

# Linking Essentialist and Constructivist Ethnicity

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**ABSTRACT** *This article argues that the essentialist and the constructivist positions within theories of ethnicity are in fact compatible if one introduces a concept here called “internalized fluid capacities”, connoting that which is inherently (genetically) dispositional – and in that sense biologically “anticipated” – but which remains to be developed into observable social characteristics through sociocultural impact. This perspective is based on the genetic capacity to mold or “instruct” the development of an organism from its embryonic state and onwards by using prior stages as points of departure for further instructions. In this way, certain fluid capacities become imprinted in individuals and collectivities through reinforcing interaction with the ambient society. These capacities may then harden and develop into apparent “essentials”, forming a group’s collective self-image. The article concludes with the suggestion that this explanatory model can be usefully applied to the debate around Swedish governmental definitions of Saamihood.*

**KEY WORDS:** Ethnicity, Essentialist, Constructivist, Saami, Anticipated capacities, Genetic information

## Introduction

The seed from which this article grew was the consideration about why the situation for the Saami in Sweden with regard to government policy and participation is so inferior to – or in neutral terms, different from – their situation in Norway.<sup>1</sup> The policy differences are *prima facie* rather surprising, given that the northern border between the two countries was not determined before 1751; that both countries have confirmed the principle of immemorial right for the Saami; that they both understand this right to be based on occupation from time immemorial and continuity of usage; that the countries were unified for approximately 100 years until 1905; that both countries have ratified most of the same international conventions and covenants regarding human rights; that both espouse liberal welfare ideologies; and that both have established Saami Parliaments. Because my familiarity with Saami affairs in Norway is less extensive than my knowledge of the corresponding situation in Sweden, I have not attempted to offer a comprehensive overview or critical comparison of the two systems. Instead, I have used them as points of departure for reflecting on the nature of ethnicity in general. My hope is by

this means to explore the thematic implications of the key issues and questions raised by the development of “Saamihood” in the North.

The scope of the question extends far beyond the issue of Nordic Saami comparison, for ethnic-based conflict – sometimes even spilling over into violence – is all too widespread, frequent and horrendous. My suggestion is that the relation between genes and evolution in the biological world is structurally homologous to the kind of relation between the relatively “set”, seemingly “essentialist” form determining group ethnicity, on the one hand, and the changing “constructivist” content defining cultural identity. I mean that this relation of relations is not merely one of analogy. The essentialist versus constructivist oscillations which persist in our human identities are in fact continuations and transformations of our biological realities.

In the following pages, I shall argue that essentialist concepts of ethnicity are not always merely wrong-headed, false fabrications. Granted, some of the most detailed formulations of essentialist attribution are obviously pig-headed and wrong. There is nothing in the genes which determines that Native Americans walk quietly in the woods, for instance. Yet, I shall claim that there are indeed qualities – fabrications, if you will – which can come to be perceived by a group of people as “essential” to them, and thus as beyond their own constructive agency. I also argue that constructs of ethnicity are spun from seeds of essentialist continuity, just as unique biological individuals and new species grow and evolve out of something already at hand to which the genetic code refers and without which nothing new can evolve or be constructed. While it is true (as the constructivist school of anthropologists continually remind us) that so-called ethnic “essences” are themselves simply ossified cultural constructs, it is also true (as the essentialists maintain) that there is a big difference between freely chosen social constructs and those persistent, relatively inflexible social features that can last through many centuries.

Both persons and peoples hold various mixes of essentialist and constructivist attributes to which they credit variable hierarchical importance for their identities. It is therefore in vain that we seem forever to be pitting the one against the other in a quest for that one anthropological principle which is scientifically and socially “true”. I maintain here that fully to deny either would be a mistake. Until we can recognize the constructed dimensions of what we consider “essential” on the one hand and the crystalizing essential continuity of what we interpret as “constructed” on the other, we shall never achieve a deeper understanding of ethnicity.

### **Classificatory Grid**

Although this article can suggest some useful avenues in pursuit of this specific question in comparative legal history about why Norway’s state policy toward the Saami is so different from Sweden’s, its main thrust has bent toward the more general issue of the relationship between essentialist and constructivist definitions of ethnicity, what to some are classificatory opposites in the formulation of so-called indigenous categories and their

resource rights. This same oppositional pair appears in various guises such as the Nature–Nurture dichotomy, genetic vs. learned behavior, or what is inherent as opposed to what is developed. For the social sciences and the quest to validate or refute the cultural concept in general, such dichotomies provide the battleground for numerous perspectives which alternately concern the behavior of different levels of humanity, ranging from the individual level to the collective group level and on to the universal level of humankind as a whole (Hannerz 1993). I am hopeful that by entertaining such a wide approach at the start, we might find guidance when returning to more specific questions later.

Hannerz's seminal article on the subject makes use of a six-box table (adapted from Redfield's (1962) four-box table) generated by crossing the inherent-versus-developed dichotomy along the *x*-axis with the three different levels of humanity aligned along the *y*-axis. Hannerz is concerned with the swings of academic focus when considering the culture concept, and his acute analysis of the historical shifts effectively traces how the attention of researchers follows academic fads which continually expose and seek to correct each other's excesses or lacks. Yet through all these various opposed stances in the controversy of culture versus inherent nature, he finds that the principle of culture is at least implicitly present in *all* of the boxes, even those carrying the "inherent" label. As Hannerz, for his purposes, inserted the row "Enduring collectivities" (such as ethnic groups) into Redfield's original table, thus expanding the items of social entities along the *y*-axis, in a similar vein I would like to insert a column representing "internalized fluid capacities" – that which is inherently anticipated, but unspecified – to stand between the *inherent* (essentialist) and the *developed* (constructivist) columns along the *x*-axis. This column is meant to hold a position between the extremes of the genetically inherited and the culturally specified. In metaphorical terms, it deals with that portion of human nature which the genes have determined should be filled by culture but without specification as to its content. In other words, this refers to the genetically endowed fluid capacity that people have to acquire certain behavioral and mental skills that prepare them for life within a cultural community. In my chart I have labeled this column "Genetically Endowed, Internalized Fluid Capacity", or "Internalized Fluid Capacity" for short. The innate human drive to learn an unspecified constructed language is an example. The insertion of this column is simply a recognition of the argument, so aptly expressed by Geertz (1965: 112–113) that we "finish ourselves through culture", i.e. that we are genetically determined to be made mature members of our species through cultural constructs (cf. Hannerz 1993: 35). In terming it "internalized", I wish to pave the way for its usefulness in ethnicity discourse, as it refers to that process by which constructed ethnic idioms come to be viewed by their hosts as essentialist characteristics, that is, those things which, once absorbed, become internalized as a "finishing" component of one's essentialist nature. In short, it refers to a kind of feedback loop through which the way people think about ethnicity (be they members of a native community or colonial legislators) comes to exert strong influence on how the ethnic group sees and

chooses to identify itself. I shall have occasion to return to this later, but posit it now, not to add unnecessary complexity to already complex issues, but to aid analysis later and, I hope, to facilitate greater insight into the problems surrounding the concepts and realities of ethnicity in general, Saami ethnicity, and possible distinctions between Swedish and Norwegian Saami ethnicity in particular.

The *Table of Human characteristics* adapted from Hannerz (1993) and Redfield (1962), as I wish to play with it, takes the form shown in Table 1.

For convenience of discussion, Hannerz numbered the six boxes of his table, and I have wanted to retain his numbers to avoid introducing chaos. When adding the column representing “Internalized Fluid Capacity”, and numbering the three new boxes generated by it in the table, I have chosen to retain the numbers of their respective right-hand “Developed” column designations, but to distinguish those under Internalized Fluid Capacity by putting a “prime” symbol after the numbers. Thus, for example, an internalized fluid capacity on an individual level would be represented as 2′, and similarly 4′ and 6′ would indicate the collective and universal human levels, respectively. I have done so as a reminder that the elements under the internalized fluid capacities have previously been placed under the Developed column. One might arguably have done better to partition a single Developed column, but I have also wanted to represent visually the elements of the internalized fluid capacities as conceptually standing midway between the Inherent and the Developed. While internalized fluid capacities are undeniably constructed, cultural, hence developed, they are also genetically, inherently disposed to exist as such.

The matter of ethnicity, while not as general a concept as that of culture, is certainly intimately bound to it. As with the topic of human nature, the relative strengths of ethnicity’s inherited and/or developed components have been hotly contested. Even the most logically consistent racist definition of ethnicity, which regards it solely as an inherent, genetic category, regardless of anything that might be learned, addresses the culture concept by denying its significance for racist categorization. In effect, a judgment about people is finished even prior to the people being “finished” in the Geertzian sense by culture. If pressed to explain their dislikes, however, logically consistent racists should not be able to invoke complex and undeniably learned behavior to justify themselves, and so, to maintain their position, racists will fall to the inconsistent claims that behavioral characteristics which can only be learned are in fact genetically programmed. The racist (who abhors a certain

**Table 1.** Table of Human Characteristics adapted from Hannerz (1993) and Redfield (1962).

	Inherent	Genetically Endowed, Internalized Fluid Capacity	Developed
Individual	1	2′	2
Enduring collectivities	3	4′	4
Universal (pan-human)	5	6′	6

conceived ethnic essence) and the super ethnic patriot (who extolls a certain conceived ethnic essence), despite their differences, nonetheless share a misplacement of constructed cultural content. In both cases, I believe that which is most likely the stuff of such misplacement falls under the internalized fluid capacities column, precisely because of its affinity to the idea of the wholly inherent through genetic predisposition. Whatever it is that evokes our ethnic biases – whether positive or negative – it is probably a function of internalized fluid capacities whose specific manifestations are misinterpreted as inborn. At least two important questions should be formulated here: (1) does the idea of a “wholly” inherent or “essential” nature (or for that matter the idea of anything “wholly” acquired via acculturation, or “constructed”) hold up under rigorous scrutiny?; and (2) if we posit *the internalized fluid capacities* as a subset of the cultural, how do we know where it separates from the rest of culture? Perhaps all culture is in a way genetically anticipated.

### The Prior Reference Model

In any discussion of the pros and cons of ethnic essentialism, it is important to consider what kind of communication might be found in a gene. Scientists have supposedly “cracked” the human genetic code, but what then does this code *mean*? Or rather, what information do genes really contain? It is as if we have discovered the sounds signified by the letters of a strange or forgotten genetic alphabet, but we are hardly the wiser about the meanings such sounds convey. Does each gene carry merely the instructions to build an isolated protein chain “from scratch” out of a stew of amino acids, in effect “say” merely one “word”, over and over without any higher-order instruction to relate to other genetic “words” so as to form “sentences”, or larger “paragraphs” in the construction of an entire organism? It would be totally miraculous were genes simply left to “battle it out” against each other with maximal “constructive” freedom to survive and adapt in developing embryos. It is vastly implausible to suppose that genes, operating almost like distinct species on the Serengeti, would still reproduce both themselves and the individual organisms repeatedly – and do so in a way that produced manifest parallels among corresponding organs and tissues – unless one hypothesizes an overarching structural framework in the development of evolutionarily related species.<sup>2</sup>

At the other extreme, we can consider the genetic code as the total organism’s “blueprint”, the ultimate essentialist formulation. According to this concept of genetic control, there is a blueprint of instructions which when thrown into any sufficient stew of amino acids can proclaim “give me an apple” and an apple will form; give me a human, and a human will form; or give me a Saami human, and a Saami human will form.

It seems to me the only reasonable model differs from both of these rather crude caricatures. I shall refer to it here as the “Prior Reference Model”. On this model, the genes do indeed contain highly complex instructions controlling multiple and integrated aspects of the developing fetus over time, but they cannot function “from scratch”. Instead, the instructions to

build, for example, lungs are based on the pre-existing starting point of embryonic proto-gill slits. The instructions would read something like this: "Make this gill slit into the upper lobe of the right lung" (which surely had been broken down previously into a long series of other commands like "turn this kind of gill membrane into this emerging lung membrane" or "improve this gill oxygen filtering capability by a factor of four"). Another gene or gene set might say, "Mirror this formation with bilateral symmetry to form the left lung". That is, the genes are always using their own temporary constructions as points of departure for further instructions. If the proto-gill slits do not form as they should, the lungs have no chance of forming. In short, there is no gene or set of genes which simply say, "build me a lung according to this blueprint" without reference to (expectant) prior *essential* diagrams which have actually been *constructed* in the process of growth. In short, the whole process, the instructions together with their referents, form the model. The gill slits, have, of course, in turn been derived according to instruction from prior embryonic stages, and these prior constructed referents go all the way back to the starting seed of the new organism (sperm and egg, for example)<sup>3</sup> those "essence-constructs" which also constitute the bridging continuity through the generations of undying Organism.

The effects of what genes "say" for the maturing organism before it has been born, as it grows and interacts with a changing environment, must be capable of responding (within limits) to altered circumstances (if animal, within the womb) at any point along the way. They must constantly refer to and act upon a previously constructed state. According to this view, it would be strange if ontogeny *did not* parallel phylogeny in the developing fetus in many vital ways.<sup>4</sup> For the genes to function in the reproduction of an organism, they must contain a "record" of the evolutionary learning which created it. If genes orchestrate more than the mere production of isolated protein chains with a good deal of expected result, it can only be that it is because those genes also *anticipate the coming existence of those organs and systems genetic instructions build upon*. Hence, newborn life starts out with an evolutionary expectancy chart of past constructions already embedded. New life is based on the prior existence of old forms and presupposes them as referents even if in the outer world many links in the evolutionary chain are long extinct. What the noted evolutionary biologist Stephen Jay Gould has described as "displacement" fits well within the prior reference model suggested here. In the ontogenetic development of an organism, Gould explains, new stages will often arise by "displacing" embryonic tissues and organs away from their prior assigned functions in ancestral organisms, adapting them instead to serve the new needs and functions of the descendent organisms.<sup>5</sup>

Note, however, that the points of reference on which genes act at any time need not necessarily be confined to the immediately preceding developmental result. The developing organism hosts a broad repository of quasi-essential developmental stages, even former *culs-de-sac*, which might later serve to provide the starting point of a new "displacement" of decisive value to the survival of an organism. As a result, an adequate formulation of the

relationship between ontogeny and phylogeny would be: ontogeny loosely parallels multiple stages of prior references, or developmental displacements, in phylogeny. Genes are not simply the starting point for a disconnected new life, but also the bridging continuation of life which has never died. A newborn baby is at the same time a manifestation of an ancient organism and unbroken life form tied to all of Nature. It shares this essence while it continues the construction of itself and that of its species and that of Life all at once.

We must not assume that biological relations serve merely as analogies to help grasp higher-order social relations; we should be willing at least to entertain the idea that the partly elastic and partly inelastic patterns of response we experience in discerning our essential or constructed natures can be transformations of similar, lower-order relations. That is, this aspect of the social can in a sense be a recapitulation on another level of the same processes that take place on the biological level. It would then be no coincidence that debates over the essential versus the constructive nature of ethnicity soon involve epistemologies of genetic coding and communication. Even if we are largely constructed and construct ourselves through enskilment and culture, there are things forming us according to capacities (or capacities fulfilled by specific constructs) we feel are essential to our identity, like ethnicity, musical ability, family facial characteristics, etc. – things about which we feel we have almost no control or knowledge. These “essences” seem to be hidden in the genes and passed through the generations. If we could manipulate them at will, they would no longer be so; they would thereby be revealed as entirely constructed. Yet, while it is understandable that persons should recognize or feel the tug of such quasi-essential patterns, they must also recognize that in a changing world, inflexible recapitulation of developmental processes can only lead to eventual death. It can be no easy matter to always know where genetically determined, internalized fluid capacities end and where the constructions that fulfill them begin.

Similarly, the effects of what genes “say” for the maturing organism as it grows and interacts with a changing environment out there in the world external to the womb must be capable of responding (within limits) to altered circumstances at any point along the way, for example to promote the learning of French in France and English in England. In the development of language skills in young children, for example, in their social milieu, the presence of a human tongue (developed biologically by the prior reference model) is an essential body part, and the same in general size and shape for all humans. The tongue does not start out as culturally specific, and yet before long its abilities have become so much so that no matter how hard we might try to hide it, a single shibboleth will reveal our childhood social milieu. Humans might have the ability to learn language even at advanced age, but the ability of the tongue to shape certain sounds accent-free seems to be an internalized fluid capacity<sup>6</sup> which is turned off in later life. This can only mean that in the continuing growth of the individual, the genes which come to play a role in maturation through the prior reference model do so by

taking (according to genetic program) a point of reference which has previously been culturally constructed and at least quasi-fixed.

Some things can be, or perhaps must be, “fixed” more than others. Those who hate sugar in their coffee might hate to be without it in a relatively short time. Of course, this is probably not due to the direct effect of specific genes in action at the time, but somehow it seems as if humans have evolved the capacity (at least with respect to some senses) to fix as if essential the habits they have developed. Again we confront the issue of where internalized fluid capacities end and where the constructions that fulfill them begin. Also, at what level of abstraction (so-called “logical typing”) is the capacity (if any) which is fulfilled by any given construction?

Such dilemmas occur not only in the family sphere, but also on a broader culturally constructed level. Herein lies the dilemma of the acceptance of “new-age” or traditional revivalism of ethnic foundations, for example. That which some see as necessary revitalization to foster old traditions (and construction no different in principle from that which gave rise to past honored traditions), others see as cheap and harmful imitative manipulations born of dubious motives which undermine true ethnic essence. Participation in neo-shamanic rituals replete with “baptisms in reindeer blood”, which can be purchased on the internet as part of Saami tourism packages, as might Saami drum séances with teachers from Michael Harner centers in the US, often inspire indignation among Saami. Other shamanic revival efforts might not be mocked but instead applauded, even though there may have been a centuries-long lapse in the continuity they purport to bridge. The issue of authenticity broached here must have to do with the contemporary “feel” for what is to be considered a true essential reference point and if this has been respected in transformation to the modern innovation.

It is interesting to consider what adaptive significance might be gained by the temporary “fixing” or the more permanent “turning off” or major reduction of internalized fluid capacities. *It might be that a culturally constructed reference point must become fixed before other internalized fluid capacities can be applied.* For example, tongue sounds made (and ear sounds heard and recognized as phonemes) may need to reach a point of quasi-essentiality before complex grammars can be built upon them. It is noteworthy in this regard that children who have never been exposed to human speech before puberty become incapable of learning any grammar at all later, while those who have been exposed to speech and learned one grammar are capable of learning others (even if with far more difficulty in later years). One can hypothesize a similar higher-order “turning off” of internalized fluid capacities; for example, to seek mates among all fertile members of the opposite sex and the internalized fluid capacity to eat almost any organic matter as food. The “free-mating” capacity is “turned off” by another internalized fluid capacity for the derivation of the incest taboo (Levi-Strauss) – a social construct. (Oedipus mated with his mother without knowing she was his mother.) There are also socially derived but personally internalized taboos against “miscegenation”, and similarly there are various forms of disgust with respect to foods. These can be extremely powerful. For



example, few non-Inuit have grown to like, and fewer still to favor, traditional Inuit foods, but it is possible, even if it has generally taken a good deal of time.

Although we cannot assume all changes to occur for adaptive reasons, when considering the adaptive significance for the *turning off* of previously mobilized fluid capacities – a turning off which at one level would appear to limit or decrease our survival abilities – we can hypothesize that such losses in flexibility must increase our survival capacity at another level. Levi-Strauss's insight seems apt here about the potential utility of the incest taboo in building the family unit, compelling exogamous marriage, and developing social distinctions between groups. The bonds created among the different exogamous groups could then support their mutual survival through reciprocal relationships of exchange. In short, the internalized fluid capacities ranging from racism to powerful dietary “tastes” may be derived from another internal fluid capacity, evolved to promote group distinction, one form of which in our given world context is manifest by ethnicity. One can conjecture that the terrible hatred and violence which can be unleashed by racism is grounded in the conflict within individuals as each feels compelled to deny one quasi-essential capacity in order to maintain another. Suppose, for example, that one ethnicity becomes predicated upon contradistinction to another, and suppose for the sake of argument that the members of an ethnic group gain tremendous perceived advantages from the in-group cooperation they experience while excluding the other group. (Note that the *actual advantages* of this particular exclusivity need not be as great as the *perceived benefits* in order for the syndrome to become activated. An ancient humanoid pattern can easily veer far afield from its originally adaptive application.) Yet, on this scenario, there would also be a need to overcome another internalized fluid capacity within the human species – the natural sexual desires that most people experience in a generalized way toward virtually all fertile members of the opposite sex. In such a case, the natural sexual desires felt between their members must be expunged, internalized and fixed as “disgusting”. It is as if the incest taboo had jumped in application to another order in logical typing, a shift from box 2' to 4' and in the worst case jumped to box 6' with the denial of universal humanity. Ironically, people can experience all the more self-revulsion for feelings of sexual attraction toward members of the out-group, a revulsion which in turn generates a perceived need to make these other people appear non-human through non-human treatment). This hypothesis may help to explain why intra-human hostilities and pogroms have historically been far more vicious and destructive than our interactions with chimpanzees and gorillas, for example. Toward the latter, people harbor no subliminal ambivalence, because their humanness is not a question; we have no sexual attraction to them to deny.

To recognize a possible evolutionary background to such internalizations, however, does not mean that we should necessarily seek to further their effects or condone them in a modern world in which they can be counter-productive for survival and certainly in their worst forms disrespectful or inhumane. While we might wish to embrace some social proscriptions as

being healthy, others we surely must move away from. Obviously the constraints imposed by the incest taboo serve a good purpose in sustaining the fabric of what has become the human family. There can be good as well as harmful and morally reprehensible purposes served by the maintenance of group distinctions, depending on the way they are framed and applied and how open or closed they are to constructivist criteria. We cannot, however, give scientific credence to wholly essentialist ideas that would claim immutability in the formation of such distinctions. Instead we should understand and accept the responsibility which the concepts of the prior reference model and internalized fluid capacities present us with for our own construction of ourselves as individuals, as cultures, groups, and as a species.

On the matter of abstraction level (or "logical typing") of the internalized fluid capacities and their relations to the wholly constructed, one can also hazard a few comments. While the placement of language in the 2', 4' and 6' boxes seems uncontroversial, probably no one would argue that the behavior of oil painting is genetically pre-programmed to finish our idiosyncratic individual selves, to form our ethnic collectives, or to complete our universal human nature. However, if oil painting were raised to a higher level of abstraction to become "creative expression", then it might indeed be regarded as a fulfillment of our human nature. The idea that our nature is "finished" by culture automatically endows culture with a functionalist imperative, and if functional explanation falls prey to galloping levels of abstraction such as the human need to "maximize satisfactions", then such explanation serves no function at all. How might we properly identify the level of abstraction of internalized fluid capacities? One would suppose this to entail the search for common denominators which might arguably be framed as a capacity. For example, Chomsky has posited that all languages build upon the common human capacity for "deep grammar". Yet, this is not to declare all deep grammars to be identical, only that all humans have the capacity for it. Similarly, it may be that all humans share a common capacity for group construction, an inherited urge to share distinctive group intimacies, for example an ethnicity in contrast to other ethnicities. Ironically, the essential capacity to mark ethnic *difference* would in effect be one of the main commonalities of humankind. If we entertain the argument that all genetic growth builds from the start through multiple layers of essential-and-constructive maturation, then the distinction between what can be considered internalized fluid capacities and what is wholly constructed (e.g. the distinction between language capacity and French or English) is not an absolute distinction at all, but merely a matter of degree depending on the context and the level of abstraction at which one approaches it.

Moreover, as with the existence of so many long-term practices of non-sustainable livelihoods, certain possibly "unnecessary" cultural constructs might well persist as long as they pose no threat to, or have not (yet) exhausted the flexibility of the survival of society. We enter a kind of fuzzy twilight zone in which we can never know when a cultural practice has outlived its functionality, or never had any to start with, or might prove to have it in the future. One can also speculate that it is functional for any

self-perpetuating system or species in our ever-changing world to keep on hand a reserve of ready-to-go mechanisms, perhaps some of them even now moderately dysfunctional. From a functionalist perspective, one could just as well speak of a “cultural bank” as similar to a genetic bank, a comparison which may help us understand how such constellations of relations, from genetic codes to the practices of traditional ecological knowledge (TEK) on deposit in such banks could have promoted systemic survival in the past and may continue to do so in the near future. Nevertheless, the value of such adaptive mechanisms with regard to the more distant future should become increasingly suspect in direct proportion to increased rates of change. Indeed, the concept of “functionality”, like its theoretical cousin “resiliency”, provides a blurred road map and is best observed in the rear-view mirror. The functionality implicit in the Geertzian formulation that we “finish ourselves through culture” may be true on one level of abstraction, but that is not the *whole* truth. “We” as part of a species extending beyond our individual lives, and as part of the World Organism of Life which has not yet died at all, change, grow, and are not yet finished at all.

### Ethnicity as Process

One often finds that conceptions about the origin of “human nature” ultimately come to touch upon the agency of God – or some scientific evolutionary proxy, depending on one’s epistemology – so that we seek the truth of *It*, a once-and-for-all truth of *It*, “out there”. While the theory of evolution encompasses adaptation to change and portrays a non-static world, the theory itself is commonly regarded as true and unchanging. For the sake of argument, let us suppose that the theory of evolution might remain true to its principles but at the same time develop in extraordinarily new ways depending on what level of Organism or Mind becomes controlling. While much does indeed depend on what is out there, I believe we know enough now to understand that human nature has also been forged by humans and proto-humans over the millennia. That the ever ongoing systemic communication of genetic structure with environment for the maintenance of survival in a world of change should have produced a species so dependent on internalized fluid capacities must be expected even though it is so remarkable that we have ourselves hardly grasped it in our academic toolkit. Matters are the same but on a scale far easier to perceive with respect to the sub-realm of ethnic definitions, for the making of any definition of ethnicity is itself a human constructivist pursuit, and humans can choose to attach various degrees of meaning to either essentialist or constructivist criteria – even in combination. Here again, however, there is the element of internalization, and it is readily apparent how the various ways humans (both those within the group and those outside of it) *conceive* of ethnicity come to influence the ways by which humans *form* ethnicities.

When the collective entities to be defined form and evolve along paths that diverge from the frames by which they are defined and recognized, one can be sure that sooner or later the definitions will prove inadequate, and the

feedback they cycle into the process of formation of the entities they seek to define will cause friction. This statement includes, but goes beyond, the commonly appreciated logic that people do not like having the identity ascribed to them be different from the identity they hold or to which they aspire. The resulting friction is also the catalyst for change. Just as the focus of anthropologists when trying to grasp human nature has swung back and forth, up and down, among the boxes in Hannerz's table following academic fads which continually must atone for each other's excesses or lacks, so too does the discourse on ethnicity migrate around the table following different patterns in different countries, sometimes following even different patterns with regard to different ethnicities in the same country. Two related significant insights can be summarized from these conditions. First, the ethnic discourse at any one time cannot be properly grasped on its own but is a fragment of a greater historical "conversation", both in the record of externally imposed ethnic-related legislation, and in the internalized constructs by which a group chooses to determine itself. Second, we cannot hope to discover "the Truth" about the frame of ethnic composition per se; rather, its variable forms are engaged in an unending ongoing *process*, the determinant drivers of which are spread among the ethnic collectivity in question, the majority ambient society and the international community, all of which interlock with each other through various forms of feedback loops.

With regard to the table's boxes, it must be noted that for our heuristic purposes here with relation to matters of legislated definitions of ethnicity, box content cannot always hold the same logic as carried by Hannerz's model concerning the approaches anthropologists have taken toward the study of culture. For example, box 6, the universal-developed box wherein humankind is seen to share fundamental unities of culture, in the case of ethnic definition may better serve our purposes to point to the conventions and declarations of international bodies which attempt to establish universally agreed-upon norms for the recognition of minorities and indigenous peoples. This revised interpretation may be appropriate even though these conventions have not been ratified universally by states at all, and even though they may embody (positive) discriminatory articles. In some circumstances, the broader goal of promoting universal equity toward all humankind may require non-equal treatment of certain socio-cultural groups, for the sake of their survival as such. At any rate, we must be open to that possibility, even if doing so involves some reinterpretation of our schemata. When referring to the boxes of the table, and when also amending them, I do so to help gain some useful insight both by their application but also by the frictions they can generate by their inappropriateness. I have no desire to import the table as a Procrustean bed into the realm of ethnicity study.

### **Saami Ethnicity Issues Revisited**

In my *Acta Borealia* article, "Self-determining the Self" (Beach 2007), I attempted some stringency in thinking about a specific ethnographic case, matters of Swedish state-imposed Saami identity definitions. I sought to

illustrate the variable consequences for Saami livelihoods and resource rights depending on the essentialist or constructivist frame by which the Saami were defined in legislation. In this briefer essay, I would like to relate that material to the table provided above in hopes that its structure might lead us to rekindle dormant arguments and new possibilities of development. I shall try to move ahead from the points made in the previous article, applying them now somewhat more flexibly, as these thoughts will need to mature with time and should be kept open for reconsideration and amendment.

This effort can best be served by reviewing some of the main ideas in my previous article from 2007. I took as my point of departure the changes over time in the Swedish government's legal definitions of what it is to be "Saami". Earlier definitions, devised primarily for the sake of establishing resource regulations – i.e. access to grazing lands – used, and still use, essentialist characteristics such as Saami ancestry (box 1) in order to determine eligibility for herding rights according to the Reindeer Herding Act of 1971. Later, as the state undertook to establish a different set of eligibility requirements – namely, entitlement to serve as a member of the Saami Parliament – the law moved toward a definition of who is "Saami" based on constructivist characteristics such as self-identification and use of the Saami language (box 2). One of my goals was to suggest means by which those (such as non-Saami Swedes) currently excluded from the identity and affirmative resource rights accruing to Saami people might be "phased-in" to Saami society in a way acceptable to *them* based on constructivist learning (culture). This would imply the self-determined principles of "the Saami group" (box 4), as the title of the article suggested. However, a difficult dilemma emerges when one considers which group (or sub-group) should have the right to determine the eligibility requirements for membership in the Saami community. Which self or selves, in other words, should be empowered to decide what Saami selfhood consists in? Under a constructivist "phase-in" scheme, an individual's non-voluntary "essence" (genetic ancestry) alone would be (or come to be) insufficient for membership in the Saami ethnic group. Saami ancestry could become neither necessary nor sufficient for special Saami resource rights. The article pondered the consequences of a variety of positions. The group-defined principle of Saami Parliament membership (box 4) in effect today (beyond the initial individual-based criteria of eligibility–box 2) does not address the range of possibilities I had discussed, but the difficulties have become increasingly manifest over time. For it is now the current Saami Parliament membership (box 4) which is empowered to question applications for future membership either to accept or to reject them, even though the criteria of such applications rest so strongly on the applicant's own individual subjective grounds (box 2). This is the case, for example, with respect to Saami language use, for which determining "fluency" has become increasingly subjective, even though originally intended to serve as an *objective* component for membership (Beach 2007:11). When put to the test in a real case, it was determined that there was no rule specifying how much Saami language one spoke or to whom one spoke. As an irate Saami journalist

commented, it is apparently enough to be able to swear at one's dog in Saami (Samefolket 1993).

The move from individually grounded toward collectively grounded bases in state formulations of Saami definitions which we find with regard to the Saami Parliament is echoed in reindeer herding legislation as well, the other main arena of special Saami privileges and/or rights. Previous Swedish Saami reindeer herding legislation (up until 1993) had instituted what amounted to a "phase-out" of those Saami with the right to herd. While the logic of essentialist definition can prove beneficial in the short run to a small minority people hoping to maintain a distinct culture and society by setting the terms for affirmative, positive rights, the same logic is likely to prove counterproductive in the long run. With laws and policies governed by the majority population in a democratic society, one can expect nothing less than that these laws and policies will be formulated according to what the majority sees as fair and non-discriminatory – to *all citizens*, not only to the minority. On the other hand, while the logic of constructivist definition need not exclude worthy members of the majority population (for example, those seeking to *become* Saami) and is therefore more likely to receive majority approbation, the same logic may eventually prove counterproductive to the preservation of any social group whose distinctiveness can be blurred by, and absorbed into, the majority. The threat is especially prominent when the framework of affirmative resource privilege sustaining the livelihood and culture of a minority group has existed for a long time and continues to exist under formulations based on essentialist ethnic concepts. The distasteful appearance of reverse discrimination may be softened to some degree by shifting the focus from an individual level to a group level, but the core problem remains in any case. In Sweden, affirmative resource privileges and/or rights for Saami reindeer herding changed in 1993 its formulated base in the Reindeer Act's first paragraph from individual ancestry (box 1) to collective group ancestry (box 3) – immemorial right of *the Saami people* (Beach 1994: 67).<sup>7</sup> It retains its essentialist character nonetheless, and as such elicits friction with the ambient majority.

#### *Pre-1993*<sup>8</sup>

The right according to this law to utilize land and water for the maintenance of oneself and one's reindeer (reindeer herding right) is held by a person of Saami ancestry, provided that his father or mother or any of his grandparents has had reindeer herding as a steady livelihood. (The Reindeer Act 1971 §1, my translation; Government Proposition 1992/93:32, p. 289)

#### *Post-1993*

Persons who are Saami can utilize land and water, according to this law, for the maintenance of themselves and their reindeer.

The right according to the first paragraph (the reindeer herding right) is given to the Saami people and is grounded on their immemorial right. It does not compose a special right of property ownership. (The (revised) Reindeer Act 1971 §1, my translation; Government Proposition 1992/93:32, p. 289)

The Saami seem to be caught between a rock and a hard place. On the one hand, essentialist definition of them will sooner or later, step by step, be rejected by the majority even when historically encoded in laws of majority creation. The laws will simply be amended as the Saami, perceived to enjoy affirmative *privilege* (rather than equitably gained or confirmed rights), appear to the majority of people to be otherwise no different from them. On the other hand, constructivist definitions which attempt to remain open to the changing self-determination of an evolving group can shield the group against loss of distinctiveness and merger with the dominant society only to a limited extent. In order to be successful, the constructivist criteria must be selected with great discernment and continually monitored with carefully weighted bars of proficiency, so as to *foster* distinctiveness from the majority and the maintenance and continuity of the group's core values. Traditional purists might set the bar too high. For example, if language proficiency must be excellent in order for one to be considered Saami, the legally entitled group could decrease rapidly. And were the language proficiency bar to be set too low, there might be little incentive to learn the Saami language, as group rights might still be secured, causing distinctiveness, especially in majority eyes, to wane. A tough constructivist criterion establishes an ethnic shibboleth; a relaxed constructivist criterion opens the door to a potential flood of would-be Saami from the majority population. If too exacting a shibboleth can undermine recruitment from within the group itself, too open a policy can explode a group and render affirmative rights to limited resources unjustifiable.

Of course, in the realm of limited material resources, the linkage between group identity and its affirmative rights goes far beyond merely the feedback loop which circulates through the perceptions and voting power of the ambient majority. Linkage is processed also through the self-determination of the group itself, for the living standards enabled by the given reach over special resource rights for the group members *can* definitely influence how restrictively the group wishes to self-determine itself, be it within the frame set by an ambient powerful majority or within a frame devised and implemented by themselves. For example, the Saami community may appeal to historical state views on Native title, customary use, etc., or they may invoke the principles of universal international conventions and declarations. On the other hand, they may implement definitions of group membership rights devised on their own. In either case, there is a definite tendency for these strategies, though initially perhaps fluid or even *ad hoc* in character, to become increasingly fixed and ossified over time. Thus, once positions are taken and active lives lived according to principles of definition and resource allocation, whatever they may be, these principles – the importance or also *lack* of importance extended to them – tend to become internalized (as in boxes 2', 4', and 6') and take on subjective essentialist character. Differences in the content of these internalized fluid capacities may also emerge among various factions within the native community as well. Herders may credit their herding lives as the essential building block of their Saamihood, while

other Saami might consider herding a valuable tradition to maintain, but not a *sine qua non* of Saamihood.

Given the very limited gains of the Taxed Mountain verdict, combined with numerous courtroom defeats at the hands of forest property owners regarding customary rights to winter grazing areas in the winter lands, Swedish Saami have sought to secure their rights increasingly on the basis of international conventions and in international courts. It is only very recently, with the positive verdict for the Saami of the Swedish Supreme Court in the Nordmaling case (April 2011), that Saami aspirations for ethnic-based rights have returned with force to the national stage (Sasvari & Beach 2011). However, this is but one scene of the national stage, that of the courts which have a mandate to uphold existing law and some flexibility in interpreting existing legislation. The Supreme Court has in effect had to step in to fill a void left by the political branch of government which for decades and despite countless government investigations has been unable to propose legislation for Saami policies. A significant part of the problem here is that politicians, interested in securing their own re-election to office, naturally cater primarily to the will of the ambient Swedish majority. Since there is not a single municipality in all of Sweden with a Saami voting majority, most politicians find difficulty in proposing pro-Saami policies consistent with the responsibilities and obligations for the Saami under the international conventions which the state has ratified.

A closing comment in an article about the Nordmaling verdict<sup>9</sup> by the former Swedish Supreme Court judge and prominent lawyer Bertil Bengtsson illustrates well the tensions between the judicial and legislative branches of government regarding Saami issues, while at the same time declaring the premises by which he believes policy should be formulated:

Finally, it can be claimed that the verdict of the Supreme Court illustrates the divide which exists between the political and the judicial evaluation of Saami issues. Neither the current nor the previous government could consider presenting a law proposal with the same content as the Supreme Court's verdict, no matter how good the grounds that might be invoked for the solution. The question is in what direction one can now go in order to maintain the sympathies of the local population of the Northern Province. Such consideration has traditionally weighed more heavily than legal arguments during legislative work on the subject. It is likely that an investigation will be started with the directive to attain an appropriate balance between the interests of the land owners and the Saami. But then one should surely see to it that juridical expertise does not gain too great an influence in the investigation; lawyers cannot be trusted when it comes to keeping the rights of the Saami at a politically desirable level. (Bengtsson 2011, Sv.J.T. 2011 s. 527–533, Nordmalingsdomen -en kort kommentar, my translation)

### **Ethnic Circularity**

The circle is now complete. We have seen that there is a wealth of mutually implicating influences that together shape the negotiated process of framing ethnic criteria and group membership. The most obvious feedback loop – as the Saami case so well illustrates when it comes to *sameby* membership – is the linkage between access to land resources and the ability to decide who in



future shall be eligible to exercise that right. However, in addition, one must also recognize a host of other codetermining factors, including those that establish Saami parliamentary voting rights and those that draw in the broader Swedish community. The Nordmaling debate is one of many examples where we have at another level witnessed how group membership criteria and resource rights channel directly into public debate concerning government investigations and ultimately can influence the policies of the majority toward the minority. We have also seen how the definitions applied to the Saami have changed over time and sought justification in different boxes of the table. The justifications used by the Saami in sustaining or devising definitional forms have direct bearing on the sympathies and policies of the majority toward them.

It is vital for any group empowered with at least a modicum of self-determination to consider how tightly to keep the door to membership closed or how widely to hold it open. It is equally important to realize that different members of "the group", an ethnic group for example, will have radically different convictions about the extent and type of restrictiveness appropriate for membership, the relative strength of communality based on non-material aspects (e.g. Saami language abilities) as opposed to material aspects based on the "hard knocks" of limited resource distribution. For example, in the Saami case, there are those (both Saami and non-Saami) who will consider one who has had to fold his or her tent as a reindeer herder to be of lesser Saami status or less eligible to be allowed to try again to utilize scarce Saami resources. There are also widely divergent intra-group opinions about how to distribute equitably compensation payments provided by the state government for the expropriation of Saami resource rights (e.g. when dams or power lines infringe on traditional Saami territories). Who should be entitled to recognition as rightful beneficiaries in such cases? All Saami (and if so, to what degree)? Or only those reindeer herders who were actually utilizing those resources at the time?

Of course it can be argued that eligibility criteria to have the herding right based on the herding occupation (as specified in the Reindeer Act's first paragraph prior to 1993) and to have *sameby* membership be requisite to *practice* one's herding right are nothing other than constructivist terms of ethnicity-in-the-making, even if externally imposed. However, the point here is not to consider only the mere fact of such membership classifications, but to seek what they really contain beyond their category terms which hold significance for a member and might be internalized by members as meaningful for their identity. To illustrate this, consider two possible ways that various different Saami might respond, depending on their personal circumstances, to these cultural constructions. (a) Some urban Saami, who over many generations have lost contact with the traditional natural environment of their ancestors, might well regard *sameby* membership as extremely meaningful resource rights (which they unfortunately have lost), but which they recognize as important to their own sense of Saami identity. Valuing the herders' active engagement in the ancestral territories, and also appreciating their role in maintaining the land for future generations, these

urban Saami may be said to have internalized the cultural categories and membership classifications they have absorbed from the society around them. As such, the relation of these Saami to those categories and classifications would exemplify box 4'. (b) Some rustic Saami, on the other hand, who although non-herding still live in their ancestral territories, speak the language, and practice many of the immemorial customs and crafts of their tradition, may regard *sameby* membership (which they might desire, but are denied) as an unfair and arbitrary colonial construct, which is at best meaningless for their own construct of Saamihood and at worst an active agent against it. For these Saami, those cultural categories and membership classifications would be felt as externally imposed; hence they are not internalized and instead would exemplify box 4.

Were in fact grazing lands made open to use by reindeer belonging to any Saami merely on ethnic criteria (be it in essentialist or constructivist terms), regardless of any coupling to *sameby* membership, divergent opinions about Saamihood constitution would surely erupt with increased intensity. With reference to the table of boxes, we could expect the heightened activation of numerous nuances of position. Herding Saami (i.e. *sameby* members) are prone to defend their delicate moral position of privileges and/or rights on every available ground: on the basis of universal declarations for indigenous rights (box 6), ongoing practices of traditional cultural heritage (box 4), individually learned or enskilled cultural heritage (box 2), along with their respective inherited varieties (odd numbered boxes), because their position as herders means, according to Swedish law, that these boxes are available to them. Such positions are far from mere strategic posturing, for as I have argued, the constructed (developed) categories of ethnicity and resource use move through lived experience to the internalized fluid capacity column and become *subjectively* essential for their members, especially for members who benefit from such categories, are proud of them, and who wish unselfishly to maintain them also for future generations.

With regard to the Saami situation in Sweden and the paradox involved in composing the group that should have the self-determination to identity the group, I have come to accept in principle a kind of jumpstart position voiced by a Saami politician when considering the definition of a Saami for the Saami Parliament. According to him, the somewhat vague criteria of self-identification and limited language proficiency with possible reference to the language use of previous family members extending back a specified number of generations (as legislated in the Saami Parliament Law) is "good enough for us now". With the advent of the Saami Parliament, a start had to be made, and it would be more important for the Saami to seize control of the categorizing process from the state rather than to solve the impossible initial paradox or find the equally impossible mix of criteria acceptable to all and to weigh their influence in ways acceptable to all. I had previously thought of Saami adherence to the state's own determination of Saamihood with respect either to herding eligibility or to Saami Parliament registration as being by definition precisely a forfeiture of Saami self-determination. The positing of an internalized-fluid-capacity column in the table between the strictly

essentialist and the strictly constructivist columns, however, occasions some amendment to this view. To the extent criteria formulated according to boxes 2, 4, and 6 become internalized into their respective 2', 4', and 6' box counterparts, to that same extent are they *self*-determined as well. Of course, all "jump-start, good-enough" criteria might not be worthy of acceptance just because they may have become internalized. Ethnicities have been known to internalize even derogatory self-images. Internalization can be a positive factor *per se*, but if granted formal acceptance, internalized criteria should be such as to instill a positive and growth-enhancing concept among members of the community.

Likewise, state constructions of Saami ethnicity based on essentialist criteria can also be internalized in ways that might never have occurred had it not been for state policies and colonial history. For example, once a group of people has been recognized as a distinct "ethnic" entity, essentialist definition based on ancestry from that group is a distinct logical possibility to link group membership over time to certain rights. It is essentially no different in principle from the non-controversial way by which we generally believe children should be able to inherit property from their parents. On such grounds, Saami herding rights might be sustained as the collective result either of many individual lines of inheritance (lots of box 1 individuals according the pre-1993 Reindeer Herding Act and the old individualized concept of immemorial right), or else as the single result of collective *group* ancestry (box 3) credited by the post-1993 Herding Act and its collectivized recognition of *Saami* immemorial right. For the most part, this transition has proceeded smoothly, as it generally produces similar results in terms of which people end up receiving special herding rights in Sweden. However, as I have shown elsewhere (Beach 1994), under unusual circumstances there can be unanticipated and potentially contentious consequences, such as those involving large migrations of entire Saami herding communities from one part of the country to another. This has happened only a few times in the past, mainly in cases involving national boundary issues with neighboring states (especially Norway); but when it did occur there were conflicts resulting from the collectivized model of Saami rights (box 3) that might have been avoided under the older individualized model (box 1). As the relocated herders were moving to places far distant from the lands of their forebears to which they could trace immemorial rights as individuals, they could not have carried those rights with them into their new herding ranges. In that case, they would have had to negotiate private accommodations with the Saami into whose territories they were moving – a difficult and perhaps unacceptably unwieldy process. After the 1993 Herding Act, however, all herding Saami enjoy the same immemorial rights to herd on the traditional lands of their collective ancestors, thus eliminating one of the pillars of presumptive preference in favor of the herding rights of the local Saami. In effect, the arguments of the local Saami (although not heeded before) whose lands were made to host the newcomers and who contest the grazing rights of their relocated Saami brethren, are no longer viable, at least under current law. It is

possible to make plausible arguments for either side of this dispute, depending on one's personal sympathies.

In effect, we have here in a nutshell a main point of contention surrounding recognition of indigeneity *per se*. Even if in this example the stakeholders compose two sub-groups of a single, larger indigenous (and still *genetically* stipulated Saami entity), the issue involves the recognition of inherited property rights through individual lines of descent as opposed to the recognition of property rights accruing to groups because of their group membership. It would be logically inconsistent for local Jokkmokk Saami, for example, to claim their land rights based on their essential Jokkmokk Saami ethnicity while denying at the same time the possibility of larger, pan-Saami-based ethnic rights. To be sure, the Jokkmokk Saami stance tends to uphold the inheritance of rights to historically documented and well defined grazing areas along individual lines of descent. However, if one can entertain the inheritance of one form of property (land rights) along individual lines of descent, on the basis of what principle would one exclude the inheritance of the group-based rights also held by one's immediate ancestors (such as the herding monopoly)? It would seem that acceptance of such inherited group rights implies at least recognition of an essentialist group essence, even if not formulated explicitly. If one credits both the right of individual lines of inheritance and group rights as an object of such inheritance, then it would appear that essentialist ethnicity has fertile soil in which to develop. After all, any recognition of individual rights and transmission of such rights depends upon and presupposes a social context of negotiated agreement. Such negotiations must be based upon the cooperation of the collectivity. Recognizing such essentialist rights in no way commits one to endorsing any pseudo-biological notions of fixed racial differences among ethnic groups.

Still, it is extremely doubtful that any Saami person today of any local Saami sub-group would choose to discard all pan-Saami essentialist group rights to lean instead on a narrow line of individual inheritance. Not only would the individualist line run the risk of delivering fewer benefits in today's world, but Saami individuals also count their personal satisfaction and identity as stemming to considerable degree from their participation as members of a larger Saami ethnic group. In any case, we have seen here clear examples of how state definitions of Saami ethnicity can determine the group dynamics and even determine aspects of the internalized identities that the Saami people bear.

### Closing Thoughts

It is evident from the discussion above that the conception of "internalized fluid capacities" has shifted in focus from the lens of the analogy with a young child's innate linguistic drive and aspects of fluidity and innateness. Now, when considering the tabular row of Enduring Collectivities, more emphasis has been placed on the aspect of *internalization*. We have come to emphasize the subjective internalization of constructed traits which has little

to do with whether the Saami cultural practices originated in some genetically predisposed, fluid capacity. Instead, it has everything to do with the question of whether they have internalized the cultural norms in question. Nonetheless, I would like to emphasize that I believe we are dealing with communicative processes which, though occurring at different hierarchical levels, are similar and related.

I would like to posit at this point some similarities among certain contrastive relationships: essentialist versus constructivist, static cultural knowledge versus fluidly dynamic enskillment, genetic change versus somatic change, typologies versus determinants, and perhaps as a most general description, structure versus system. In each of these pairs the first term delimits the encoded information, the self-sustaining, seemingly "frozen", quasi "essential" relationships which have evolved over a long period of time (although not without constructed communications with the ambient context) to survive in the fluctuating world. Such enduring "seeds", when appropriately placed in the environments from which they have derived, can serve as catalysts for the constructive completion of individual identity within society, guiding the processes of growth, helping to organize understanding and suggesting courses of action. These encapsulated contents may also be compared to shorthand messages "written" for a progressively growing "receiver". The "receiver", in turn, can then become on another evolving level of communicative action an emissary of the need for adaptive changes within the original "message". In this way, essential information and its developed behavioral manifestations are in continual reciprocal interaction with each other. The quasi-essential "seed" of entrenched information is viable for as long as the expected responses of the surrounding context remain reasonably accurate.

The second term of the above contrastive pairs describes the systemic, processual, interaction of the active engagement with context and environment, as well as the constraints of possibility, by which the first terms are forged. Hence it is through construction over time that quasi-essential identities are achieved. For example: (1) it is the somatic changes within any biological organism that target which of all the ever-present mutations might be selected with adaptive advantage for the genetic profile of the evolving species (Bateson 1972: 346); (2) it is the habitual tendencies and enskillments of individuals that construct what they recognize as their own character and internalize as a template for the ongoing reconstruction of a personal life-plan; (3) it is the shifting patterns of a group's collective interactions and mutual adaptations that fuse together to make a general ethos that, given enough historical stability, leads to the formation of a uniquely identifiable culture. In all of these cases structure is generated from system, the quasi-essential from the constructed, while without an essential structure there would be no unit of survival (or "Mind" in the Batesonian sense) for any system or process to maintain.

The necessity of the constructed formation to feed into the creation of a viable quasi-essential element is obvious. Were this not so, common identities could not form, as there might be no reality-based commonality around

which to rally; culture would likewise be ungrounded and therefore moot, as there could be nothing shared; the world would of course continue to change, but without genetic structure or some form of homeostatic mechanism there would be no differentiated organism or sub-units of survival, no *thing* to adapt. On the other hand, were the relationships imbuing identity, culture and life frozen in any given static essential form, without access to the constantly constructed feedback from the larger environment, the changing world would with certainty if not necessarily with alacrity put an end to them. That said, the necessary role of the quasi-essential element also becomes quite apparent. It must be the ongoing *communication* between the essentialist and the constructivist modes which can ensure survival.

In the realm of Saamihood this implies the need for the often brutal struggle over the definitional categories that have been under discussion. That struggle itself is the stuff of living adaptation and cannot be escaped. It is in fact through this work not only that the Saami might be defined, it is by this means that the Saami also *come to be*.

With a typical history-of-ideas approach, it has been common to try to trace the development of concepts such as ethnicity and indigeneity. A danger in such an approach is that it can tend to put all ethnicities or indigenous peoples in the same basket. While the reach of international agreements and the diffusion of common ideas has surely come to touch upon all of those peoples we may perceive with such terms, it does not necessarily mean that all have “come into being” according to these terms in the same way or to the same extent over time. It is both a matter of their own self-construction, but also how they are constructed by “the other”, notably the colonizers, with regard to human status and legal rights. As Swedes say, “As one calls out, so is one answered”. In short, the ways in which ethnic groups come to view themselves and to form the idioms around which they define themselves as groups vary according to how they are looked upon by “the other”, the ambient majority and even by academic discourse. To see this, we need look no further than to those societies whose profound isolation has led them to think of themselves as the sole representatives of the human species. Their claim to a unique group identity was predicated on their humanity alone, as opposed to other non-human species – hence a merging of boxes 4 and 6. Nor need we go further in Sweden today than to the consideration of the construct “national minorities”, by which the Swedish state refers to the Swedish Finns, Jews, Roma, Tornedalers, and Saami, thereby setting them apart from the rest of the mainstream population as well as from more recent immigrant groups. Of course, even within the array of national minorities there are significant variations in terms of the rationale for according them special status. The historical roots for assigning a distinctive ethnicity to the Jews in Medieval Europe were obviously different from those affecting the Saami at the same time, and the effects were more pernicious. On the other hand, the contemporary use of ethnicity as a construct to justify affirmative action or legal protection rather than as a tool for exclusion and violence is of far more recent origin. The latter trend deserves respect, even when, as occasionally

happens, the methods for benign intervention may have less-than-ideal consequences.

The degree to which the modern concepts of ethnicity and indigeneity are internalized by the peoples to which they are applied is yet another variable. The Saami have every reason to assert their own position about how they are defined, for the Swedish state has announced as a premise that Saami are those who feel themselves to be Saami, and surely the state cannot then proceed to dictate what such feelings should be. If organized and formal statements of Saami feelings of Saamihood come to clash with the Swedish definition of what Saamihood should be, then the state can face a real problem of credibility. In the end, the only logically consistent position of the Swedish state must be to free the Saami Parliament from its position as a government institution, and to let its membership define themselves with great, if not total, independence from the government's law. Of course, this does not mean that the state has no legitimate interest in, or responsibility for, Saami affairs, as the privileges and/or rights possessed by one particular group can impinge on those of the surrounding community as well. However, this is not the same thing as defining "Saamihood" itself.

In sum, if one entertains the highly reasonable position that ethnicity depends as much on the eye of the beholder as on the "object" viewed, then one logically must posit as a further category of culture the majority's internalized perceptions of the ethnic minority, perceptions which are subject to a broad range of qualitative variability. This forces us to admit that ethnicities are not simply there to be recognized or not to different degrees, but that they are what they are to great extent because of the *kind* of recognition they receive. This in turn implies that, despite all efforts – many of them praiseworthy – to maintain the traditional status quo, ethnicities change character over time. Indeed, different ethnicities surely need continual redefinition and reevaluation within an overarching global human rights framework.

The human species is (more than most, but not uniquely) characterized by a genetically based imperative for culture (which in this Geertzian sense need not conflict with Ingold's discourse on "enskillment"). Hence it is no surprise that internalized patterns of behavior might frequently be credited to genetic essentials, e.g. "the music is in their blood". There is also a contested fuzziness which can exist between box 4' (group, internalized) and box 4. Consider, for example, the debate over the existential status of the Chumash tribe (Clifford 1988). Was this a new "fake" Indian tribe created consciously to secure resource rights? Or is it a heretofore neglected "real" tribe seeking justice and due recognition? And what of the re-assertion of the whaling rights of the Makah, a well-recognized tribe, but one whose special resource rights to hunt whales, some would argue, should be considered to have lapsed through passivity (not to mention the conflict with conservationist efforts)? Are all would-be ethnicities dishonest political constructs? If so, what is the basis of evaluation for honesty? Must culture be of the internalized sort to be "real" culture? Must everything ethnic consist of what is perceived by *others* to be "genuinely ethnic"? Also, are only customs dating from time

immemorial to be accommodated as legitimate cultural expressions? Are new trends and developments within a minority to be held back simply because the majority finds it necessary? Or might there not be a good deal to say even in cases involving would-be ethnic strivers, who in time may transform themselves over generations through the processes of self-construction, internalization and essentialization into authentic members of the group? In a world of increasingly rapid change and global pressures over limited resources, the positions of older and recognized, as opposed to newer and possibly contested ethnic identities, must logically come to approach each other in their need for active agency in becoming – and remaining – what they wish to be.

## Notes

<sup>1</sup> This article has grown from the author's presentation made at the Trond Thuen seminar in Tromsø, Norway in 2010.

<sup>2</sup> For several decades a controversy has raged among molecular evolutionists concerning the question whether selective processes act even at the molecular level (as the "selectionists" maintain), or only at the organismic level (as the "neutralists" claim). The selectivist camp insists that the principles of natural selection must be operative at all levels of life, even the molecular. On the other hand, the neutralist position emphasizes the role of "molecular drift", whereby mutations occur periodically at the molecular level, but are not forced to compete for survival with "rival" molecules within the protoplasm. See Michael R. Dietrich, "Paradox and Persuasion: Negotiating the Place of Molecular Evolution within Evolutionary Biology," in *Journal of the History of Biology*, vol. 31, no. 1 (Spring 1998), pp. 85–111. For our purposes, however, there is no need to resolve this particular controversy. My main point here is simply that the development of complex structures at the organismic level surely cannot take place as a result of natural selection *alone* at the molecular level. There must also be an encompassing framework, driven by historical precedents and cooperative processes within the protoplasm, that together determine the formation of the genes and other organic molecules.

<sup>3</sup> Bateson (1979) discusses how the development of bilateral symmetry in a frog is based on the polarity of the egg in relation to a line derived by the point of fertilization by the sperm on the egg's surface. Hence, even at this most early stage of ontogeny, genetic instruction refers its construction to a prior essential.

<sup>4</sup> It must be the history of the development of the internal essential reference points which the genes need to act upon in controlling the developmental process of the fetus which is developing. This need not at all be an exact copy of the outward manifestation of the organism's evolutionary development in its external environment. A great deal of ink has been spilled about the fallacies of the old "recapitulationist" model, which takes as its point of departure the famous phrase by Ernst Haeckel that "ontogeny recapitulates phylogeny" (1868). No doubt Haeckel's formulation of the principle appears somewhat simplistic in the light of subsequent discoveries in the field of developmental biology, and it is surely an exaggeration to refer to it as the so-called "biogenetic law". Yet the insight that biological organisms develop partly by means of sequentially modifying structures inherited from their ancestors is not without a grain of truth.

<sup>5</sup> Stephen Jay Gould, *Ontogeny and Phylogeny* (Cambridge, MA: Belknap Press of Harvard University Press, 1977). Gould frames the issue in terms of two main principles of evolution, which together account for the diversification of new structures in organisms: the principle of physiological and morphological addition and the principle of displacement. Addition occurs when a quite novel feature or structure emerges in the course of evolution, whereas displacement involves the reassignment in the functions of an organ or tissue from its uses in one species into a different set of functions in a descendent species. "I must emphasize", Gould writes, "that classifications based upon addition and displacement completely exhaust the morphological description of how evolution can occur. Evolutionary changes must appear in ontogeny, and they can arise only by the introduction of new features or by the displacement of features already present. The second process produces parallels



between ontogeny and phylogeny; the first does not. Together, they describe the course of morphological evolution. *The continued relevance to modern biology of the great historical theme of parallels between ontogeny and phylogeny rests entirely upon the relative frequency of evolution by displacement rather than by introduction*" (214, emphasis his).

<sup>6</sup> I would like to thank my brother, Edward A. Beach, a philosopher at the University of Wisconsin – Eau Claire, for suggesting this interesting example of an internalized fluid capacity.

<sup>7</sup> Note that this change in Sweden from an individualized to a collectivized foundation for indigenous rights adumbrates the position taken by the UN Declaration on the Rights of Indigenous Peoples adopted in 2007.

<sup>8</sup> When composed in 1971, this paragraph was not gender-neutral in terminology, although Saami women were recognized to hold the reindeer herding right.

<sup>9</sup> In 1998 a lawsuit was filed by 120 landowners against three Saami villages contesting their use of grazing lands owned by the plaintiffs in the territory of Nordmaling. The question was whether the Saami villages fulfilled the legal requirements of use over time and had the right to herd according to customary right. Ending a 14-year-long legal process, the Swedish Supreme Court ruled in April 2011 that the Saami reindeer herders are entitled to graze their animals in the territory of Nordmaling according to the principle of customary rights. This is the first major legal victory for the Saami after decades of defending their right to herd reindeer on privately owned lands (Sasvari & Beach 2011).

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