, Saami access to the raw materials necessary for traditional handicraft work finally has been secured. Before the changes enacted in 1993 in Sweden, non-herding Saami did not share with herding Saami the uncontested right to take raw traditional materials from the sameby territory. The production of traditional Saami handicrafts, duodji, is now supported by various grants and taught in a number of forums like the Saami Folk High School in Jokkmokk, Sweden, and the centre for Saami arts and crafts, the Norwegian National Saami Crafts Organization, Sámilid Duodji, centred in Kautokeino.

A major threat to Saami handicraft is the production of cheap simulations of Saami handicraft. Imitation Saami handicraft has been produced as far away as Asia and sold in Saamiland to unknowing tourists. The Handicraft Commission of Same-Atsam in Sweden, the Norwegian organization Sámilid Duodji and the Finnish organization Sápmelas Duodjárat have established quality control checks, so that today most real Saami handicraft will be marked as such with a special label. Tourists who learn something about the methods of manufacture of Saami handicraft and who gain an eye for its quality should have no difficulty in spotting counterfeit handicraft.

The Saami language has only recently been used as a literary means for the Saami to express themselves. The Saami preacher Lars Levi Laestadius, mentioned later, was the first to write Saami prose with a literary style. There has been much debate as to whether the epic poems related by Anders Fjellner in the Saami language in the mid-1800s were entirely his own creation, but in any case they show genuine poetic merit. Johan Turi’s Multitus Samid Birra came into print in 1910; Nils Nilsson Skum’s Same sitha, Lappbyn, in both Saami and Swedish, was issued in 1938; Anta Pirak’s Jahtte Saamee Viesoom (dictated to Harald Grundstrom) appeared in 1937. Each of these works provides detailed and often fascinating accounts of the older Saami lifestyle, as well as their folklore and general world view. These books are all classics for those interested in the Saami and have been published in different languages.

The first novel published in the Saami language was Bacivve-Algco by Anders Larsen which appeared in 1912. Pedar Jalvi published his novel Muottacalmit (Snowflake) in 1915. The poet, Paulus Utsi, has produced a collection of poems in Gielu gela. Saami authors, for example Erik Nilsson Mankok, have also written novels in Swedish dramatizing the Saami situation in modern European society. Currently there are many active Saami authors appearing in print, some writing in Saami and some in Swedish, Norwegian or Finnish. Nils-Aslak Valkeapaa, a Saami author, recently received the Nordic Prize Literature. A few internationally renowned books have also been translated into Saami.

In Norway, Saami literary activity has increased greatly since 1971 due to the support of the Culture Board of Norway. Approximately 5–10 Saami books are published per year in Norway, many of them by the Saami publishing company Jargalaedjdi.

The oral literature of the Saami is vast, and much of it has been collected and put into written form. These stories demonstrate a wide influence from traditions far afield. The so-called Stallo legends of the Saami contain a number of motifs reminiscent of Homer’s Odyssey, but other thematic elements are found nowhere else. The Stallo is a giant figure who seeks to capture and eat the smaller Saami. Luckily, Stallo is quite stupid, and the clever Saami is usually able to trick him. Stallo legend motifs and even the name ‘Stallo’ indicate a Scandinavian identity to this dangerous story figure.

A number of Saami have worked in the less-traditional media of drawing and painting. Johan Turi illustrated his book with his own highly original drawings. So detailed, informative, colourful and artistic are the famous pictures by Nils Nilsson Skum that they often assume the dominant position in much of his published work describing the life of the herder and hunter. Skum was a stickler for accurate
detail, and his beautiful pictures are also of great ethnographic value. The woodcuts of John Savio depict wonderfully the life of a herder on the vidda. The works of Iver Jåks and Lars Pirak exemplify the marriage of the traditional Saami handicraftsmen and the modern creative artist. They work both with the old materials and forms and with the new. Their etchings, watercolours, sculptures and oil canvases depict with feeling the nature of Saamiland, the Saami way of life and their ancient spirit world. In 1979 a Nordic artists' union for Saami, Sámi Dáiddacehipit Searvi (SDS), was established, and in 1981 Saami artists gained entrance to the Nordic artists' association.

The Norwegian National Theatre Centre toured the country in the 1960s with puppet shows in the Saami language. Now in Norway there are several Saami theatre groups. One such group, Beatiuva, has become quite famous. Since 1990 there is also a permanent touring Saami theatre in Norway, based in Kautokeino. The Dáivadís theatre group was started in Sweden in 1971 and for approximately 20 years produced dramatizations of the Saami predicament and stories from Saami mythology. This theatre group had close contact with other Native theatre groups and played a part in the development of international Native theatre. A South Saami theatre group, Áarjel Saamien Teater, has started in Sweden, and some of the forces behind the Dáivadís group, together with others, founded in 1982 a new Saami Theatre Association (Sámi Teatuer Searvi) which in 1993 led a project, Lama-Hado, featuring a nomadic theatre troop, travelling by reindeer caravan. Finnish Saami and Finns together formed the Raivos theatre group in 1981. In 1986 a joint secretariat (Calli) for associations of Saami artists was formed.

Besides those organizations already mentioned, there is in Norway a Saami studies association; an association for Saami sportsmen; an association for Saami authors; a Saami youth society and a Saami music society. Two Saami newspapers appear in Norway, Nuortiunaste, weekly, and Sámi Ægl, twice weekly. Ságat, a newspaper which was supported by the Norwegian state to distribute news to the Saami population, has almost completely ceased using the Saami language. In Sweden there is a National Saami Museum in Jokkmokk (Åjtte), and a monthly Saami newspaper, Samefolket. The Saami youth organization, SSR-U, also produces a quarterly newspaper, Sáimingura. In Finland, the magazine Sápmelas is published monthly and is distributed free of charge to each Saami household. A small number of Saami language articles also appears in the Finnish newspaper Lapin Kansa.

Much more could be said about Saami cultural expression. Even the method of butchering a reindeer is extremely complex and sophisticated, varying within the different Saami groups. The colourful traditional Saami clothing reveals the origin of the wearer just as does the dialect he or she speaks. The incredible engraved designs on Saami antler work and the patterns of woven bands are not only beautiful, but they have a complex history of their own. Likewise, the construction of the Saami mobile tent or the permanent turf dwelling contains many traditional and specifically local refinements. Indeed, the greatly detailed and refined character of all these traditional crafts constitutes a general context of highly developed skill which provides the foundation for much individual creativity and genuine art.

History

The history of the Saami can be discussed according to three phases or major forms of influence: 1) the early centuries and initial colonization; 2) a policing period to regulate Saami-settler relations and 3) a rationalization period with increasing focus on meat production and welfare norms at the expense of ethnic land rights and cultural elements. Of course the characterizations of these periods are to some extent arbitrary, and aspects of one period can be found to persist in later periods without clear-cut time divisions. Nonetheless, I believe they will be helpful in organizing this historical sketch and will elucidate the essential facets of Saami relations with nation states. This sketch cannot strive for completeness. It is designed rather as background for an appreciation of current affairs.

The reader might feel that this background material is overly concerned with developments in Saami reindeer herding when, as noted, reindeer herders are but a minority within the Saami minority. The Saami were hunters and fishermen long before some of them became pastoralists, and, for many, fishing is still the dominant economic activity. They have also herded and farmed in combination, but access to resources and their utilization have been heavily regulated by the nation states, which have not necessarily followed similar policies. In Sweden, the integration of reindeer herding and agriculture would have been far more prevalent had it not been for laws insisting on their separation. This policy (together with a shortage of labour experienced by many households) led to the collapse of many Saami combined economies, and those who were not able to sustain themselves on herding alone had to give it up altogether to join what became known as the 'poor Saami proletariat'. Nonetheless, as mentioned previously, despite an economic tradition based on non-herding as well as herding, and despite regulations driving many Saami from herding,
reindeer management is still of enormous weight for the legal status and culture of all Saami.

Early centuries and initial colonization
According to the earliest written sources the Saami were hunters and fishermen living in a winter village form referred to by scholars as the old sita or old Lappby organization, which they relate to that sita organization most preserved today among the Skolt Saami (a Saami group with their original homeland in the border area of Finland and Russia) and once believed to be the basic pan-Saami form of social structure. The origin, distribution and character of the old sita, however, have not been adequately researched. We do not know, for instance, to what extent the winter villages may have been influenced in their concentration and localization by outside trade relations.

The 9th Century Norwegian chieftain Ottar, in his account recorded by Alfred the Great, mentions that he possessed 600 unbought reindeer of which 6 were trained decoy deer used in the hunt of their wild brothers. A female deer might be staked out during the mating season to lure an unwary buck within range of the hunter’s bow and, later, rifle. Or a buck with a tangle of ropes or thongs in his antlers was staked out. Other rutting bucks, interested in defending their breeding zones or their harems, might seek to drive away the intruder and end up caught in his antlers.

A number of scholars have jumped to the conclusion that Ottar’s account substantiates the existence of full-fledged reindeer pastoralism at this early date. However, it is impossible to know from the text alone how he obtained these deer, if they constituted a breeding unit or were even assembled in a herd. Most evidence indicates that the pastoral economy in Lapland did not develop for another seven centuries. Olaus Magnus (1555) makes it quite plain that some reindeer pastoralism was practised by the beginning of the 1500s at least. This is not to say, however, that deer were not tamed for decoy purposes and for transport much earlier.

There has also been disagreement as to whether the development of pastoralism grew from domestic stock used for decoy purposes, or from stock used for transport – or whether it owes its origins to the taming of entire wild herds. However, it is known that trading relations were well developed before the creation of official markets at fixed locations and times. East–west trade among different peoples across the top of Lapland was well established by the time the interests of the emerging nations started trade moving also in a north–south direction.

Long before the Danish, Swedish and Russian Crowns became entities to reckon with, various peoples from Russia, Finland, Sweden and Norway made raiding and trading forays into Saamiland to extract what they could of her riches, for example, in foodstuffs and furs. With the rise of the governments to the south, certain ‘traders’ of this sort, called birkarlar, received royal sanction and support for their trading activities and were granted judicial competence in specific areas claimed by a king, in return for which a certain percentage of the goods was to go to the royal coffers. These traders are thought to have come from Finland and to have held these privileges from the mid-1300s to the early 1500s. As the Crown increased in power, as the riches from Saamiland became more desirable, as the licensed ‘third party’ traders proved dishonest in supplying the Crown’s share, and as Saamiland gained in geo-political importance, it became all the more logical for the different royal powers to take over and to assert their own taxation administrations.

Wilkund (1918) and Hultblad (1968) both hypothesize that with the gradual decrease of hunting and increase of the importance of herding, the Saami were pushed towards so-called whole-nomadism (characterized by long and frequent migrations and a livelihood totally integrated with, and dependent upon, reindeer herds), and the collective winter village had to split up. The argument for this supposition is that big herds cannot be concentrated around a single camp for a long time, for the grazing will run out. For similar reasons, it became increasingly necessary in certain parts of Saamiland to begin using the mountain grazing lands in the summer and to scatter widely throughout the forest lands in the winter.

Information concerning the further evolution of herd forms before the 18th Century is scant. Before that time, Hultblad (1968) suggests that there was little ground for separating herdsmen into mountain-Saami and forest-Saami categories. The national borders were not fixed at this time, and the herdsmen migrated through different spheres of influence. Some Saami paid tax to three courts at the same time (in the 14th Century, even to the Republic of Novgorod), even if they were registered under the protection of one authority. Should this authority prove too demanding, a nomad might well shift his allegiance to another. The kings who laid claim to regions in Lapland often followed a rather Saami-friendly course, for they could ill afford to estrange ‘their’ Saami. Not only did the Saami supply valuable goods in the form of tax, but their allegiance to a particular king helped him to motivate a claim on the territory used by them.

The Norwegian–Swedish border was not specified in the northern districts until 1751. Saami had migrated across what was to become the border between Norway and Sweden for centuries without hin-
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The Saami of Lapland

...drance and were guaranteed the right to continue to do so in a codicil to the boundary agreement. Immemorial territories (the old Lappby) of the different Saami groups were crosseted by the national border. Swedish Saami traditional grazing rights were respected in Norway, and the traditional grazing rights of Norwegian Saami were respected in Sweden. (Of course, this does not mean that different Saami groups have not had internal conflicts due to competition over grazing resources.) This 1751 codicil has been termed the Saami Magna Carta, as it grants the old Lappby a central position. It has never been cancelled, but its implementation has been regulated by bilateral commissions, the last and presently operative one from 1972 – as a result of which Swedish Saami access to Norwegian grazing is now tightly constrained. While some peat grazing across the border is allowed for some samebys (the approximately fifty defined social and territorial herding units of Sweden, before 1971 called Lappby), the time of stay in Norway and the distance of penetration permitted are highly controlled. Renewed implementation of the agreement regulating this reindeer traffic must be in place by 2002.

Throughout the north, it was common to specify so-called Lappmarks, wilderness areas supposedly reserved for hunting, fishing and herding by the Saami, as opposed to the coastal and most heavily colonized zones suitable for agriculture and the primary use of settlers. Farming continued its spread, however, so that Lappmark borders, while limiting Saami rights beyond them, lost power to protect Saami rights within them. Nevertheless, these lines (and others of a similar nature such as the Agriculture Line in Sweden) have been incorporated into various administrative grids.

Parallel to the gradual administrative encapsulation of the Saami candidate missionary activity. The previous religion of the Saami, a form of animism, had used shamanistic techniques and ecstatic trances to contact and negotiate with the spirit world. The Saami shaman, on roulahe, was similar to that of many other circumpolar peoples. He could beat on his magic drum and in a condition of trance release his spirit to travel to other worlds, for example in the form of a bird or a fish. Through consort with spirits, the shaman could cure the sick or tell of events in far-off places. They were known to be able to tie the winds in knots or to unleash them in full fury. The war ing powers to the south even employed Saami shaman in their military exploits.

The first attempt to Christianize the Saami was by the ‘Apostle of the North’, Stenfl, in 1050. In the mid-1300s the archbishop of Uppsala, Hemming Nilsson, made a missionary trip to Torneå. In 1313, the Norwegian king proclaimed a 20-year tax reduction for the Saami upon conversion to Christianity. In Sweden, permanent preachers settled first among the pioneers along the northwestern coast of the Baltic Sea, and in the mid-1500s they began to preach among the inland Saami. Norsemen founded a church at Tromso in 1252 and one at Varde in 1307. The Skolt and Kola Saami to the east came under the religious sphere of the Greek Orthodox Church. In the mid-1500s, Trifan the Holy built a Greek Orthodox church at Boris-Gleb and a monastery in Petsjenga which became an important centre for the eastern Saami. The major transition of the Saami to Christianity, however, occurred in the 1600s, even if shamanism was to persist in places hundreds of years later.

The communication of the Saami shaman with helper spirits was seen by these early missionaries to be discourse with the Devil. Shamans were killed and their drums were burnt. Fascinating accounts of the Saami pre-Christian religion have come to us largely by way of these early missionaries, but they must be read very critically. It is significant that these missionaries did not conceive of themselves as merely spreading light among superstitious people. In their accounts, the missionaries frequently marvel at the supernatural powers of the Saami shamans, powers which the missionaries experienced as no mere sleight of hand. Instead they saw themselves as doing battle with a real and powerful devil with whom the shamans consorted.

The Church played a prominent role in Saami education. The early markets, to be held once a year in fixed places, usually at churches and on religious holidays, were also occasions when the Saami registered themselves and paid taxes to the Crown. It is also evident that much of the colonial administration was facilitated by the Church. At this time, missionary activity was also a means for a kingdom to establish political control (with tax rights) over a territory. Swedish church constructions in the 1500s and 1600s on what has since become Norwegian land, for example, spurred the Danish-Norwegian Crown to increased missionary zeal.

Much later, in the 1830s a fundamentalist movement started by Lars Levi Laestadius in Karesuando gained a strong following in Saamiland. This puritanical movement did much to overcome the terrible social problems in the north caused by alcohol. However, it also played a part in the ‘revolt’ and killing of officials by some Saami in Kautokeino, in 1852. While these officials may have been oppressive, there is no denying that the responsible Saami had become religious fanatics who claimed God had given them the moral right to take life as they (with God’s blessing) saw fit. This is a far cry from orthodox Laestadianism, which is still a vital force today among Saami and...
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non-Saami alike and has also spread to other countries such as the United States.

Policing Saami-settler relations
The transformation of the administration dedicated to the levying of taxes was largely a result of the spread of farming and of the inevitable conflicts between farmers and herders. The old system of administration had been devised basically to ensure the even distribution and efficiency of tax-producing operations. Later legislation, however, became increasingly devoted to the strict regulation and inspection of herding in order to smooth herder-settler relations.

It was generally believed that conflicts could be avoided by geographically separating the herding and farming systems as much as possible. In Sweden, grazing areas were to be contained in newly specified Lappby (after 1886 these territories were imbued with new legal significance) whose members would collectively be responsible for the damage caused by the reindeer. Anything (such as a commitment to farming and a permanent house) which might cause the herder to leave the nomadic life or neglect his reindeer — allowing them to spread unattended and cause damage — was frowned upon by the authorities. By the late 19th Century, the Saami were often considered beings of a lower order, who should not be given the same legal status as the Nordic peoples, nor stand in the way of higher civilization.

The well-defined territorial herding zones existing today in Fennoscandia, so-called districts in Norway, sameby in Sweden and paliskuntas in Finland, define social units as well: those people whose reindeer were permitted to graze these zones. The evolution of these herding zones has been heavily influenced by legislation and administrative policy in each of these countries. For example, in Sweden, although the Lappby were designated in 1886 with many accompanying regulations, they were basically composed of the old Saami sita entities, old Lappby, determined by natural environment and traditional social groupings. The Swedish sameby, which in 1971 replaced the Lappby as designated in 1886, brought some new regulations and a collectivized work model besides a new name to these entities, but did not change their physical or social borders.

The territorial and social units recognized and confirmed in legislation by the governments of the Nordic countries for the reindeer-herding Saami are derived to a great extent from original Saami patterns. Beneath these defined units and externally imposed constraints there still exist previous layers of individual and group associations to land and resources recognized by the Saami. These herding groups are often seasonal in composition, so that the name used to describe them frequently has a temporal and spatial as well as a social meaning. In Sweden, for example, samby reindeer can run mixed and quite unattended for most of the summer, but by early autumn they may be gathered together for herd separations before being released on the less plentiful autumn grazing. Come the winter, herd separations will become more frequent, and the reindeer separated into smaller and smaller entities, controlled by smaller and smaller herding groups, commonly at the nuclear family level, as the deer move eastwards and use the scarce winter lichen grazing resources.

The issue of damage by Saami reindeer to the settlers’ property was a dominating theme in herding law until the conflicts diminished, particularly in Sweden, with the reduction of northern farming after the Second World War. Herding law during this interval (from 1886 to 1971) was most detailed about taking due consideration of farmers. Officials of the administration in Sweden were to be informed of all herding movements and even to direct them within bounds. (In Finland, developments have followed a somewhat different course, as here the policy of strictly forbidding the combination of herding and agriculture within the same family has not been pursued. In Finland, one need not be a Saami to be a reindeer herder; one need only be a resident — and therefore very likely a farmer — within a designated herding district.)

The Swedish case will serve to illustrate a common Nordic pattern: the transformation of Saami rights into Saami privileges granted by the Crown/state. A noteworthy feature of the Swedish Reindeer Act of 1886 was the beginning of a series of fractional divisions of the Saami category. For example, this act demanded that all reindeer herders register themselves as such with their Lappby. Yet there is nothing in the Act which says that only herders have Saami hunting and fishing rights. The Act says simply that all herders should belong to a Lappby; not that hunters and fishermen did not belong to Lappby, or that these had no immemorial rights in their Lappby. The goal was to have the herders registered to a Lappby so that they would be collectively responsible for damage caused by reindeer to farmland, when it was often impossible to specify the exact owner of those miscreant reindeer.

It is one thing to say that only Lappby members can herd, and quite another to say that only herders are Lappby members. It was the Act of 1928 which brought together for the first time both of these regulations. In effect, while all Saami were free to devote themselves to reindeer herding, hunting and fishing under the Acts of 1886 and the following Act of 1898, these immemorial rights were heavily
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them as members in the Southern Lappby. The same law also provided authorities with a means to exclude 'degenerated' Southern Saami (for example, those who might herd and farm in combination) from their Lappby by omitting them from the membership lists.

State stimulation and direction of agricultural settlement in the north, with resulting conflicts with settled farmers, this time in Sweden, caused further constraints in the Act of 1928. New methods were sought to reduce the number of reindeer herders. According to paragraph 1 of this Act, those of Saami heritage are eligible to be herders if they have a parent or grandparent who has had herding as a steady occupation. As a result of this law, Saami were divided into those who were eligible to herd and those who were not. Moreover, still today, despite the changes introduced in 1993 which opened herding eligibility to all Saami, there are those (eligible to herd) who do not or cannot herd because they have not acquired Lappby (now sameby) membership. Since 1928, they no longer have the right to exercise their rights.

The rationalization period

As the 20th Century progressed, farming declined drastically in the north of Sweden. Sweden made a major transition from a country dominated by a rural, farming economy to one of large-scale industry. Small-scale farmers had little choice but to move south or find some other employment. Job opportunities came to be scarce, and large rural areas were gradually depopulated. The conflicts between herders and farmers, which had once preoccupied the authorities, subsided and the emerging welfare states turned their attention to maximizing profits for the sake of higher living standards. This was the policy of 'rationalization'. Rationalization policy has not been implemented with the same rigour or speed throughout Fennoscandia. In Norway, for example, the state has supported the maintenance of farming in its northern regions. Nonetheless, here too the ideals of rationalization have been felt among the Saami, even if conflicts between herders and farmers have not declined.

Some of the motivations that prompted the programme of rationalization were based on humane values of caring and compassion. Medical surveys showed the 'vital statistics' of the Saami to be comparable with those of people in underdeveloped countries, despite the fact that the Saami in principle shared with their non-Saami neighbours the benefits of the national health programmes. Shocked by the poor living standards (usually calculated only in monetary terms) and high infant mortality rates among their herding populations, the Nordic states sought to raise the living standards of the Saami and considered that in

restricted under the Act of 1928 to apply only to Lappby members, now only herders.

The prevalent attitude of the times was that 'a Lapp should be a Lapp', that is, a true nomad. Herding families were not to build chimneys in their houses lest the herders become too comfortable and less inclined to brave the elements in the care of their reindeer. Saami nomad schoolchildren were to lead a spartan existence so as to foster the lifestyle 'for which they were most fit'. Sweden's attitude seems to be that the Saami should be able to keep their exotic culture and enjoy certain privileges (as opposed to rights) of access to resources as long as they keep to the reindeer-herding niche and do not disturb the pace of 'progress'. A Saami who leaves the herding occupation loses his privileges and has no more resource rights than any other Swede.

Norway's attitude was somewhat different. Norway had been annexed by the Danes for centuries, only to be forced into union with the Swedes. This historical heritage, combined with the fear of 'Finnicization', brought about a surge of Norwegian nationalistic fervour towards the turn of the century. All official posts were given to Norwegians, and the Norwegian language experienced a renaissance—all, unfortunately, to the detriment of the Saami who became severely stigmatized. The Saami soon learned that worldly advancement was open only to those who 'went Norwegian'.

In 1905, the Norwegian–Swedish union (established by the Treaty of Kiel in 1814) was dissolved. Norwegian settlers expanding north, according to the wishes and stimulation of their government, wanted to restrict access of Swedish Saami to the Norwegian grazing lands they had used since time immemorial, an access confirmed and protected in the bilateral codicil of 1751. Sweden chose to ignore Saami rights in favour of accommodating Norwegian demands. In the following decades, many Swedish Northern Saami were forcibly displaced from their summer lands in Norway and relocated to grazing areas in the south of Sweden. Here was a double affront to Saami civil rights. The forcible relocation of Northern Saami to points south was a direct violation of their immemorial rights as defined by Swedish and Norwegian law. It was equally a violation to force the Southern Saami to accept them on their territory.

Cramér ascribes the stipulation in the Swedish Reindeer Act of 1928—that Saami herders must become officially registered members of the Lappbys in order to herd, hunt and fish—to the state's need to override Saami immemorial rights and enforce the relocation. Under the new Swedish Act of 1928, the state authorities could legitimate the transfer of Northern Saami herding rights much further south by registering
doing so one would automatically help preserve Saami culture. These two goals, however, do not necessarily integrate without difficulty.

In Sweden, a two-pronged plan was adopted, so-called structure rationalization and production rationalization. The ideals of the former advocated a 30 per cent reduction of the herding labour force on the grounds that there were currently more herders than necessary to do the job. Moreover, the fewer the herders, the more reindeer each might own. The ideals of the latter, production rationalization, advocated modern ranching methods, with calf slaughter, to maximize the amount of meat produced per grazing unit – methods quite counter to Saami traditions and not always rational by the state's own definition.62

Of course, the Saami too were in favour of an updated legal herding framework and actively campaigned for it. With the end of the demand for constant policing by a Swedish Saami-sheriff, herders saw the opportunity to gain more autonomy within their herding territories. By the Act of 1971,63 the old Saami administration was dissolved in Sweden, and the new administrative offices were established under the Department of Agriculture. The Lappbyss were renamed samebys and reorganized as a hybrid form of economic corporation. The sameby collective was to be responsible for the herding on its territory. (However, the members as individuals are still responsible for any eventual sameby debt.) The samebys became emancipated from the rule of the Swedish Saami-sheriffs and were encouraged to establish a rotating labour force funded by a herding fee paid by the reindeer owner per reindeer to the sameby's communal treasury. Certain premises derived from earlier laws continue to persist, however. Just as herders are not supposed to acquire the major part of their income from a source other than herding, so are the samebys not permitted to engage in any economic activity other than herding.

Each sameby has a specific rational herd number, that is, the total number of reindeer maximally allowed to be herded by the sameby's members on the sameby's grazing territory. Such numbers have been calculated so as to avoid overgrazing, and should the reindeer population come to rise above this limit, the sameby is responsible for enforced slaughters. Figures given for the number of reindeer needed today to support a normal family vary from around 300 to 500 head, and it is this figure (assuming for the moment that all reindeer within a sameby are distributed equally among its herders) divided into the rational herd number which indicates the maximum number of herding families supportable (according to the authorities) in a given sameby. Reindeer ownership, however, is private and unequal. Moreover, herders and their wives do not necessarily subsist on reindeer herding alone, so any calculation of this sort is hopelessly more complex than outlined here. Nonetheless, the sameby herd limit does put a ceiling upon the number of herders likely to be members of the sameby.

Unfortunately the number of reindeer needed to achieve a certain living standard rises steadily, thereby causing the number of herding families supportable by the sameby according to this standard to decline. Many Saami point out that 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. Of course, there are ecological reasons which can also decrease the supportive capacity of a grazing territory for both reindeer and reindeer herders. Disregard of rational herd numbers can cause overgrazing and eventual herd decline, and diminished grazing resources due to extractive industries decrease the capacity of a sameby to support herders.

Throughout Saamiland, the group of herding Saami forms a small minority within the Saami minority. For example, today there are only approximately 900 active reindeer herders in Sweden and, with their family members, this means there are at most about 3,000 persons economically dependent upon reindeer herding. There comes a point when the improvement of living standards for reindeer herders at the expense of intensified curtailment of their numbers cannot lead to improved cultural maintenance of the Saami as a whole. The problem stems from the inability of the Nordic states to integrate their strictly economic herding policies with their native minority policies, or to realize that reindeer laws cannot adequately substitute for such native policy.

Current herding structures

Saami reindeer herding in Norway can be found in the regions of Finnmark, Troms, Nordland, Nord-Trøndelag, Sør-Trøndelag and northernmost Hedmark. Non-Saami can practise herding outside of these areas. The Department of Agriculture administers reindeer herding centrally, but each region has its own local administration (Finnmark actually has two local herding administrations). Herding is regulated by the Reindeer Act of 1978. Reindeer-herding Saami are represented in both the local and the central levels of administration.64

Currently there are 52 samebys in Sweden divided into three basic types: 1) mountain samebys with long, narrow grazing lands running from the Norwegian-Swedish border towards the southeast; 2) forest samebys, with a territory smaller and rounder in shape, situated in the lowlands and mainly east of the Agriculture Line but west of the Lappmark Line; and 3) 'concession samebys' in the Torneå area and east of
the Lappmark Line. These concession samebys are similar to the forest samebys but are operative only on a ten-year, renewable lease from the state. Despite certain changes introduced by Proposition 1992-93:32 which gained effect on 1 July 1993, reindeer herding is still regulated by the Reindeer Act of 1971. The total area of land open to reindeer herding in Sweden is technically about 240,000 sq. km., but because of the natural impediments, lakes, high mountains and other areas without pastures for grazing, the net area of usable pastureland for herding has been estimated at 137,000 sq. km.

As noted, in Finland, non-Saami can own and herd reindeer as long as they live within the reindeer-herding area. This area is divided into 58 herding districts (paliskuntas), and covers most of the Lapland province and the northern part of Oulu province. The Finnish Reindeer Act stems from 1932, although it has been revised a number of times since. The paliskunta is a type of economic cooperative which served in part as a model for the Swedish samebys' reorganization in 1971. A paliskunta has a communal treasury to which members pay according to their reindeer stock. Finnish law does not seek to stop herdsmen from receiving the main part of their income from sources other than herding, as is the case in Sweden. Each paliskunta is a member of the central organization, Paliskuntain Yhdistys, formed in 1948, which is responsible for reindeer administration, development and research.

Until a few years ago, the herdsmen were members of their own organization, Poro ja Riisto Oy, for the distribution of their reindeer products. This organization was forced into bankruptcy, largely because of mismanagement and a mild winter, causing some reindeer meat in storage to go bad and damage sales when it reached consumers. Some say the bankruptcy was occasioned by the financial crisis in the reindeer-meat business following the Chernobyl nuclear disaster, but while this may have played a part, it was apparently not the main reason.

Unlike the other three nations encompassing the Saami, Russia contains many traditional reindeer-herding peoples. According to Marxist-Leninist ideology, the so-called Small Peoples of the North, including many reindeer-herding and hunting peoples, were at a pre-capitalist stage of socio-economic development at the time of the Russian Revolution. The Soviet government sought to foster in these peoples a society of socialist content while at the same time allowing for the continuation of their cultural forms. The capitalist stage of development was to be leap-frogged.34

The means of production, among them the reindeer, were collectivized. Under the Soviet regime, native struggle in opposition to the state was muffled under the banner of building the Soviet culture. A programme of forced centralization was imposed whereby many Saami were relocated to larger towns (such as Lovozero); their traditional villages were often bulldozed to prevent their return. Private ownership of reindeer was basically abolished, and the state was therefore able to promote both structural and production rational procedures unhindered. Some private ownership on a small scale was permitted, mainly to keep up customs and allow for private transportation.44 Reindeer-herding kolkhozes were established where the workers themselves owned the means of production collectively, worked collectively on large farms and shared their produce. Later, many reindeer-herding farms in the Soviet Union were reorganized under the sovkhoz form. In this form, the state owned the reindeer, and workers were wage earners paid by the state. Increasingly the sovkhozes grew to encompass more than one type of production, even if one main form of economic pursuit was usually dominant. The sovkhozes were also multi-ethnic. The Saami in the Kola Peninsula, for example, herded reindeer along with Komi and Nentsi peoples within the sovkhozes there.

In the wake of glasnost and perestroika, the Saami in the Soviet Union organized their own, ethnically-defined political organizations, notably the Kola Saami Association (Assosiaatio Kolskih Saamov), based in Murmansk. Reindeer herding in the Soviet Union was not a privilege bestowed as a concession to the cause of cultural preservation; under Russian administration it is still unclear how the priorities of upholding native culture and the urge towards a market economy will be balanced. President Yeltsin announced that come 1 January 1993 all the former sovkhozes would be dissolved. While the herdsmen might now gain the right to own unlimited numbers of deer, they can scarcely afford to buy any. And who controls the grazing rights? To whom will they sell their meat produce now that the sovkhoz and the state-run slaughter company are no longer part of the same centrally programmed economy? The old system was beset by many problems, but the transition to a new one will not simply be one of painless liberation.

According to Andrejev,44 77 per cent of the world's tame reindeer stock (2,400,000 head) was to be found in the former Soviet Union. Reindeer herders in the former Soviet Union were among the highest paid workers in the country. The Kola Saami herders were mainly employed by Sovkhoz Tundra, centred in Lovozero, where, along with the other workers, they were provided with schools, housing, a clinic, club-house and child care facilities. In the current political and economic turmoil, it is unclear what the employment situation is for the Kola Saami herdsmen. At one point a Swedish concern began working with the Kola Saami herdsmen, and Fennoscandian Saami herdsmen
became fearful that should the meat produced by Russian slaughterhouses come to meet Western hygienic standards, the low price of Russian reindeer meat (due to the poor economy and desire for Western currencies) would force prices down drastically for the Fennoscandian Saami. However, cooperation with the Swedish business had apparently ceased in the spring of 1993, and the old Sovkhoz Tundra is now privatized, that is, converted into a shareholding company, Tundra Inc., led by the Saami Olga Anufrieva and a board of 12 members with Saami majority. Contacts between the Saami of the Fennoscandian countries and those in Russia have increased markedly during the past eight years. Initially such contact was on a cultural or practical herding plane, but today discourse and exchange encompass political and organizational goals as well.

Ecology

Colonization of Saamiland has had grave effect on its ecology. Not only has the fur-bearing fauna been decimated by early forms of taxation (tax was paid by the northern inhabitants in the form of natural produce: for example, furs and barrels of fish), but in modern times, even after the fixing of national borders, the northern regions have served the southern metropolises as internal colonies. Saami reindeer herding is seriously threatened by the ever increasing encroachments of extractive industries, notably the timber, mining, hydro-electric power and even tourist industries. Each industry has its own history, and yet none can be grasped in isolation from the others. Much of the labour force brought north by the hydro-electric power industry, for instance, has shifted to the timber industry. The road cut through the wilderness to transport a huge generator and other building materials to a dam site can later open the nearby forests to logging by the timber industry. The mines have often established large cities around them with a wide transportation system and populations which demand recreation facilities. The various extractive industries have together created populations in the north which dwarf the local Saami into a minority position (with proportionately reduced political power) in most of the municipalities of their core regions.

Conflicts are inevitable and focus upon not only the loss of total grazing area, but also the loss of strategically important pastureage, natural land formations, calving lands and even the hanging beard moss growing on old trees, an important emergency food for reindeer during bad winters. The combined resistance of the Saami and conservationists to the construction of the Alta hydro-electric dam in Norway was a significant factor in the institution of Saami Rights Commissions in Norway and Sweden. On the other hand, there are communities of mixed Saami and non-Saami habitation where both groups share the same livelihoods and ecological adaptations and hence are spared local ethno-political conflicts.

With its world-famous production of steel and timber and its position as Scandinavia’s main producer of hydro-electric power, Sweden demonstrates all the problems caused to herders. Currently in Sweden it is the timber industry which poses the severest problems for reindeer herding. Because of difficulties with expensive transportation and with competition from abroad, Swedish mining in the north is no longer so expansive as it once was. The hydro-electric power industry is in painful retreat, and threatens the few remaining untouched waters in order to give its employees jobs.

The timber industry has reached a point where irreplaceable, virgin forests in the mountain regions are sacrificed in order to supply raw material to the over-dimensioned timber plants for finished products along the coast and to the south. Here again employment opportunities are frequently given as the justification for permanent environmental damage. Yet the timber industry, almost more than any other, has rationalized its labour structure and developed its technology to the extent that one man operating a modern timber machine replaces scores of workers. The large-scale penetration of the timber industry for the first time into mountainous forest zones, thus far spared, leads to the loss of beard moss, and the soil preparation necessary for replanting efforts destroys ground lichens, the reindeer’s main winter food.

Tourism is widely acclaimed as the ‘solution’ to the unemployment problems of the north. It is hoped that tourism will give new jobs without destroying the necessary land base for old jobs. For Saami pastoralists, however, tourism is a mixed blessing, for while it depends largely upon the maintenance of an unspoiled natural environment, it does not always seek to maintain Saami herding within this environment.

The tourist whose greatest challenge is to experience ‘Europe’s last wilderness’, rather than to understand an indigenous people, does not always appreciate the knowledge that this wilderness is in fact the immemorial homeland of Saami and the stamping grounds for a highly developed traditional reindeer herding. The Saami have in fact been instrumental in creating the environment which some conservationists wish to label as purely natural. As the conceptualization of Nature comes to exclude humankind, the Saami herders will find themselves increasingly hampered in their traditional lifestyles.

Ironically, the Saami herders and their reindeer are advertised as
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The distribution of the new fallout on the grazing lands was highly patchy depending upon the course of wind and rain in late April 1986 when the Chernobyl explosion occurred. The limits set by the Nordic governments for cesium concentration in foodstuffs to determine their marketability have also been highly variable. In Norway the limit rose quickly from 600 becquerels Cs 134 and 137 per kg. meat to 6,000 Bq/kg., while in Sweden the initial limit of 300 Bq/kg. (for Cs 137 only) was raised to 1,500 Bq/kg. in May 1987 (for reindeer meat, wild game, and inland fish only).

In the 1960s, however, cesium concentrations in Swedish reindeer meat reached values of 3,000 Bq/kg., that is, above the limit which today has been declared unfit for human consumption. Why were no limits set then? Understandably many Saami suspect that the precautions taken today stem from the fact that the fallout from Chernobyl was not confined to Lapland and did not affect only basic foodstuffs of the Saami population. Because of the absorption properties of the lichen and the grazing habits of the reindeer, it is now mainly the reindeer herders (but also inland freshwater fishermen) in certain areas who must continue to deal with the problem. The cost of compensating herders for their confiscated reindeer after Chernobyl has been high, and it is also understandable if herders regard this as the main reason behind the raising of the contamination limit for marketability of reindeer meat in Sweden.

Thousands of reindeer from the usual autumn and winter slaughters were confiscated after the Chernobyl disaster, their meat declared unfit for human consumption and their bodies dumped in pits or ground into fodder for fur farms. Although the governments of Norway and Sweden, those herding countries hardest hit by the fallout, have paid compensation for confiscated reindeer, many herders have still suffered financial losses and had to change their dietary habits and work schedules. In the worst hit areas, the problems the Chernobyl disaster caused for the Saami will surely continue for many years to come. Even in the more lightly affected areas, herders suffer deteriorating prices for their reindeer meat, at least in part certainly a consequence of consumers' fears about contamination. Reduced sales may in turn result in an overpopulation of reindeer. The repercussions are endless and hard to track.

For many, the psychological effects have been every bit as great as the practical ones. Herders tried to work as before, only to see the fruits of their labour thrown away. A small minority, living a traditional life close to nature, has suffered one of the worst blows of pollution created by industrialized humankind. There is no escaping the irony of

major tourist attractions. The tourist who desires a wilderness chal-

enge is often willing to accept a leather-clad herder living in an old

traditional tent, tending his herd on foot, but should the herder,

garbed in synthetic materials, fly to his modern cabin by helicopter,

the tourist can become indignant and demand restrictions. He argues

(and not without grounds) that if there are rules protecting the envi-

ronment which apply to him, they should also apply to the Saami

herder. Of course, most tourists will recognize the right for herders to

use, for example, snowmobiles in their herding work within national

parks, even if tourists are not allowed to drive there for fun, but many

question if even Saami herders should be permitted to use motorbikes

and other 'high-tech' equipment without limits, if the environment

will be injured.

Tourism has in places grown to grotesque proportions, but it should

be noted that tourism in reasonable proportion and considerate of the

environment is also of some benefit to Saami herders. Contacts lead to

mutual understanding which can lead to strong friendships and

alliance in the face of threat from extractive industries. The herders

gain the ability to supplement their economy by offering seasonal ser-

vices to tourists (boat transport, for example) or by selling handicrafts

and provisions.

Naturally, one cannot take the position that traditional cultures

should be frozen in time and that all modern developments are dele-

terious. It cannot be denied, however, that northern industrialization

has decreased the ability of reindeer herding to serve as a livelihood.

Herding can support fewer active herding families, and rationalization

efforts generally support the survival of large-scale herding enterprises

only. While some argue that industrialization offers new job opportu-
nities to those who might otherwise have commenced a herding career,

thereby luring them away from their traditional livelihood, others argue

that these same jobs provide those Saami who would leave the herding livelihood anyway with a means to stay within their home

districts. Herders themselves often take part-time, non-herding jobs during slumps in the seasonal herding work schedule, and in

many ways modern developments aid the herder in his herding work.

The spread of nuclear fallout across Lapland from the Chernobyl

disaster in the former Soviet Union has had a profound effect on the

Saami. The lichen which the reindeer eat during the winter has

absorbed large doses of cesium 134 and 137. In fact, the lichen, the

reindeer and many northern inhabitants were already contaminated by

nuclear fallout before the Chernobyl disaster due to atmospheric

atomic bomb testing in the Soviet Union especially during the 1960s.
the situation, and news of the destruction of Saami society and culture became not only a media scoop, but also a hot issue in nuclear power debates. Frequently the mythic qualities of the story far outgrew the facts. Undoubtedly harm to the environment and to the people has been done, and this should not be belittled because of the demands of controlled verification and measurement. Nonetheless, the Saami are not suddenly vanishing from the earth because of the Chernobyl disaster. The lives of the herders are back to normal in most of Lapland; their reindeer are marketable. In the hardest-hit areas new methods are used to decontaminate the reindeer with good success. Families have changed their eating habits, even if their network of friends and relatives helps to supply them with ‘clean’ products. It is far from over, but life goes on.

Ethnic mobilization

In Norway today there are three main Saami political organizations: the Confederation of Norwegian Reindeer Herders (NRL), founded in 1948; the Norwegian Saami National Union (NSR), founded in 1968; and the Saami Confederation (SLF), founded in 1979. Besides these, there are other, much smaller organizations.

The first Swedish Saami local organization was founded in 1904, and in 1918 the first Saami national conference was held in Östersund. Another major national conference took place in 1937 in Arvidsjaur. In 1950 the Swedish Saami National Union (SSR) was founded at a national conference in Jokkmokk. SSR is composed of representatives from all the sameleys and Saami local organizations. At the outset, SSR was mainly active in building public opinion, but in 1962, with its employment of the jurist Tomas Cramer, SSR entered into a phase of legal confrontation with the Swedish state.

Another Saami organization, Same-Atnam (RSA), is primarily concerned with Saami cultural activities. Same-Atnam has established a number of committees, such as the committee on Saami handicraft, and works in support of Saami language, art, literature and music. It also works for inter-Nordic Saami cooperation and cooperation with other native peoples throughout the world.

The Confederation of Swedish Saami (LSS) is composed primarily of non-herding Saami. This organization campaigns for the rights of Saami on a broad, ethnic basis. There are many other Saami organizations of different types, among them a Saami youth group, Sámiunuor (SSR-U).

The Swedish Saami political organizations receive financial aid from the Saami Fund. This fund comprises money received from the government in support of Saami social and cultural activities through compensation payments for sameley lands which have been taken for other, non-herding purposes. Of course, the support of Saami cultural activities and organizational forms by the Saami Fund is welcome, but at the same time the recipients are ever conscious that such support is paid for by money amassed from the destruction of sameley grazing territory.

During the last few decades, representatives from the Norwegian Saami organizations NRL and NSR (but not the younger SLF) together with representatives from the Swedish Saami organizations, SSR and RSA, and the Saami Parliament of Finland have cooperated within the framework of the Nordic Saami Council. Saami representation from Norway and Sweden to the Nordic Saami Council has now been assumed by the new Sametings (Saami Parliaments) in these countries. The Nordic Saami Council (now termed simply the Saami Council following upon full membership of the Kola Saami) was founded in 1956 during a Nordic Saami Conference meeting in Karasjok, Norway, and meets now every second year. Its purpose is to promote Saami economic, social, and cultural interests.

In 1973, upon the recommendation of another Nordic Saami Conference, a Nordic Saami Institute was founded in Kautokeino, Norway. This Institute promotes research into Saami traditions, language, values, economic situation and legal rights. It plays a dominant role in the spread of Saami information and coordination of Nordic Saami activities. The Saami Council now acts as the Institute’s advisory organization.

The Finnish Saami organizations acting on a regional basis are Jokitt Sápmelacat in Enontekiö, Sámi Siida in Utsjoki, Anas Sámmiervi in Inari and Soadekili Sámi Searvi in Sodankylä. Saami living in the Helsinki metropolitan area have founded City Sámi.

The Saami of Norway, Sweden and Finland have become members of the World Council of Indigenous Peoples (WCIP). The Saami also keep close contact with the United Nations Working Group for Indigenous Populations in Geneva, the UN Conference on Environment and Development as well as other international bodies. The Saami Council has NGO status within the UN, and Saami representatives frequently serve as experts on the national delegations from Norway, Sweden and Finland to the UN. The Saami have therefore become quite experienced at lobbying for indigenous peoples in general and have also been instrumental in the building of institutions and the writing of official texts for other indigenous peoples. The Saami Council has been in a position to advise the national development agencies of the Fennoscandian countries and the foreign ministries in the application
of funds dedicated to the promotion of indigenous causes and development projects abroad.

Native status, immemorial rights and land claims

In 1980, during (and largely as a result of) the major conflict over the damming of the Norwegian Kautokeino–Alta waterway, a Saami Rights Commission was initiated in Norway. Eighteen representatives from different regions and interest groups, including NRL, NSR and SLE, have worked together on this Commission. This Commission has had a broader mandate than that given later to its ‘twin’, the Swedish Saami Rights Commission. The Norwegian Commission was to deal with issues of a general political character, with the issue of a Norwegian Saami Parliament and also with economic issues. It was to investigate questions about Saami rights to natural resources and make recommendations towards new legislation. Because of its mandate to analyse Saami resource rights in Norway, thereby necessitating a thorough historical study, the Norwegian Saami Rights Commission has not confined its legal perspective on Saami rights mainly to the requirements of international law, as has the Swedish Commission.

From 1980 to 1985 Professor Carsten Smith led the Norwegian Saami Rights Commission and presented its first partial report, *On the Legal Position of the Saami*, a work of enormous breadth and solid scholarship. This report marks a new era in Norway’s Saami policy. The Swedish Saami Rights Commission followed largely in its wake. It was as a result of the recommendation of this Norwegian Saami Rights Commission, that the Norwegian Parliament voted to establish a Norwegian Saami Parliament.

Still, despite the gains made, there are many points on which Saami demands were not met by the Commission. Many Saami demanded that this Saami Parliament be empowered with a veto on land encroachments injurious to Saami land usage – at least that it have the ability to cast a kind of delaying veto until the government has passed its judgement. No such veto rights were granted. Instead, however, the Saami Parliament is able to force issues before the government and the public authorities on its own initiative: any issues which the Sameting itself considers pertinent to the Saami people.

In the realm of international law, the Norwegian Saami Rights Commission has stated that the Saami cannot be considered a ‘people’ according to the meaning of the term in the UN’s 1966 International Covenant on Civil and Political Rights and its 1966 International Covenant on Economic, Social and Cultural Rights. Without this recognition, the Saami are not considered to possess the right of self-determination. Instead, the Commission argues that the Saami come under the safeguards of Article 27 of the Covenant on Civil and Political Rights and interprets this article to require positive discrimination for minorities and indigenous populations.

The combined effect of extractive industries on Swedish Saami grazing lands which had alarmed herders for many years was finally recognized as an issue for the national political agenda. By a directive of the government, the Swedish Saami Rights Commission was instructed to consider: 1) the advisability of strengthening the Saami legal position with regard to reindeer herding; 2) the question whether a democratically elected Saami organization should be established; and 3) the need for measures to strengthen the position of the Saami language. Later the Commission’s directives were broadened to encompass the situation of the Saami as an indigenous people.

The Commission’s first partial report leaves aside the important questions of the historical rights of the Saami and instead concerns itself solely with comparing the situation of the Saami in Sweden to the minimal requirements of international conventions on human rights. Yet, essential to any Swedish commission on Saami involving resource rights, culture and political organization is a thorough analysis of immemorial rights. The Commission has been set up to investigate whether contemporary pressures from extractive industries have threatened herding to the point that protective measures should be taken to maintain Saami culture. If so, the Commission is to make concrete proposals for such protective measures. This manner of framing the issues constitutes an implicit acceptance of the supposedly pro-Saami premise that herding is something to be supported (or perhaps not) as a kind of sympathy action for the Saami. In short, the legal rights of the Saami to herd, and their rights to shield their herding from extractive industries, are here treated merely as a special privilege which the state can give or withhold depending upon its own perception of Saami needs. The legal issues of land ownership and resource rights remain ignored in favour of a new slight adjustment of welfare.

The same attitude of privilege and welfare outlined above with respect to herding and Saami resource rights in general finds a distinct echo in the Swedish state’s approach to Saami political organization as well. The state may allow the Saami the privilege of advising state authorities, but it will not imbue Saami organized on ethnic grounds with real power. Nowhere, even in the Saami core area of Sweden, do Saami form a majority of voters, and no political party finds much
motivation to support Saami demands. The directive of the Commission states from the start that any eventual Saami Parliament should not be given constitutional authority or veto rights. Although established with only an advisory capacity, the resulting Swedish Saami Parliament, cutting across the herder/non-herder Saami split, is of major importance for the Saami.

The Swedish government does not recognize any general Saami ownership of land, but according to the Swedish Supreme Court's verdict in the Skattefjäll (Tax Mountain) Case 1981, Saami reindeer herding rights constitute a special form of property right based upon immemorial ancestral use. This viewpoint was hardly enshrined in the Reindeer Act of 1971 which was enacted while the Skattefjäll Case was ongoing, and even after the verdict, the government insists that all Saami immemorial rights are completely regulated in the Herding Act. Of course, this Herding Act has now been given a face lift by the Swedish Government Bill, Proposition 1992–93:32, but its real character, assigning the practice of Saami rights to Saami herders alone, has hardly been altered. Sweden's revised Herding Act now states that all Saami possess the reindeer-herding right because of the Saami people's collective immemorial rights (no longer linked to the herding occupation of a parent or grandparent), but as before (since 1928), whatever Saami rights are considered to be or however they are derived, they cannot be practised unless one is a sameby member.

According to the Norwegian Altevatn verdict, however, it is the samebys (stretching back to the old Lappbys), as collective entities, besides Saami individuals, which are the proper subject of Saami immemorial rights. To be sure, the Swedish Supreme Court in its 1981 verdict in the Skattefjäll Case did confirm Saami immemorial rights in principle, but in fact Swedish legislation continues to ignore that ruling. The closed shop ruling whereby only sameby members (the herders—a limited group not open to free access by any Saami) can practise Saami rights, first demanded in the Act of 1928 and continued in the current Act of 1971, is incompatible with the existence of Saami immemorial rights far prior to these Acts. By implication of the Skattefjäll decision, the right of a Saami to hunt, fish and herd on land to which he or she can demonstrate immemorial ancestral ties (without major discontinuity in active usage) supersedes any prerequisite of sameby membership. However, this concept of immemorial rights is generally ignored. It is ironic that through the Norwegian court's Altevatn verdict in 1968, the rights of Swedish samebys/Lappbys to continue their immemorial utilization of areas in Norway have been upheld. Yet their immemorial rights in their own country are not properly acknowledged.

What then are the immemorial rights confirmed for the Saami by the Swedish Supreme Court? A description of immemorial rights can be found in the 15th chapter of the old Swedish Code of Land Laws (Jordabalken) from 1734, now retained in point 6 in the promulgation to the new Jordabalken:

'It is immemorial right, when one has had some real estate or right for such a long time in undisputed possession and drawn benefit and utilized it that no one remembers or can in truth know how his forefathers or he from whom the rights were acquired first came to get them.'

There is nothing in the above description to indicate that immemorial right pertains only to Saami reindeer herding. In fact there are legal precedents where Swedes have fished and hunted according to immemorial right. The appropriate application of immemorial right guarantees the right of present and future generations to continue using the traditional resources of their forefathers, assuming this was indisputable and well-grounded. However, there is much that needs clarification. Is immemorial right only an individual right or a collective Lappby (now sameby) right? If it is a civil right, not merely a privilege, how is it that the state can regulate its practice so as to deny the non-herding Saami access to their immemorial resources without due process or just compensation? Why have Saami immemorial rights to hunting and fishing been ignored, and if they were to be recognized in practice, what would this entail? The questions are many, and one would have thought items for the strict scrutiny of the Swedish Saami Rights Commission established in 1983. Unfortunately, despite the fact that the Commission could have given its directives an interpretation broad enough to grapple with these issues, the Commission chose not to, thereby allowing the problems to fester and pushing the matter over to the courts, national and international.

The same legislation which has just given the Saami their Sameting with one hand has struck at their vulnerable resource base with the other. Proposition 1992–93:32 asserts that the Crown possesses hunting and fishing rights on Crown lands parallel to that of the Saami. Regardless as to whether or not the Crown is correct in all its land ownership claims in Saamiland — and as Justice Bertil Bengtsson of the Swedish Supreme Court has taken such pains to point out, the Skattefjäll Case in no way sets a general precedent for such a claim— it has confirmed that in the areas demarcated by the Land Survey, Saami hunting and fishing rights are exclusive. Immemorial rights have legal precedence over newer laws and these cannot expropriate immemorial rights without due process or just compensation. It is all the more dis-
concerting that the government adopts such tactics in a legislative process which was originally designed to support Saami culture and forms of livelihood. Assuredly it will not be long before the Swedish Saami mount an offensive on the international level to seek support in protecting the minimal hunting and fishing rights they do/did have.

The argument that the state has for many years administered all hunting and fishing licences in these regions is hardly a convincing justification for state rights when it becomes plain that the state has simply taken upon itself the role of administering these licences for the Saami. The fact that the state administers Saami hunting and fishing licences does not mean that the state itself has hunting and fishing rights. The state took over these duties of administration for the Saami with the following motivation:

'Should one consider how poorly suited a Lapp association is to hold deliberations and to make decisions as well as to utilize for the collective good incoming funds, it is probably best to hand over duties of this type to the county administration.'

It seems that the Swedish state desires to cling to the position that it has granted certain special resource privileges to the Saami in order to preserve their unique culture, and Saami culture is then narrowly recognized by the government to mean only reindeer herding. To the extent a Saami strays from this livelihood, to that same extent must he give up his special rights. Paragraph 9 of the Act of 1971 asserts that the sameby may engage in no economic activity other than herding. In this manner Saami self-determination has been severely limited. With the increasing pressures of extractive industries on the land, the available grazing land, and by extension the sameby's rational herd numbers, constantly decreases. At the same time, the subsistence minimum in terms of the number of reindeer needed per family continues to increase. Thus, the herders are hit from both ends. According to the law, the herder must keep herding as his major income source or leave the sameby. Furthermore, the sameby as a collective can exercise its special resource privilege only in connection with herding.

The economic realities pressuring the herder from the field – rationalization policies, extractive industries and rising subsistence minimum in reindeer – must be put in relation to Saami category divisions and the closed shop membership of the sameby. (Only sameby members can herd, hunt and fish.) What emerges is a highly efficient phase-out mechanism.

Once an active herder stops herding, he loses sameby membership. His chances of ever re-entering the sameby are small. Entrance to the sameby is not open; the current sameby members decide about the new applicants. Because of the unemployment crisis in the north, he may well be forced to leave the Saami core area and move south. Stockholm now has the second highest population of Saami in Sweden. As one would expect, the population graph for the Swedish Saami shows that while the total number of Saami is rising, the number of herders has been falling steadily.

Surely, one cannot blame state policies for the limited ability of resources to sustain fully an expanding population. Reindeer herding has never been able to support all Saami, and it is only natural that the group controlling access to a resource seek to bar others from it should they find it difficult to meet their own needs. A vital question, however, is – should internal regulatory mechanisms be applied by the state or the Saami?

There are other unforeseen consequences of the emphasis on Saami reindeer herding and the linkage of resource rights to its practice alone. The position of women in the modern Swedish samebys is often significantly unequal to that of the men as a result of the administrative policies of the Swedish government. In the traditional bilateral Saami society, women held rank equal to that of men and, before becoming encumbered with the paraphernalia and rhythms of the dominant culture, herded along with the men. However, today, in many samebys women are unable to vote in herding affairs or about collective economic matters. Their reindeer property counts as belonging to their husbands or fathers as heads of household for purposes of computing voting strength. A girl does not necessarily enjoy the same official membership status in the sameby as her younger brother. These are effects which have their roots in two concepts basic to the Swedish herding law. Firstly, a Saami has rights because he herds. A sameby member is one who participates in herding in the sameby territory. The wife of the actively herding man is not considered to participate actively in herding herself if she washes his clothes, raises the children and cooks the food. Secondly, it is argued that since the sameby administers a communal treasury for herding matters, it is only fair that the true participants in herding have a say in how it is utilized. Moreover, the strength of a herder’s ‘say’ is variable with the size of his (together with his wife’s) herd. Similarly, it is argued that since each family is considered as one business enterprise, it would be unfair if a married couple had more say than a bachelor (assuming the two ‘enterprises’ had the same herd size).

Of course, changes in technology, transportation, and schooling for the children, to name but a few of the more important factors altering
the herding family's life style, have greatly affected the position of women in the herding culture. The modern facilities have often caused new kinds of separations in the herding family. Mothers will generally spend the regular school year with their children in or near the larger towns while their men may take care of the deer with the help of helicopters, snowmobiles and herders' cabins. These same transportation and communication devices may bring the men home after a hard day's work, but they mean that the woman and the children are increasingly less an integral part of the herding unit's life in the field. 'How can I train my children to be reindeer herders on summer vacation?' is a common complaint from the herders. Recently, and on a number of occasions, Saami women have come together from all the Saami nations to discuss their situation and to seek general solutions. They have formed the international Saami women's organization Sáráhkka.

The linkage of Saami resource rights to reindeer herders alone has not only separated many non-herding Saami from their lands and deprived them of compensation money paid by the state for expropriation, it has also placed Saami culture and identity in an extremely vulnerable position. Certainly the reindeer, as an object of both hunting and herding, has been of central importance for the Saami, not least as a cultural symbol. Nonetheless, crediting reindeer herding with being the only legally empowered expression of Saami traditional culture neglects other important cultural facets. The result of these state policies has been to link Saami identity ever more closely to this single dominant expression. Hence, any threat to reindeer herding like that caused by the April 1986 nuclear reactor disaster at Chernobyl not only jeopardizes the economy and lifestyles of the herders themselves, but it also constitutes a serious threat to Saami native rights in general.

In Finland, a Saami Commission was directed to evaluate the legal position of Saami long before the Saami Rights Commissions of Norway and Sweden were started. The Finnish Saami Commission's report, KM 1973:46, proposed a Saami law, defining Saami on a linguistic criterion (as that discussed above) and attempting to ensure the continuation of Saami resource usage by the acknowledgement of a specific Saami area. This proposal has not been taken up by the Finnish government or Parliament, but as a result the Finnish Saami Parliament was founded and the Saami Homeland defined. According to the Saami Commission, the Saami are the original owners and users of the Saami Homeland. Whatever rights this would secure the Saami have not been examined by the state, and according to the Commission, the Saami do not practise the rights which are their due. As there is no general law governing Saami rights, these are instead regulated in diverse specific laws such as those about water, timber and fishing – none of which is specifically directed towards the Saami. The current reindeer-herding law in Finland dates from 1948, although there have been a number of revisions. As noted earlier, reindeer herding is not a right reserved for the Saami. Ever since 1974 work towards the legislation of a new reindeer-herding law has been in progress, and ever since 1978 a legal section was tied to the Advisory Board on Saami Affairs to research Saami rights to natural resources. The unexamined and unspecified condition of Saami rights in Finland runs contrary to the international agreements Finland has ratified.

Publication of a doctoral dissertation by Kaisa Korpiaakko in 1989 on the legal rights of the Saami in Finland during the period of Swedish rule has had a major effect on Finnish Saami policy formulations which will probably be echoed to some degree in Sweden and Norway as well. Since her research deals with the period when Sweden and Finland were one country, it is plain that her results bear upon the legal rights of the Swedish Saami too. Her research shows that the Swedish/Finnish government recognized that Saami people owned their lands as witnessed by taxation records. Thus, at that time the Saami were not simply considered landless nomads but rather their land titles were incorporated into the state's land tenure system. While the Skattefell had in Sweden ruled that such ownership was not the case for the Saami with regard to the Skattefell lands in Jämtland, it stated clearly the possibility that ownership title could be substantiated for the Saami elsewhere. This has now come to pass. Korpiaakko's work in Finland, following upon the trail blazed by Cramér in Sweden, has documented Saami land claims to an extent which can no longer be ignored. It is hard to imagine that herding rights based on privilege can long stand against immemorial rights and outright ownership rights.

In 1978, Finland's Advisory Board on Saami Affairs decided to establish a section to evaluate which rights should be transferred to the Saami over the natural resources administered by the state. Korpiaakko was appointed secretary to the section in March 1990. This legal section of the Advisory Board is sometimes referred to as the Finnish Saami Rights Commission in the spirit of harmonization with the Commissions in both Norway and – until 1991 – Sweden. In June 1990 the section proposed a Saami Act which would reinstitute the collective Saami ownership to the lands formerly owned by the Saami and which now constitute so-called state forests. The proposed Act would also confirm the rights of Saami to herd reindeer, hunt and fish.
The Saami Homeland was to be divided among Saami villages (Lapinkylä) for the administration of these traditional Saami livelihoods. This arrangement would not infringe on the property rights of the non-Saami local population nor their traditional rights to fish, hunt and move freely. The present Saami Delegation (Saamelaisvaltuuskunta) would be replaced by a new representative organ, the Saami Thing (Saamelaiskäräjät).

During the hearing procedure (lausuntokierros) when state and local authorities as well as organizations and associations were asked to present their views on the proposed Act, the majority of the written opinions were in favour of it. Eight opinions were unconditionally in favour; 12 had limited, clearly specified conditions; and 16 wished for additional studies. Fifteen written opinions were negative towards the whole proposed Act. The present government has been somewhat reluctant to push the matter through, while the Finnish Parliament has been more positive towards the proposal. Currently (summer 1993) the situation is the following: The question of Saami land rights has been referred for further studies to the Saami Parliament, whereas the organizational and administrative issues are under investigation by the Finnish Ministry of Justice.54

Norway too, through the continued work of its Saami Rights Commission, seeks to address the vital issue of Saami land title. Sweden, however, refuses to confront this issue squarely.

In 1991, an amendment was introduced to the Finnish Act of Parliament, making it a responsibility for the Parliament to hear the Saami in matters of special concern to them (Section 52a). However, the idea of reserving a seat in the Parliament for the Saami was rejected.55

In conjunction with the establishment of the Norwegian Sameting, it should be noted that on 21 April 1988, an addendum (Section 110a) was made to the Norwegian Constitution to the effect that it is the responsibility of the Norwegian state to ensure that conditions are such that the Saami people can secure and develop their language, their culture and their social life. Moreover, on 20 June 1990 Norway ratified the International Labour Organization's (ILO) Convention 169 concerning indigenous and tribal peoples in independent countries. Of the four nations with indigenous Saami populations, Norway is the only one which has ratified ILO 169.

The main obstacle to ratification by Finland and Sweden is Section 14 of this Convention which states among other things that: 'The rights of ownership and possession of the peoples concerned over the lands which they traditionally occupy shall be recognized.' When the text of this Convention was still in draft form, Sweden and a number of other nations sought to have this article changed so as to recognize the peoples' right of use rather than right of ownership. Failing this, Sweden has declined ratification, despite the fact that the text was adopted by the International Labour Organization before being opened up for ratification by member states. Norway, however, has taken another tack and ratified the Convention, thus accepting its many safeguards for and positive attitude towards indigenous peoples, while at the same time presenting a special interpretation of Section 14. According to Norway's special interpretation, strongly protected rights of usage must be viewed as satisfactorily fulfilling ILO's demand for admission of indigenous land ownership, as the Norwegian state cannot grant ownership rights to the Saami for vast land areas occupied by other people, often in the possession of what would then become conflicting private ownership claims. Norway has thereby taken the risk of being declared in violation of the Convention, and the Swedish Saami minister, Per Unckel, has made it plain in his presentation of the new Swedish Saami policy to the Swedish national Parliament on 15 December 1992, that Sweden intends to leave Norway be the guinea pig on this issue.

The Saami Parliaments

Finland

In Finland, resulting from the work of the Finnish Saami Committee (itself established by the government in 1971), proposition 1973:824 which advocated the establishment of a representative Saami Delegation was accepted. This body has commonly been termed by the Finnish Saami the 'Saami Parliament', an unofficial name, but one now used by Finnish administrators and politicians as well. This Parliament, founded by cabinet decree under the Department of the Interior, had its first meeting in 1976. The same legislation defined the so-called Saami Homeland in Finland (the municipalities of Enontekiö, Inari, Utsjoki and the herding area of Sodankylä).

The Saami Parliament, with offices located in Inari, is to concern itself with Saami rights and support Saami economic, social and cultural development. Structurally and functionally it is on par with the Saami Parliaments, Sametings, of Norway and Sweden established approximately 15 and 20 years later respectively. It is conjectured that being a bilingual nation already because of its Swedish-speaking minority, Finland was considerably ahead of its Fennoscandian neighbours in establishing a democratically elected representative organization for the Saami. Moreover, the Saami Parliament can take
the initiative to present cases to different authorities, although it has no control outside of its own organization.

The Finnish Saami Parliament is composed of 20 representatives, chosen by the Saami, but authorized by the government – at least two representatives from each of the four provinces composing the Saami Homeland, but also 12 representatives regionally unbound and elected by popular support. Elections are held every fourth year. Unlike Norway and Sweden, Finland has kept a registry of its Saami population, pertaining to the homeland area. Later this was broadened to include Saami living outside the Finnish Saami Homeland territories. There is an official list for the Saami electorate which now contains about 3,000 names. To be eligible for this list, one must be 18 years of age or older and conform under the language criterion – that is, have learned Saami as a first language or have a parent or grandparent who has. (Even non-Saami spouses were declared eligible to vote.) Approximately 82 per cent of the defined electorate voted in the first election in October 1972.

The Saami Parliament has five working committees: a legal committee, an industrial-business committee, an educational committee, a cultural and social committee, and a work committee. The Parliament convenes six times a year. Expenses are paid by the Finnish state, although the low working budget has caused difficulties. The Parliament sends delegates to the triennial Nordic Saami Conferences and appoints the Finnish Saami members to the Board of the Nordic Saami Institute in Kautokeino, Norway. The Parliament also nominates the five Saami who, together with Finnish bureaucrats, form an Advisory Board on Saami Affairs (Saamelaisasiain neuvottelukunta), founded by the Finnish government in 1960, and not to be confused with the Saami Parliament.

This Advisory Board is composed of the governor of the Lapland province and ten members – five of them from different government departments and five from the Saami Parliament – authorized by the government. The Advisory Board is to prepare the government with respect to the recommendations from the Nordic Council on the Saami, to monitor the development of Saami economic conditions and to give the authorities in the Lapland province statements on questions about the Saami.

Norway

The Norwegian Sameting was established according to the new Saami Law of 12 June 1987, No.56, and was inaugurated by the Norwegian King Olav V in Karasjok on 9 October 1989. The new Norwegian Saami

Law gives the Sameting the mandate to concern itself with all matters which the Sameting considers touch upon the Saami people. The Norwegian Sameting has also taken over the functions of the Norwegian Saami Council which since 1964 has advised authorities in economic, cultural, judicial and social issues related to the Saami. In taking over the Council’s functions, the Sameting also comes to control the Saami Development Fund.

For the Norwegian Sameting, with offices based in Karasjok, 39 representatives are elected for four-year terms by the direct votes of the Saami people from 13 constituencies - six in Finnmark, three in Troms, two in north Nordland, one covering south Nordland, Trøndelag and northeast Hedmark, and lastly one regionally unbound to include all those Saami who have scattered far from their core areas. The law defines those eligible to register for the Saami electorate as those of voting age who feel themselves to be Saami and who speak Saami or have a parent or grandparent who speaks or has spoken Saami. The Sameting is meant to be a centre for the Saami political debate, to support the variety within the Saami culture and to take initiatives in Saami concerns. It is to take a stand on difficult political questions, to act as a bridge builder in ethnic conflicts, to ensure that Norway’s Saami policies are in accord with the obligations Norway has accepted from international law, and to represent the Saami and to be their voice.

At least once a year, the Norwegian national Parliament has agreed to put Saami matters on the agenda to review its responsibilities towards the realization of its new Saami policy.

In May 1990 the Norwegian Sameting established a Præsidium, an Executive Council, an administrative body and six committees: education and research; trade, industry, nature and environment; civil rights; social affairs and health; language and culture; organizational and constitutional affairs. The powers of the Norwegian Sameting are expected to expand, largely as a result of its own initiatives. However, there is also the distinct possibility that considerably greater powers will be conferred upon the Sameting with regard to resources by the results of the ongoing work of the Norwegian Saami Rights Commission. Unlike the Swedish Saami Rights Commission, which was ended in 1991 before the legislation establishing a Sameting was enacted, the Norwegian Saami Rights Commission, led now by its third chairman, Tor Falch, continues with research into Saami land claims in Finnmark and, thereafter, will look into Saami land claims elsewhere in Norway.
Polar Peoples: self-determination and development

Sweden

On 15 December 1992 the Swedish national Parliament voted by an overwhelming majority to pass Proposition 1992-93:32, The Saami and Saami Culture, etc., which set forth both a Sameting law and changes in the Reindeer Herding Act. There were 5,390 persons registered to vote for representatives in the Swedish Saami Parliament, Sameting, on 16 May 1993, and out of these, 3,808 or 71 per cent actually voted. Thirteen parties campaigned in the election, and of these, 11 parties acquired seats. On 26 August 1993, in Kiruna, where its offices are probably to be based, the Sameting was inaugurated with the Royal family in attendance. New elections will be held every four years.

Like its sister assemblies in Norway and Finland, the Swedish Sameting is a department of government, subject to government directives and, besides some administrative duties, in possession of only advisory status. For the Saami, this Bill was a disappointment. Not only does the Sameting it established lack the power to veto or even delay exploitation of lands important to reindeer herding, the proposition rejected an addendum to the Swedish Constitution similar to that accepted by Norway. (However, Section 2, paragraph 4, of the Swedish Constitution already stipulates in a general way that the cultural and social life of ethnic, linguistic and religious minorities should be promoted.) Nor did the Bill grant official status to the Saami language in any region regarding Saami livelihoods (as the Saami Rights Commission had advocated), and it made plain Sweden's intent not to ratify ILO 169. Moreover, the changes it prescribed for the Reindeer Herding Act were basically a tightening of restrictions and regulations, and to the Saami the most bitter and unexpected blow - a removal of Saami hunting and fishing exclusivity on lands until now reserved for their use alone.

Despite the weak advisory construct of the Sameting and its constrainment by government directives as a government authority, the creation of a Swedish Sameting has been a much-desired goal by the Swedish Saami. Their hope is that the Sameting will in time mature into an administrative body with increasing autonomy and respect.

At an extra meeting held by SSR, the largest Swedish Saami organization, following upon the presentation of Proposition 32 and before its acceptance by the Swedish Parliament, the text of the proposition was publicly burned in front of national news TV cameras. The main Saami organizations passed resolutions calling for the acceptance of the Sameting, but the rejection of all other suggestions, at least until the newly formed Sameting had the opportunity to convene and to discuss them. This, they argued, is the stated goal of such a Sameting, and it would be to defeat its own purpose were the state to institutionalize a Sameting and then refuse it the chance of expressing itself on, and possibly bring revisions in, the most significant legislative changes for the Saami presented during the last 20 years. Nonetheless, this is precisely what happened. Proposition 32 was accepted in its entirety and hailed by the government as a major victory for the Saami.

The Swedish Sameting will make decisions regarding the distribution of government funds, other funds dedicated to Saami collective use, and funds from the Saami Fund (Samefond) in support of Saami culture and Saami organizations. It will appoint the members of the Saami School Board. It will lead work concerning the Saami language. It will cooperate in the formulation of social plans, guaranteeing that Saami interests are considered, among them the interests of reindeer herding in plans concerning the use of land and water. Lastly, it will give information about Saami conditions.

The position of the Sameting as a government authority is generally buttressed by the motivation that status as a government department will ensure its financial base, guarantee that it be heard in important issues affecting the Saami and assure that it has the proper powers to administer matters given over to its realm of responsibility.

With regard to the definition of the Saami electorate, the Swedish Sameting Law follows, in the main, the Finnish and Norwegian model which bases the objective criterion on language. With regard to organizational practicalities, the Sameting Law deviates from the Commission's recommendations in that it suggests one rather than six Saami constituencies in Sweden. Moreover, also in contrast to the Commission's recommendation, the Sameting Law states that the Sameting president will be appointed by the government after hearing, but not necessarily abiding by, the wishes of the Sameting.

Members of various human rights organizations have criticized the Sameting Law for constructing the Sameting as a government authority, for this will bind the Sameting to government directives. It becomes impossible, for example, for the Sameting to play any kind of role in legal processes against the state in national or international courts. In fact, the Sameting must represent the state in such cases, and obviously there can arise a conflict of interests. The rebuttal that individual Saami and other Saami organizations can still oppose the state in court, and therefore the Sameting's inability to do so need not restrain the judicial process, loses weight when it becomes clear that the state no longer guarantees the Saami the right to free trial. The argument that the Norwegian Sameting is also a government department and does not appear to suffer from this position must be balanced against

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the observation that, unlike Sweden, Norway has made a special addendum to its Constitution to ensure the maintenance of the Saami culture and society, has ratified the ILO Convention 169 on indigenous and tribal peoples and has directed its Saami Rights Commission to investigate Saami land claims.

In general, views about the propriety of the Swedish state’s Sameting construction have been strongly divided along the lines of trust in the benevolence of the state’s Saami policies. Those in favour of the accepted Sameting construct stress that the given framework is only the beginning of the path towards greater autonomy and powers and that all fears of being ‘bought out’ and trapped by government encapsulation are groundless. Those opposed feel that Saami free rein will be either insignificant or non-existent. They argue in effect that if the line on the hook is long enough to start with, it may take time for the fish to realize it is caught.

The political future

While the creation of these Parliaments in Norway and Sweden and, together with the already existing Finnish Saami Parliament, the prospective establishment of a Nordic Saami Assembly with representatives from the three national Saami Parliaments, must be viewed as major victories for the Saami, these developments are not without challenges and risks. The state will now gain the ability to refer to the will of the Saami as expressed in their representative organizations. However, many Saami interest groups and organizations are not politically organized or activated to the same extent, and it may take a good deal of time before the new Saami Parliaments actually do represent the full spectrum of Saami. In the meantime, there is always the risk that the small or unorganized group within the general Saami category loses its voice with respect to the state.

The Saami Parliaments hold a promise of improved Saami-state relations, but there may be a cost, at least initially, of internal Saami strife. Of course, this is an unavoidable consequence of the democratic process, and such strife is certainly not something new. However, the bureaucratic parliamentary process itself does not derive from the Saami. The gains from this new model will be brought from within a context of increased cultural encapsulation. The Saami must try to mould their Parliaments to themselves rather than merely to the demands of state processes and to maintain general Saami concerns despite short-sighted gains to be made by any one faction temporarily in a position of power.

Conclusions

The situation of the Saami minority offers valuable lessons for the struggle of indigenous and minority peoples. The encompassing Fennoscandian governments are known for being dedicated to the precepts of human rights and social welfare and, as a result, the Saami suffer but little from official policies of negative discrimination when compared to many other indigenous peoples. The Fennoscandian Saami are not grossly impoverished, and they still inhabit their land. Nonetheless, they face serious problems in the struggle for cultural maintenance. While the linkage of Saami culture to reindeer has provided them with great cultural strength and continuity, the more the northern grazing lands are exploited by modern industrial needs, the more this strength turns towards a liability. In the effort to protect the Saami while at the same time expanding resource extraction and industry, governments implement a welfare-privilege ideology at the expense of acknowledging absolute resource rights. The Saami, a minority people of considerable variety, have been split further by all manner of legislative categorizations (legally and ethnically false), and are now called upon to unite under elected representative organizations with only advisory capacities.

Only a small minority within the Saami minority are directly involved with reindeer herding, which allows them access to their traditional resources and to a great extent maintains the foundations of Saami identity for all Saami. In Norway, as opposed to Sweden for example, there are sizable local populations of Saami who form a majority in their towns or even in their municipalities. While there are many Saami who still live in their traditional home regions, so-called core areas, most have been denied the practice of their immemorial land rights and over the centuries prevented from combining traditional Saami livelihoods with traditional non-Saami livelihoods. As a result of these constraints, and the continuing destruction of their land base, many Saami have been forced (and in various proportions enticed away) from their home regions to settle in urban centres, often far south. Very little is known about this large group of Saami. As noted, they blend smoothly with the majority population. Almost without exception they speak the language of the majority population fluently and are subjected to no blatant formal discrimination by their governments. For many of them, Saami identity has been passive, but the possibility of active participation in the new arena of Saami politics opened up by the establishment of the Sametings in Norway and Sweden may change this.
Now that Norway, Sweden and Finland all have Saami Parliaments, it will probably not be long before the Russian Saami also establish a Saami Parliament and participate with their Saami neighbours in an over-arching pan-Saami Parliament with representatives from the four national Saami Parliaments. The charter of the Finnish Saami Parliament has been newly translated into Russian to serve as a model for the creation of a Russian Saami Parliament. As noted, the Russian Saami have joined the Saami Council. A Russian Saami youth organization has just been established, Sammuas, as has an organization of Russian Saami artists and workers in handicraft. Despite these political and organizational gains, the Russian Saami face hard times. They have recently founded 15 or so Saami businesses in different branches, but all of these are beset with troubles. For the elderly and for families with many children, famine is not far away. Inflation has now reached 2,500 per cent a year. The Saami Council is considering a programme of economic aid for the Russian Saami.

In Fennoscandia, the Saami have little choice but to revert to litigation. This time, however, the Saami can approach international as well as national forums with a new spirit of unity stretching across Saami-land. The Swedish Saami will undoubtedly contest the state's disregard of their exclusive hunting and fishing rights, and they will most surely seek to revive a dormant piece of litigation on land rights called the Gauto Case. Here they will also be aided by pan-Saami organizations such as the Saami Council which enjoys NGO status at the UN and, in time, by the future Nordic Saami Parliament (or along with the Russian Saami, a Pan-Saami Parliament). To what extent the national Saami Parliaments will be able to participate in such a confrontation with their governments is, of course, unclear, but they will undoubtedly press their advantage to the fullest. A government which invokes its directive to muzzle its Saami Parliament would suffer mightily in international stature.

In Norway, the continuing Saami Rights Commission may well lead to results which staunch the most immediate calls for litigation, just as in Finland the process surrounding the Saami Act may bring concrete improvements for the Saami without litigation. In Sweden, however, alternative courses to litigation seem bankrupt.

In closing, it is important to consider what the Saami are hoping to achieve. Few if any Saami would advocate the building of an independent Saami state as a viable and serious alternative. What they do want, however, is the ability to protect their lands of traditional use against heavy exploitation. This is not to say that they will automatically oppose all development, only they insist on being a decisive part of all negotiations. Similarly, the Saami are not necessarily opposed to allowing a broader use of their hunting and fishing rights. But these must be recognized as their rights, the revenues from which should accrue to them. Their main desire is to protect their wildlife resources within a programme of sustainable use. Within that ecological framework, and after their own needs have been met, they have indicated that they would not be averse to allocating a share of the harvestable resource to others.

Even though they are encapsulated by government and minimally empowered, the Saami Parliaments now in all three of the Nordic Saami countries open to the Saami new avenues of action, both within each nation state, and also as a unified transnational entity. With these democratically elected representative Parliaments the Saami will be in a position to clarify their own position and to mount a unified front. These bodies and their future combined manifestation, armed with the recent and emerging body of international indigenous rights, place the Saami in a better position than ever before to force the practical recognition of the rights they already have in each of their separate nation states and to partake in the new rights evolved by the international community. One can only hope that the new Saami parliamentary organizations will represent Saami diversity justly and that their voices will be respected even when opposed to state desires.

Internally the Saami face the difficult task of healing the divisions within them caused by the various imposed legal categorizations. While many of these divisions were and are unjust and unjustifiable, there is no doubt that the traditional Saami livelihoods cannot alone sustain the entire Saami population; certain distinctions within the Saami group must be made. The important point is that in these internal matters, within the framework of their rights, the Saami be allowed to make their own allocations. The new Sametings may also prove to be the vehicle by which the Saami confront these internal responsibilities. For the Saami this is a time of new political processes, new laws and increased pan-Saami cooperation – a time of extraordinary challenge.
The Saami of Lapland

Footnotes
2 Wiklund, 1899:5.
3 Ruong, 1951:113; Söderström, 1984:36.
6 Collinder, 1949:34.
7 Wickman in Manker, 1947:52.
8 Collinder, 1949:92.
9 Hansegård, 1974.
13 Collinder, 1949:37.
18 SOU 1975:100, 344.
20 Guttorp, 1964.
23 Aikio, 1986:11.
31 Wiklund, 1918:270; Hultblad, 1968:73.
33 Fjellström, 1985:92.
34 Ruong, 1982:57.
35 For example, Tornaeus in Schefferus, 1956 edn, 168-9.
36 Beach et al., 1991:62.
37 The Swedish School 'Reform', 1913.
38 Cramér, 1986.

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