

Institute for Comparative Politics

Thomas Drageset

Spring 2016



## Same, but different?

A study on electoral criteria for Sámi parliaments  
in Norway, Sweden and Finland

## Abstract

The Nordic countries of Finland, Sweden and Norway is home to the Sámi people, an indigenous group that has in recent decades gone from political marginalization to empowerment. The strongest symbols of this political movement are the Sámi parliaments, political institutions that have been delegated power over Sámi cultural affairs. These parliaments are the main vehicle for maintaining and re-vitalizing the Sámi culture and language, both which have suffered greatly from assimilation policies of the Nordic states.

However, the Sámi political sphere is currently marked by disunity among the three parliaments. As each has its own electorate, they all have their own electoral criteria as well, meaning there are three different interpretations on *who is Sámi*.

How can this be?

This thesis is a qualitative study on the three Sámi electoral criteria, with the research question “*why is there a difference in criteria among Sámi electorates in Norway, Sweden and Finland?*”

Through the method of process-tracing, the sequence of events that lead to the status quo is analyzed by looking at key events, documents, history and interviews.

Debates are taking place within the Sámi political sphere between those who are excluded from enrolling in Sámi electorates, and those of the Sámi political establishment not recognizing them as Sámi. This debate is fueled by a perspective on identity held by some Sámi politicians known as *essentialism*, a belief that view re-vitalization of a culture impossible. Once a person has lost their Sámi-ness, it can never be regained.

The findings and conclusion point towards an equifinal answer. The historical and external factors influencing the Sámi world has divided it, which means the Sámi parliaments each face different conditions and have acted in the interest of its own Sámi population.

I would like to give thanks to my professor Per Selle, who inspired me to write this

To my family who cared for me during times of stress

To Christina Henriksen and Torvald Falch for giving interviews

And finally, to my two study buddies Silje and Martine, for great coffee and good conversations.

## Table of content

Introduction.....	1
The subject of research .....	3
Actualization and why we need to know .....	6
Theory .....	13
Essentialism .....	13
Sayer.....	14
Mahalingam .....	14
Grillo .....	15
Kymlicka.....	15
Nagel .....	17
Strømsnes, Selle, Semb and Nordø .....	20
Method .....	23
Process-tracing .....	25
Process-tracing within social science and notable literature.....	26
How it works.....	27
Benefits, praise, problems and criticism .....	28
Interviews.....	32
Semi-structured interviews .....	34
Ethics.....	35
Analysis.....	36
History of the Sámi .....	37
The Sámi parliament in Norway .....	46
The Sámi parliament in Sweden .....	47
The Sámi parliament in Finland.....	48
Sámi electoral criteria .....	50
Norway.....	50
Sweden .....	51
Finland .....	51
The electoral criteria – the two objective criteria .....	52
The electoral criteria – the subjective criteria.....	55
Open conflict, dormant problems.....	57
Discussion .....	66
Why is there a difference in criteria among Sámi electorates.....	66
Article 27 of the ICCPR.....	78
A pan-Sámi parliament.....	81
Solutions.....	86
Conclusion .....	89

Literature .....	90
Appendix .....	95
Forms of consent .....	95
Interview guide .....	98
Interviews transcribed(Norwegian).....	99

## Table of figures

Figur 1 Sámi groups .....	38
Figur 2 Sámi hunger strike.....	45
Figur 3 Sámi parliament of Norway .....	47
Figur 4 Sámi parliament of Sweden.....	48
Figur 5 Sámi parliament of Finland .....	49

## Introduction

The three Sámi parliaments, located in Finland, Sweden and Norway, are vital for the continued survival of the Sámi people as an independent culture. Arisen from centuries of political and social marginalization, and in the last two centuries, active suppression through assimilation-policies, the Sámi parliaments today strive to maintain, develop and expand *Sápmi*. This name, *Sápmi*, is a term used to describe the areas of historical settlements of Sámi people and their ancestral homeland, which covers the northern parts of Sweden, Norway, Finland and the Kola peninsula of Russia (Strømsnes, Selle, Semb and Nordø 2015:83). From this point *Sápmi* will be used to represent the Sámi world, be it in a political, cultural or linguistical sense.

Within today's increasingly globalized, multicultural world, real-life institutions of brick and mortar such as the Community College of Kautokeino ensure that Sámi adults of tomorrow will be confident in their command of both the Sámi language and its culture. The three Sámi parliaments are all located respectively within unitary welfare states, where values such as equal rights and representation have strong traditions post the Second World War. Mirroring to a large degree the electoral systems of their respective nation-states, the Sámi parliaments have smaller *demos*, and due to the limitation of powers granted by national parliaments, less legitimacy.

Existing as a «sub-parliament» within unitary welfare-states, the Sámi parliaments are somewhat at odds with the values of the welfare-states themselves, who seem to have made an exception to the notion of equal treatment of all. However, this must be seen in a historical context. The founding of the Sámi parliaments was done in order to make up for decades of political marginalization and empower the Sámi to maintain their culture, language and traditions.

An alternative solution to the political marginalization of the Sámi could have been a reservation of a certain number of seats within the national parliaments specifically for representatives of the Sámi. But this would put the political empowerment of the Sámi even more at odds with the Nordic welfare states, as designating seats in the national parliaments by ethnicity or culture would signal that all, in fact, are *not* equal. Moreover, this could open a Pandora's box with respect to other cultural minorities in the Nordic welfare states such as the Romani or the Karelians. Even more so as globalization has progressed since the 1990's and multiculturalism is now a fact in large parts of Norway, Sweden and Finland.

But perhaps the most interesting aspect of the reason this alternative was avoided, is that a welfare

state does not wish to deny itself the option of remaining heavily engaged in its citizens affairs. As Kymlicka(1995:139) points out, guaranteed minority representation is interpreted as an «absolvement» of a majority's duty to take a political interest in minority affairs.

In such a case where representation based on a different ethnicity or culture was granted, it would be so in a paradigm where the belief is that the citizens of the majority couldn't or wouldn't understand. A notion proved to be false by majority-minority cooperation throughout the world, exemplified by the establishment of Nunavut, a process that would have been impossible without cooperation between the Canadian government and the First Nation communities of Canada. Additionally, it is also a mode of thought which gives disappointingly little credit to the idea of both an evolved and, involved democracy where citizens are united in caring for all.

The Sámi as a separate people is now enshrined in the Finnish, Swedish and Norwegian constitutions, with a guaranteed right to their own culture and language. The powers delegated to them gives authority over most things related to the Sámi as a people, and with this, also the power to define exactly *who* is Sámi.

Yet, all is not well with the Sámi parliaments. Criticism range from the parliaments being badly thought out conciliation prizes, to questioning the very purpose of their existence. These criticisms stem from discontent with how the parliaments are organized, preferential treatment for Sámi over others, the electoral systems criteria for enrolment and more. All of this will be thoroughly analyzed in this thesis by qualitative means, specifically the methods of process-tracing and semi-structured interviews.

Something particularly fascinating with the subject of the Sámi parliaments is the level of nuance in the conflict. If the sub-conflicts within Sápmi and policy related to it were boiled down to two sides, they would look like this.

### Sámi parliaments

On the side of abandoning the project and dissolving the Sámi parliaments are both ethnic Norwegians, Swedes, Finns, and notably, Sámis. This curious hodgepodge mirrors the opposing side fighting for a continued Sámi parliament, with their ranks consisting of Norwegians, Swedes, Finns, and of course, Sámis.

### Electoral criteria and the definition of Sámi

A seemingly mundane topic to an outsider, the subject of electoral criteria is a highly sensitive topic

for many in Sápmi. This is because the electoral criteria sets a standard for *who is Sámi*, and how the topic of identity can affect one's personal emotions. Perhaps this is why the debate, when awoken, is heated and sometimes downright vitriolic.

This conflict is interesting because here the three Sámi parliaments themselves differ from each other. Norway, in order to gain legitimacy and sustainability for the future, maintains a policy of inclusiveness by having the criteria set at the level of great-grandmother. The Finnish and Swedish Sámi parliament and their policy regarding electoral criteria are on the other side of the spectrum. Here the border is at the level of grandmother, and the practical application of the policy is marked by skepticism and restrictiveness.

The two main modes of thought in this conflict are as such; the «inclusivists» wish to have as many Sámis enrolled as possible, even those culturally who don't identify themselves as Sámi. By having a larger *demos*, the institution improves its legitimacy and continued survival in the future. Additionally, the opportunity for culturally assimilated Sámis to re-connect with their *Sáminess* is present when the criteria are inclusive.

The counter-narrative is one guided by a perspective known as *essentialism*, meaning cultures have an *essence*, and including people from other cultures will dilute or destroy the cultural *essence*. It is therefore necessary to restrict access to the Sámi political sphere to outsiders, in order to safeguard those who are still part of the cultural *essence*. The prevailing view on this side is that those of Sámi origin who has been assimilated, have lost their *essence* and can never regain it.

The root of this conflict might have its source in the quandary that is defining an ethnic or cultural group that lives across a vast area with a history of separation among tribes and into different nations. Simply put, there is no consensus among the Sámi parliaments on *who is Sámi*.

Why?

## **The subject of research**

Why is there no consensus on *who* is a Sámi? Why is there infighting and exclusion of potential members, when the *demos* of the Sámi is already so small, compared to the majority populations in the Nordic states?

The Sámi of the Nordic states have been in recent years highly successful in gaining recognition and political power, all through peaceful protests and petitioning. With constitutional acknowledgement and guaranteed rights, both for cultural and linguistical empowerment, the recent



story of the Sámi is one of success!

It is not an unfair claim to state that a situation where there is mutual recognition between a state and an indigenous community is, tragically, uncommon (Falch and Selle 2015:9). The term «mutual recognition» in this respect is one where the state acknowledges that the indigenous community exists along with its claim of being indigenous, and where the indigenous community acknowledges the legitimacy of the state in control of the territory. Compared to the many unfortunate indigenous communities around the world who still suffer political marginalization and lack of recognition or protection, it would seem that the Sámi have all the right conditions for maintaining, and expanding their *demos* and culture in Sápmi.

When picturing indigenous peoples fighting for empowerment and rights, it is reasonable to associate this with other civil rights movements, and most importantly, the word *solidarity*. Within popular culture, represented in film, comics and television, indigenous peoples fighting for their rights are often depicted in a certain way. By this I am referring to the archetype of David versus Goliath, where the indigenous are the weaker part often due to decades of oppression and political marginalization. Thus, it is often an image of indigenous people standing together in unity on the moral highground, seeking only justice and the right to continue their way of life.

Yet voices in Finland have raised accusations of exclusion against the Sámi parliament there, they claim they are being denied their cultural heritage by exclusion from enrolment in the Sámi electorate. This group is a movement known as Lappalais, and its members consists of the descendants of many forcefully assimilated Sámis, particularly of the sub-group Kemi.

Whilst not active in Norway, they are the main opposition to *essentialist*-Sámis in Finland, in a fight that in many cases have taken a vitriolic character. The conflict between *essentialists* and the Lappalais-movement has had its effects on both the Sámi political discourse and climate, its ripples also spreading throughout the different communities of Sápmi outside of Finland.

Questions arise from these situations; does either side have an end-game? Is anyone winning the debate? How does Sámi infighting affect the positions of nation-states on Sámi autonomy?

Answering them can be hard, as there is not a single entity for either side, but several activists, academics and politicians battling it out. What one is able to deduce however, is that the conflict is heating up. Actions previously not thought of as political, whether *primarily* political or political at all, have been politicized. Now, many face the scrutiny of the two sides searching for unfair bias against themselves, all while seeking to convince others of their side of the story. These two competing views of the conflicts could even be called different paradigms when some of the language used is taken into account.

Looking at the discourse of the debate there seems to be fundamental irreconcilable paradigms amongst the two camps. In order to gain clarity of why the situation has evolved into this, I've selected the qualitative method of process-tracing. By analyzing the laws, statements and actions taken chronologically, I believe it will become easier to learn how the issue evolved to this point. I am cautious as to not suggest that there will be a certainty of causality, but remain hopeful of the possibility of uncovering previously unseen patterns, shifts in the debate or inciting incidents. Also well suited for understanding actors and their behaviour is semi-structured interviews. By thoroughly understanding *how* someone speaks about a subject and *what* words they use, it is possible to gain insight as to how someone thinks of the topic in a subjective manner. Quotes and phrases uttered by relevant actors in this debate could help us understand the subjective side, perhaps better named «the human aspect».

Those unfamiliar with Sámi and Nordic history might be puzzled and wonder why some of the Finnish Sámis aren't open to every potential new member. This train of thought has its logic in «strength in numbers», but fails to capture the ideological goals and values of Sámi-*essentialism*. To understand why Sámi Members of Parliament(MP) in all three countries favour restrictions to a varying degree, understanding the historical conditions are critical. The last three centuries have seen great changes made on behalf of the Sámi by Dano-Norwegian, Swedish, Russian, Finnish and Norwegian governments. These changes include separation of communities by establishment of national borders, hindrance of movement for reindeer-herders due to national borders, oppression and political marginalization due to fears of Sámi being a «fifth coloumn», loss of lands in favour of settlers from majority populations and so on. Knowing what happened to the different Sámi groups and in what areas they lived when they were affected by the changes, is vital to understand why some lost their language and others did not. For many Sámi living close to the majority populations, forced assimilation was difficult to avoid or resist. It is therefore not surprising that the *Lappalais-*movement seeking inclusion in Sápmi mainly consists of descendants of those who lived near the majority population, or that the Sámi language is strongest in the areas furthest away from ethnic Norwegian settlement in Finnmark.

Moreover, understanding the historical background will aid greatly in comprehending the validity, or un-validity, of arguments given in the debate concerning electoral criteria. An issue consisting not only of *where* «the line is to be drawn» ethnically speaking, but also *how much* one identifies as Sámi, subjectively. It is particularly the latter that comes under fire, as some *essentialists* claim it can function as a «back door» into Sápmi, since anyone can say they *feel* Sámi. Acknowledging

that the Sámi are divided into several sub-groups coupled with different accents or dialects, it is unreasonable to think that approximately 100 000 people will always be in unanimous agreement of a concept often so vague as «identity». The chapter of analysis will therefore expand on the different sub-groups of Sámi, elaborating on which sub-group inhabit which Nordic state.

Alas, the topic of differences in electoral criteria, coupled with the battle to define *who is Sámi* is certainly fascinating. These two areas comprise the subject of research in this thesis, with the goal of presenting an answer to the simple, yet important research question;

*why is there a difference in criteria among Sámi electorates in Norway, Sweden and Finland?*

### **Actualization and why we need to know**

Throughout the mobilization of the Sámi political movement, the concept of *Sápmi*, the Sámi homeland, was vital for several reasons. Primarily, it helped the nation building process of the Sámi by giving them a loosely defined geographical homeland to connect with, a land that was suited for the traditional Sámi livelihoods where they had lived for millenia.

Within this concept was, and is, an understanding of a mutual relationship between the indigenous Sámi and the land itself (Selle, Semb, Strømsnes and Nordø 2015:83). In light of constitutional acknowledgement by the Nordic countries of the Sámi as a separate people, the importance of *Sápmi* has grown not only as a rallying factor among Sámi, but also as a platform for future political action. It would therefore be beneficial to present a united *Sápmi* in order to achieve common goals, for example increased funding for re-vitalization of the Sámi languages or dialects. An issue is whether the best way to achieve this through as many voices as possible, meaning the largest possible *demos*, or by a smaller but synchronized voice, meaning cultural and linguistic homogeneity. This issue, of what *Sápmi* will look like in a few decades, is one of the more intriguing questions that rests within the conflict over Sámi electoral criteria. Its answer lies in the future, yet there are also clues to be found in the past.

When I first encountered the topic of Sámi electoral criteria and was introduced to its actors, factors and arguments, I was not aware of the longevity of the conflict. As an outsider, blissfully unaware that the Sámi political sphere was from its very beginning dealing with what at minimum can be called an emotionally loaded conflict, and at worst blatant ethnic discrimination, I immediately pondered why I hadn't heard of this before.

As far as I knew, the Sámis were thriving in the north with their relatively new institutions and «all

had been made well» since the oppression of the policies of assimilation had been stopped. In retrospect, the problems facing the Sámi political world seems obvious. Refusing entire generations to speak their native language and replacing it with the majority's cannot be «made right» in the sense one would wish for. Such policies have had consequences, whom the Sámi political world are having trouble properly addressing due to its multi-faceted and complicated nature. For if the intention is to «make right» the wrongs of the past, against the Sámi who have been forcefully assimilated, and ensure the survival of Sámi language and culture, is it possible to find a solution that meets both conditions?

I suspect I was not alone in being in ignorance, as Sámi politics tend to remain within the sphere of Sápmi unless it directly concerns one of the three nation-states themselves. This is one of the underlying factors enabling the problematic situation in Sápmi further. We, and by «we» I mean citizens of Norway, Finland and Sweden who are not involved or informed about Sámi politics, largely think that «we're in the clear». The issue of Sámi self-determination and political marginalization has been solved.

Ignorance of the politics of «others» is not something new, but what is especially problematic about this case, is the assumption that «all is well in Sápmi». Behind the assumption is the expectation that all the problems have been solved, and that there are no issues to be dealt with remaining. Couple this with the obstacles facing the future of the Sámi parliaments; decreasing voter turnout, decreasing interests in Sámi politics, existing as an institution of political power with few areas of real autonomy, little legitimacy in the eyes of many Sámi and of course, the issue of electoral criteria. To fully comprehend the magnitude of the problematic subjects listed above, it is helpful to look at the numbers and data behind them.

Due to the policy of discontinuing civil registration by ethnicity sources vary on the total amount of the Sámi population in the Nordic countries. One of the newest estimates range from 60 000 to 100 000(Stepien, Petrétei, Koivurova 2015), stemming from the current method of determining the size of the population by looking at the Sámi electoral rolls. Thus we are provided with data that tells us approximately 40 000 Sámis live in Norway, 15 000 in Sweden and 8000 in Finland. If counted together these numbers add up to 63 000 Sámis, raising the question of how estimates can range so far up, by the tens of thousands?

Part of the reason that could possibly be the answer, lies in the history of the Sámi in Norway. In the decades following the Second World War, there were two main political organizations for the Sámi

with two opposing views on Sámi future. This difference in mode of thought was especially visible concerning political autonomy and the founding of the Sámi Parliament. One of them, Samenes Landsforbund(SLF), was since its inception a voice for the Sámis that did not desire self-rule or strengthening of the Sámi language(Selle, Semb, Strømsnes, Nordø 2015:57).

Accounting for a sizeable portion of the Sámi community, it is quite possible that many members of SLF have not registered or participated in Sámi politics, meaning that there are thousands of Sámis not listed in the electoral roll. Whether this is due to protest or simply lack of interest in Sámi politics is hard to determine, but what is certain is that there are strong indications on a sizeable portion of Sámis remaining outside of the Sámi political project(Selle, Semb, Strømsnes, Nordø 2015:60).

Coupled with a large group missing that could potentially be part of the *demos*, there is the issue of decreasing voter turnout. In the two preceding elections it has gone down around 2,5 % each time according to Statistics Norway, the central bureau of statistics(SSB 2013). The previous election had a 66,9% participation rate. While the drops in participation is of a small percentage, it will, if continued, be quite significant for the legitimacy of the election in a matter of years. Additionally these 2,5% come from a small *demos*, where one vote has greater influence on the outcome, proportionally compared to the national election. Yet the 2013 elections in Norway had a 78,2% participation rate, a 1,8% increase since the previous election(SSB 2013).

Perhaps it could be explained by the lack of «real power» held by the Sámi Parliament?

What is meant by this is the Sámi parliaments lack of actual autonomy from the national institutions by how the very system itself is designed. The national parliaments were the ones to determine how much power and in what areas, the Sámi parliaments would have. Additionally their budgets are set by the national parliaments.

As shown by these characteristics of the relationship between national governments and Sámi parliaments, an argument for little, *real* autonomy can certainly be made. Sámi parliaments have neither a monopoly of violence in the form of military or a police force, nor the power to levy taxes on its *demos*. An institution cannot be seen as autonomous if each action and/or project requires the national governments financial approval. Is this claim valid in the case of the Sámi parliaments autonomy? Take the Norwegian Sámi parliament for example, of all the expenditure on Sámi-specific policies in Norway, less than half done through the Sámi parliament(Sametinget 2015). With all of this in mind it is not hard to understand that the lack of real autonomy, particularly financially, can undermine the legitimacy of the Sámi parliaments.

In simpler terms, the issue of autonomy can be quite problematic because ideally it would be complete or no autonomy at all. A Sápmi independent of the Nordic countries, and therefore completely autonomous, would be free to make its own laws and budgets as a sovereign entity in Sápmi. A Sápmi without autonomy would not be likely to have a voice at all, and therefore no responsibilities. Currently, there are three varieties of autonomy among the Sámi parliaments, and these three parliaments exist somewhere in between these two extremes of autonomy.

Because the Sámi parliaments lacks what is usually associates with *real autonomy*, the power to levy taxes and monopoly of violence, the areas that are left can often appear unimportant or uninteresting for the *demos*. When ones *demos* loses interest or stops participating, legitimacy among the *demos* can drop. If viewed as an institution without legitimacy among its own *demos*, the nordic nation-states might question the continued existence of Sámi parliaments. Moreover, if viewed by the nation-states as incoherent on the definition of its own *demos*, it does not bode well for the future goal of a trans-national Sápmi united politically(Stepien, Petrétei and Koivurova 2015).

Another challenge facing the north of the Nordic countries is the ethnic dimension, and not the one between Sámis and «Sámis». Take the example of Norway, the country with the highest population of Sámis. Over the course of the two preceding decades, voices of discontent with the Sámi parliament have gotten louder from non-Sámi Norwegians. The reason for this is what some have described as the experience of being demoted to a second-class citizen in a country where they are part of the majority, or even «apartheid»(NRK Sápmi.no 2007).

Due to the policy of ensuring the survival of traditional Sámi livelihoods such as herding of reindeer livestock, a judicial boundary has been set for those whom might wish to herd reindeer themselves. Legally, it is reserved exclusively for those of Sámi origin. This is but one example of several things that have given wind in the sails of those opposed to the Sámi parliament. One aspect is barring non-Sámis from an economic activity like reindeer herding, another is allowing Sámi to traverse the wild by snowmobile, when it is prohibited for everyone else. A hypothetical quandary of land-rights can exemplify how difficult it can be for the Nordic national governments to properly adress every concern facing them. When giving land or land-rights to the Sámi for exclusive use by them, how much should be given? All of the areas part of the traditional homeland, Sápmi? If not all, where should the Nordic governments set the boundary? A latitude, an area below a certain level of economic development, areas not militarily relevant? As the Sámi population grow, should the land-rights grow with them?

Many of these questions are decades if not centuries into the future, but they illustrate the quandary that face the political establishment, both the Nordic governments and the Sámi parliaments; what does the future hold?

A particular reason for focusing on land-rights is its historical connection with the struggles of indigenous people in their quest for political recognition and enfranchisement. Although not likely in the case of the sparsely populated north of the Nordic countries, it is possible that after a certain amount of land is given exclusively to the Sámi, the economic opportunity-structure will unequally favour them over non-Sámi (Kymlicka 1995:110). This hypothetical situation would present the Nordic governments with a no-win situation, which they will have brought on themselves.

Although well intentioned these privileges have at the outset, for some, and in the long run, for even more, helped to augment the image of a second-class citizenship for non-Sámis.

This has bred resentment on an ethnic basis, something that is not desirable anywhere. Primarily this resentment has shown itself politically, with the Norwegian Progress Party's representation in the Sámi parliament in Norway. One of its main policies is to dissolve the Sámi parliament and abandon the political, non-territorial autonomy of the Sámis (Frp.no 2015). The Progress Party currently has two representatives in the Sámi parliament (Sametinget.no 2013). This is truly problematic, for in the long run positive discrimination, or simply the perception of it, can breed resentment and perception of political marginalization.

Even if education on the historical background is thorough and extensive among the population in the Nordic countries, reasoning why giving Sámis certain privileges is right, it will become increasingly difficult to justify why one group of people have certain rights that another group of people does not. It can also be hard when part of the majority culture to fully understand the experience of being a minority, because people have finite amount of time and energy to use on understanding others. Particularly this can be the case when the Norwegian educational system yields, in Norwegian Sámi eyes, too little time to comprehend the history of the Sámi.

Moreover, as perceptions are important for guiding beliefs and actions, it is a fact that diversity programs benefit minorities more than the majority culture (Kymlicka 1995:122). This is logical, as the majority culture is already established as a «norm» and the minority is not. However, it can aid the unfortunate perception of favouritism towards the Sámi in the eyes of non-Sámi Norwegians. All the more difficult it will get, the further away we move in a temporal sense. Tomorrow's youth, of Sámi descent or not, might ask themselves why they should gain or suffer anything for injustice

done in the past long before they were born.

The last, but not the final, reason I will present is the *legal* aspect of the electoral conflict. As signatories to several binding agreements on preventing ethnic discrimination, the Nordic states are walking a fine line in the conflict of electoral criteria in Sápmi. This pertains especially to Finland, where the Supreme court of Finland has intervened earlier on behalf of citizens whose petitions to be included in the electoral roll have been denied unfairly. An area where the Finnish state understandably might be wary of intruding, yet also where doing nothing can result in a violation of the fundamental principles of the European Union, to which Finland is a member.

Or has it already? The answer to this depends on if the Finnish Sámi parliament can legitimately be called part of, or an extension of the Finnish state.

The United Nations International Covenant on Civil and Political Rights, article 27, states:

In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language.

(OHCHR.org 1976)

The intention behind this article is primarily to protect minorities against oppression from a state actor disenfranchising them. The article, along with how one can define a state actor, has important ramifications for the conflict concerning Sámi electoral criteria in Finland. The Finnish state allocates funds and devolves authority on cultural, linguistic and some economic matters to the Sámi parliament. If said parliament uses this power to deny some persons to participate in the cultivation of said persons cultural heritage, is the parliament, and indirectly the Finnish state, not in violation of Article 27?

This is a big «if», but also an important question, for if the answer is «yes» then this gravely contradicts the values upon which the Nordic welfare states are founded. If this were to be taken to court and result in the Finnish Sámi parliament and Finnish state being found guilty, it could potentially endanger the continued survival of the Sámi parliament. It would be near impossible, in any setting whether local or international, to justify Sámi political empowerment, if that power is being used to deny other Sámis their heritage. This sub-conflict of Article 27 serve to illustrate the great difference in views on *who is Sámi*, as one side feels denied of its heritage while the other believes to be fighting in order to ensure the survival of the *real* Sámi. One might say that in the heart of Sápmi there is a battle for the «soul of the Sámi».



It is without question that there are several obstacles facing the future of the Sámi political world. The future is far from guaranteed to be one of a thriving Sapmí united in continuance of the Sámi culture, language and traditions. But how can this end-goal for Sámis even be achievable, if they are not able to come to a consensus on *who is Sámi*?

As the debate goes on and opposing sides continue to take a stand for what they claim to be moral and righteous, the question remains unsolved. There is much data, academic papers and newspaper columns dedicated to explaining the history behind the debate, its judicial standing and its actors. What has fallen out of focus, unfortunately, are the simple questions of *who is Sámi*, *why are there different electoral criteria for Sámi parliaments across the Nordic countries*, and lastly, *what does this mean*?

While there has been a lot of research on civil movements and indigenous movements relating to civil rights or political participation, there is less than desirable data on disunity or unsolidarity among indigenous peoples. I believe there is much to be learned from the intricacies of ethnic exclusion within what many, at least outsiders, would consider a common group of peoples that share a similar culture, history and language. It will be interesting to discover how big of a role a shared sense of culture, ethnicity or language affects a person's identity. Moreover, how they relate to others they perceive as either part of the in-group or out-group.

With the previously mentioned problems only increasing by time, and the debate around electoral criteria not likely to subside in the near future, the future of Sápmi is uncertain. Although in the periphery of the Nordic countries, the Sámi parliaments are not in a vacuum. The issues relating to UN's article 27 are not likely to remain hidden in the north forever, and if national governments or courts have to interfere increasingly in disputes, it might further drain the Sámi parliaments of legitimacy. If not addressed, these problems can, and probably will, come back to haunt the Sámi, irregardless of geography.

To summarize, this is *why we need to know*. The current situation could be headed towards a politically unsustainable future.

These are the reasons for why I have chosen Sámi electoral criteria as the subject for my thesis.

# Theory

## Essentialism

The theoretical framework used in this thesis is *essentialism*. This is an idea that claims, whether the subject is a culture, ideology or ethnicity, that there is an *essence* at the core of every subject. Most commonly it is used in the academic fields of sociology and anthropology, to explain how being part of a cultural group can affect the collective or individual identity.

This type of theoretical framework is usually accompanied by characteristics that are perceived to be common within those who are part of the *essence*. In the case of *essentialism* the characteristics would be of a positive nature i.e «all Norwegians are born with skis on their feet», or «Americans are kind and welcoming».

However, these kinds of pre-determined mental schemes made by *essentialism* can do harm to an individual's identity, when considering the implications that lie therein. A Norwegian who doesn't know how to ski, will implicitly become *less* Norwegian than other Norwegians who can ski. How might this sort of unwritten law, borne out of a mental scheme such as *essentialism*, affect a culture's identity?

In this chapter I will, by use of examples, thoroughly explain what *essentialism* is, and how it is at the core of why there are different electoral criteria for Sámis in Norway, Sweden and Finland. First however, I must review the existing literature on *essentialism*.

The literature on *essentialism* I will in this chapter, for practical purposes, divide into three parts. First, consisting mostly of critique against its use, both the scientific journals and sociologist essays are in agreement on the majority of criticisms leveled against *essentialism*. These vary among a simple disguise for racism (be it cultural or ethnic), a tool for exclusion and a 19<sup>th</sup> century mindset from the age of nationalism and eugenics.

Second, there is the part that is not solely a critique, but seeks to show how the theoretical perspective can be useful. This part of the literature views *essentialism* as a mobilizing tool for political goals, and is a characteristic and not a direct criticism. However, the criticism that is found in the more «practical-oriented» take on *essentialism* revolves around how it is used.

By presenting a threat, real or perceived, towards a groups identity, *essentialism* can be something to mobilize around in order to protect the «purity» of the group identity. Normally, the parts of a collective identity necessary to protect will be language, traditions etc, which individually make up the pieces of a common culture.

Finally, the third part of the literature is one which at first glance might appear to not approach the theoretical perspective, yet divulges information about *essentialism* in an indirect manner through surveys and qualitative data. The reason for including this part of literature although it is not directed at the theoretical perspective itself, is that it consists of academic works about Sápmi, its political life and Sámi views on identity. These snippets of information, coupled with the survey data, can help us partly extrapolate how, and to what degree, *essentialism* is faring in Sápmi. With these three main branches of literature concerning *essentialism* briefly explained, we can now move on to the individual works and their role in the thesis.

## Sayer

Sayer(1997) frames essentialism as primarily a philosophical concept, in which defining it can become an neverending discussion as old as philosophy itself. Acknowledging the many types of anti-*essentialism*, Sayer argues that some things in fact do have essences. He presents several examples to his point, be it H<sub>2</sub>O as the essence of water or communication with others as an *essential* part of the human experience. Sayer contrasts the latter with pointing out that, for example, wearing jeans is not an *essential* experience to being human, although several billion have done it. Additionally, he points out a fundamental problem with the concept of an *essence* due to two, often incompatible, purposes which he explains thusly;

1. One purpose is to identify the seence of an object in terms of properties which supposedly determine – or are indispensable for – what it can and cannot do; these are its «generative» properties
2. To refer to those feautres of an object which enable us to distinguish it from other kinds of object; there are its distinguishing or identifying properties.

However, Sayer makes it explicitly clear that other subjects, like gender or ethnicity does not have an *essence*. This sort of *essentialist* thinking he denounces and claims it is deserving of being anathemized, yet he maintains that some of *essentialist* thinking can be a vital resource for critical social science.

## Mahalingam

Mahalingam(2007) discusses in a paper the relationship between essentialism and power, alongside two perspectives within *essentialism*; cognitive and social. Although the paper itself does not relate to the Nordic countries and the Sámi, I believe the arguments made in the paper are transferable because they relate to basic human psychology.

Humans have a tendency to categorize and create patterns through observations, real or perceived.

If under the belief that categories have *essences*, one might think that it is logical to make inferences based on race, culture or gender, for example.

The other is the *social essentialist* perspective. Mahalingam explains this through an example of race and power structures. If society A is relatively homogenous with its leaders belonging to the majority culture, propagating *essentialism* can help justify and maintain the existing balance of power. If a minority group in society B is marginalized in any way, be it socially, politically or economically, advocating an *essentialist* perspective might be beneficial as to bind the group together. A quote from Mahalingam(2003) may further illustrate:

*Social essentialism refers to the strategic deployment of essentialism to oppress, resist, or assert oppressive stereotypes resulting from our essentialist bias*

Within the context of this thesis, the most important parts of Mahalingams paper are the two following claims;

1. *Essentialism* is used purposefully as a tool
2. *How* it is used as a tool

Whether it is by a purely political motive in order to either gain power or justify existing hierarchies, or as a self-protective measure by a group seeking to protect itself ideologically. *Essentialism* have several important characteristics besides its theoretical content, and Mahalingams papers help to uncover these.

## Grillo

Grillo(2003) offers several examples for many of the uses of *essentialism*, noting that «culture» is a word being used more than ever, and relates this to an underlying cultural anxiety for globalization, migration and multiculturalism. Most importantly, he claims that cultural membership is almost synonymous with ethnicity, because it places the individual within certain social and political schemas. Therefore, in an *essentialist* mind of a person who considers him or herself Sámi, someone not part of traditional Sámi culture will likely not be considered fully Sámi.

## Kymlicka

In «Multicultural Citizenship: A Liberal Theory of Minority Rights», Kymlicka poses questions on the relationship between liberal theory and the rights of minority groups in society. Although not directly related to the theoretical perspective of *essentialism*, the book touches upon cultural membership and the important aspects within it. The book itself builds on previous discussions by others like Margalit and Raz(1990). Among these Kymlicka makes the point that the bonds of language and culture are so strong for people, because of two reasons(Kymlicka 1995:89).

The first one revolves being provided meaningful options for one's life. By this Kymlicka refers to how familiarity with a culture signifies that the person has a place within it, and therefore finds safety within the boundary of said culture's worldview. If a particular culture should suffer disenfranchisement, the cost of being part of the culture will rise and could lead to the culture being viewed as less appealing to be a member of. However, should the reverse occur and a culture be viewed quite favourably, people may wish to join it in order to partake of perceived benefits, be they social, political or economic.

The second reason is the profile a membership within a culture gives one, as it affects how both in and outsiders view the person, which in turn affects the persons self-perception(ibid).

In relation to the thesis, the former reason could be used as an argument for what rejected applicants to various Sámi electorates are claiming. Since reversion of oppressive or disenfranchising policies towards Sámis, several financial means have been allocated for traditional Sámi livelihood such as reindeer herding. The logic of the rejected applicants is as follows; since being Sámi is beneficial, those on the inside does not wish to include others as it would mean they would have to share the financial benefits with more people. Moreover, the rejected applicants are being *denied* their right to be a part the Sámi electorate, and by extension the Sámi world. This means in the eyes of the rejected, that they are also being denied a right to practice their culture, a statement which could have grave consequences for the state of Finland. This is because of Article 27 of the United Nations Convention on Social and Political Rights, an article that will be discussed later in the thesis.

However, this argument could in an *essentialist* sense also be reversed and used as a similar argument. Now that being Sámi no longer means disenfranchisement and oppression, but opportunity, several people which have no real connection to Sápmi in a linguistical or cultural sense are seeking to exploit the newfound status of the Sámi.

The latter reason, ones social profile and how interaction with others shape self-perception, is mostly self-explanatory. If a person speaks Sámi, knows the traditional Sámi culture or both, that person will when interacting with outsiders, meaning non-Sámi, be recognized as Sámi. This gives a type of cultural authority, where each person that is, or appears to be, part of a culture, has a defining power that can be used on others. An example would be a Norwegian Sámi recognizing another person as Sámi, communicating to the other person that he or she is perceived as Sámi. When encountering members of a cultural group that is outside of ones own, this can also be communicated. By acknowledging the other person as an outsider, or in the case of the Lappalais-

conflict, communicating to someone who claim to be on the inside that they in one's own opinion do not belong.

Another interesting point made by Kymlicka is on the surprisingly small weight that value has in the task of keeping a people or state united.

Or to put it in simpler terms, values aren't that valuable to unity.

Kymlicka demonstrates this by pointing out the similar values of Norway and Sweden, how they are so alike yet have no wish to unite. The same example is made between various western European countries, some of which even share languages. The answer for nation-states, Kymlicka claims, lies in a common history, language, and often religion(Kymlicka 1995:188). The same can to a large degree be said for the Sámi, even though they do not have a nation-state specifically of their own.

What this argument by Kymlicka helps shed light on, is how a «us» and «them» mentality works in an everyday, practical sense. One's identity, meaning who belongs to the «in» and «out» group is largely decided by what one has in common with others.

This raises the question of why *essentialist*-Sámi categorize other Sámi as not «real Sámi», in spite of a shared history, and in many cases, a share language? Other than viewing those who are not «real Sámi» as tainted by the «out»-group, what could explain this?

Kymlicka expands on the composition of identity with an example opposite of the previous, where multi-national states have contentious relationships between different ethnic populations.

This is exemplified as such: things that signify pride within the majority group can signify betrayal among the minority(Kymlicka 1995:1989). To put this in a Nordic context, taking pride in the Norwegian, Swedish or Finnish flag or national holiday can be interpreted as «abandoning one's Sámi-ness» by *essentialist*-Sámis. The reasons for this can be many things, but perhaps the most obvious one is that while for majority Nordic populations, the history of nation-building is one of freedom and empowerment, while for the Sámi it signifies the start of assimilation policies.

To summarize, although sharing a common history or language, or both, *essentialist*-Sámi may perceive other Sámi that belong to both the majority population and Sápmi as disloyal to Sámi-ness. Either that, or *essentialist*-Sámi may simply view the people, who self-identify as Sámi, as «case-file Sámi».

## Nagel

Nagel(1994) has written an article about the process of creating new, or recreating old ethnic

identities. It does not directly reference *essentialism*, yet touches upon many aspects within the theoretical field. A part of the paper is devoted to discussing cultural construction, in the sense of building a national identity, or cultural reconstruction, exemplified in the thesis by the various Sámi institutions.

While presenting several examples taken from various immigrant experiences in the U.S, such as Armenian or the interchangeably used terms «Latino» and «Hispanic», the article remains true to one of its first claims;

«Ethnic identity is most closely associated with the issue of boundaries.»

(Nagel 1994)

This quote relates to what other works, within the academic literature focused on ethnicity, identity or both, refers to as «in» and «out»-groups. An ethnic category, used by an individual to identify him or herself by, will only make sense in relation to a *different* ethnic category.

Simply put, in a practical example, me declaring myself ethnically Norwegian in a world where everyone is ethnically Norwegian and there is therefore no such concept of ethnicity, has no purpose. However, in a world where I can encounter people whom identify themselves as French, Zulu or Malay, an ethnic category for Norwegians is useful to help us define ourselves, our language and traditions in comparison to outsiders, those we place in the «out»-group.

The article examines what it claims are two fundamental pieces of ethnicity, these being identity and culture. Together the two pieces have important functions, such as constructing boundaries and producing meaning that attaches itself to an ethnic identity.

Perhaps what is most significant about the article, with regards to the thesis and *essentialism*, is how it views «in» and «out»-groups. Whereas most approach these topics with an idea of an inside and an outside, Nagel's article demonstrate how the fluid concept of ethnic identity often comes in layers. Whether one chooses to think of identity as something that has layers like an onion, or a set of increasingly larger circles around an individual, consider the example presented in the article. In the context of a person who identifies as Sámi, from the northern town of Tysfjord, the example goes as follows:

To a tourist from China, the person is European. To a French tourist, the person is Norwegian. To a Norwegian from the south, the person is a Northener(a geographical term denoting where one grew up), a Norwegian Sámi or both. If the person encounters another of Sámi descent, the other being raised in Karasjok, their identities still divulge. The Sámi from Tysfjord speak LuleSámi, while the person from Karasjok speak North-Sámi.

Another thing to note is how Nagel touches upon how a society's economic life can affect the ethnic

identity of its people. This is especially relevant with regards to the debate concerning electoral criteria in Finland, which has on occasion has taken a vitriolic form through the accusations levelled at the opposing sides.

The article references studies done by Bonacich(1972) and Olzak(1989,1992), where informal job competition in a labour market with few available jobs can increase ethnic rivalry. This competition leads to the strengthening of an ethnic identity's boundary, as the «in» and «out»-groups become markedly clearer than before. The difference is that when it has become a competition among ethnicities for the same economic opportunity, ethnicity itself becomes a vital element in gaining employment the mind of job seekers.

Both members of the Sámi Parliament of Finland opposed to Lappalais-inclusion and the Lappalais-movement, have accused each other of ulterior motives dominated by potential economic gains. In the opinion of the Lappalais-movement, the Finnish Sámi does not wish to include them in the electorate as they would have to share economic benefits such as land or fishing rights.

The members of the Sámi Parliament opposed to inclusion, claim that the petition of the Lappalais to be included in the electorate is motivated by potential economic gain and not a desire to be part of Sápmi. The latter accusation is discussed by Nagel in what is known as «ethnic switching». It entails a situation where individuals can, in response to an ethnic incentive structure that does not favour theirs, change their ethnicity to become eligible for the incentives(Barth 1969)(Friedman and McAdam 1987, 1992).

Constructing new or reconstructing old cultures are described as ongoing tasks. In the case of reconstructing a culture lost, or in the case of the Sámi, forbidden, the practice of revitalizing Sámi culture is done through reviving old traditions and ceremonies. Although Sámi culture in many ways have been adapted to contemporary society, technology and norms, this is not necessarily a problem for cultural revival. Whilst the revitalized Sámi language and culture is certainly not invented, the following excerpt may help in order to understand the necessity of traditions for a culture rebuilding itself.

Invented traditions serve three purposes:

- A) to establish or symbolize social cohesion or group membership
- B) to establish or legitimize institutions, status, and authority relations
- C) to socialize or inculcate beliefs, values, or behaviours

(Hobsbawm 1983:9)

This points to what Mahalingam says about *essentialism*, it can be used to strengthen a group in



various ways. For Sámi revival, this process may revolve around such things as language, connecting it to both group membership and general «Sámi-ness». By having an active Sámi parliament engaged in cultural revival, the Sámi communities within each of the three states has the opportunity of legitimizing the parliament in the eyes of its electorate.

Perhaps a historical example from the Age of Nationalism is valid. When nationality, ethnicity and culture became important for many, mobilization of the culture an identity was based on was important. An example taken from the early 20<sup>th</sup> century in Finland demonstrates the importance of constructing or reconstructing common cultural history and language. In order to garner support for Finnish independence, intellectuals sought to reconstruct the cultural history of the Finns, and succeeded. This mean that folklore, hymns, songs, music and other traditions representative of Finnish culture could be more easily taught and utilized by Finns.

Although the experiences of the Finnish nation-building process is not directly comparable to the Sámi rebuilding their culture and language, there are some important similarities. Both have been ruled from a place far away both in geographical and cultural terms, where the various Russian or Scandinavian rulers have asserted their own culture and language as the favourable one through assimilation policies. Through labour of building or rebuilding a culture, the ethnic boundaries might become more visible to the adherents of said culture, marking a distinction among themselves and others. This could help them redefine their own ethnicity in relation to other ethnicities in existing populations. In practical terms, data to support this argument is found in «The Sámi Citizen» by Strømsnes, Selle, Semb and Nordbø(2015). Through surveys they discover that many Norwegian Sámi feel a strong connection to their two identities, both as Sámi and as Norwegians(Strømsnes, Selle, Semb and Nordbø 2015:97).

### **Strømsnes, Selle, Semb and Nordø**

The quartet of Strømsnes, Selle, Semb and Nordø(2015) in their collaborative book «The Sámi Citizen» offer insight into the realm of Sápmi, both in a political and social sense. Although not directly focused on the issue of *essentialism*, there are conclusions to be extrapolated from the data given. The findings presented in the book are done through surveys in Norwegian Sámi communities and tell us partly in what manner Norwegian Sámi view *who is Sámi*. The picture emerging from the literature is one that corresponds to the commonly held image of the Norwegian Sámi sphere being the least *essentialist* of the three(Bjerkli and Selle 2015:398).

Many respondents state they feel they consider themselves fully or partially Sámi in spite of not being fluent in the Sámi language(Strømsnes, Selle, Semb and Nordø 2015: 90). This particular finding might speak towards Norwegian Sámi being less essentialist than their Swedish or Finnish

counterparts, however, many respondents also say they feel ethnicity and self-identification takes precedence over fluency in the Sámi language. Perhaps this points to a separate branch of *essentialism* within Sápmi only beholden to Norway, where assimilation policies were strong and loss of Sámi language in communities quite extensive (Bjerkli and Selle 2015:398).

However, about language fluency there have been large public debates in NRK Sápmi (the Norwegian state's broadcasting company's Sámi language channel) and several newspapers in Northern Norway. Should there be a criteria of language fluency for the president of the Sámi parliament (Strømsnes, Selle, Semb and Nordø 2015: 92)?

This debate reminds us of how command of the Sámi language is deeply connected to identity, even though Norwegian Sámi respondents claim language fluency comes second or third behind self-identification and ethnicity (ibid). Underlying the «Norwegian variant» of Sámi *essentialism*, there seems to be an acknowledgement for many that a Sámi-speaking president of parliament would be preferable.

The Norwegian Sámi parliament has the largest *demos* of the three Sámi parliaments by far and the most inclusive criteria for enrolment in the Sámi electorate. With these facts in mind, coupled with the historical context of the Norwegian Sámi experience, the literature indirectly offer insight into an *essentialism* mindset in the Norwegian part of Sápmi. Due to a history of longlasting, and unfortunately, successful assimilation policies, large parts of the Sámi populations in Norway lost their native Sámi languages before the assimilation-policies ended. Perhaps this is why Norwegian Sámi view self-identification and ethnicity as primary indicators of Sámi-ness. With the Sámi population of Norway well-integrated into mainstream society both on a political and social level, yet maintaining a separate Sámi identity, the data found helps clarify how this is possible.

For many Sámi, enrolment in the Sámi electoral system have become a way of reinforcing one's Sámi-ness. This however, is not true for the Sámis against establishing of a Sámi parliament, who alongside their former organization SLF seems to have disappeared from the Sámi political scene. What is interesting in for the debate on *essentialism* in Norwegian Sápmi is that both enrolled and non-enrolled Sámi view their Sámi identity as founded on self-identification and ethnicity, while their (or the general) Norwegian identity is founded on the values of the state, observance of its laws etc (ibid).

*Essentialism* has received stern criticism from academics and others for its non-scientific background, often rooted in outdated ways of thinking, and in some cases as an excuse for blatant discrimination of others. In spite of this there have been many proponents of *essentialism* both in

majority and minority populations, for reasons mentioned previously in this chapter. Later, these reasons will be discussed more thoroughly in the analysis by help of examples. Of particular importance will be *essentialism* as a tool for political mobilization. Now, with several ways of interpreting *essentialism* and its uses, I will explain my own operationalization of the term.

For this thesis, and in relation to the Sámi, *essentialism* entails a belief that people of Sámi origin and adhering to Sámi culture are a part of its cultural *essence*. In simplistic terms this sets a perimeter which divides Sámi people into an *in* and an *out*-group. Those of Sámi origin that does not speak the Sámi language or have lost it, and doesn't practice its culture or have ceased practicing are not real or fully Sámi, and most importantly, can never become real Sámi again. This points to a belief in how it is possible to lose the «*essence*» of something, and is how I will define *essentialism* in the most extreme sense; as the belief that people raised in a culture carry an «*essence*» of said culture within themselves, and failure to maintain it will ensure the loss of that «*essence*» for the individual, never to be regained.

This mode of thought, where identity can be imagined as a series of circles, helps illustrate how an *essentialist* mindset functions. At the core circle, the smallest, are the core pieces of one's identity that distinguishes a person from everyone else, for example name, family and memories. At the next circle are language and ethnicity, further solidifying who a person is. The circles continue, each time larger and more vague.

However, with the literature on the Norwegian Sámi population in mind, and its belief that ethnicity trumps language fluency as an indicator of Sámi-ness, I must make an additional comment. I concede that my operationalization should give room for some variation within the term *essentialist*, as to include Sámi population that does not speak Sámi, yet also subscribe to their own version of the «in» and «out» groups in Sápmi. As with most issues that are multi-faceted and complex, there must be room for nuance. It is possible that some of the Sámi with an *essentialist*-mindset will make a distinction between people they perceive to be not «fully Sámi», and so-called «case-file Sámi». Even a supposedly absolutist perspective can have grey areas where one separates between opponents and non-opponents, dividing «others» into a bad and neutral «out-group».

What the *essence* consists of is used to define the in-group and who is in it, something that has received criticism from many fields of academia in its arbitrary way of perceiving who's in and who's not. Most of all the idea of an *essence* in itself.

However, the part about an *essentialist* perspective that is perhaps the strongest factor in creating discontent amongst Sámi and others is the following; once lost, a cultural *essence* can never be

regained, and including people who aren't part of the *essence* will dilute and destroy the *essence* of the in-group.

## Method

How does one best answer the question «*why is there a difference in criteria among Sámi electorates in Norway, Sweden and Finland?*»

Should one approach the subject matter in a quantitative or qualitative manner, or perhaps a mixed-method? Can it be answered by comparison? If so, what should the main focus be on? The similarities or differences?

It would surely be possible to explain the current situation in Sápmi by looking at the most important political actors. This would answer the *why*, but only in a shallow sense. In order to fully understand the differences in electoral criteria, the *why* must be rooted in understanding of the *how* and the *what*.

By *how* I refer to the question «*how did Sámi views on identity diverge to this degree?*», and by *what* to the question «*what is the historical context in which Sámi identity has evolved?*»

The answer to both these questions lies scattered, both in a geographical and a temporal sense. From actions taken in Oslo, Stockholm and Helsinki to reactions and further actions taken in Karasjok, Kiruna and Inari. From the dividing of Sámi lifegrounds into nation-state territory in the 18<sup>th</sup> century, to a present day where the Sámi are politically engaged in their own future, there is much to be learned.

In this chapter I will present the methodological framework of the thesis. First, I will briefly touch upon the choices made methodologically and summarize how they fit the thesis. Then, I will explain how the theoretical framework of *essentialism* fits the methodology. Lastly, with the basic aspects of methodology laid out, I will expand on the methods in separate parts, discussing potential benefits and shortcomings of the methodology.

To answer the research question and the puzzles surrounding it, I have chosen the method of *process-tracing*. This is a qualitative method focusing on puzzling together «the whole picture» from smaller pieces of information such as empirical evidence, theory and/or hypothesized motives of agents. It emphasises discovering the sequences and mechanisms of hypothesized processes (Brady, Collier 2010:208).

Use of this method entails analysis of actions taken in a chronological sense, which is done, for

example, by reviewing legislative documents and political arguments. By collecting information from different arenas, be it parliament, court or an opinion-piece in a newspaper, it will be easier to understand the *how*, the *what* and the *why*. However, intending to use more than one type of data, it will require more than one approach for collecting data.

Process-tracing alone is not sufficient if the goal is to thoroughly understand the *why*, for it is likely to miss the subjective and un-empirical, yet highly important human aspect. Although political statements and legislative action are accompanied by the actors reasoning, another sort of data is needed.

My reasoning for this is simple, and builds on human rationality in a political world. I believe it is rational for a political proponent or opponent of something to present the arguments they find that speaks the strongest for the actors objective. Coupled with the objective is the sub-objective of losing as little political capital as possible, which in laymans terms can best be understood as public perception. Therefore, a political reasoning given about a decision made on a sensitive topic such as identity, is likely to be worded in a way that does not disclose any personal bias or hostile emotions toward opponents.

That is why I have chosen to conduct open-ended interviews with the objective of understanding the individual actor's own worldviews. By having actors from the Sámi parliament explain in their own words, it may provide for better insight into a potentially *essentialist* mindset and the debate concerning electoral criteria.

How does an *essentialist* theoretical perspective fit the methodology of the thesis? As there are two ways of collecting data, process-tracing and by interview, the answer must reflect this.

Process-tracing concerns itself on finding pieces of a «puzzle», and might therefore be well suited to aid in discovering statements given, actions taken or legislation passed from an *essentialist* perspective. As the method observes over time it could allow for patterns to present themselves, patterns that previously were not visible in the data when viewed individually. This can be a strength of process-tracing for the purpose of researching *essentialism*.

Additionally, although not an intentional part of process-tracing, the sheer amount of academic literature and political statements analyzed, will give the opportunity of recognizing if there are any so-called «talking points» or «buzzwords». By this I refer to a common strategy in politics where actors seek to position the debate in a desired manner, otherwise known as «framing the debate», and therefore limit the potentially broad political vocabulary to a few easily understandable

keywords for the actors to repeat and the audience to remember.

An example of this is the expression used by some Sámi in Finland when referring to people they believe are falsely claiming to be Sámi and therefore the right to be part of the Sámi electorate. In Norwegian this expression is «sakspapir-samer»(Bjerkli og Selle 2015:380), directly translated into English it means «casefile-Sámis», meaning they are not real Sámi and suggesting they are abusing the bureaucracy in order to obtain the status, privilege and rights as a Sámi.

Due to the nature of the debate concerning Sámi electoral criteria, having a method proficient in temporal understanding would clearly be of benefit. However, a potential weak point in the methodological chain can be the human habit of seeing patterns where there are none. By this I mean that the interpretation of political statements, actions and legislation are at risk of being retroactively viewed in a unfair sense, where much is explained by an «*essentialist* mindset» and put in its camp without a clear reason for doing so.

This is why I believe that while the human aspect is quite beneficial in order to increase one's understanding of the debate concerning Sámi electoral criteria, it could also, ironically, be detrimental if authored wholly or partially through bias.

It is therefore a good to employ open-ended interviews as a way to gather additional data about the research subject. Although statements that are worded in a vague or unclear fashion could risk being misinterpreted as well, this is a constant risk for any type of interpreting work. As the topics the interviewees will be questioned about are well-known in the Sámi community and of a divisive nature, it is likely that the response will either be leaning toward one side or the other. Should the response be neither, this might be an indication that either the interviewee does not want to talk about the subject due to its controversy or that the interviewee simply does not know.

## Process-tracing

Having shown the basic outlines of what the methodological choices consists of, I will now move on to a more thorough look at the methods themselves. We begin with the main method, process-tracing.

Firstly, the very name of the method gives away some fundamental hints concerning what process-tracing is about, namely tracing processes. Belonging to the qualitative side of methodology, process-tracing involves the labour of examining different pieces of evidence within a case, either in support or to overturn alternative explanations(Brady, Collier 2010:208).

A commonly used analogy when discussing process-tracing is that of the detective trying to solve a crime, or of a doctor attempting to diagnose an illness. This is an easy way to capture how process-

tracing works, but at first glance it might seem that the analogies does not do the method justice.

The method is often invested in a puzzle that stretches temporally, curious about the motives of actors involved. What would actor A's motive be, how does A stand to gain from this?

Being able to think creatively and work backwards from there allows a certain freedom of thought within the method, though this is also something that is up for criticism(Brady, Collier 2010:209).

### **Process-tracing within social science and notable literature**

Taking a brief pause from *what* process-tracing is, I wish to explain its role within the social sciences. This is because looking at the method *within* the spectrum it exists might be a more informative approach than only listing its benefits and drawbacks, although those will also be discussed. Moreover, when seeking to explain how a method fits into the large room of tools that is qualitative method, it is also prudent to review notable literature concerning process-tracing.

While originally not a particularly well-known method or one held in high esteem, process-tracing has been gaining ground among political scientists and political sociologists(George and Bennet 2005:205). This could be good news, as it is a tool that can help to solve puzzles, of which there are many remaining to be solved in the world of politics. Perhaps approaching a puzzle in the same manner detectives approach theirs, political scientists and political sociologists will become more proficient in piecing together the puzzles.

As noted with the analogy of the detective, process-tracing examines pieces of data within a case(Brady, Collier 2010:208). One of its main uses is case studies, in general. It has in recent years also contributed to variations of case studies and other types of socially scientific puzzles. One of these is rational-choice, where scholars have been using process-tracing in order to construct detailed historical case-studies(George and Bennet 2005:208). This helps demonstrate how well process-tracing works temporally, especially in relation to uncovering patterns, be they behavior, «buzz words» or what is a rational choice for an actor at various points in time.

Additionally, process-tracing is claimed to aid and complement other methods(George and Bennet 2005:207). While the method is growing in recognition, popularity and number of uses, and whether process-tracing will continue as a potent force in social and political science, remains to be decided. As with all methodology, theory and hypotheses within academia, process-tracing will have to stand the test of time, and peer-review. Having viewed the role of process-tracing within social science, we move on to the literature that have provided a foundation for the methodology of

the thesis.

Literature used on process-tracing mainly consists of two books on various methods and methodologies, *Rethinking Social Inquiry* and *Case Studies and Theory Development in the Social Sciences*. While the latter, as the name suggests, is a work focused only at the qualitative within social science, the former is a book that seeks to bridge a «gap» amongst the qualitative and quantitative arts within social science. *Rethinking Social Inquiry* is a collection of various authors giving their input on different methods, among them process-tracing. What they both have in common is Andrew Bennet, author of *Case Studies and Theory Development in the Social Sciences* together with Alexander L. George, and also author of *Rethinking Social Inquiry*'s chapter on process-tracing.

It could potentially be a problem that both main works on process-tracing are authored by the same person, as the optimal solution would be methodological input from multiple sources rather than just one. However, if said works have been written true to the academic standards it should offer no problem. Both works are rich in external sources and opinions on the process-tracing, citing the input of many other scholars. The books are diligent in presenting the criticisms raised against the methods and the problems the use of process-tracing can offer, all of which will be discussed later in the chapter.

### How it works

Whilst the analogy of a detective attempting to solve a crime is an apt comparison, it does not fully reveal how process-tracing actually works. Informed by methodical research based on data and analysis of the temporality and sequencing, the process itself begins simply by gathering information.

Once satisfied with the amount of data compiled the following step is approaching the problem, or challenge, of establishing a casual direction. An excerpt from *Rethinking Social Inquiry*'s chapter on process-tracing explains it quite well:

«if X and Y are correlated, did X cause Y, or did Y cause X? Careful process tracing focused on the sequencing of who knew what, when, and what they did in response, can help adress this question. It might, for example, establish whether and arms race caused a war, or whether the anticipation of war caused and arms race»

- (Brady, Collier 2010:209)

In the context of this thesis, the focus of sequencing will be, as the quote says, on *who knew what, when they knew* and *what was done* in response. This entails looking at political statements, press



releases and opinion-pieces in media. One might wonder, specifically, what happened and what was said in the run-up to the conflict between the Finnish-Sámi parliament and the Finnish Supreme Court?

The conflict stems from the Finnish Supreme Court's decision to interfere with the ruling of the Finnish Sámi electoral commission on *who is Sámi*, by allowing some applicants ascension to the electorate even though the Finnish-Sámi electoral commission had previously denied their applications.

For example, when applying the method of process-tracing to this sequence of events I will inevitably be forced to make a decision of where I will set the temporal boundary of what is relevant to include as data. The first pan-Sámi convention of 1953 in Jokkmokk could be a logical starting point, as one could argue it was the beginning of modern Sámi political self-awareness. But what if this is unnecessarily too broad of a temporal framing? Since this conflict could reasonably be viewed as a matter internal to the state of Finland, why include others? Why not the establishment of the official, state-sanctioned Sámi Council of 1973 in Finland, the first of its kind?

Having set a temporal boundary and gathered the available data within, we return to the analogy of the detective, starting the investigation by trying to connect the dots. Who are the main actors in this conflict? The Finnish Supreme Court and the Sámi Parliament of Finland. What is the historical relationship between them? How do they view each other? What is to be gained? What do they stand to lose? How is the balance of power between them?

By asking all of these questions and more, a metaphorical wall of clues will take form where the detective can try to fill in the blanks with hypotheses, and add motives to explain or speculate on the behaviour of various actors. This is a systemic approach that rewards mapping out as much as possible of the landscape between the designated temporal boundaries, everything between the start and the end. The pay-off will be a system that facilitates gaining oversight of the situation, and possibly allows for the detective to extrapolate hypothetical motives from the statements or actions taken by actors.

### **Benefits, praise, problems and criticism**

As is to be expected, the literature about process-tracing holds both praise and criticism for the method. Both the positive and negative critique are rooted in diverse fields, ranging from how it functions, its potential for biases, and what it functions best in cooperation with. In this part all the pro's and cons of process-tracing will be discussed.

Opening with an aspect of process-tracing that is both a critique and compliment, we begin with the methods insatiable appetite for data. As long as time permits, use of the method allows large quantities to be analyzed and, if related, connected to each other. However, there is also the possibility for too much or too little data. Too much can cloud patterns or disturb the process with its overwhelming workload, becoming noise in itself. Too little or insufficient data hinders one of the fundamental reasons for using process-tracing, and can be understood through the following example.

Although previously viewed as an analogy of a detective, imagine instead 50 domino pieces. In total 48 of the pieces are obscured by a box, only the first and last are visible. The fundamental reason mentioned earlier is the methods goal of identifying intervening casual processes (George and Bennet 2005:206). If the first piece of domino has fallen, but the last one is still standing, what might be the answer to this? The methodologically correct way of approaching this puzzle is to find out what happened between the first and last piece by trying to reveal the other 48 pieces through analysis of data.

Accomplishing this requires diligent analysis and cannot rest on data alone, particularly if it is a case where actors may wish to conceal their true motives or reasons. A willingness to speculate and postulate hypotheses is therefore vital. Fortunately the method is well suited for this, as previously mentioned with regards to the detective analogy. Additionally it has been described as an indispensable tool for theory testing and development (George and Bennet 2005:207). By connecting different pieces of evidence through means, motives and causality, hypotheses can be developed.

When attempting to establish a casual path from A to B, this process carries the risk of misinterpreting data and connecting pieces of evidence that shouldn't be connected. This is one of the challenges with process-tracing. Although logically most common in cases where there is little or insufficient data available, it can just as easily happen when the researcher is affected by confirmation bias. But, what is meant by «confirmation bias» and what does suffering from it entail? Simply put, it references to a situation where a researcher will direct attention at evidence that supports a hypothesis the researcher finds most exciting or interesting, while running the risk of overlooking important evidence related to other hypotheses. This sort of unintended neglect can result in the researchers favourite hypothesis having an unjustified causal weight (George and Bennet 2005:217).

Keeping the danger of confirmation bias in mind, it will be interesting to see how, and if, the interviews done in Tromsø relates to the literature about the conflict or the opinion pieces. Hypothesizing and speculating about motives or reasons offer difficulties, and not only due to confirmation bias. When dealing with controversial topics such as *who is Sámi*, actors may find it best to not disclose certain opinions should they reveal something that carries risk of punishment, be it social, political or symbolic. By this I mean loss of political capital, social reputation etc. Therefore it is important to keep in mind that when human agents are actors, they may try or succeed in concealing casual processes(George and Bennet 2005:207).

A successful concealment of a casual process would have a significant impact, but an impact the researcher might never realize. This is because data obscured from the researcher is by its very nature something the researcher is not aware of, resulting in it becoming an «unknown unknown», something a researcher does not know of something he or she does not know. What can be done to counter this problem?

A possible solution presents itself by identifying and examining what is known as key decision points. This phrase pertains to the importance of the choices made by policymakers in moments of key decision-making(George and Bennet 2005:213). In the analogy of the detective, in a situation where the detective is facing problems properly identifying possible motives of suspects, knowing choices they made on key decision points will surely help. Moreover, if a researcher has access to more than one key decision points, analyzing patterns become easier. Although it does not in a direct sense help with finding data concealed from the researcher, it can be a valuable remedy.

In case studies with less data than what might seem prudent, defenders of process-tracing make themselves heard. The defense is one that acknowledges the small quantity of data, but counters with the phrase «not all data are equal»(Brady, Collier 2010:209). While not a dismissal of criticisms raised against the method, the phrase does make a valid point. It is not necessary with many small pieces of evidence to base an argument for a hypothesis if the researcher is presented with incontrovertible evidence, «a smoking gun». What should be in focus at such a time is the relationship between evidence found in data, and the hypotheses previously postulated(George and Bennet 2005:219).

Whilst all data are not equal, the probability of always finding what amounts to a «smoking gun» is far from likely. A beneficial aspect of process-tracing is its ability to identify singular or plural causal paths to an outcome(George and Bennet 2005:215). Moreover, the method is also suited to discover if the subject of research have equifinal characteristics, otherwise known as «multiple

convergence»(ibid). Some case studies employ process-tracing as to supplement the analysis and processing of data alongside large-N statistical analyses. The reason for this is two-fold. First, large-N analyses focus on larger numbers and therefore can run the risk of ignoring deviant cases without uncovering *why* the case was deviant. Process-tracing allows the researcher to focus thoroughly on a deviant case and add one's findings to the general theory. Secondly, a large-N statistical analysis is likely to ignore or miss the signs of equifinality, due to its tendency to settle for the probability of only one causal path(ibid). Perhaps this is most forcefully stated in this quote from *Case Studies and Theory Development in the Social Sciences*:

«Process-tracing is particularly useful for obtaining and explanation for deviant cases, those that have outcomes not predicted or explained adequately by existing theories»  
(George and Bennet 2005:215)

Nonetheless, the three Sámi parliaments does not fall under the category of a large-N, but the answer to *why is there a difference in criteria among Sámi electorates in Norway, Sweden and Finland?* might very likely be one marked by equifinality. This is important, because when faced with several competing hypotheses it can be problematic to choose which to discard. By applying process-tracing in case studies one will be able to exclude some of the speculative explanations(George and Bennet 2005:220).

If tasked with a single case, for example a deviant case as mentioned above, the method can vigorously question the necessity or sufficiency of the variables presented. In such singular cases it is within the capability of process-tracing to disprove if a variable is necessary or sufficient for an outcome(ibid).

Process-tracing have two constraining factors that limit its applicability in certain scenarios(George and Bennet 2005:222). To properly explain the first, we return to the analogy of the detective, piecing together clues about suspects and motives. If the case were to be taken to a metaphorical court, the district attorney in the analogy would set some empirical demands for the detective. Meaning that if the detective cannot establish an uninterrupted causal path linking the alleged cause to the observed outcome, it remains a potential causal path and not an established one(George and Bennet 2005:218).

Failure to provide an uninterrupted causal path does not necessarily refute the value of a hypothesis, but it weakens it, both in the eyes of a metaphorical court and the scientific method.

To summarize the first constraint, a quote from *Case Studies and Theory Development in the Social Sciences* is suitable

*«When data is unavailable or theories are indeterminate, process-tracing can reach only provisional conclusions»*

(George and Bennet 2005:222)

The second constraint relates to what was discussed earlier concerning process-tracing and equifinality. What if the researcher is faced with more than one hypothesized causal mechanism, where all hypotheses seem to fit the evidence collected? The challenge then becomes to make a decision regarding the nature of the hypotheses. Should some be discarded as spurious and others as causal? Are they complementary to one another?

This is just the first aspect of the second constraint, as the second seems to complicate things further. When a researcher has competing hypotheses that all appear to have some explanatory power, it raises another question. Is it possible that the hypotheses are describing the same case, but from different perspectives?

Lastly, if using studies done by other researchers, the studies might be competing for the right answer, but they might also disagree on what is fact in the case(ibid).

In summation, with regards to the main method of the thesis, the following should be noted. Process-tracing offers an interesting approach in case studies and qualitative studies in general. While there are weaknesses in its very design, as it is dependent on getting the right data to correctly establish an uninterrupted causal path, it does contain remedies for this problem. Although a relatively new method in gaining recognition, its rise is allowing disciplines within academia to come together in a methodological middle ground(George and Bennet 2005:223). Both scholars of history and political science can apply the method to investigate, speculate and research historical events and the case studies within them.

All of this, especially the previous sentence, is why process-tracing is a method well suited for this thesis. Researching a topic that stretches both geographically, politically and temporally a flexible and curious method is required. With the main method explained, we continue to the complimentary method intended to capture the human aspect of the research topic; semi-structured interviews.

## **Interviews**

In this part of the thesis, the method behind the interviews conducted will be explained, together with its roots in academic literature on interviews. With the method and the literature behind it laid out, a discussion revolving the benefits and drawbacks that use of the method entails will follow. While literature, opinion-pieces and statements on paper can offer insight as to what a person values and where they stand on issues, these forms of data are all second-hand. If the objective is to

provide knowledge concerning how a person *feels* about a certain topic, a semi-structured interview conducted in person is of great use. Although one must acknowledge that all feelings are subjective, informed by preferences, desires, upbringing and worldview, in order to understand the debate around *who is Sámi* they are valuable. This is because the feelings held by a person will in many cases inform how they speak about a topic and what words they use. Simply put, people act on their feelings, although to various degrees. This is why a semi-structured form of interview focused on the respondents themselves explaining what they believe or feel, and why. The choice of method must be guided by what one wishes to research (Ryen 2002:21).

The method behind the interviews, meaning the step-by-step process of how respondents were approached, what kind of interview it was and how the interviewer presented oneself, relates to a semi-structured interview with a relaxed atmosphere.

Whilst working as a volunteer at a conference where several members of the Sámi parliaments would be present, time off was used to casually approach potential respondents, introduce oneself in a friendly manner and mention an ongoing thesis specializing in Sámi politics. They would then be asked if they wanted to give an interview, and when asked in return what the subject of the interview would be, the reply given was «Sámi electoral criteria». This approach of remaining casual, relaxed and friendly towards potential respondents was done with the intention of establishing myself as someone who wished to learn from them, and to signal that the interviews themselves were of an open character based on curiosity. Before starting the interview the respondents were asked if they consented to a recording device being used, in order to ease the task of transcribing the interview later. They both consented.

The interviews were conducted in Norwegian, therefore quotes or statements to be used will be translated. Should a particular sentence offer ambiguity in how it should be interpreted, the excerpt will be available in Norwegian as well.

The two respondents that were interviewed during the conference were both affiliated with the Sápmi, yet in differing ways, both professionally and ethnically.

The first is Christina Henriksen, a member of the Sámi parliament belonging to the largest party, the NSR. A woman of 27 with both ethnic Sámi and ethnic Norwegian heritage, she grew up in a coastal town in Northern Norway where assimilation policies have had more extensive effects than in the interior of Sápmi. The interview took place in the University cafeteria during a break from the conference, and lasted about 40 minutes.

The second, Torvald Falch, is a senior consultant for the Norwegian Sámi parliament working in

their offices in Tromsø. He is a non-Sámi Norwegian and is from Northern Norway. In addition to working for the Sámi parliament in Norway, he also writes and contributes academic literature on Sámi politics. The interview took place in his office at the house of the Sámi parliament in Tromsø and lasted about 1 hour.

### **Semi-structured interviews**

With the various types of interviews ranging from completely to little or no structure, the semi-structured interview is positioned in the middle on this broad spectre(Ryen 2002:15). This entails a form of interview where the structure is loose, yet has a silver lining with regards to the topics that are touched upon(Ryen 2002:99). The questioning itself is can be in the form of open-ended questions, or in other cases the interviewer will simply mention a keyword or phrase, and let the respondent share his or her thoughts on the subject matter.

This gives more freedom to the respondent in how it wishes to answer, as there is less framing than a question posed in a thoroughly structured form of interview. A strict set of questions and an form of interview that does not accommodate answers «outside» of the expected, has the clear risk of blinding a researcher to phenomenon's important to respondents, or if not unable to see then possibly misinterpret(Ryen 2002:97). As is the case with the interviews conducted about Sámi electoral criteria, a too strict guide of questioning could be detrimental, as one of the most important parts of these semi-structures interviews was simply listening to the respondents explain their worldview and why it was such.

That said, a form of interview that is too loose with its structure may just as well be blinded or misinterpret phenomenon's important to the respondents. This is because being open for everything can lead to collecting vast amounts of superfluous data(ibid).

A semi-structured interview tries to balance between these two forms, having a set list of topics for discussion, but remaining adaptable. An example of this is re-arranging the order of questions posed, should a topic originally designated for later in the interview, be mentioned earlier on. Within semi-structured interviews there are different paths a researcher can follow, which leads to differing sorts of interviews.

An important distinction to make regarding these interviews revolve around the nature of their purpose. The interviews conducted are what is known as explorative, meaning that they seek to explore what is known about the topics(Ryen 2002:98).

The explorative semi-structured interview is suitable to use regarding Sámi electoral criteria, as the intention was to capture the human aspect of this issue. Additionally, there is an advantage of not

depending on any specific response to deny or confirm hypothesized opinions held by respondents. Data collected from interviews are primarily for supplementing the written arguments and driving the discussion forward. However, this explorative approach has its weaknesses, in that the interview could easily be lead off-topic or into areas that are not relevant to the issue. Throughout the interview an effort was made to stay on point, yet refrain from steering the response itself. This can be exemplified by allowing a respondent to finish talking, and asking the question again, but this time more specified concerning an area left unanswered.

## Ethics

Within academia, besides striving for universality, objectivity and good research methods, there is the ethical aspect of it all. This commitment to maintaining an ethical standard entails posing oneself some important questions before starting ones research. What am I researching? If the research includes people, could their participation in any way be detrimental to themselves? Have they truly understood what it could mean to be a part of the research? Can the thesis, article or book be damaging to a vulnerable group?

These, and more questions, must be asked beforehand as to maintain and safeguard the academic, ethical standard. This thesis revolves around keywords such as indigenous politics, indigenous people, ethnicity, identity, exclusion and inclusion. Therefore, it is wise to approach the subject with caution and level-headed. As the majority of data are public documents, opinion-pieces in media or official statements made by relevant actors, it is safe to say that this data can be used. However, this does not mean one shouldn't be vigilant in avoiding that data are framed in ways that are leading or half-true. During the analysis, a clear separation will be made between facts and interpretation of these.

Before conducting interviews, permission must first be granted by *Norsk Samfunnsvitenskapelig Datatjeneste*(NSD). The process of obtaining permission consists of sending an application where the project is explained. The application is then processed by NSD, either denying or granting permission. Along with obtaining permission to conduct interviews one must commit to certain conditions, as to ensure the ethical standard is maintained. In the case of these semi-structured interviews, the conditions revolved around informed consent, the rights of the respondents regarding use of the data, and a signature granting permission to use the data collected from the interview.

What is informed consent in this case? In simple terms it is explaining the project, the research question and what the data will be used as, to a respondent. Additionally, respondents must be



informed as to what will happen to the data after the project is over, in this case this meant deletion. The rights each respondent consists of censorship and withdrawing from participation. Each respondent has the right to be censored if desired, and at any time without giving a reason, withdraw from the project. The latter right still holds even after signing a permission form, and means the data cannot be used.

Lastly, the permission form that required a signature, which was signed during or after the interview. On this form information required for informed consent, and the rights of a respondent, were also included.

To summarize, process-tracing will be the main method used in the thesis, as it suits the task of explaining phenomenon while handling large amounts of qualitative data. To understand the human aspect of the research question, and supplement data for the thesis, semi-structured interviews will be conducted. The application of both of these methods will enhance the thesis, by approaching the research question «*why are there different electoral criteria for Sámi parliaments across the Nordic countries*» from different angles. With the ethical framework of the thesis explained, the chapter on method concludes, and moves onto the main chapter of *analysis*.

## Analysis

This chapter is divided in three parts, or sub-chapters. First, the general history of the Sámi since the 15<sup>th</sup> century until today. In this part, the different groups of Sámi, and where in Sápmi they hail from, will be explained. As we chronologically move towards the present, the focus of the chapter will shift towards the birth of Sámi political history, from assimilation to inclusion. The sub-chapter will end on Sámi political empowerment, when majority population public opinion shifted in their favour, and the present state of the three Sámi parliaments.

Second, the Sámi electorates and their criteria are to be analyzed. A presentation of respective sizes of the electorates will be accompanied by number of constituencies, members of parliaments and demos. From there the criteria themselves will be examined, and the differences among them will be explained. First the differences between the two sets of objective criteria, the reasoning behind them and their practical application. Then the subjective criteria, along with what the difficulties a subjective standard entails and how it is applied practically.

Third, and finally, the open conflicts and dormant problems in Sápmi. This sub-chapter is divided into two parts, open conflict and dormant problems. The former revolves around the conflict between the Lappalais-movement and the Sámi members of parliament that does not want to include them in the electorate. Coupled with an analysis of arguments put forth from both sides, the *open conflict* will end on the Finnish court's decision to involve itself with electoral criteria. This is where dormant problems will pick up, examining Article 27 of the Convention on Social and Political Rights, and how it relates to the conflict around exclusion from Sámi electorates. Of particular importance will be the question of whether a Sámi Parliament can be said to represent the state.

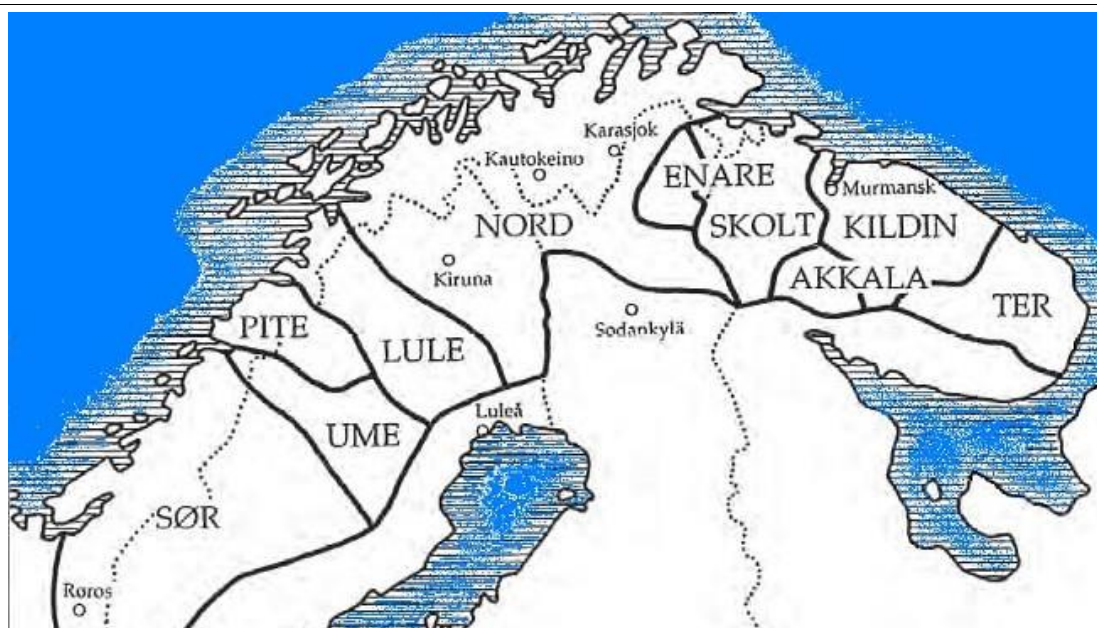
With all of this in mind we move on to the first part of the chapter, *the history of the Sámi*.

## History of the Sámi

The territory today known in the Sámi language as Sápmi, their homeland, was since medieval times divided or contested amongst primarily three states. Norway, later becoming Denmark-Norway, Sweden and Novgorod, later becoming Russia, have all three laid claim to various parts of the area the Sámi call their homeland. Within Sápmi, and the Sámi people, there are different groups of Sámi with their own differing accents or variations of the Sámi language.

On the issue of deciding whether to call the variations *languages* or *dialects*, I have decided to use both interchangeably. This decision is based on the example set by Lars-Gunnar Larsson, a professor on Finno-Ugric languages from the University of Uppsala in Sweden, stating that the only reliable distinction between *language* or *dialects* is politically based(Larsson 2012)

Depending on which source one uses, there are differing amounts of dialects or languages. Although there are six different written forms of Sámi, not every dialect of Sámi has its own written standard(ibid). The five in written form within the Nordic countries are *Skolte*, *Enare*, *Northern*, *Southern* and *Lule*. These five are half of the total 10 different Sámi languages(Sametinget 2016).



Figur 1 Sámi groups

Source: Norwegian government(Handlingsplan for samiske språk 2009:17)

As visible in the picture, the differing Sámi dialects are spread out across the north of the Nordic countries and the Kola Peninsula. With the vast geographical distances involved it is not surprising that variations within the Sámi language have evolved. The Sámi dialects used in Norway today are Southern, Northern and Lule. In Finland it is primarily the Sámi dialects of Enare, Northern and Skolte. Lastly, in Sweden Lule, Southern, Pite, Ume and Northern Sámi is spoken.

Coupled together with these variations in spoken Sámi is the sub-division within *which* Sámi group one belongs to. As illustrated, some Sámi communities have been closer geographically to majority populations, which meant that as assimilation policies started some Sámi were affected sooner than others. This point has had significant ramifications for certain Sámi living further to the south, amongst which the origins of the *Lappalais*-conflict has its roots according to said movement.

An example of how geography and distance have saved some Sámi communities, while doomed others, can be seen by looking at the north of Norway. In coastal areas easily accessible during the 19<sup>th</sup> century by boat, assimilation policies were more successfully implemented than in inland-areas such as Karasjok or Kautokeino.

Certainly, living on land claimed by more than one state can, as history has shown repeatedly, offer a wide range of problems. The contestation of territory among the states of Denmark-Norway, Sweden and Russia, led to Sámi tribes ending up in the precarious situation of being taxed by more than one state, as the borders between states were unclear(Stepien, Petrétel, Koivurova 2015).

This unfortunate situation was rectified by an agreement on settling the borders between Denmark-

Norway and Sweden in 1751. From that moment, there would be no more ambiguity on which state had the right to tax the various Sámi tribes. Part of the border-treaty of 1751, was the «Lapp codicil», which mentions and outlines special rights of the «Sámi nation».

However, the finalization on where the borders would lie, together with the attempt for rectification, would come to have serious ramifications for the Sámi populations across Sápmi. The new borders were not drawn based on the Sámi nomadic lifestyle, which required regular movement of the reindeer herd in order to keep them fed. The introduction of these borders started changing the migration patterns of reindeer herders, putting pressure on the nomadic lifestyle(Stepien, Petréttei, Koivurova 2015)(NOU 1984:77). Norway and Finland closed their common border in 1852, and Sweden and Finland in 1889(Bjerkli and Selle 2015:364). Sámi tribes and societies were divided on differing sides of the border, and no longer able to freely cross the border(Stepien, Petréttei, Koivurova 2015).

The tribes which until now had been Sámi, were suddenly thrust into being Swedes or Norwegians, and given increasingly more attention in a harmful way. Experiencing the foundation of the modern nation-states, the Sámi groups within Norway or Sweden came to be exposed not only to religious education, but also linguistical(íbid). The Sámi languages or dialects were to be tossed aside in favour of Swedish or Norwegian. With this process of «civilizing» the Sámi, the long-lasting policies of oppression and assimilation had begun.

Whilst the policies of both Norway and Sweden were indisputably damaging to Sámi way of life, language and culture, the policies of «civilizing» or assimilation differed in some ways. Sweden took a two-pronged approach towards the Sámi(Justis-og-politidepartementet 2007:250). There it was decided that the Sámi living as reindeer herders, in so-called «Sámi cities», were to be left alone. The reindeer herders were thereby deprived of many opportunities the modernization of Sweden offered, such as technology or education(íbid).

The Sámi in Sweden that did not live in «Sámi cities» or practise reindeer herding, were exposed to assimilation policies through religious and linguistical re-education. This process of «Swedification» was part of a nation-building process many national-states underwent at that time, for a number of reasons. Ensuring unity, social coherence, educating citizens in a manner suitable to the state, or in the case of Norway, securing the northern counties.

Similarly to Sweden, Norway implemented laws and policies to ensure that everyone living in the northern counties were taught Norwegian and the Christian religion. During the 19<sup>th</sup> century Norway experienced a re-birth of national consciousness during its person union with Sweden.

Norway was seeking to build its national identity separate from Sweden, and this brought the attention of the state towards the identities of its citizens, particularly those in the north. Norway is a prime example of what happened to the Sámi, and where the main focus of Sámi history and political awakening will be until we arrive chronologically to the 1950's.

The 19<sup>th</sup> century had seen waves of immigration into the county of Finnmark, where new land to farm was available for purchase, from primarily southern Norway and Finland(Selle, Semb, Strømsnes and Nordø 2015:42). The Norwegian government feared that the Finnish settlers would weaken its hold on Finnmark, or used as a justification to seize the northern provinces from Norway. Additionally, there were both important strategic and economic considerations for securing the county of Finnmark(Selle, Semb, Strømsnes and Nordø 2015:39). These waves of immigrants sought to farm the land in a way that conflicted with the existing nomadic reindeer herding lifestyle of the Sámi, putting even more pressure on their way of life(Selle, Semb, Strømsnes and Nordø 2015:42).

The Finnish immigrants, called «Kvens», were seen as potential disloyal citizens. The reasoning behind this suspicion was partly rooted in the fact that Sweden had lost Finland to the Russian Empire in 1809, which meant Finland was now a Grand Duchy and part of Russia(Selle, Semb, Strømsnes and Nordø 2015:44). Compared to Norway and Sweden, the Sámi in Finland fared much better in spite of assimilation attempts as well. In contrast to the two former countries, the assimilation practices in Finland toward the Sámi communities were implemented slower, and did not follow a specific policy until later(Stepien, Petrétei, Koivurova 2015).

Alongside the Finnish immigrants, was an already existing population of Sámi who had lived, and migrated, across the various Nordic borders for centuries. The Norwegian state speculated that the Sámi living in Norway could not, as they also thought of the Kvens, be trusted as loyal to Norway. This nurtured an image of Sámi and Kvens as potential fifth columns, standing in the way of national unity by being a foreign element and a hindrance(ibid).

The Norwegian state in the 19<sup>th</sup> century created its own policy specifically toward these populations, yet never included them in the process of shaping policies. The Sámi in the eyes of the Norwegian government, was a «problem» that had to be «solved»(Bjerkli and Selle 2015:16).

Thus, for these reasons «Norwegianization» was implemented, in many cases by force. What this entailed, in practical terms, for the Sámi varied. What all the policies had in common was their detrimental effect. Ranging from boarding schools where Sámi children were forced to only speak

Norwegian((Selle, Semb, Strømsnes and Nordø 2015:47), to instilling an attitude where Sámi-ness was synonymous with shame and cultural underdevelopment. By combining these two destructive forces, Norwegian authorities accomplished in large amount of cases their goal. Sámi citizens in Norway would in large numbers come to lose their languages or accents, culture and traditions through generations of assimilation policies.

While «Norwegianization» of the Sámi in Norway was intensifying at the beginning of the 20<sup>th</sup> century, another disenfranchising policy towards the Sámi was implemented. A new law regulating sale of land in Finnmark from 1902, was built on the premise that land would be sold to those who could speak, read and write Norwegian on a daily basis(Justis- og politidepartementet 1994:94-95)(NOU 1984:78). This had a two-fold intent of attracting ethnic Norwegian settlers from the south, and incentivising Sámi speakers to use Norwegian. It is however unclear to what extent this law was enforced, and what role it played in the disenfranchisement of Sámi in Norway(Selle, Semb, Strømsnes and Nordø 2015:49).

During these years, some small, but incremental progress was made by the Sámi. In the year of 1910, *Muitalus Sámiid birra*, the first book written in Sámi in Norway was published(Forskning 2010). Preceded by this was the establishment of the newspaper *Sagai Muittalægje* in 1904, a newspaper written completely in Sámi(Selle, Semb, Strømsnes and Nordø 2015:48). Coupled with this was the presentation of *Sami soga laula*, the song of the Sámi people, today commonly known as the national anthem of the Sámi(ibid).

These steps would come to plant important seeds that would bloom later in the 20<sup>th</sup> century, around 1980 when the political mobilization of the Sámi movements began in full force. An indicator of how important these first publications, songs and political meetings were can be seen today every February 6<sup>th</sup>. This was the date for the first meeting between north and south-Sámi organizations of Sweden and Norway in the year of 1917(Herb and Kaplan 2008:1616)(Selle, Semb, Strømsnes and Nordø 2015:48).

As the first steps of Sámi political mobilization was taking place across Norway and Sweden, the effects of the former country's assimilation policies becomes clear when looking at population censuses. The background for this is that between 1845 and 1930 several censuses were conducted to count the number of Sámi and Kvens in Norway. In the censuses the two groups are sometimes counted separately and at times by using the common denominator «Lappisk». This is a reference to the area Lappland, an area that is part of Sápmi. The data are lacking in their comparative ability because the definition of «Sámi» or «Lappisk» have changed throughout the times(Selle, Semb,

Strømsnes and Nordø 2015:51).

What is telling is that the number of registered Sámi went down even though the number of actual Sámi in the Norwegian population did not. As previously mentioned, these are a visible effects of the cultural re-education embedded in assimilation policies, where Sámi-ness was associated with shame or a «lesser identity».

This view of inferiority towards the «foreign elements» continued until the 1930's, when a change occurred and a distinction was made. The Sámi were viewed as indigenous and in need of civilizing, while the Kvens were the «foreign elements» that most urgently needed assimilation. An example of this change is visible in educational policy. The language of the Kven was no longer permitted to be used as aid in classrooms, while the restrictions on use of Sámi were eased(Aarseth 2006:9).

At the beginning of the 1940's Norway was occupied by Nazi Germany, which during the closing years of the war fought a fighting retreat against the Soviet Union through northern Norway. Intent on denying the Soviet Union any person, material or food that could be of use, the German army employed a scorched earth-policy. This laid waste to the entirety of the counties of Finnmark and Nord-Troms(Bjørklund 1986:35).

Finland, which had been allied with Nazi Germany in the Continuation War, a conflict than ran simultaneously with the Second World War, was also the victim of scorched-earth. As the German Army retreated to the north in the direction of Norway, many Sámi in Finland lost their homes or property to the flames(Herb and Kaplan 2008:1616).

Alongside the destruction of property in Norway, was the evacuation of civilians to the south, which meant that the Sámi and Kvens were evacuated together with the ethnic Norwegian population. This deprivation of home, property and privacy meant that for the Sámi, the task of maintaining their language became even harder. Moreover, the immense destruction of property and homes also erased architecture, symbols and other signs of cultural difference(Bjørklund 1986:35).

With the end of the Second World War, came the beginning of the end of assimilation policies in the three Nordic countries. In Norway's case, the preceding decades of fear that Sámi and Kvens would be a «fifth coloumn» and disloyal to the state, had been unfounded(Eriksen and Niemi 1981:323). Several reforms were made in the educational system aimed at strengthening the Sámi language, such as bi-lingual textbooks and a common northern Sámi written language with Sweden.

During the rebuilding of the north, standardization of houses and farms rebuilt meant that they were built in a manner reflecting the majority culture, thereby seemingly washing away all signs of ethnic divides(Bjørklund 1986:35). The occupation and subsequent evacuation had fostered a sense of

unity among people that was independent of ethnic or cultural heritage.

All three countries were in the post-war years focused on building welfare states, where all would be cared for from cradle to the grave. The new regional policies that were implemented to foster growth and employment, did in many cases result in centralizing populations in fewer locations. For peripheral areas where Sámi had lived before, this entailed de-population and the traditional Sámi lifestyle suffered, particularly Sámi living by the sea. However, unlike most historical examples where Norway is the worst-case scenario, it was in Finland and Sweden that the effects were the strongest(Bjerkli and Selle 2015:56).

Despite the ongoing, although now mostly unintended, weakening of Sámi communities, an important change in mode of thought had happened across the Nordic countries. Most important of all was amongst the Sámi themselves. As previously mentioned, the seeds of Sámi political awareness had been sown early in the 20<sup>th</sup> century, and now they were sprouting in full force. Samii Litto, in English the Sami Union, was a Finnish Sámi organization founded in 1945(Herb and Kaplan 2008:1616). Although unsuccessful in gaining much momentum, more political action would follow. To quote former undersecretary of the Norwegian state, Anders J. H. Eira:

*The organized Nordic Sámi-cooperation was started with the Nordic Sámi-conference in Jokkmokk in 1953, and institutionalized from the Nordic Sámi-conference in Karasjok in 1956.*

(Regjeringen 2003). The quote was translated from Norwegian to English.

From 1956 and onwards, the Sámi political movement would focus on their claim to natural resources, land rights and cultural heritage. The official establishment of the Sámi Council in 1956 demonstrated that politically, the Sámi were now active on the international scene(Stepien, Petréttei, Koivurova 2015). Additionally, the year of 1956 saw the Norwegian government name a committee on the Sámi, with the mandate to investigate the societal aspects that relate to the Sámi. The committee were to make specific suggestions on how, economically and culturally, the Sámi could prosper and be a part of society(Kirke og undervisningsdepartementet 1963).

The committee attempted to balance the goal of strengthening the Sámi language and culture, with securing their economic, social and political integration as citizens in the growing welfare state(Larsen 2012:75). As these two goals could appear somewhat contradictory, this was no easy task. The committee was duly criticized both for suggesting a «reservation policy» that would leave the Sámi on the outside of the welfare state, but also for not doing enough to strengthen Sámi



culture and language(ibid)(Aarseth 2006:38).

Furthermore, the committee on the Sámi met resistance from the non-migratory Sámi, due to their suggestions on how to re-vitalise the Sámi language. This was an indicator of disagreement within the Sámi political sphere, on what the future for Sápmi should hold. At a meeting in Karasjok in 1960 the «Easter-resolution» of 1960 was passed, where a plurality of Sámi present stated that they did not want a committee solely for the Sámi. They did not desire special rights or obligations as Sámi, nor did they feel separate from the rest of the country's population(Kirke- og undervisningsdepartementet, appendix 1).

It is important to note that there was opposition from Sámi towards strengthening Sámi language and culture, in order to understand the rivalry between the two organizations that would represent Sámi in Norway. Moreover, it is also important to put in context that the «Easter-resolution» and the rejection of special rights as Sámi is related to decades of assimilation policies.

In Norway, the National Association of Norwegian Sámi(NSR) and Norwegian Sámi Union(SLF) were founded in 1968 and 1979 respectively(Herb and Kaplan 2008:1616). Both of these fought for enfranchising the Sámi and protecting their rights, both economically and culturally. However, there were some differences between the two organizations from the outset, that would be made visible during the 1980's.

As the political awareness of Sámi across the Nordic countries grew, so did the level of enfranchisement. The first country to see Sámi representative democracy established, was Finland in 1973 through the Sámi Delegation(Stepien, Petrétei, Koivurova 2015). This was a popularly elected body of Sámi by Sámi, that could bring issues of importance to the Sámi into the spotlight. The establishment of the Sámi Delegation had ripple effects, as both Sweden and Norway started paying more attention to the Sámi political sphere, specifically the question of land rights(ibid).

The rights to resources and land were, and still are, of particular importance to the Sámi. During the following years public opinion in Norway saw a big change, primarily through the conflict about whether to build a hydro-electric dam in the Alta river or not(Selle, Semb, Strømsnes and Nordø 2015:64). Large protests against the hydro-electric dam sparked national interest, in which the conflict in many cases was personified as the indigenous Sámi against a powerful state. Protesters chained themselves together, and Sámis dressed in their traditional garments went on hunger strikes outside the national parliament, as visible in the picture. The differences among NSR and SLF would surface during the public debate. On one side, the NSR emphasized the rights of Sámi as an indigenous people, while on the other, SLF maintained that their opposition was based on their citizenship as Norwegians, rejecting all potential privileges as Sámi(Bjerkli and Selle 2015:64-5).



*Figur 2 Sámi hunger strike*

As the conflict about the Alta hydro-electric dam progressed, another legal issue of importance to the Sámi was unfolding, this time in Sweden with the Taxed Mountain Case(Stepien, Petrétei, Koivurova 2015). The herders of reindeer would move their herds seasonally from winter to summer, specifically into the Scandinavian mountain range that lie between Norway and Sweden. Most of the areas in or around the mountains was property of the state, but Sámi plaintiffs challenged this.

They argued that their continual use of the land since time immemorial meant that they had right to ownership of these non-privatized areas(Allard, Skogvang 2015:95). The case was taken to the Swedish Supreme Court, where the judgement was in favour of the Swedish state and their ownership of the land. However, another part of the judgement also recognized that reindeer herders had usufruct rights on the areas in question, where reindeer herding had been a traditional way of life(Stepien, Petrétei, Koivurova 2015). Additionally, the court stated that this right belonged to the Sámi people, and cited the Reindeer Herding Act of 1886(Allard, Skogvang 2015:95).

The outcome of these legal battles were political momentum, which in the case of Norway in 1990, resulted in ratification of the International Labour Organizations(ILO) Convention number 169, on

rights of indigenous and tribal peoples(Stepien, Petrétei, Koivurova 2015).

Sweden did not ratify the convention nor did Finland, yet in the latter country there have recently been much debate about a potential ratification(NRK Sápmi 2015).

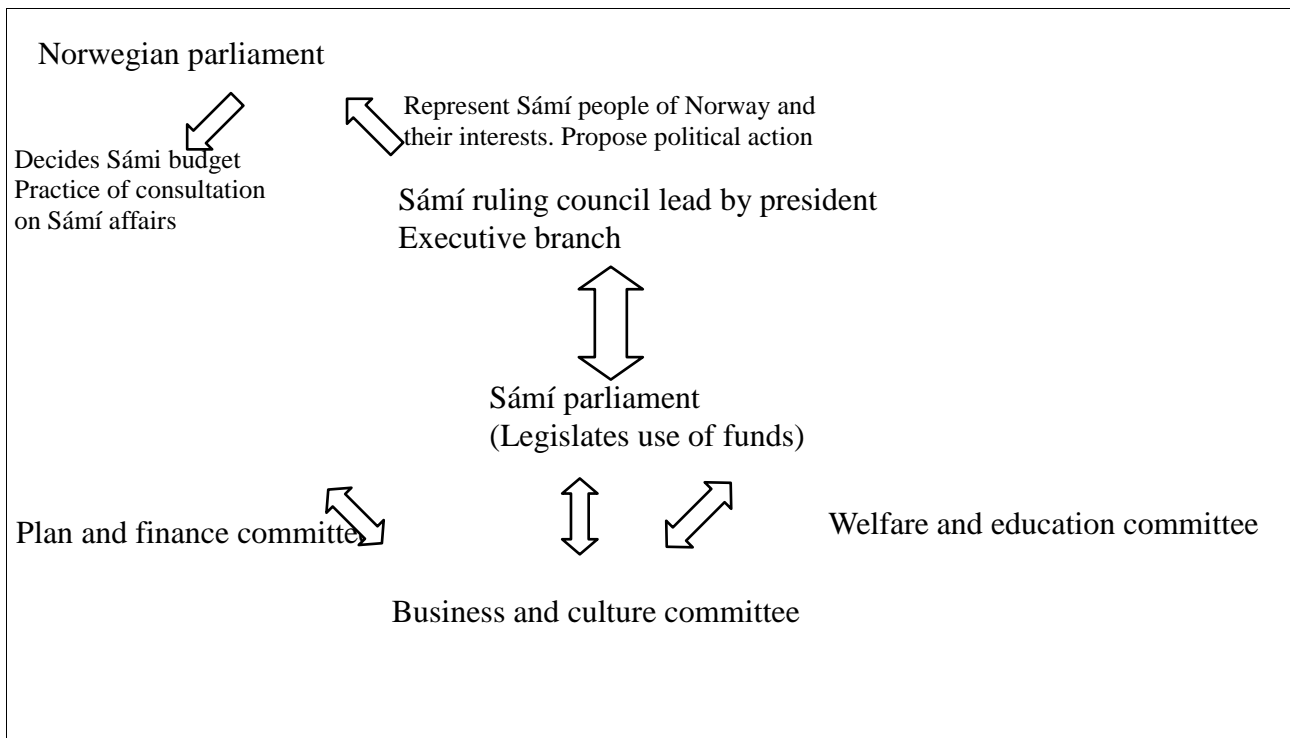
An agreement all three countries have agreed to is the United Nations International Covenant on Civil and Political Rights, with Sweden first in 1971, Norway in 1972 and then Finland in 1975(UN 2016). This treaty is to safeguard minorities from persecution by the state, and it is particularly Article 27 that is of importance in the context of Sámi electoral criteria. We will return to this article later in the chapter. In addition to this, there were in the following decades political victories for the Sámi movement on constitutional scales.

Sweden recognized the Sámi as a separate people in 1977(Sametinget.se 2014). The Norwegian Constitution was changed, to state that the nation of Norway was founded on the land of two peoples(Barne-og Likestillingsdepartementet 2009). Finland acknowledged in 1996 that the Sámi was an indigenous people, guaranteeing linguistical and cultural autonomy in the region where the Sámi are native(Ministry of Justice, Finland 1999).

### **The Sámi parliament in Norway**

After an official rapport recommended greater Sámi influence over Sámi matters and a representative body for the Sámi, the Norwegian state passed the Sámi Act in 1987. The Sámi Act was hailed as a great victory by the NSR, and opposed by the SLF, echoing the «Easter resolution» of 1960 and its opposition to a separate Sámi political establishment(Selle, Semb, Strømsnes and Nordø 2015:68). In a survey from 2006 almost half of the respondents, Sámi not enrolled in the electorate, answered that they had not enrolled due to being opposed to the Sámi parliaments existence(Selle, Semb, Strømsnes and Nordø 2015:157).

The representative body is organized in a parliamentary fashion, where the executive branch consists of five members from the Sámi ruling council, and the legislative is the Sámi parliament itself(Selle, Semb, Strømsnes and Nordø 2015:70).



Figur 3 Sámi parliament of Norway

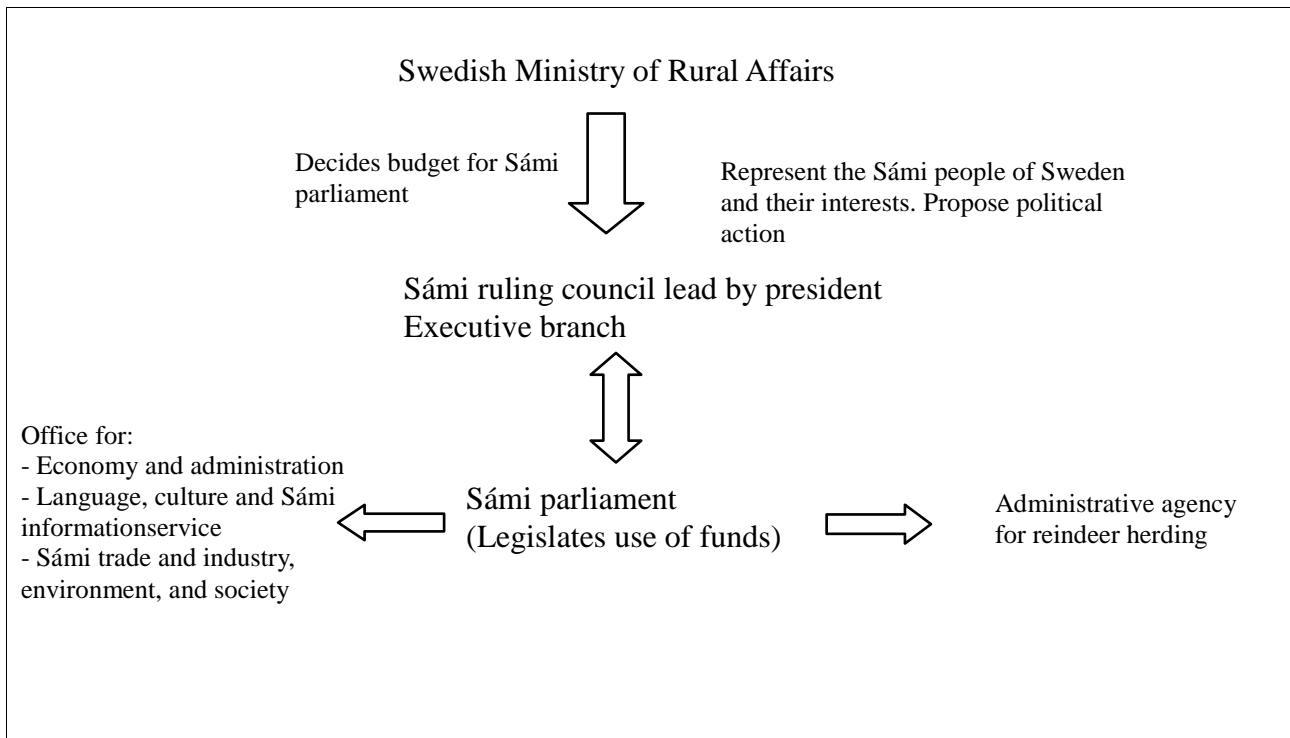
The Norwegian Sámi parliament is not autonomous, but has an advisory role in cooperation with the national parliament. Both national and Sámi political parties are permitted to participate in the elections (ibid). The tasks of the parliament consists of are things that particularly affect the Sámi people, allocate funds for Sámi purposes, protect Sámi cultural heritage and develop educational material for teaching in Sámi (Stepien, Petrétei, Koivurova 2015).

The size of the budget allocated for 2016 is 433,6 million NOK, or 46, 8 million Euro (Kommunal- og moderniseringsdepartementet 2016).

### The Sámi parliament in Sweden

In the aftermath of the Taxed Mountain Case an important development happened politically in Sweden. This was related to Sámi political enfranchisement unfolding in Norway, and increasing awareness of the need to solve the question about the situation of the Sámi in Sweden. Previously, Sámi questions had been delegated to advisory committees, but during the early 1990's the Swedish state decided to establish a Sámi representative body. In what was coincidentally the international year for the world's indigenous people, the Swedish parliament in 1993 passed the Sámi Parliament Act.

Its organization consists of a parliamentary system where the parliament's plenary assembly elects a board, whose chairman is president of parliament. The Sámi parliament is a state agency under the Ministry of Rural Affairs (Sametinget.se 2014).

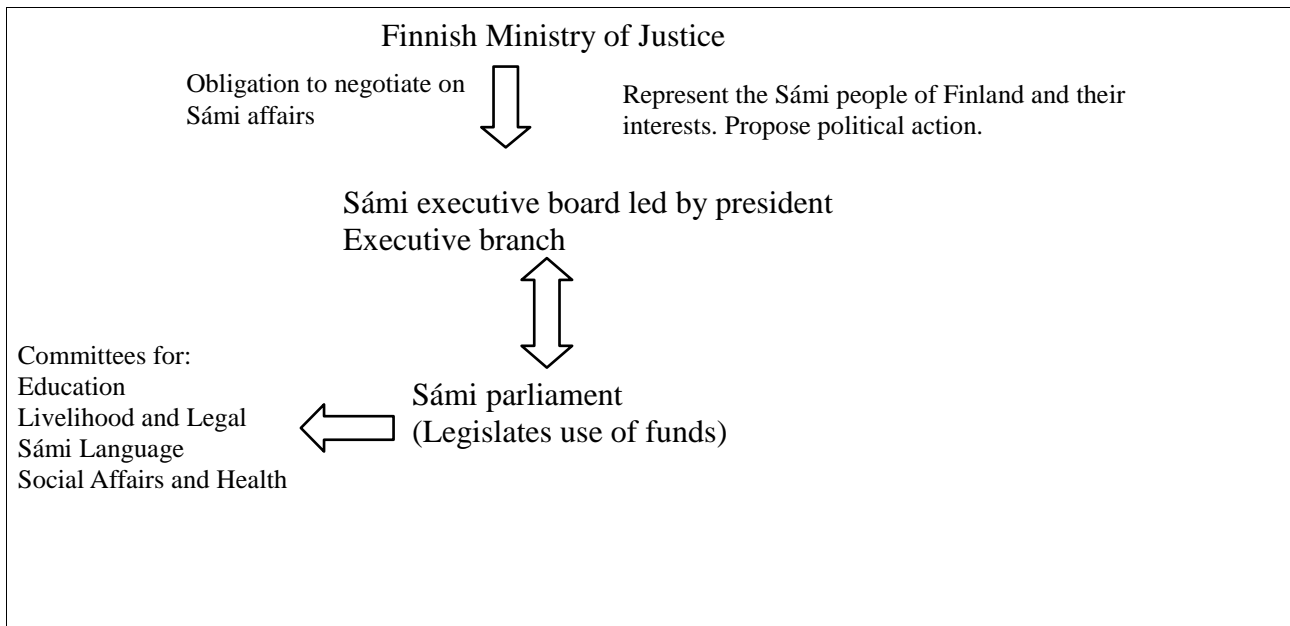


Figur 4 Sámi parliament of Sweden

The Swedish Sámi have refrained from cooperation with national parties, instead forming their own separate parties (Stepien, Petrétci, Koivurova 2015). The tasks of the Sámi parliament of Sweden mirror that in Norway, allocating funds for Sámi purposes, having the right of initiative and to propose measures and developing educational material for the Sámi language. Additionally, the parliament is the central administrative agency for reindeer herding, and is recognized as a government agency (ibid). The size of the budget allocated for 2016 is 225,8 million SEK, or 24,5 million Euro (Sametinget.se 2016).

### The Sámi parliament in Finland

Being the first of the Nordic countries to establish a political body for the Sámi, Finland was the last to officially establish a Sámi parliament. Although the Sámi Delegation had operated as an advisory body from 1973 to 1995 (Samediggi.fi 2015), the Sámi in Finland got their parliament in 1996. This was done through the Sámi Parliament Act, where the Sámi are stated to be an indigenous people with cultural and linguistic autonomy in the Sámi Homeland, an area of northern Finland (Stepien, Petrétci, Koivurova 2015). The parliament was to be elected and formed by the Sámi themselves according to the Sámi Parliament Act.



*Figur 5 Sámi parliament of Finland*

It is organized in the same manner as its Swedish and Norwegian counterparts, with a plenary assembly that elects an executive board, from where a President is selected (Samediggi.fi 2015).

Tasked with allocating funds for Sámi purposes, the parliament has the right of initiative, to make propositions and issue statements. The parliament operates under the Finnish Ministry of Justice (Stepien, Petréttei, Koivurova 2015).

The Finnish state is obligated by law to negotiate on several matters that are important, such as the management, use or assignment of state lands. Additionally, mining licenses and patents are also areas in which the state has to negotiate with the Sámi parliament, although this does not translate into actual veto-power (ibid). Judicially this means that the Finnish Sámi parliament stands the strongest among the three.

The elections are non-partisan meaning that there are no lists or parties represented. Individual candidates can be elected, with at least three representatives guaranteed for each of the four constituencies of the Sámi Homeland (Stepien, Petréttei, Koivurova 2015). The size of the budget allocated for 2016 is 6, 47 million Euro (Samediggi 2015).

In summary, the history of the Sámi is a history of trial, suffering and now, empowerment. A group of people consisting of sub-groups with respect to livelihood and language or dialects. As the north came under increasing control from the various Nordic states and their predecessors, the hardship of Sámi often grew. With historically inconsistent policies being enacted towards them, from

missionaries learning their language to boarding schools forcing them to abandon Sámi, much of the historical legacy is marked by disenfranchisement. As states became centralized so did solidification of national borders, often disrupting or separating Sámi communities and their livelihood of herding reindeer. Although the Sámi were no longer taxed by two or three states, they were increasingly exposed to attempts at assimilation, and viewed as inferior.

However, in spite of this there was progress. From the first newspaper published in the Sámi language to the first pan-Sámi political meeting in 1917, the fight for enfranchisement would come to grow. In the decades after World War Two, the pressure of assimilation decreased and gave way to new policies and fact-finding committees, aimed at including the Sámi and strengthening their language and culture. The first representative body for Sámi in Finland in the 1970's, would give momentum to the Sámi political movement.

In regards to public opinion in majority populations, the turning point would come in the 1980's, particularly in Norway with the Alta hydro-electric dam conflict. This public victory for Sámi rights led to the establishment of Sámi parliaments in Norway(1989), Sweden(1993) and Finland (1996). Although, as mentioned previously, the Sámi political movement was, and still is, politically heterogenous. Some Sámi voices or organizations, like SLF in Norway, opposed having a separate parliament for Sámi affairs. In the book "The Sámi Citizen", there is data indicating that people viable for enrolment in the Sámi parliament in Norway, have consciously decided not to enrol due to their opposition to the parliament.

Thus concludes the sub-chapter devoted to explaining the historical background of the Sámi, as we continue on to the topic that is the biggest source of controversy in Sápmi, the electoral criteria themselves.

## **Sámi electoral criteria**

This sub-chapter begins with a brief description of different numbers related to the three Sámi electorates, meaning constituencies, members of parliament, electoral population and potential demos. Then the differing sets of objective electoral criteria will be explained in relation to each other. The sub-chapter will conclude on the subjective criteria, with the difficulties often associated with subjective criteria demonstrated by real-life examples.

### **Norway**

The Norwegian Sámi parliament, which was the first to be established, is the largest of the three and 50

is located in Karasjok. When the first election was held in 1989, the electorate had a *demoss* of 5497 people. At this time, part of the objective electoral criteria were of the same scope as the criteria still are today in Sweden and Finland, setting the limit at grandparents. The Norwegian Sámi electorate has experienced growth since then, visible in the size of today's electorate. The most recent election, in 2013, had a *demoss* of 15005(Sametinget.no 2013).

As there have been no ethnic population registration for decades, it is unknown how many people in Norway could qualify for enrolment. The estimates vary between 50 000 to a 100 000, with half living within the borders of Norway(Falch and Selle 2015:4)(Stepien, Petrétei, Koivurova 2015), meaning a Sámi population of somewhere between 25 000 to 50 000.

Although the electorate has grown nearly three-fold in its 24 years of existence, it is possible that the lack of growth in recent years is because the electorate has reached its demographic potential(Bjerkli and Selle 2015:26).

The electorate for the Sámi parliament consists of seven constituencies, where six of the constituencies cover the area for traditional Sámi settlement in Norway, with the last covering southern Norway. The parliament is made up of 39 members, that are elected every four years(Sametinget.no 2013).

## Sweden

The Swedish Sámi parliament, the second to be established and the second largest in size, is located in Kiruna. The first parliamentary election in 1993 saw a *demoss* of 5390 people(Sametinget.se 2015), registered under electoral criteria that had the boundary one of its objective criteria at grandparents, which remain in place today. There have also been growth in the Swedish Sámi electorate, with today's *demoss* numbering 8322(ibid).

There is uncertainty of how many Sámi there is in Sweden, both due to intermarriages through the years, assimilation policies and a lack of ethnic registration. Some estimates puts the Sámi population at 15 000(Stepien, Petrétei, Koivurova 2015), which would mean that the Sámi electorate is close to reaching its potential *demoss*.

The Sámi parliament consists of 31 members that are elected every four years(Sametinget.se 2014). In contrast to Norway, the entirety of Sweden counts as one big constituency(NRK Sápmi 2013).

## Finland

The Finnish Sámi parliament, the last to be established and the smallest in size, is located in Inari. The dissolution of the Sámi Delegation took place in 1995 and the first Sámi parliamentary elections were held in 1996. This election was held with the same set of objective criteria as



Sweden and, formerly, Norway. The criteria remain in place to this day, and is a source of controversy due to the allegedly strict manner in which applications for the electorate are processed. There are some groups outside of the Sámi electorate that have expressed a desire to join the electorate and that they are being excluded, a topic we will soon return to. As previously mentioned it is hard to ascertain exactly how many Sámi there are, in Finland particularly due to the ongoing debate about electoral criteria and the definition of *who is Sámi*. An estimate put forward is 8000(Stepien, Petrétei, Koivurova 2015).

In the most recent parliamentary election in 2015, the *demos* had increased around 6000(YLE.fi 2015). The parliament is made up of 21 members that are elected every four years, with 12 of the seats reserved geographically. This system ensures that each of the four municipalities in the Sámi Homeland gets at least three representatives each, with the remaining nine elected by popular vote alone(Stepien, Petrétei, Koivurova 2015).

### **The electoral criteria - the two objective criteria**

In order to qualify for enrolment in any of the three Sámi electorates, an applicant must meet both subjective and objective criteria, with the latter divided into two variants. The applicant must pass the subjective, and, at least one of the two objective criteria.

What is meant by the first criteria being subjective, is that the applicant must self-identify as a Sámi. The second type of criteria are the objective ones, known as the linguistic-geneological and the register-geneological. These two comes in variations across the Sámi electorates, which will now be taken a closer look at.

The first revolves around the applicants or his/hers relatives, command of a Sámi language or dialect. If the applicant speaks Sámi, or Sámi was spoken at home during childhood by the applicant's family, he or she will be eligible. It is important to note, that should an adult identifying as Sámi learn the language as an adult, this will not suffice to meet the criteria(Bjerkli and Selle 2015:394).

Independent of this is the register-geneological criteria, which revolves around proven Sámi lineage through official documents. An applicant can meet this criteria by referring to older censuses where one's proven ancestors are counted as Sámi, or in older documents where one's family is registered as a «mountain, forest or fish-Lapp»(Stepien, Petrétei, Koivurova 2015)(Bjerkli and Selle 2015:395).

Although race or ethnicity is never explicitly mentioned, as it is not desirable to implement policy

based on these subjects, both objective criteria are set in such ways that relates to one's social background. A non-Sámi will most likely not learn Sámi at home during childhood, even if living in a Sámi populated area. Although centuries of intermarriage and mixing among Nordic and Sámi populations, a non-Sámi might not have his or hers ancestors registered as Sámi in censuses or taxation records. Naturally, the function of these criteria are by design, as one of the common intentions with the Sámi political project and its electorates is to enfranchise the Sámi politically, and to empower them in protecting their language and culture.

With regards to the electoral criteria, the point of contention for many is where to set the temporal limit for the both the linguistical-geneological and register-geneological criteria. This has led to a divergence among the three Sámi parliaments on grounds for enrolment, which in turn lead to different sets of electoral criteria and practices therein.

Although the elections are subject to national electoral laws, it is the three Sámi parliaments that control their electorate and criteria for admission(Stepien, Petréttei, Koivurova 2015). Part of what makes the situation in Finland so contentious is an historical decision by the Finnish Supreme Court to intervene in applications for the Sámi electorate, leading many Sámi politicians to question if they are truly independent in deciding *who is Sámi*.

Defining *who is Sámi*, and who can participate in Sámi elections, have become one of the most hotly debated subjects in the Sámi political sphere(Stepien, Petréttei, Koivurova 2015).

The various electoral criteria have affected each Sámi population differently, both in terms of size of their potential *demos*, and partly by how applications for joining the electorate are processed, depending on how strict or liberal the electoral regime is.

For each of the three Sámi parliaments, the criteria are as follows:

### Norway

Anyone who declares that they self-identify as Sámi, and is one of the following three. A person grown up with Sámi as a domestic language, a person with a parent, grandparent or great-grandparent with Sámi as a domestic language, or finally, a child of a person registered or former registered in the Sámi electoral register(Kommunal- og moderniseringsdepartementet 1987).

Previously the electoral criteria was limited to a grandparent, until it was extended in 1997 to include Sámi from areas in Norway affected the hardest by previous assimilation policies(Bjerkli and Selle 2015:397).

## Sweden

Anyone who declares that they self-identify as Sámi, and is one of the following three. A person grown up with Sámi as a domestic language, or a person with a parent or grandparent with Sámi as a domestic language. Finally, a child of a person registered or former registered in the Sámi electoral register, who's claim the electoral commission has not decided is invalid (Sametinget.se 2014). These criteria differ from the Norwegian Sámi parliament in that the limit for the linguistical-genealogical criteria is set at grandparent, and that it mentions the right of the electoral commission to remove people whose claim to be part of the electorate is judged invalid. Additionally, in the Swedish Sámi election, foreigners of Sámi origin who have been registered in Sweden for three consecutive years can also apply to be part of the electorate (Stepien, Petréttei, Koivurova 2015).

## Finland

Anyone who declares that they self-identify as Sámi, and fits into one of the following categories. First, a person who grew up with Sámi as a domestic language, or, with parents or grandparents that spoke Sámi as a domestic language. Second, a person with an ancestor registered in a land, taxation or population register as either a mountain, forest or fishing «Lapp». Finally, a person with at minimum one parent that was or could have registered for a election to the former Sámi Delegation or the present Sámi parliament.

As in Sweden, the right to vote for Sámis include foreign citizens of Sámi origin that are domiciled in Finland (Stepien, Petréttei, Koivurova 2015). In contrast to Sweden, the applicants parent or parents must have actually been registered in the electorate, not just been eligible, in order for the applicant to meet the that criteria (Bjerkli and Selle 2015:395).

A verdict in 1999 from the Finnish Supreme Court, on behalf of the Finnish Sámi parliament, states that the temporal limit of the register-genealogical criteria matches that of the linguistical-genealogical (Seurujärvi-Kari 2011:51). This entails that the applicants with ancestors registered as mountain, forest or fish «Lapp», will only meet this criteria if said ancestors are parents or grandparents.

These variations in both criteria and practice have arisen due to specific political wishes by the three Sámi parliaments. Be it a strict practice and a scrutinous application process, or a liberal set of criteria with a practice based on trust (Bjerkli and Selle 2015:396), each end of the scale offer problems. Perhaps the greatest problem is the subjective criteria of self-identification, which is up for analysis, but first a problematization of the objective criteria and their variations.

Does having a Sámi great-grandparent necessarily signify less Sámi-ness in a person, than one with a Sámi grandparent? Taking into account the human life span, the likelihood of spending time with one's grandparent is greater than one's great-grandparent, but what if no time was spent with either, meaning no cultural transfer took place?

The applicant would still meet the criteria for enrolment based on a grandparent's language.

Additionally, how does one decide what is the sufficient amount of connection to the Sámi language?

If a child grew up in a bi-lingual home where one parent primarily spoke Sámi to the child and the other parent another, is this sufficient to be recognized as Sámi?

However, whether a potential applicant to a Sámi electorate meets any of the objective criteria will not be relevant, unless said applicant self-identifies as a Sámi. This leads the analysis to the subjective criteria, and the various challenges facing an electorate partly relying on self-identification.

### **The electoral criteria - the subjective criteria**

Previously stated, to be part of the Sámi *demos* is a right for any Sámi within the respective countries, provided they meet the criteria set by the electorates. Although children of those, part of or formerly part of, the electorate is automatically admitted, the system itself is based on self-enrolment. As there are no more surveys attempting to register citizens based on ethnicity, one who identifies as a Sámi has to voluntarily register and enrol themselves in the electorate (Bjerkli and Selle 2015:394). This process, where an individual decides he or she wishes to participate in the Sámi political sphere, is closely connected to the final criteria to be analyzed.

Identifying as a Sámi is a subjective criteria which all three of the Sámi electorates have (Stepien, Petrétei, Koivurova 2015) (Bjerkli and Selle 2015:394). Whilst in agreement that a subjective criteria is necessary, there isn't necessarily a clear definition as to what is required for someone to *feel* like a Sámi. A person that seeks enrolment in the Sámi electorate is highly likely to feel, at minimum, some connection to the Sámi world, to Sápmi.

In the applications for the various Sámi electorates, it is required to sign a declaration that the applicant self-identifies as Sámi (ibid). For a person living within the area encompassing Sápmi, but of non-Sámi origin, it is unlikely to self-identify as Sámi. This means the same person is unlikely to apply for enrolment in the electorate, as he or she does not meet the most obvious criteria, «*are you Sámi?*»

An aspect of the subjective criteria that, in some Sámi eyes can have a detrimental effect, is that self-identification is open to interpretation. Since the criteria depend on how people subjectively

view themselves, it leaves room for what some Sámi voices have claimed is self-identification on fraudulent grounds.

A Norwegian celebrity pioneer and wildlife-enthusiast, Lars Monsen, discovered in 2007 a photograph of his maternal grandfather wearing the traditional Sámi dress, a *kofte* (VG 2011). Mr. Monsen was unaware of his grandfather's ethnic heritage before finding the photograph, and thus did not identify as Sámi until discovering it. Although he has not proven that his grandfather spoke Sámi as a domestic language, he was accepted onto the Norwegian Sámi electoral roll based on the photograph. This is because the electorate in the Norwegian Sámi parliament relies on trust (Bjerkli and Selle 2015:396). The Sámi parliament has stated that they normally do not control applications for fraudulent claims, unless given specific complaints about an applicant (Finnmarken 2009).

In the case of Lars Monsen, the reaction from the Sámi parliament in Norway and its president, were positive. Although the reaction is in line with the policy of an inclusive Sámi electorate, the positive response was likely aided by the fact that Mr. Monsen's discovery of his own Sámi-ness seems to have brought on a genuine change in his self-identification. In concrete terms, this is visible from statements given in relation to his enrolment, where Mr. Monsen expresses his intention to learn a Sámi language or dialect (VG 2011).

Noteworthy about this example is that Mr. Monsen would likely never be considered to apply for enrolment in the Sámi electorate if he had not discovered the photo and his Sámi-ness, yet has always been Sámi in the eyes of the Sámi electoral criteria, thereby eligible for enrolment.

In contrast, there is the example of Jan-Henrik Fredriksen, a representative to the Norwegian parliament. After his application was accepted on the grounds that his great-grandmother spoke Sámi, and his declaration of self-identification as Sámi, he changed his mind (NRK.no 2010). Stating that he no longer felt as Sámi, he withdrew the declaration of self-identification, but claimed he had a right as an inhabitant of Finnmark, the Norwegian county with the largest Sámi demographic.

What prompted the change in self-identification is debatable, but it should be noted that Mr. Fredriksen is a member of the Progress Party (FrP), a national party that opposes the existence of the Sámi parliament, and also has two representatives in the Sámi parliament of Norway.

These examples serve to illustrate how a subjective criteria can be problematic in some circumstances, particularly when related to ethnic identity, a topic that can invoke strong emotions. Due to the nature of the current Sámi political atmosphere, an electoral enrolment system largely

built on trust is undesirable for those already on the inside, seeking to safeguard Sámi culture from people they view as outsiders. This is motivated by the fear that self-identification can, to some degree, allow almost «anyone» to enrol in the electorate and dilute the Sámi political project. However, equally problematic is an electoral system that excludes people who genuinely feel Sámi, and is insulated from external pressure to change its admission policies. As the next sub-chapter will elaborate on, the conflict over the Sámi electoral criteria can potentially have serious judicial ramifications.

## Open conflict, dormant problems

The title of this sub-chapter is based on the challenges currently facing the Sámi political sphere, and potential problems that may or may not materialize in the coming years. The sub-chapter will begin with the conflict between those seeking inclusion in the Finnish Sámi electorate, primarily represented by the Lappalais-movement, and those already enrolled in the Sámi electorate favouring exclusion of groups they view as non-Sámi. The Finnish Supreme Court and their controversial involvement in electoral admission policies will bring the sub-chapter over to the *dormant problems*, on whether the Sámi parliaments can be viewed as a state actor and what this means in relation to Article 27 of the Convention on Social and Political Rights.

The *open conflict* over Sámi electoral criteria, and whether the definition of Sámi should follow the Finnish, Swedish or Norwegian example, is still ongoing. The reasons for this, and the associated arguments presented by the opposing sides, are plural and potentially controversial. The politics of this conflict has commonly been marked by one of the opposing groups taking action, followed by the other groups reaction, with the state attempting to mediate.

In the case of Finland, the Lappalais-movement is one that seeks inclusion in the electorate, and the political process, due to both a question of land rights and recognition of indigeneity(Bjerkli and Selle 2015:369).

As Sámi political mobilization grew throughout the 1970's and the following decades, so did the question of land rights, and who would get what. In the Finnish part of Sápmi there were, and still are, other groups of people living. These groups had many of the same livelihoods as Sámi, such as reindeer herding. When the issue of whether or not to ratify the ILO convention nr. 169 came up in Finland, it garnered much attention from the local population in the north. Ratification could potentially affect great, irrevocable change for those living in Sápmi, but was not part of the Sámi political sphere(Bjerkli and Selle 2015:367). When the Sámi Act was discussed in the Finnish parliament, steps were taken to separate cultural autonomy from the issue of land rights. This was

an attempt to soothe the fears of those opposed, signaling that cultural autonomy for the Sámi would not entail excluding non-Sámi from using the land in northern Finland (Bjerkli and Selle 2015:369).

What is interesting is that this attempt at reconciling the wishes of the opposing sides was met with resistance from those opposed to the Sámi Act. Mirroring the mindset of the Sámi who might adhere to an *essentialist* mode of thought, the Sámi Act and its cultural autonomy was viewed as a «first step» in securing land rights exclusively for the Sámi at the expense of others.

This mindset was justified in their own eyes by some articles in a law passed in 1990 about reindeer herding. The law secured additional cultural protection of the right to use private land for herding reindeer within the Sami Homeland area. This was viewed as problematic by non-Sámi reindeer herders, as reindeer herding was, and is, not exclusive to Sámi. In addition to this, a proposition was put forth that suggested administration of reindeer herding was to be done exclusively by Sámi. Although it never materialized, the non-Sami reindeer herders felt voiceless, and that Sámi reindeer herding had preferential treatment in the courts.

When the Sámi Act was passed, the criteria for enrolment was extended to include many ancestral families from Lappland, the area of northern Finland that is part of Sápmi. The way that these families were now included was by using 19<sup>th</sup> century tax records and censuses from Lappland (ibid).

However, much of the Sámi political establishment was opposed to this, and wanted to freeze admission to the electorate. In their eyes, many of the now eligible Lappalais were a potential «fifth column», that could bring about a hostile takeover of Sámi politics (ibid). This view has not changed, and the Sámi political establishment does not recognize the Lappalais as Sámi in spite of many of the latter meeting electoral criteria of ancestry (Bjerkli and Selle 2015:372).

Whilst the topics of Sámi ethnicity, ancestry and *who is Sámi* have been subject to academic interest for decades, publications have until recent years been mostly in favour of the paradigm of the Sámi political establishment.

The counter-mobilization against the Sámi political movement, in this regard primarily the Lappalais-movement, have therefore ignored research or cherry-picked findings of research on the topic (Bjerkli and Selle 2015:377). By doing so the credibility of their claims suffer, but in Finland two developments have put the Sámi parliament back on the defensive; the emergence of forest-Sámi and the non-status Sámi.

In contrast to the Lappalais, these new political movements have received backing from academia, which gives them more legitimacy in the debate over *who is Sámi*. Although both movements are

relatively young and represent different groups, they both have in common new historical perspectives that have the potential to change the debate.

The forest-Sámi was a separate group living within Sápmi and the Finnish Lapland province(Justis-og-Politidepartementet 2007:258), that disappeared because of several reasons. Coming under increasing pressure from southern settlers that were recruited to farm the land, some of the forest-Sámi was assimilated into Finns. What is interesting about the forest-Sámi perspective is the view on reindeer herding Sami and their effect on the livelihoods of forest-Sámi. This new paradigm claims the nomadic reindeer herding Sámi was an important factor in the disappearance of the forest-Sámi, and that the nomadic Sámi are not indigenous to Finnish Lapland.

The argument is that these Sámi came from another country, most likely Norway, and settled in Lapland illegally and aggressively, displacing the forest-Sámi(Pääkkönen 2008:288-290). Due to Sámi electoral criteria in Finland and their temporal boundary, many of the forest-Sámi are prevented from enrolling in the Sámi electorate. Among the first of the Sámi groups in Finland to be affected by assimilation policies, and thereby lose their language, was the forest-Sámi. The desire of this movement is primarily recognition as a Sámi group.

The other group, the non-status Sámi, is a term introduced in 2012 in a PHD dissertation by Erika Sarivaara, a member of a forest-Sámi organization supportive of the non-status Sámi. The term applies to those of Sámi ancestry who have «fallen through the cracks» of bureaucratic definitions which, unintentionally, excluded many who self-identify as Sámi(Bjerkli and Selle 2015:378). What the non-status Sámi have in common with the forest-Sámi, is that they are both newcomers in the Sámi political sphere, and that their claims rest on being part of a forgotten Sámi group or «hidden» Sámi-ness. Although how they identify their common identity is somewhat unclear, the group remains unaffiliated with the Lappalais-movement. Unlike the Lappalais, the question of land rights is not the goal of the non-status Sámi, but rather recognition and inclusion to the Sámi political sphere.

Notably, in relation to the vitriol often seen as part of the discourse on this topic, these new perspectives are shared by many scientists which have offered both historically and judicially, more solid arguments(Bjerkli and Selle 2015:379).

Opposition toward the Sámi parliaments and the electoral criteria from groups that identify as Sámi, or have members in their ranks who is eligible for enrolment, is not exclusive to Finland. In Sweden as well, there are dissenting voices who have argued for abolishing the Sámi parliament.

Disagreements and conflicts in Sámi politics across the Nordic countries is not just between the



parliaments and external groups or states, there is also internal conflict among political factions(Stepien, Petrétei, Koivurova 2015).

Despite boasting the most inclusive Sámi electoral criteria, there is in Norway a political party and organization known as Nordkalottfolket attempting to change the definition of Sámi. The very name of the party, *Nordkalott*, refers to the northern area of the Nordic countries, and suggests a geographical, instead of cultural or ethnic, mindset.

The change in definition of *who is Sámi* that the organization seeks, is an expansion in the understanding of *Sámi-ness*, which would include the many citizens that are descendents of centuries of inter-marriage between ethnic Norwegian, Sámi, Swedish and Kven populations(Bjerkli and Selle 2015:380). As of the current date, Nordkalottfolket party has three representatives in the Sámi parliament of Norway(Sametinget 2016).

One of the goals stated in the party platform, besides the expansion of definition of *who is Sámi*, is increasing the voter turnout by urging groups that aren't well represented in the Sámi parliament to enroll. These groups primarily consists of coastal Sámi, and people with mixed-ancestry of Sámi, Norwegian, Swedish and Kven(Nordkalottfolket 2016).

The arguments presented by Nordkalottfolket for expanding the definition of Sámi, mirror in some ways the arguments presented in Finland by the forest-Sámi. The party recognizes that the assimilation policies affected the easily accessible communities of coastal Sámi, which means that the loss of Sámi language or dialects took place sooner than other Sámi communities(ibid).

This is not the only group that opposes the current Sámi political establishment in Norway, as previously mentioned, the Progress Party is also represented in the Sámi parliament. Additionally, there is a political organization called «Organisasjon for Etnisk og Demokratisk Likeverd(EDL)», which translates into «organization for ethnic and democratic equality». Before explaining its relevance, an important distinction must be made between Nordkalottfolket on one side, and the Progress Party and EDL on the other.

The former does not wish to disband the Sámi parliament, but rather involve itself in the existing institutions to affect change. Both of the latter is opposed to the Sámi parliament, with the EDL being founded to combat what its members perceive is extra political rights over parts of Norway based on ethnicity.

What is noteworthy about EDL is that it in some ways carries on the legacy of SLF, the former Sámi political organization that opposed the creation of the Sámi parliament. What this entails is that

EDL in contrast to the Lappalais-movement does not wish to gain entry into the Sámi electorate, thereby securing equal rights for use of land. EDL's opposition is founded on devolvement of political power based on ancestry(EDL 2016), and it would be unfair to portray it as an ethnic interest group, as many of its members could hypothetically enrol in the Sámi electorate of Norway(Bjerkli and Selle 2015:373).

Whilst these groups are active in Norway, with signs that the discourse might be taking a turn for the worse(ABC.no 2016)(NRK.no 2016), the debate has remained exactly that, a debate. In comparison, the debates and conflict over electoral criteria in Finland has several times made it to the courts. As one of the main desires, and purposes, of the Sámi parliaments have been autonomy for Sámi matters, the involvement of state courts in electoral disputes have been highly controversial.

Throughout the years since the establishment of the Finnish Sámi parliament, there have been many applicants who have had their applications for enrolment rejected. These rejected applicants are not of one single group, but rather of a plurality of groups within Finland. Some are forest-Sámi, some are non-status Sámi, some are part of the Lappalais-movement, and some are independent applicants who filed complaints when they were denied enrolment.

This has left the state of Finland and its courts in an uncomfortable situation, where they have to decide whether or not to interfere in what much the Sámi political establishment of Finland view as an internal matter. The debates over the rejected applicants, and whether or not the state of Finland has the right to intervene, have had a polarizing effect on Sámi politics(Stepien, Petrétei, Koivurova 2015).

Before the election to the Finnish Sámi parliament in 1999, a group of 1128 «lapps» applied for enrolment in the Sámi electorate, but were all rejected. This was the same ethnic category as the Lappalais-movement was seeking recognition for. When almost 700 of the rejected applicants filed appeals to an independent court, all but 7 applications were dismissed, citing applicants failure to meet the linguistical criteria of enrolment(Bjerkli and Selle 2015:371). In this case the applicants failed, in the eyes of the court and the criteria, to meet the requirements. This is unfortunate, as it perhaps is an indicator that the current criteria results in many ending up in a grey area where they have Sámi-ness, but not enough of it. A case from Sweden shows a woman that can prove she is of Sámi heritage and self-identifies as Sámi, but cannot prove a family member within the generational limit spoke Sámi. Thus, she was rejected admission to the Swedish Sámi electorate(SVT.se 2013). There is another example that demonstrates how the processing of applications itself has flaws. A

pair of siblings that tried to enroll in the electorate were given two different responses, one of them fulfilled the criteria and was admitted, the other was rejected(Joona 2012:158-164).

Recently, when a Finnish Administrative Court intervened and overturned decisions made by the Sámi parliament concerning admission of applicants, the reactions from the Sámi political establishment was forceful. The arguments they presented about the actions of the Administrative Court revolved around infringement of autonomy in Sámi matters(Stepien, Petréttei, Koivurova 2015).

Only the Sámi would be capable of safeguarding their language or culture in the eyes of the Sámi parliament. They state that the decision of the court to interfere in Sámi affairs could lead to a wave of «case-file Sámis», which could overwhelm the established Sámi democracy and hijack it through sheer numbers, in turn leading to a dilution of the Sámi culture and languages or dialects(Bjerkli and Selle 2015:380).

One of the key problems facing all three Sámi parliaments is the low level of legitimacy among their respective *demos*, given how limited the parliaments are in exercise of power. The decision to intervene in disputes over admission to the Sámi electorate by the Finnish court, and by extension the Finnish state, has increased the lack of legitimacy. However, this time it is not only the *demos* of the Sámi parliaments, but also the politicians themselves. In a session with the Finnish Sámi parliament, a representative named Áslat Holmberg, chose to walk out in protest over state interference(YLE Sápmi 2016). He did not view the session as legitimate, due to the intervention of the Finnish state into Sámi affairs.

Debates, judicial contention, political battles for recognition and protests over outside interference are what the *open conflict* that is visible in Sápmi consists of. Although the ongoing conflict between the Sámi political establishment and its opponents is pressing, there is another problem which could have potentially grave ramifications for both the Sámi parliaments and the Nordic states. This issue is the United Nations Convention of Social and Political Rights(ICCPR), Article 27, an issue that, until resolved, is a *dormant problem*.

All of the three Nordic countries are signatories to the treaty ICCPR, which is an international agreement seeking to safeguard social and political rights of citizens, with an additional focus on minorities. It is particularly Article 27 of the ICCPR that is of importance in the conflict over Sámi electoral criteria and who is allowed to enrol or not.

Article 27 states:

such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language.  
(OHCHR.org)

The content of this article, and how it affects each of the three Sámi parliaments, vary among the Nordic countries. Norway, where the most inclusive criteria and liberal practice of admission to the Sámi electorate is in place, is fulfilling its commitment to ICCPR without much problem. As there are no large groups of people actively being denied admission to the Sámi electorate despite applying, one could say that Article 27 is in effect. There is however one aspect, related to both the ICCPR and the Sámi parliament, that could be problematic for Norway, an aspect we will return to shortly.

In Sweden and Finland the potential significance of Article 27 is far greater, although for different reasons. In the case of the former, Sweden is the only of the Nordic countries that have recognized its Sámi parliament as an official government agency.

The reason why this is potentially very problematic is the intent of ICCPR and Article 27, which is to protect minorities *from governmental* persecution or oppression.

Whilst Norway and Finland have not yet recognized their Sámi parliaments as official governmental institutions, Sweden has. This means that should a Swedish citizen who, self-identifies as Sámi and either meets the criteria or is close to meeting them, decide to take legal action against the Sámi parliament and win, Sweden will be found in violation of an international convention on human rights.

However, when analyzing the conflict over Sámi electoral criteria and admission policies, it seems more likely that the Finnish Sámi parliament would be the one to face this legal challenge by its opponents. There has already been judicial action taken against the Finnish Sámi parliament, with specific language about being denied the right to participate in Sámi politics, thereby the Sámi cultural sphere. The conflict has put the Finnish state in an awkward position, where it has to mediate between groups that identify themselves as indigenous. What the groups have in common is that they argue their rights as indigenous or minorities are being denied. Although Article 27 is meant to protect individual rights, these rights can be called for collectively by a person or organization deemed representative for the group(Justis-og-Politidepartementet 2007:210).

An aspect of Norway's position that potentially adds to the awkward situation of the other Nordic

states, is the official Norwegian interpretation of Article 27. This interpretation states that in order to meet the demands set by Article 27, the rights to material needs must be met (Bjerkli and Selle 2015:18). What could be included within the concept of material needs? Education in one's native language? Funds for maintaining cultural traditions? The right to political participation?

If this particular interpretation of Article 27 was put on an international political agenda, it could become a headache for the governments of Sweden and Finland.

The evolution of the Sámi political movement, and the attempts of the Nordic states to enfranchise the Sámi, have not happened in national vacuums separate from external influence. As noted earlier in sub-chapter *the history of the Sámi*, the process of being a politically marginalized and disenfranchised group to the establishment of the Sámi parliaments, is a process where the Sámi and their states have been influenced by each other's actions. Therefore, it is not farfetched to imagine that each of the Nordic countries and their respective Sámi parliaments' relationship to Article 27 can affect each other.

However, this is not to say that something that happens in relation to the Sámi political sphere in one country, will spill over into the other. This can be seen in the counter-example of ILO No. 169, and which of the Nordic states have and have not ratified it, with Norway in the former and both Finland and Sweden in the latter category.

In light of the content of ICCPR and Article 27, the following is a question that should be addressed by each of the Nordic states: *does the Sámi parliament represent the state?*

Officially only Sweden has recognized it as a governmental agency, while Norway and Finland posits the Sámi parliaments as representatives of the Sámi people and their interests to the Norwegian and Finnish states, leaving its status somewhat unclear.

Moreover, all three Sámi parliaments receive funds from the budgets set by the national parliaments, but the three are subject to three different governmental ministries in each of the Nordic countries. The Sámi parliaments all exercise right to initiative, to propose change or legislations to the respective states, yet differ somewhat in what degree of consulting/negotiating power they have. None of the Sámi parliaments have their own system of collecting revenue, and their budgets differ in size. This lack of clarity regarding its status, coupled with lack of legitimacy, may translate into a decreasing *demos* for the Sámi across the Nordic states. A continued drop in electoral turnout is a phenomenon seen across the Western world, but for representative bodies with an already small *demos*, it is particularly unfortunate.

This is another *dormant problem* that is increasingly coming to life in Sápmi, as recent poll numbers

can help to illustrate. The election for the Sámi parliament in Finland in 2007 had an electoral turnout of around 55,8%, which by 2011 had dropped to less than half, standing at 49,6% (Bjerkli and Selle 2015:400). Similar patterns of decreasing electoral turnout can be seen both in Norway and Sweden as well (ibid).

If this trend of declining voter participation continues, it might become harder for the Finnish and Swedish Sámi parliaments to justify its current electoral criteria, which excludes people who self-identify as Sámi and wish to participate in the Sámi political sphere.

This leaves those of the Sámi political establishment who wish to maintain a strict electoral regime, in order to safeguard Sápmi and the Sámi political sphere from people they view as outsiders, with a difficult choice.

They can agree to expand the electoral criteria, alongside the definition of *who is Sámi*, achieving a greater *democracy* and possibly increased electoral turnout, but also risk a dilution of what they view as Sámi-ness and the shifting of Sámi political power.

The other alternative, maintaining the current electoral criteria, could possibly bring about a judicial showdown with the Finnish state, resulting either in victory or defeat. If the conflict over electoral criteria does not escalate, perhaps it dies down and the political momentum of the Lappalais-movement, the forest-Sámi and the non-status Sámi ceases, ending with their disbandment.

If the stated goal of a pan-Sámi parliament for across Nordic countries is to be realized (Stepien, Petrétei, Koivurova 2015), the problems and questions mentioned above are some of the challenges that would be beneficial to solve first. But the most important obstacle to a pan-Sámi parliament remains, lack of consensus on *who is Sámi*, specifically the lack of *judicial* consensus. Diverging opinions on *who is Sámi* expressed in political or social forums are commonplace, and compatible within the political sphere of a pan-Sámi parliament. However, two or three legal definitions on *who is Sámi*, meaning two or three set of electoral criteria, is not compatible with modern democracy. As of today, there are three sets of electoral criteria and practices, with the greatest difference being between Finland and Sweden in one camp, and Norway in the other.

Thus, with the history of the Sámi, the electoral criteria of the Sámi parliaments, and the current and future challenges within Sápmi explained, the chapter of analysis concludes.

The chapter will be succeeded by a chapter of *discussion*, where the various perspectives, actors and arguments will be scrutinized in order to better understand the data presented, and the question «*why is there a difference in criteria among Sámi electorates in Norway, Sweden and Finland?*»

## Discussion

The chapter on discussion will feature a deliberation of the data presented in previous chapter, with a systematic review of arguments connected to the conflict over Sámi electoral criteria. Alongside a general scrutiny, an effort will be made to put these arguments in the context of *essentialism*, as to see if they fit this perspective.

Divided into four parts, or sub-chapters, the discussion will open on the research question «*why is there a difference in criteria among Sámi electorates in Norway, Sweden and Finland?*», where the processes that have led to the current situation will be explained. As there is not necessarily just *one* answer to why there is disagreement on *who is Sámi*, it is beneficial to be open to equifinality.

From there the discussion will continue in the context of ICCPR's *Article 27*, and whether the Sámi parliaments can be said to represent the state or not. In this sub-chapter the implications of Sámi parliaments representing the state, and violating *Article 27*, will be laid out. It will be elaborated on why the current situation of the Sámi parliaments political existence is untenable.

This brings us to the next sub-chapter, *a pan-Sámi parliament*, where a consensus of electoral criteria and a pan-Sámi parliament will be discussed.

Finally, the chapter of discussion will end on *solutions*, in the form of suggested political action taken to remedy the current and future challenges facing Sápmi.

## Why is there a difference in criteria among Sámi electorates

When explaining why there are different sets of electoral criteria, and thereby different views on *who is Sámi*, multiple factors must be included.

One could explain it by looking at history and the effects of external influence. The arbitrary drawing of national borders have separated Sámi communities from each other. This in turn means that there will be three different actors implementing their own policy of assimilation toward the Sámi, specified to their nations' desires, goals, or more importantly, fears.

From the perspective given by this explanation, two effects could be highlighted as particularly important.

First, dividing Sápmi by non-natural borders entailed that interaction and communication between various Sámi groups were hindered. During the 19<sup>th</sup> and 20<sup>th</sup> century, as ideas nationalism and political entities for one's people grew, the Sámi were both divided and disenfranchised. For example, the Sámi groups in Sweden became representative for Sámi-ness there. Perhaps this led to

a governmental conceptualization of the Sámi, meaning «our kind of Sámi is what Sámi-ness consists of». In the case of Sweden, their policy of having «Sámi-cities» where the inhabitants were mostly left alone and primary way of living was reindeer herding, could seem to indicate this. The criteria, and the practice of admission to the Sámi electorate, thusly reflect the Sámi experience of Sweden.

In contrast, Norway's history of active assimilation policies, coupled with land schemes that attempted to increase the ethnic Norwegian population in Sámi areas, seem to have led to a more diffuse understanding of Sámi-ness. When half of the northern counties were destroyed during Nazi Germany's «scorched earth» policy at the end of WW2, it inadvertently gave way to a «restart» of ethnic identification in the north, as most symbols of belonging to Sámi culture were destroyed. Perhaps this is why the criteria, and the practice of admission to the Sámi electorate, is more inclusive than the other Sámi electorates and largely built on trust, because they had to start from scratch.

Finland's history of Sámi and the concept of Sámi-ness are more complicated, as the ongoing debate illustrates. The Sámi living further south were the first to be affected by assimilation policies, but their descendants claim to Sámi-ness appears to find itself in a grey area. Much of the conflict over electoral criteria and exclusion from participating in Sámi politics is related to land rights and reindeer herding, and notably reindeer husbandry is not exclusive for Sámi only. A displacement of forest-Sámi, partly by immigrating reindeer herding Sámi, is claimed to have taken place. Perhaps the governmental conceptualization of Sámi-ness was founded on an image of the reindeer herding Sámi, the last remaining visible Sámi group?

However, there is a problem with the idea of three governmental conceptualizations of Sámi-ness. Norway and Finland each have three Sámi groups and their dialects, the former having the most inclusive criteria and the latter the opposite. Sweden has five Sámi dialects or languages spoken, yet is most similar to Finland in criteria and practice. Would it not be logical to assume that the higher the number of Sámi sub-groups and languages spoken, the broader the definition of *who is Sámi* would be?

Secondly, during the political awakening of the Sámi and the subsequent enfranchisement, the public opinion of the Nordic states differed in their response. While affecting each other, as visible with the Norwegian Alta hydro-electric dam and the Swedish taxed mountain-case, some narratives were stronger than others. Particularly in Norway, with its history of strongest assimilation policies and oppression towards the Sámi, a desire to «make things right» were strong. As many Sámi were



removed from their culture and language through concerted attempts at «civilizing», the electoral criteria needed to reflect this. The language criteria was therefore extended to great-grandparents, since several coastal communities of Sámi were ineligible with the current criteria. Public opinion seem to have solidified a consensus that any Sámi should be allowed to participate, which meant liberal criteria to allow for an inclusive Sámi parliament(Bjerkli and Selle 2015:398).

But using the history of external influence and actors alone is not sufficient to explain the divergence in *who is Sámi*. It also fails to include the Sámi political movement, and their influence in shaping their own future at pivotal moments.

If approaching the question from another side, one could look at the Sámi political movement itself and internal factors. As within any political sphere, diverging opinions on both trivial and fundamental issues is quite regular, and should not come as a surprise. Determining what defines an ethnic identity is a complicated matter, especially for an ethnic group spread across four different states. With there being multiple sub-groups of Sámi with their own language or dialect, the conditions for a problem-free consensus worsen.

Although the Sámi political movements in the Nordic states held pan-Sámi meetings early in its history, they are separate and independent of each other. There is ongoing cooperation through the Sámi Council, an umbrella organization with national Sámi organizations as members. Here the Sámi political organizations discuss, plan and issue statements or declarations, but have so far not issued a universal criteria for Sámi-ness. This power structure entails that there is no central «high authority» that can force a Sámi political organization in one of the countries to acquiesce to a decision.

Perhaps the reason for diverging criteria lies in the different historical experiences of the Sámi? This answer is similar to a previous argument focused on external influence and actors, but explains it as an internal process. Since there are different groups of Sámi, diverse in their way of life, where they live and historical experience, an internal focus on the Sámi of one's own nation is understandable. When first creating the criteria, what would be the reason for adapting the electoral criteria for Sámi in Norway in such a way that Enare Sámi, a sub-group only found in Finland, would be eligible? It is only in hindsight we know that the Sámi Council and its attached organizations have declared a desire for a pan-Sámi parliament. Therefore, a convergence on *who is Sámi* is paramount to a functioning pan-Sámi electorate, a point the president of the Sámi parliament of Norway, Aili Keskitalo, has stated(NRK 2014).

A peculiar aspect of the pan-Sámi organization, the Sámi Council, is its very composition. The

organization is comprised of several Sámi organizations from the three Nordic countries, which means that they recognize each other as some form of representatives for Sámi people. If they did not, it is unlikely that they would form a umbrella organization intent on pan-Sámi cooperation. What makes this peculiar can be illustrated by this hypothetical example.

A Sámi politician from Finland who believes that electoral criteria in Norway allows «case-file Sámi» into the electorate, could work in a pan-Sámi organization with people hers or his electoral criteria would not recognize as Sámi.

To maximize the example, say the next president of the Sámi parliament of Norway is a person that meets the great-grandparent criteria of the Norwegian Sámi electorate, but not the grandparent criteria of the Finnish or Swedish Sámi electorate. Although without direct political or judicial consequence, it could have a symbolic effect on Sámi politics in general. Should the Finnish or Swedish Sámi parliaments host the president of the Sámi parliament of Norway in an official ceremony, what would happen? If they recognize the president as a Sámi, it weakens the legitimacy of their current electoral criteria. If they make a symbolic point out of *not* recognizing the president of the Sámi parliament of Norway, it could damage the relationship between the Sámi parliaments, and pan-Sámi unity.

The hypothetical situation of being denied admission to the Sámi electorate in Sweden or Finland, thereby recognition as Sámi, yet being eligible for enrolment in Norway, is not just hypothetical. A Finnish citizen went to the media in anticipation of a second rejection of applying to the Sámi electorate of Finland. He claimed he could trace his family lineage, which included the current president of the Sámi parliament of Norway, meaning he would be eligible in the latter country, but not his own(íbid). This means the country a person who self-identifies as Sámi lives, could determine whether he or she is accepted as Sámi.

Could the influences made by external actors, and their definition of Sámi, have been internalized by the Sámi, and thus be the reason for diverging electoral criteria? Take the example of Sweden, where the Sámi living outside of Sámi cities were exposed to assimilation policies, and those in the Sámi cities left alone to continue their livelihood of reindeer herding.

This would mean that Sámi became synonymous with living in Sámi cities, leaving other Sámi to shed their identity whilst those in the Sámi cities remaining the only visible Sámi community in Sweden.

In the case of Norway, this could very well be the case, as the Sámi in Norway have gone from being the most oppressed to having the largest budget, constitutional recognition and ratification of ILO No.169, and a state policy of re-vitalizing the Sámi. What is meant by this is that during the

decades of assimilation policies, being Sámi was discouraged and therefore thousands lost their Sámi language and culture. The idea that Sámi was a lesser culture and identity was for many Sámi internalized, and Sámi-ness connected to shame and a sense of inferiority.

When the Sámi political movement in Norway gained momentum, particularly after their symbolic victory on the Alta hydro-electric dam issue, identifying as Sámi was no longer a disadvantage. Alongside the enfranchisement gained by the Sámi themselves, public opinion in the country swung in their favour and viewed Sámi-ness as something positive. One of the best examples of this is the opening ceremony of the 1994 Winter Olympic Games in Norway, where the Sámi traditional way of singing, Joik, was featured(LOOC 2010).

Has this change in public perception of Sámi-ness into something positive, been internalized by the Sámi of Norway? If so, it could offer some understanding of the expansion of electoral criteria in 1997, and the current practice of admission in a trust-based system. Since such a numerous part of the Sámi in Norway did not speak Sámi due to assimilation policies, the criteria came to reflect this view, that one did not need to speak Sámi in order to identify as Sámi.

An internalization of the Nordic states definition of Sámi as explanation for divergence in criteria, need not be the case in every country. It could be fully, or part of, the reason for why the Sámi parliament of Norway chose to expand its electoral criteria in 1997, while at the same time hold no explanatory power in Sweden or Finland. In the case of the latter, the argument of internalization seems similar to Sweden yet is more complicated.

First, the forest-Sámi and non-status Sámi were the groups that were successfully displaced and/or assimilated, leaving primarily the reindeer herding Sámi the most visible Sámi group. However, reindeer husbandry is not a livelihood made exclusive for Sámi in Finland, meaning reindeer herding is not necessarily synonymous with Sámi-ness in a cultural sense. Additionally, the Finnish Sámi were the first to achieve some political power with the Sámi Delegation in the 1950's. This raises the question of whether the Sámi Delegation influenced the government in determining *who is Sámi*, or the other way around. Moreover, in the town of Utsjoki in Finland, the municipal council meetings were held in Sámi through the 1950's(Stepien, Petrítei, Koivurova 2015).

There is also the economic aspect of it all, a narrative mostly argued by the Lappalais-movement and opponents of the Sámi political establishment in Finland. This argument is based on the understanding that funds and subsidies for Sámi livelihood are finite, which means a larger electorate signifies potentially more people to share said funds and subsidies with, if not economic competitors. The argument also related to a perception that Sámi reindeer husbandry has better

judicial protection and extra rights compared to non-Sámi reindeer herders. If a herder of reindeer is not enrolled in the Sámi electorate but could be, it would be an incentive to do so if enrolment was associated with extra rights and subsidies.

The economic argument could be valid in Sweden as well, although reindeer husbandry is exclusive to people of Sámi origin. Should a person who identifies as Sámi, but cannot prove sufficient Sámi origin, wish to make a living as a reindeer herder, he or she will be denied. However, being denied the opportunity to practice reindeer husbandry does not seem to be a significant source of conflict in Sweden. The economic argument does not seem to apply in the case of Norway with there being few cases of rejected applications in general, and reindeer husbandry both exclusively reserved for Sámi and a livelihood historically only practiced by Sámi.

The theoretical perspective of *essentialism*, and actors within Sámi politics guided by this perspective, could explain why there are diverging electoral criteria. Two key goals within this perspective on identity and Sámi-ness are maintaining the remaining Sámi *essence* and protecting it from diluting influences. If someone has been removed from the Sámi culture and language through assimilation, their Sámi *essence* is lost and cannot be regained. They are no longer fully Sámi. As previously stated in the chapter on theory, the operationalization of *essentialism* used in the thesis is that the mindset can vary locally, depending on the characteristics of a group or sub-group.

When looking at Sámi history in an *essentialist* view, the Sámi people have been constantly under pressure from external forces.

In Finland they have been subjected to assimilation policies, and in spite of cultural autonomy and a Sámi parliament, are still threatened by government intervention into internal Sámi affairs. Specifically with regards to *who is Sámi*, and admission to the Sámi electorate. The Sámi population of Finland is a few thousand, which in the mind of *essentialist* Sámi means expanding the electoral criteria could result in the «real Sámi» drowning in «outsiders».

In Sweden there is an even longer history of assimilation policies aimed at «Swedification» of the Sámi. The decision to leave be those living in the Sámi-cities, and assimilate the others, have resulted in these Sámi being the only real Sámi left, in an *essentialist* view. The Sámi population of Sweden is not particularly large either, so an expansion of electoral criteria could potentially allow for a large influx of people whom the *essentialist* Sámi does not view as real Sámi. Much like in Finland, the fear is that electoral expansion could result in a «hostile takeover», which would further weaken the remaining Sámi and dilute their cultural *essence*.

Norway, the country with both the most forceful assimilation policy and later the most forceful re-

vitalization policy, appears to have fewer *essentialists* in the Swedish or Finnish sense. However, it would be inaccurate to state that there are no traces of *essentialist* thought, both in the Sámi and majority population.

As of today, the Sámi are vastly outnumbered in most of Sápmi, and have throughout the preceding centuries seen much of their traditional areas of settlement colonized by majority populations. Keeping in mind the two key goals, the *essentialist* cause cannot maintain the current Sámi-ness of its people if the community, and electorate, is not safe from «outsiders». Whilst ensuring education in the Sámi languages or dialects and culture for future generations is vital to carry on Sámi legacy, the primary goal politically would be control of the Sámi parliament. This is because it is the parliament that decides what the electoral criteria should be and who is eligible for enrolment, thereby legally defining *who is Sámi*.

If admission to the «in-group» is not able to filter out what the *essentialists* view as non-Sámi, any change that happens to the «in-group» is outside of their control. Such an event could mean further or, in the future, a complete loss of people who have Sámi *essence*.

In the case of Finland and Sweden, maintaining the Sámi *essence* and protecting it from external dilution is therefore synonymous with maintaining current electoral criteria, as it shields the electorate from being diluted by what they view as non-Sámi people.

What this means is that, within the Sámi political establishment of Sweden and Finland, many simply do not view the Lappalais, the forest-Sámi or non-status Sámi as legitimately Sámi.

The three groups could very well be descendants of Sámi people, but they have been removed from Sámi culture and lost their Sámi-ness through assimilation policies. Therefore, these groups that seek admission to the Sámi electorates should be kept out, as they are not Sámi.

In the eyes of *essentialists*, the Lappalais-movement are outsiders seeking to «hijack» the Sámi parliament of Finland, which could entail less resources and funds directed towards the real Sámi and maintaining Sámi-ness. This is a situation where *essentialists*, and those in favour of the current electoral criteria in Finland and Sweden, could turn the economic argument levelled against them on its head. From the *essentialist* point of view, those with illegitimate claims for Sámi-ness are seeking to enrol in the Sámi electorate due to economic motives, hoping to use their Sámi status for financial gain.

This could aid in explaining why the debate over electoral criteria can sometimes contain vitriol and animosity, as this point of view suggests that the «out-group» is attempting to steal from the «in-group». Although reindeer husbandry is not exclusive to Sámi in Finland, there is as previously shown at least a perception of Sámi reindeer husbandry having extra rights and judicial protection.

This means having status as Sámi and being enrolled in the Sámi electorate is viewed as an advantage, making it rational for reindeer herders to apply for admission if they are eligible. Therefore it is logical for *essentialists* to protect the integrity of the «in-group» through the current criteria, as it also helps continued traditional Sámi livelihoods, meaning financial security.

What about the Sámi parliament of Norway that expanded its electoral criteria in 1997, in the context of *essentialism*? Due to its electorate consisting of the Sámi population that was affected the most by assimilation policies, *essentialism* in Sámi political sphere of Norway is not as prevalent. When the criteria was expanded it was not particularly controversial, and the policy of re-vitalization of Sámi language and culture runs contrary to the *essentialist* idea that, once lost, Sámi-ness cannot be regained.

However, there are some indicators that many in Norway, both Sámi and non-Sámi, hold *essentialist* ideas about Sámi-ness.

Among the majority population, the traditional Sámi style of singing, *joik*, the traditional dress, *kofte*, and reindeer husbandry, is closely connected with the idea of Sámi-ness. This is visible how the Sámi are portrayed in media and specifically advertising. The official Norwegian tourist site refers to areas with Sámi population as «Land of the Sámi», where one is presented with advertisement that shows Sámi in *kofte*'s, herding reindeer and sitting in the Sámi tent *lavvo* (VisitNorway 2016).

The vast majority of Sámi do not herd reindeers nor live in *lavvo*'s. While this is an understandable presentation by tourism agencies, as a means of attracting visitors, it does indicate how Sámi are viewed. In anticipation of a celebratory event, a chain of grocery stores had several of the traditional *kofte* made in its own colours (green), as to celebrate Sámi-ness. These are examples from the majority population, whom are non-Sámi, but what of the Norwegian Sámi themselves?

Within the Sámi political and public sphere, there have been debates on whether the president of the Sámi parliament must be able to speak Sámi or not (Nordlys.no 2011) (NRK.no 2011) (iFinnmark.no 2012) (Origo.no 2012) (Selle, Semb, Strømsnes and Nordø 2015:93). In spite of the Norwegian Sámi parliament boasting the most open and inclusive electoral criteria, alongside an official policy of re-vitalization of both Sámi culture and language, these debates are indicators of essentialism.

As one of the general arguments presented revolve around being able to speak a Sámi language or dialect as a requirement to hold office as president of the parliament, it shows that there is a connection between Sámi-ness and the Sámi language in the minds of many. Although data from Norwegian Sámi shows that ethnicity and self-identification are more important for being Sámi than speaking Sámi, there is one thing to be extrapolated from this. Even though someone does not

become less Sámi for not speaking the language or dialect, one can become *more* Sámi by speaking it.

An issue regarding Norwegian Sámi electoral criteria that can demonstrate how *essentialism* separates between an «in-group» and an «out-group», is the issue of marriage between a Sámi and a non-Sámi. The Sámi Act currently states that the children of a person in the electorate will automatically be eligible for enrolment as well, regardless whether they speak Sámi or not. The non-Sámi who marries a Sámi, and partakes in creating new constituents, will not be eligible for enrolment. Even if a non-Sámi moves to Sápmi, learns the language and over time comes to self-identify as Sámi, the non-Sámi will not meet the criteria, as he or she did not speak Sámi during childhood.

Shouldn't a person who has taken concrete steps to integrate oneself in the Sámi world and culture, is married to a Sámi, has learned the language, and identifies as a Sámi have the right to take part in the Sámi parliamentary elections? If not, then what is missing?

The counter-argument to this revolves around how much the concept of marriage has changed in recent times. A few decades earlier divorce or separation was uncommon, while today they are common occurrences should the couple wish to terminate the marriage. This raises a question whether it should be possible to marry into the Sámi *demos*, and if the marriage ends in a divorce, should the person who was originally non-Sámi keep their status as Sámi? It is problematic because if a person's right to vote depends on his or hers marriage status, it would run contrary to modern democratic principles. The right to vote cannot be taken away from someone due to a changing relationship status.

When the Sámi electoral criteria of Norway were brought up during the interviews, some difficult aspects regarding integration into Sápmi were highlighted. Mr. Falch, the non-Sámi working as a senior advisor for the Sámi parliament, suggested that the wording of the law demanding Sámi to be spoken during childhood should be removed. This was in relation to an example where a non-Sámi moved to a Sámi area, learned Sámi and had children that were taught and spoke Sámi as a domestic language, yet could not enrol in the electorate.

«If you use Sámi as a domestic language, even though you've learned it as an adult and do not have Sámi ancestors; then you are part of the Sámi society! It should not be problematic for you to identify ethnically as Sámi and vote in the Sámi parliamentary elections»

(Torvald Falch. 29.01.2016)

When discussing the issue of marriage and if the right to vote should be given to spouses of Sámi, both Mr. Falch and Member of Sámi parliament, Christina Henriksen, problematized this:

«I understand those with a Sámi spouse wish to be recognized as part of the Sámi society. Not being enrolled in the Sámi electorate does not mean that a person is not part of the Sámi society. For what should happen in the case of a divorce?»

(Christina Henriksen. 27.01.2016)

«It would be the most difficult criteria to have. There are so many forms of cohabitation which entail family-relations without being married. And what happens if the couple divorces?

(Torvald Falch. 29.01.2016)

Both the issues of marriage between Sámi and non-Sami, and the objective criteria demanding Sámi be spoken during an applicant's *childhood* have aspects that can be unfortunate for people identifying as Sámi but are unable to enrol. While the two interviewees both state a positive attitude towards an inclusive Sámi electorate and a belief in re-vitalization of Sámi-ness, some critical points could be made. A non-Sámi who starts a family in a Sámi community and raises hers or his children to speak Sámi, can never gain the political rights of a Sámi in spite of being affected by decisions made in the Sámi parliament. Is this fair?

Compare this to a person immigrating to Norway, where he or she will automatically have the right to vote after a certain period of time, even if the Norwegian language is not spoken domestically. This is not an equal comparison, as the right to vote is meant for all citizens of Norway, while the Sámi parliament was founded to re-vitalize the Sámi culture and language. Yet, the point remains, a person willing to assimilate completely into the Sámi society can never become Sámi in a political sense.

Could this not be seen as some indication of *essentialism* in the definition of *who is Sámi*? This hypothetical example serve to illustrate how there perhaps is an unspoken dimension to the criteria, as people who do not speak Sámi nor self-identify as such, are allowed to enrol as adults upon discovering biological Sámi ancestors(VG 2011).

To summarize how *essentialism* can explain the divergence in Sámi electoral criteria, one must look primarily at the difference between the Sámi parliament of Norway on one side, and the Sámi parliaments of Sweden and Finland on the other. The former country has had the most extensive assimilation efforts directed towards the Sámi, and thus has the Sámi population that have lost the



most of their *essence*, particularly language.

Both the Sámi electoral criteria of Norway and its *demos* reflect this situation, in that what constitutes a Sámi is a broader definition more open to interpretation. As there were many Sámi that did not meet the criteria of having grandparents that spoke Sámi, the criteria were adapted to the local situation and expanded. This meant opening up the electorate to thousands of people who did not speak Sámi, a fact that speak against *essentialism* being prevalent in the Norwegian Sámi community.

There seems however to be some *essentialist* conceptualization of Sámi-ness, with debates of whether a Sámi president of parliament must be able to speak Sámi or not, and Sámi often portrayed in the context of reindeer husbandry.

What is important to remember, is that it was the Sámi parliament of Norway that chose to change its criteria, which lead to the current divergence of *who is Sámi*. Until 1997 there were three Sámi parliaments with the same temporal limit in the objective criteria, with minor differences in using old tax records and censuses. While it is easy to focus on the Swedish or Finnish Sámi parliaments since they are rejecting applicants who claim to be Sámi, it was the expansion of the Norwegian Sámi electoral criteria that lead to there being two camps, one branded inclusive and the other exclusive. From the perspective of the Swedish or Finnish Sámi parliaments, they simply chose to keep the original criteria.

When viewed in a Finnish or Swedish Sámi context, the Norwegian Sámi electorate would seem to have hundreds of «case-file»-Sámi, with much of its *demos* not speaking Sámi. Evidence of hostile intent or detrimental influence can, in an *essentialist* sense, be found in the Sámi parliament of Norway. The Progress Party whose platform calls for disbanding the Sámi parliament, currently has two representatives elected to the Sámi parliament. Additionally, the example given previously on problems with the subjective criteria, shows a man admitted to the electorate which later withdrew his declaration, where he had stated self-identifying as a Sámi.

The fear of opening up the Sámi political sphere to people those in the «in-group» view as hostile, is aided by incidents like these. But there is also a dimension of land rights, and a fear of losing them. On the subject of common criteria to a pan-Sámi parliament, member of parliament Christina Henriksen touched upon how land rights and electoral criteria were interlinked with guarding the remaining Sámi-ness.

«(common criteria) would entail an interesting discussion with our brothers and sisters in Finland and Sweden.

We have to play ball with the authorities, to ensure that no one loses the rights they have had since time imemorial.

That's what its about, losing what little one has(left), and the belonging to the Sámi culture»

(Christina Henriksen. 27/01.2016)

Something to be noted, is an excerpt from the last sentence. «Losing what little one has» is a statement that implies that the Sámi have lost much, and is fighting to keep what they have left.

With all of this in mind, I would say the answer to the question «*why is there a difference in criterias among Sámi electorates in Norway, Sweden and Finland?*» is one of equifinality.

This is because the preceding arguments all have some merit to them, but none of them are solely adequate to explain the various motives and actions taken throughout Sámi political history. While decisions taken externally by non-Sámi actors have often set the stage for what conditions the Sámi and Sápmi would have, it is not sufficient.

The Sámi themselves have on several occasions made an impact on the conditions affecting them, and in important and highly symbolic moments, achieved the right of cultural autonomy. The passing of the three Sámi Acts in the three Nordic countries during the 1990's lead to the establishment of the Sámi parliaments, where the Sámi themselves created the electoral criteria. Later, in 1997, the Norwegian Sámi parliament expanded its criteria, vastly increasing the gap between Sámi electoral criteria and potential *demos*.

Yet it would be wrong to claim that this is indisputably what lead to different criteria, and thereby different interpretations on *who is Sámi*. It ignores the historical context which preceded the establishment of the Sámi parliaments, where Sámi communities have been separated or hindered by closing of national borders, or subjected to assimilation policies aimed at replacing their culture and language with that of the nation-state they lived in.

A fact that appears to back equifinality, is the difference between Sámi in Finland and Norway. Assimilation policies were far-reaching, extensive and implemented early in the latter country, ensuring that the Sámi of Norway to a large degree completely lost their language. This external effect lead to the internal reaction, where the Sámi parliament of Norway adapted to this linguistical challenge by expanding its electoral criteria, as to expand its *demos* by including Sámi that did not speak Sámi.

Throughout all of this, *essentialism* has been a rallying factor for many within Sápmi who wish to preserve what remains of their language, traditions and culture. Such a mindset has had better conditions in Finland and Sweden, where a larger portion of the Sámi population have kept their languages or dialects. This meant that in the eyes of many Finnish or Swedish Sámi, it was not desirable to expand the electoral criteria, as it would open the Sámi parliaments up to people who were either no longer Sámi, or never had been. There was therefore no use in following the path set

by the Norwegian Sámi parliament, as those who had lost their Sámi-ness could not regain it, nor could it be re-vitalized in previously Sámi areas. Additionally, it could mean having to share rights to land use with more people, meaning less resources per person.

Simply put, the reason there are different electoral criteria among the three Sámi parliaments is equifinal. The easiest way to understand the process that led to the current situation, is to recognize that the Sámi within the three Nordic states have had three different historical experiences, which developed into three separate paths matching both external and internal conditions already in place, as the Sámi political enfranchisement took place.

### **Article 27 of the ICCPR**

The question whether the Sámi parliaments represent the state or not, is significant in relation to each Nordic state's commitment to Article 27 of the ICCPR, with Finland in particular.

It must therefore be answered individually, as there is variation among the three Sámi parliaments in autonomy, power and what they are recognized as by the nation-state.

As explained in the previous chapter, the Swedish Sámi parliament is officially recognized as a governmental agency by the Swedish state. Should there hypothetically be a case where a rejected applicant makes the argument that the Swedish state, represented by the Sámi parliament of Sweden, is denying said applicant right to practice his or hers culture by rejecting the application to the Sámi electorate, it could become very problematic.

Since the Sámi parliament is recognized as a governmental agency, it would be hard for the Swedish state to argue that the Sámi parliament does not represent the state in handling applications to the Sámi electorate. If the Swedish state distanced itself from the Sámi parliament, or used a national court to intervene like Finland did, it could have ramifications for the public relationship between the state and the Sámi, and for its international reputation. Although still a hypothetical situation, this official recognition of the Sámi parliament leaves Sweden in a potentially awkward situation, which may affect the other two Nordic countries.

Clearly the decisions made by the nation-states that cover Sápmi can affect each other, so has this recognition set a precedent for Finland and Norway, or at least an expectation?

Norway does not officially recognize the Sámi parliament as a representative of the government or state, yet has devolved some power affecting Sámi affairs to it. Since the Sámi parliament of Norway is the most inclusive in its electoral criteria and practice regarding these, a judicial

confrontation over Article 27 is unlikely to take place. However, the Norwegian state could face difficulty convincing an international court that its Sámi parliament does not represent the Norwegian state. The Sámi parliament holds political power, hosts political parties also represented in the national parliament and oversees its own elections. Moreover, the parliament building was funded through public expenditure, and so are the budgets. It has specific political agreements with the national parliament, and a history of consultation regarding matters affecting the north of Norway. The elections for parliament are held in the same way as national elections, with a four year interval, and voting takes place at the same time as national elections. The head of the Norwegian state, the king, is the one that opens each newly elected Sámi parliament. Finally, with it being subservient to a royal ministry of the government of Norway, it is hard to argue that it does not have any official affiliation to the Norwegian state.

Finland does not either officially recognize its Sámi parliament as a representative of the government or state, and is the country most likely to have a judicial confrontation regarding Article 27 of the ICCPR. As there are groups with active political movements that are campaigning to be admitted to the Sámi electorate, arguing that they are unfairly excluded by the Sámi parliament, the status of the latter institution could become very important.

Much like their two other Nordic counterparts, Finland has devolved certain political power to the Sámi parliament related to Sámi affairs.

Significant among these devolvements of power is the designation of the Sámi Home Area, an area with cultural and linguistical autonomy for the Sámi. Legally the parliament has in place an agreement with the national parliament that the latter must negotiate with the former in many matters, particularly those relating to Sámi culture and language. Considering that one of the areas subject to negotiation with the Sámi parliament is licenses for mining, it gives a significant amount of power to the Sámi parliament in terms of influence and public perception, a strange concession to make if it is completely separate from the state.

While there are no political parties in the Sámi parliament and representatives are elected on a singular basis, the parliament still has factions. These factions have been visible during interventions from the Finnish state, where some representatives protested the state interfering with the electoral roll, which is usually administered internally by the Sámi themselves.

Imagine the hypothetical violation of Article 27 of the ICCPR in a thought experiment.

If the state of Finland was to defend itself in an international trial regarding violation of Article 27, they could face problems. If one of the groups opposed to the current Sámi electoral criteria were to

appeal to an international court, stating that their right to practice and participate in their culture was denied by the Sámi parliament, what would be Finland's strategy?

Claiming that the Sámi parliament is not a state actor and Finland is therefore not in violation of Article 27, is the obvious answer. However, when countered with the many facets of the Sámi parliament that are either state-like or closely resembling a state actor, what should they respond? It would be unacceptable to use the justifications given by *essentialists* and those favouring exclusion of groups seeking admission to the electorate. The country's international standing would suffer if it accused applicants of being «case-file Sámi», denied a groups claim to indigeneity and accused said group of attempting a «hostile takeover». Although the Finnish state, represented by the courts, have in some cases intervened in the Sámi electorate in order to rectify what they believe is unfair treatment, this will not necessarily prove the Sámi parliament a non-state actor. While it is a lower ranking one, subservient to the Finnish Ministry of Justice, the Sámi parliament share many characteristics with an entity that would represent a state.

There are some general points to be made, both for the state of Finland and Norway.

The strategy of maintaining the non-state status of its Sámi parliament, leaving both it and the question of its status in a perpetual grey area, is a strategy which might be resting on eroding pillars. This is because all of the three parliaments, regardless of official recognition as a representative of the state or not, both convenes and functions like national parliaments. Their budgets are set by the state's national parliaments, and their salaries paid by national taxation. When an application to join a Sámi electorate is either accepted or rejected, it is done so by an institution established by devolvement of power from a national parliament. The Sámi parliaments' use of political power is sanctioned by the national state. While they are representatives of the Sámi people for the governments of the Nordic nations, are they not also in a way representing the policies of the Nordic state's towards the Sámi?

Although a somewhat simplistic point, consider the very names of the institutions. They are called Sámi parliaments in English, Saamelaiskäräjät in Finnish and Sametinget in Swedish or Norwegian. These names translates into Sámi parliament, in Norway's case the name *Sameting*(The Sámi ting) reflects the name of the national parliament, the *Storting*(The great ting).

If the Sámi parliaments of Norway and Finland are not state actors, it raises a question regarding the national states themselves. Have the unitary states of Norway and Finland devolved political power to non-state actors?

This would be strange in relation to the welfare states policy of equality, to grant political power based on cultural, linguistical or ethnical heritage. However, in the case of a small minority with a

history of oppression, which is still vulnerable to loss of language and culture, it is understandable. Treating everyone fairly does not necessarily mean treating everyone the same, but if this is the case, for how long should a policy of treating groups differently exist?

## A pan-Sámi parliament

The current situation where Sápmi hosts three separate Sámi parliaments, each with its electoral criteria and practice of admission, is untenable if the goal is Sámi unity. A pan-Sámi political system cannot properly function if many Sámi citizens gain or lose their right to participate in Sámi democracy depending on which national border they cross. It will be nigh impossible to present a united front for a pan-Sámi parliament if there is not unity on *who is Sámi*.

Moreover, as the programs and rights implemented in order to re-vitalize the Sámi continue, the debate over how long positive discrimination should go on becomes increasingly important.

As there is already political movements and organizations opposed to the Sámi parliaments, policies or rights that are particularly in favour of the Sámi could become harder to justify in the eyes of non-Sámi. This is partly due to the temporal nature of the issue, times change. There are non-Sámi children born in Sápmi which have never known a world without the Sámi parliaments or re-vitalization policies. How will these and future generations of non-Sámi view policies implemented in their communities, from which they can never gain anything, because of their cultural heritage? All of this is why there is a need for change in Sápmi.

The task in need of solving is creating a common set of electoral criteria. Traversing this obstacle is important for two reasons, both which will directly impact the political sphere in Sápmi both in the present and future. First, the possibility of converging electoral criteria between the three Sámi parliaments would signify consensus on *who is Sámi*. Second, this consensus is also paramount if the pan-Sámi council is to realize its goal, a pan-Sámi parliament spanning across Sápmi.

The former reason, a consensus on *who is Sámi*, would affect several areas of Sámi politics.

Beginning with public relations as an indigenous group, a consensus would enable a more united voice of the Sámi to speak on matters both internal and external. Having a universal understanding of who its people are could give its voice more legitimacy than a voice consisting of organizations that openly disagree on who their people are. A two-fold consequence of this would entail that the strongest disagreements among the various Sámi political establishments would revolve around questions of policy, and not the linguistical-geneological or register-geneological background of people.

Additionally, the clarity achieved on *who is Sámi* would likely weaken the arguments concerning

poor electoral criteria or practices, made by organizations or movements opposed to the Sámi parliaments, as there now was unity. Whether this unity on *who is Sámi* would affect how the Nordic states themselves see intervention in Sámi electoral matters is unsure, as it could depend on the national governments' relationship to the Sámi parliament, public opinion regarding a pan-Sámi parliament or other unknown factors.

Internally in Sápmi, it could decrease animosity between factions that substantially differ in their understanding of *who is Sámi*, and who can become it. Moreover, an agreement on a common set of criteria could in many cases bring an end to applications for enrolment from people that does not meet the criteria. As noted with a previous example, both a Finnish applicant being denied enrolment, and the president of the Sámi parliament of Norway, pointed out that the difference in criteria for *who is Sámi* was strange. Concluding this dispute is likely to give increased legitimacy to the criteria on which the decision falls upon, as it is the criteria for all the Sámi in the Nordic states.

However, depending on how the common criteria are agreed upon, it could also deepen the conflict between those on the inside and those left on the outside. The question is not only *if* there is a consensus, but also what the consensus looks like, as it will have ramifications. This brings us to the second reason why a consensus on electoral criteria is important, a pan-Sámi parliament.

When a pan-Sámi parliament was stated as a goal or developed into three separate paths matching both external and internal conditions already in place, as the Sámi political enfranchisement took place of the Sámi council, the pan-Sámi organization for the Sámi, the future of the divergent electoral criteria was left unclear. This is problematic, because agreeing on a common set of criteria is necessary, yet has the odds stacked against it. A quote from Christina Henriksen, the member of the Sámi parliament of Norway can demonstrate this:

*«I believe our electoral criteria are almost as they should be. I want, and the organization I represent (NSR), want a pan-Sámi parliament because we are one people»*

Christina Henriksen 27.01.2016

She and her organization view the Sámi as one people, but through the lens of the electoral criteria in *their* Sámi parliament. As shown earlier, the electoral criteria of the Sámi parliaments of Finland and Sweden have different interpretations of *who is Sámi*. So the question is, how should they compromise?

Those favouring maintaining current electoral criteria in Sweden and Finland are against expansion of the criteria, and the admission of those an expansion would allow. Would they be willing to

sacrifice what remains of the Sámi *essence* for a pan-Sámi parliament?

Consider the opposite, that the Sámi parliament of Norway must return to the criteria of 1997, when it mirrored those of Sweden and Finland's. It seems highly unlikely that the Sámi parliament of Norway would agree to renege on its inclusive policy and expel a large part of its *demos*, and such an action would certainly cause a huge backlash both internally in Sápmi and externally. Therefore the hypothetical convergence of electoral criteria seems for the moment to be in a deadlock. Both camps would suffer in their own view if they yielded to the other camp's electoral criteria. Additionally, how would one compromise between a linguistical-genealogical criteria that ends at grandparent and one that ends at great-grandparent?

Simply put, in order to reach a convergence of electoral criteria, the options seems to be either inclusive but diluting criteria, or exclusive but demographically weaker *demos*. This perceived dichotomy should in fairness be countered with an anti-*essentialist* critique; isn't this dilemma always the case with any *essence*?

In a temporal lens that looks at generational change, most cultures are affected by external influence, often resulting in fusion or evolution of its culture. With the arrival of mass-media, internet, modern infrastructure, globalized economy, popular culture and the ability to travel across a continent in mere hours, this effect becomes even stronger. If constantly attempting to clear out external influences one's *demos* will continue to shrink, and in a modernized world where practically every adult has a cellphone and is exposed to global popular culture, the separation between external and internal influence easily becomes arbitrary. Somewhat ironically, it is the onset of modern communication, tools which were not essential to life a few generations ago, that have allowed many *essentialist*-voices in Sápmi a platform to share their views. Aside from this digression, what if a common set of criteria is agreed upon?

In the aftermath of reaching a consensus on Sámi electoral criteria, the climate of the political sphere in Sápmi would likely be affected by how the consensus was reached. Were factions strong-armed into compromising? Was there an external actor, a state, influencing the process leaving a sentiment of a «tainted» agreement? Will the opposing sides move forward and accept the new electoral criteria as legitimate?

How it was solved affects the new balance of power in Sápmi. A damaging and outdrawn, yet ultimately successful compromise will entail different political conditions than a short and smooth process. Imagine the latter outcome as a thought-experiment, a common set of electoral criteria valid in all of Sápmi is agreed upon with little loss of political capital and in a friendly atmosphere.

Then what?



Where will the pan-Sámi parliament be held? Should it be in one of the existing parliaments, or a new location? If they decide by where the highest amount of Sámi live, they could end up convening the pan-Sámi parliament in one of the larger cities outside Sápmi. But this is just a question of geography, and doesn't address the more challenging aspects of a pan-Sámi parliament. How will it be organized? The Finnish way of single representatives, the Swedish way of political parties that are only active in Sámi politics, or the Norwegian way of national parties participating in the pan-Sámi parliament?

If a parliament is established based on the latter two it leaves the Swedish and the Norwegian Sámi in a favourable position, already having their party apparatuses and experience of running them. Such a system would leave the Sámi of Finland in need to establish their own parties, or join the existing ones. What would happen in a pan-Sámi parliament with political parties depend on whether the parties are solely focused on Sámi politics or have national equivalents?

An approach that could have interesting results would be for the pan-Sámi parliament to adapt the Swedish system. With political parties that are exclusively meant for Sámi politics, which ones would form and who would they represent? Perhaps, in a pan-Sámi political sphere the parties could to a large degree come to mirror the various groups of Sámi themselves, with most sub-groups of Sámi having their own party.

How would the electoral votes be divided amongst the constituencies? If representation in the pan-Sámi parliament were to be based on demographics alone, the Sámi of Norway would have the greatest share due to their population. However, a system of proportional representation is more likely to be established, with an arrangement to balance the difference in population. Something that could be enacted is extra electoral votes being awarded, based on the Nordic countries with the smallest Sámi *demos*, to make up for differences in population. This is a system often applied to electorates where there are great differences in the size of the electorate, where the intent is to «balance» power between high and low-population constituencies. Such an approach might be unfortunate, as it would ironically divide the Sámi between the Nordic states of their origin, rather than uniting them in common Sámi-ness.

There are many questions to be answered and obstacles to be faced before a pan-Sámi parliament can be realized, and the most important of these revolve around diverging electoral criteria and *who is Sámi*. However, there is also another topic that merit a discussion. Policies intended to empower and enfranchise the Sámi, and for how long they should continue.

This is an important topic because policies intended to empower and make up for past wrongs, might be having adverse effects for the Sámi in an indirect manner. What is meant by this, is that

there are perceptions of preferential treatment of Sámi over non-Sámi by some organizations and politicians in the Nordic countries. Whilst there are policy programs exclusively focused on Sámi culture, livelihood and traditions, these are not intended to be at the expense of the majority non-Sámi population.

Yet some voices claim they are becoming second class citizens in their own country, just as the Sámi in many cases had been for centuries. This perception is unfortunate, also for the Sámi, as different treatment founded on ethnic, cultural or linguistical heritage can breed resentment amongst the majority non-Sámi population of the Nordic countries. In the areas of Sápmi a focus on positive discrimination, perceived or not, could lead to political mobilization along ethnic lines.

Much of this resentment over perceived preferential treatment can be answered by looking at the historical background, how Sámi were mistreated and disenfranchised, a fact many alive today witnessed. However, this will become increasingly problematic as those generations are replaced by new ones that have never witnessed discrimination of the Sámi.

Take the example of two citizens, both 18 years old. One is Sámi and enrolled in the electorate, the other is not. They both live within the area of Sápmi and wish to work within the primary sector of the economy, making a living of the land through reindeer husbandry. If they are citizens of Finland, the Sámi has, or is perceived, to have stronger judicial protection for his or her rights. If the two 18 year olds are citizens of Norway or Sweden, the non-Sámi is prohibited from practicing reindeer husbandry based on not being Sámi. Although majority populations of non-Sámi being prohibited from herding reindeer does not appear to be a contentious issue, unlike extra judicial rights for Sámi reindeer herders in Finland, it can become one long-term. Having fewer economic opportunities based on ethnic or cultural heritage is unfair to a person born into the «wrong» group, and their opportunities should not be diminished because of injustice committed by their predecessors.

A vital question to ask is for how long should policies that strengthen one group continue? Simply put, at what point do policies implemented to make up for past wrongs, become the source of new disenfranchisement?

Naturally this is a highly complicated and multi-faceted issue, where diverging historical experiences have led to different perspectives on the many issues facing re-vitalization and enfranchisement of the Sámi.

An example of these diverging views, is a member of the non-Sámi majority population questioning the use of public funds that only benefits an ethnic minority, such as representative in the parliament of Norway Ulf Leirstein said on the official day of the Sámi. He asked whether the Sámi should not pay for the Sámi parliaments themselves, since they claim to be a nation of their own.

A quote by Christina Henriksen, member of the Sámi parliament of Norway, captures the counter perspective:

«Its primarily the nation-states that are responsible for the damage caused, and should fix it. Someone once referred to a calculation, where the resources used to dismantle the Sámi language and culture, compared to the resources used to rebuild it, are (bread)crumbs»

Christina Henriksen. 27.01.2016

The importance of discussing policies of positive discrimination and the timeframe in which these should continue, is not necessarily founded only in a political or moral perspective.

People will act, both in a social and political sense, based on how they perceive the world. This entails that they will vote according to how the world presents itself to them. If members of the Sámi population perceive that their Sámi-ness and culture is under threat, they will likely vote in a way that protects that. If members of the non-Sámi majority population perceive to be unfairly treated compared to the Sámi population, they will likely vote for and support changing this, which may further increase the perception among some Sámi that they are under attack.

This negative spiral could result in political mobilization along ethnic lines, and perhaps a reversing of progress made in re-vitalizing Sámi culture and languages or dialects.

With this the chapter of *a pan-Sámi parliament* ends. We move on to possible solutions for the problems and challenges facing Sápmi, and finally some concluding remarks about *why there is a difference in criteria among Sámi electorates in Norway, Sweden and Finland*.

## Solutions

In this sub-chapter there will be outlined a selection of political action, which could possibly remedy the decreasing electoral turnout and low legitimacy of the Sámi parliaments. These *solutions* can be divided into two paths, evolution and devolution, whose purposes is to improve the re-vitalization efforts. This can be done either through increasing the power of the Sámi parliaments, or redirecting the resources used to fund these solely towards linguistical and cultural re-vitalization. Lastly, some reflections on the research question and the issue it addresses.

The first possible *solution* for the Sámi parliaments is an evolvement of powers. This could either entail an extension of areas where the Sámi parliaments wield political power and have influence, gain veto powers against national governments in existing policy areas, or both.

The effect of absorbing power currently held by the nation-states could be positive for the Sámi political sphere, as it would in a larger part be able to shape its own future. Having increased their

autonomous positions within Sápmi, one of the benefits could likely be a strengthening of confidence from their *demos*. A Sámi parliament that incrementally expands in power is a parliament that looks to be moving forward.

However, as the way the Sámi parliaments would gain power is by national parliaments devolving them, the amount of political evolution would depend on the latter institutions. Whether the evolution of powers for the Sámi parliaments would be in the form of new areas of policy-making, or the implementation of their own revenue collection system, this decision is ultimately made by national parliaments.

How could an evolution of powers affect the political malaise of low legitimacy and decreasing electoral turnout? Primarily, having more «visible» power such as revenue collection, police force or the power to veto important projects will likely give the parliaments more legitimacy in the eyes of their constituents. As data previously presented show, turnout across Sápmi is going down, and the voters in Norway respond that their parliament does not have particularly high legitimacy. More political power could breathe new life into the Sámi political sphere by giving them control that would enable some financial autonomy.

There are policy areas which affect Sámi livelihoods that are controlled by state actors and agencies, with two good examples from Norway and Finland.

In the former country, the agency that administers the quotas on reindeer and matters regarding reindeer husbandry, is controlled by the state and not the Sámi parliament. There have been objections to this from the Sámi community. Perhaps devolving the administration of reindeer husbandry to the Sámi parliament, a livelihood which is by law exclusive to the Sámi, could be a good idea.

In Finland, one can wonder what the result would be if the Finnish Sámi parliament were given autonomy to decide whether mining concessions would be given in the Sámi Home Area or not. If all, or a large share, of the taxable income from the mining projects were to go to the Sámi parliament, perhaps the area would see economic development on Sámi terms?

The problem with the option of evolution in political terms primarily consists of two issues, territorial governance and non-Sámi population. While these issues are in some cases inter-linked, they can be addressed separately. First, how would the devolution of territorial governance be done? Is this feasible for the unitary Nordic states separately, or would it be in the context of a pan-Sámi parliament? The reason this distinction is important is that in the former case, a nation-state is devolving power to an internal political group, whilst in the latter the territory devolved is now shared with territory of two other nations.

Second, within most of Sápmi there is a large non-Sámi population which is often in the majority. It is unlikely that the Nordic states would devolve power in these areas. Moreover, the Sámi parliaments would have to give voting rights to the non-Sámi living within the autonomous area. If the non-Sámi cannot vote in the elections for the political organ deciding much of their lives, they will become disenfranchised second-class citizens. However, if they are given the right to vote, it is no longer a *Sámi* parliament, but a northern one.

The second possible *solution* is devolution, an idea which centers around re-focusing the funds allocated for the Sámi parliament towards Sámi re-vitalization.

Whilst it requires abolishing the Sámi parliaments, its intention is not to abandon the re-vitalization process of Sámi culture and language or dialects. This solution entails disestablishing the Sámi political institutions while keeping the various institutions promoting Sámi culture and language. The funds normally allocated for the Sámi parliaments and political institutions would instead be used to strengthen the budgets of the other Sámi institutions and purchasing educational material such as textbooks in Sámi.

A proposal like this would likely be met with opposition, as it would remove one of the greatest achievements of the Sámi political movement. From a Sámi perspective it could look like a dismantling of Sámi re-vitalization, which is why such a proposal would require a constitutional guarantee for the funds not dissipating. This could be done either by securing a certain percentage of the national budget, or linking a sum proportional to Sámi population. But this idea faces problems, for example registering the Sámi population for the purpose of knowing who is Sámi, a policy that is unpopular in modern society.

Moreover, the disestablishment of the Sámi parliaments would probably be viewed as a major setback for indigenous peoples around the world, as one of the more successful stories ends with abolishing the political institution of the indigenous people. In many cases, re-vitalization is driven forward by the Sámi parliaments, as they are important actors in proposing initiatives that focus on Sámi culture and language. One of the clear drawbacks with this proposal is that it could provoke strong reactions, and perhaps lead to ethnic tension among the Sámi and the majority population. However, devolution of the Sámi parliaments could also be seen as a practical and pragmatic solution. The reason for this is simple, the money used to maintain parliaments with decreasing electoral turnout and low legitimacy are instead used solely for the purpose of strengthening the Sámi culture, Sámi livelihoods and Sámi languages or dialects. This means millions more of Euros directed at funding Sámi re-vitalization across Sápmi instead of divided into administrative costs and salaries for three separate Sámi parliaments. In this light, those who subscribe to an *essentialist*

perspective of Sámi-ness could potentially be positive to something like this, as its focuses on strengthening the language and culture, thereby the Sámi-ness.

## Conclusion

My final remarks on *why there is a difference in criteria among Sámi electorates in Norway, Sweden and Finland*, and what lead to this, revolve mainly around one of the equifinal reasons; *state intervention*. There is seemingly disagreement among Sámi in each of the Nordic countries on *who is Sámi*, and the answer ultimately it depends on what criteria one favours, inclusive or exclusive.

However, the role of state intervention, both in a destructive and later constructive sense, has been a key component. It was the assimilation policies implemented by the Norwegian state that ensured such a vast and large loss of culture, tradition and language or dialect among the Sámi. Many decades later, this would set the conditions for Sámi re-vitalization in Norway in such a way that necessitated a temporal expansion in the linguistical-genealogical criteria. The damage done through state intervention lead to the Sámi parliament of Norway changing its electoral criteria, thereby leaving the Swedish and Finnish Sámi definition of *who is Sámi*.

What appears to be one of the main motivations of the Nordic state's Sámi policy in recent decades, is trying to make right for a legacy of oppression. But how does one actually do this, when the damage is already done?

The new policy of re-vitalization, done through support of inclusive criteria or even intervention when applicants are denied enrolment, is in a way also problematic despite good intentions. The reason for this is that it is *state intervention*, meaning that the Sámi are still not independent in pursuit of rebuilding their culture, traditions and languages or dialects. The reason for intervention in the latter case is understandable, as the state is the highest authority in Finland, but the fact remains.

Past wrongs cannot be made right, but there are steps that could be taken in order to increase awareness about Sámi history and the Nordic states role in it. Making this a larger part of the curriculum in the educational systems, would ensure more non-Sámi understand what has been done and where this have left Sámi culture, traditions and language.

My recommendation is to make one last interference by the Nordic states, by supporting a pan-Sámi parliament. As it was before the age of nation-building, movement and settlement of people between the three countries is free. Such a signal of support from the Nordic countries would surely give impetus for the three Sámi parliaments in unifying their electoral criteria.

Whether Southern, Lule or Northern, Norwegian, Swedish or Finnish, they could finally all be the

same.

## Literature

Aarseth, Bjørn. 2006. *Norsk Samepolitikk 1945-1990: Målsetting, virkemidler og resultater*. Oslo: Forlaget Vett og Viten.

ABCnyheter.no. Published 01.05.2015, updated 02.05.2016, viewed 02.05.2016 at:  
«<http://www.abcnyheter.no/nyheter/2016/05/01/195214053/jarl-t.-hellesvik-hore-samer-kalle-seg-urfolk-er-urkomisk>»

Allard, Christina. Susann Funderud Skogvang. 2015. *Indigenous Right in Scandinavia; Autonomous Sami Law*. Ashgate Publishing Limited. Surrey, England.

Barne og Likestillingsdepartement. 2009. *Et helhetlig diskrimineringsvern*. NOU 2009:14.

Barth, Fredrik. 1969 «*Ethnic Groups and Boundaries*». Boston: Little, Brown

Bjerkli, Bjørn. Per Selle. 2015. *Samepolitikken utvikling*. Gyldendal Norsk Forlag AS.

Bjørklund, Ivar. 1986. *Gjenreising og fornorsking*. *Ottar* 158, 29-36.

Bonacich, Edna. «*A Theory of Ethnic Antagonism: the Split Labour Market.*» *American Sociological Review* 37:547-559

Brady, E. Henry. Collier, David. 2010. *Rethinking Social Inquiry: Diverse Tools, Shared Standards*. Rowman & Littlefield Publishers Inc.

EDL.no. No date of publication, viewed 07.03.2016 at:  
«<http://www.edl.no/index.php/om-oss-mainmenu-32/hvorfor-er-vi-her>»

Eriksen, Knut Ivar. Niemi, Einar. 1981. *Den finske fare: Sikkerhetsproblemer og minoritetspolitikk i nord 1860-1940*. Oslo-Bergen-Tromsø: Universitetsforlaget.

Falch, Torvald. Per Selle. 2015. *Samisk myndighet og territorialitet*. *Norsk statsvitenskapelig tidsskrift*. 01/2016(Vol 31).

Finmarken.no 2009. Published 22.09.2009, viewed 28.04.2016 at:  
«<http://www.ifinnmark.no/nyheter/ingen-har-blitt-stroket/s/1-30002-4599151>»

Forskning.no «<http://forskning.no/etnisitet-kunst-og-litteratur-sprak/2010/04/100-ar-siden-forste-samiske-bok>» Publisert 25.04.2010

Friedman, Debra, and Doug McAdam.

1987 «Collective identity as a selective incentive». Paper presented at the annual meeting of the American Sociological Association.

1992 «Collective identity and action: Networks, Choices, and the life of the social movement». In *Frontiers in Social Movement Theory*, eds. A.D. Morris and C.M. Mueller, 156-173. New Haven: Yale University Press

Frp.no. Published 09.02.2015, viewed 02.12.2015 at:

«<https://www.frp.no/frp-fra-a-til-aa#S>»

George, L. Alexander. Bennet, Andrew. 2005. Case Studies and Theory Development in the Social Sciences. MIT Press.

Herb, Gunthram H., David H. Kaplan. 2008. Nations and Nationalism: a Global Historical Overview. ABC-CLIO

Hobsbawm, Eric. 1983, «Introduction: Inventing Traditions». In The Invention of Tradition, eds. E. Hobsbawm and T. Ranger, 1-14. Cambridge: Cambridge University Press.

iFinnmark.no. Published 29.06.2012, viewed 02.03.2016 at:

«<http://www.ifinnmark.no/nyheter/mener-presidenten-ma-snakke-samisk/s/1-30002-6128553>»

Joona, T. (2012): ILO Convention No. 169 in a Nordic Context with Comparative Analysis: An Interdisciplinary Approach, Juridica Lapponica 37, Lapland University Press, Rovaniemi.

Justisdepartementet. 1984. Om Samenes Rettstilling. NOU 1984:18.

Justis- og politidepartementet. 1994. Bruk av land og vann i Finnmark i historisk perspektiv: Bakgrunnsmateriale for Samerettsutvalget. NOU 1994:21. Oslo: Statens forvaltningstjeneste.

Justis- og politidepartementet. 2007. Den nye sameretten. NOU 2007:13.

Kirke og undervisningsdepartementet. 1963. Om kulturelle og økonomiske tiltak av særlig interesse for den samisktalende befolkning. St.meld. nr. 21 (1962-63).

Kommunal og moderniseringsdepartementet. 06.12.1987. Lov om Sametinget og andre samiske rettsforhold. «[https://lovdata.no/dokument/NL/lov/1987-06-12-56/#KAPITTEL\\_2](https://lovdata.no/dokument/NL/lov/1987-06-12-56/#KAPITTEL_2)»

Kommunal og moderniseringsdepartementet. 20.01.2016. Tildelingsbrev 2016 – Sametinget.

«[https://www.regjeringen.no/contentassets/5565cb2a21c64ac2bdbb8cacb996f53d/2016\\_sametinget\\_tildelingsbrev.pdf](https://www.regjeringen.no/contentassets/5565cb2a21c64ac2bdbb8cacb996f53d/2016_sametinget_tildelingsbrev.pdf)»

Kymlicka, Will. 1995. Multicultural Citizenship: A Liberal Theory of Minority Rights. Clarendon Press. Oxford.

LOOC. 2010. 1994 Winter Olympic Reports, Volume 3. Viewed 27.04.2016 at

«[http://library.la84.org/6oic/OfficialReports/1994/E\\_BOOK3.PDF](http://library.la84.org/6oic/OfficialReports/1994/E_BOOK3.PDF)»

Margalit, Avishai and Joseph Raz. 1990. National Self-Determination. The Journal of Philosophy, Vol 87, No.9, 439-461.

Ministry of Justice, Finland. 1999. The Constitution of Finland. Chapter 2, Article 7.

«<http://www.finlex.fi/fi/laki/kaannokset/1999/en19990731.pdf>»

Nordkalottfolket.no. Party platform for Sámi parliamentary elections 2013-17. No date of publication, viewed 07.03.2016 at:

«[http://media.wix.com/ugd/0a364f\\_ab856c42ab41454bb1ba7e9def26ce0b.pdf](http://media.wix.com/ugd/0a364f_ab856c42ab41454bb1ba7e9def26ce0b.pdf)»

Nordlys.no. Published 16.12.2011, viewed 02.03.2016 at:



«<http://www.nordlys.no/politikk/sametingspresident-pa-norsk/o/1-79-5849156>»

NRK.no. Published 09.12.2011, viewed 02.03.2016 at:

«[http://www.nrk.no/troms/ma-samepresidenten-snakke-samisk\\_-1.7909606](http://www.nrk.no/troms/ma-samepresidenten-snakke-samisk_-1.7909606)»

NRK.no. Published 22.02.2010, viewed at 13.01.2016 at:

«[http://www.nrk.no/troms/\\_er-ikke-blodet-mitt-bra-nok\\_-1.7005965](http://www.nrk.no/troms/_er-ikke-blodet-mitt-bra-nok_-1.7005965)»

NRK.no. Published 07.02.2016, viewed 07.02.2016 at:

«[http://www.nrk.no/norge/ulf-leirstein- frp \\_ - -sames-land-kan-betale-for-sametinget-1.12791998](http://www.nrk.no/norge/ulf-leirstein- frp _ - -sames-land-kan-betale-for-sametinget-1.12791998)»

NRK Sápmi. 2014. Published 03.12.2014, viewed 04.03.2016 at:

«<http://www.nrk.no/sapmi/kjemper-for-a-bli-akseptert-som-same-1.12077867>»

NRK.no Sápmi. Published 01.12.2007, viewed 13.12.2015 at:

«[http://www.nrk.no/sapmi/\\_apartheid-tilstander-i-nord-1.4192175](http://www.nrk.no/sapmi/_apartheid-tilstander-i-nord-1.4192175)»

NRK Sápmi. Published 20.09.2013, viewed 02.03.2016 at:

«<http://www.nrk.no/sapmi/sametinget-med-en-valgkrets-1.11253779>»

NRK Sápmi. Published 13.03.2015, viewed 08.05.2015 at:

«<http://www.nrk.no/sapmi/ilo-169-saken-utsatt-til-neste-regjeringsperiode-i-finland-1.12258902>»

Ohchr.org. No date of publication, viewed 03.05.2015 at:

«<http://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>»

Olzak, Susan. 1989 «Labour unrest, immigration, and ethnic conflict in urban America, 1880-1914»  
American journal of sociology 94:1303-1333

1992 «The Dynamics of Ethnic Competition and Conflict». Stanford: Stanford  
University Press

Origo.no. Published 31.07.2012, viewed 02.03.2016 at:

«[http://fd-kronikk.origo.no/-/bulletin/show/747789\\_er-jeg-ikke-samisk-nok-egil-olli?ref=checkpoint](http://fd-kronikk.origo.no/-/bulletin/show/747789_er-jeg-ikke-samisk-nok-egil-olli?ref=checkpoint)»

Pääkkönen, Erkki. 2008. Saamelainen etnisyys ja pohjoinen paikallisuus, Saamelaisten etninen mobilisaatio ja paikallisperustainen vastaliike. Acta Universalis Lapponiensis 153.

Regjeringen.no. Samene og EU – samenes stilling i fremtidens Europa. Published 24.09.2003, viewed 04.03.2016 at:

«[https://www.regjeringen.no/no/aktuelt/samene\\_og\\_eu\\_-samenes\\_stilling/id267796/](https://www.regjeringen.no/no/aktuelt/samene_og_eu_-samenes_stilling/id267796/)»

Ryen, Anne. 2002. Det kvalitative intervjuet: Fra vitenskapsteori til feltarbeid. Fagbokforlaget.

Samediggi.fi 2015. No date of publication, updated at 29.09.2015, viewed 02.03.2016 at:

«[http://www.samediggi.fi/index.php?option=com\\_content&task=blogcategory&id=84&Itemid=72](http://www.samediggi.fi/index.php?option=com_content&task=blogcategory&id=84&Itemid=72)»

Samediggi annual report. 21.12.2015 «Toimintasuunnitelma-Talousarvio Saamelaiskäräjien Vuodeksi 2016». Sámi parliament of Finland.

Sametinget annual budget. 03.12.2015. Sametingets budsjett 2016. Sámediggi 2015. Available at:

«<http://sametinget.no/content/download/8953/77675/version/5/file/Sametingets+budsjett+2016+-+vedtatt+3.+desember+2015.pdf>»

Sametinget.no. No date of publication, viewed 07.02.2016 at:  
«<https://www.sametinget.no/Spraak/Fakta-om-samiske-spraak>»

Sametinget.no 2013. Published 14.05.2013, viewed 02.03.2016 at:  
«<http://sametinget.no/nor/Valg-og-manntall/Kampanjeside/Valgmanntall/Sametingets-valgmanntall-2013>»

Sametinget.no. Members of parliament 2013-2017. No date of publication, viewed 02.12.2015 at:  
«<https://www.sametinget.no/Om-Sametinget/Representanter>»

Sametinget.no 2016. No date of publication, viewed at 13.10.15 at:  
«<http://sametinget.no/nor/Om-Sametinget>»

Sametinget.no 2016. No date of publication, viewed at 04.04.2016 at:  
«<http://sametinget.no/nor/Om-Sametinget/Representanter>»

Sametinget.se. No date of publication, updated 04.02.2014, viewed 02.03.2016 at:  
«<https://www.sametinget.se/9688>»

Sametinget.se. No date of publication, updated 20.10.2015, viewed 02.03.2016 at:  
«<https://www.sametinget.se/1059>»

Sametinget.se. No date of publication, updated 07.02.2014, viewed at 05.03.2016 at:  
«<https://www.sametinget.se/1061>»

Selle, Per. Semb, Anne Julie. Strømsnes, Kristin og Nordø, Åsta Dyrnes(2015). Den Samiske medborgeren. Oslo: Cappelen Damm Akademisk.

Seurujärvi-Kari, I. 2011. «We took our language back - the formation of a Sámi identity within the Sámi movement and the role of the Sámi language from the 1960s until 2008». Ethnic and linguistic context of identity: Finno-Ugric minorities. Uralica Helsingensia 5.

SSB.no. Published 29.10.2013, viewed 08.11.2015 at:  
«<https://www.ssb.no/valg/statistikker/sametingsvalg>»

SSB.no. Published 29.10.2013, updated 18.12.2013, viewed 08.11.2015 at:  
«<https://www.ssb.no/valg/statistikker/stortingsvalg>»

Stepien, Adam. Anna Petrétei and Timo Koivurova (2015),“Sami Parliaments as the institutionalization of indigenous self-determination and autonomy? Legal framework and practice”, in Tove Malloy, Alexander Osipov and Balazs Vizi (eds.) Managing Diversity through Non-Territorial Autonomy. Oxford University Press.

SVT.se. Published 18.02.2013, viewed 08.04.2016 at:  
«<http://www.svt.se/nyheter/lokalt/vasterbotten/malin-har-ingen-rostratt>»

Visit Norway. 2016. No date of publication, viewed 04.03.2016 at:  
«<http://www.visitnorway.com/places-to-go/northern-norway/land-of-sami/>»

VG 2011. Published 22.03.2011, viewed 08.04.2016 at:  
«<http://www.vg.no/rampelys/tv/lars-monsen-jeg-er-same/a/10091282/>»

United Nations. No date of publication, updated 13.04.2016 at:  
«[https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg\\_no=IV-4&chapter=4&lang=en](https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg_no=IV-4&chapter=4&lang=en)»

YLE.fi. Published 30.09.2015, updated 02.10.2015, viewed 08.04.2016 at:  
«[http://yle.fi/uutiset/ex-\\_sami\\_parliament\\_head\\_quits\\_voters\\_register\\_calls\\_finland\\_a\\_racist\\_country/8344761](http://yle.fi/uutiset/ex-_sami_parliament_head_quits_voters_register_calls_finland_a_racist_country/8344761)»

YLE Sápmi. Published 26.02.2016, viewed 12.03.2016 at:  
«<https://www.facebook.com/ylesapmi/videos/vb.122802577737469/1183417268342656/?type=2&theater>»

# Appendix

## Forms of consent

The following are forms of consent signed by the respondents, in accordance with criteria set by NSD. The first image is a copy of the consent form signed by Torvald Falch.

The second image is a copy of the consent form signed by Christina Henriksen.

# Forespørsel om deltakelse i forskningsprosjektet

## Hvorfor er det ulike kriterier for samiske manntall i Nor, Sve og Finland?

### Bakgrunn og formål

Formålet med studiet er en masteroppgave som forsker på hvordan det er forskjeller i kriteriene for manntallene til de samiske parlamentene i Norden. Dette er for en masteroppgave hos Instituttet for samanliknande politikk ved UiB.

Du er en av de spurte grunnet din tilknytning til samisk politikk.

### Hva innebærer deltakelse i studien?

Deltakelse innebærer et personlig intervju som vil tas opp med diktafon for å transkriberes senere. Spørsmålene omhandler manntallskriterier til samiske parlament, debatten rundt manntallskriterier samt respondentens egne meninger.

### Hva skjer med informasjonen om deg?

Informasjonen vil bli brukt i masteroppgaven, og informasjonen vil kun være tilgjengelig for student og veileder. Etter innlevert oppgave vil informasjonen slettes.

### Frivillig deltakelse

Det er frivillig å delta i studien, og du kan når som helst trekke ditt samtykke uten å oppgi noen grunn. Dersom du trekker deg, vil alle opplysninger om deg bli anonymisert.

Dersom du ønsker å delta eller har spørsmål til studien, ta kontakt med Per Selle på tlf 480 96 676.

Studien er meldt til Personvernombudet for forskning, Norsk samfunnsvitenskapelig datatjeneste AS.

## Samtykke til deltakelse i studien

Jeg har mottatt informasjon om studien, og er villig til å delta

 21.07.2016

(Signert av prosjektdeltaker, dato)

Om du ønsker delta, vennligst send et svar tilbake i form av en av de tre oppgitte kontaktmulighetene.

# Forespørsel om deltakelse i forskningsprosjektet

## Hvorfor er det ulike kriterier for samiske manntall i Nor, Sve og Finland?

### Bakgrunn og formål

Formålet med studiet er en masteroppgave som forsker på hvordan det er forskjeller i kriteriene for manntallene til de samiske parlamentene i Norden. Dette er for en masteroppgave hos Instituttet for samanliknande politikk ved UiB.

Du er en av de spurte grunnet din tilknytning til samisk politikk.

### Hva innebærer deltakelse i studien?

Deltakelse innebærer et personlig intervju som vil tas opp med diktafon for å transkriberes senere. Spørsmålene omhandler manntallskriterier til samiske parlament, debatten rundt manntallskriterier samt respondentens egne meninger.

### Hva skjer med informasjonen om deg?

Informasjonen vil bli brukt i masteroppgaven, og informasjonen vil kun være tilgjengelig for student og veileder. Etter innlevert oppgave vil informasjonen slettes.

### Frivillig deltakelse

Det er frivillig å delta i studien, og du kan når som helst trekke ditt samtykke uten å oppgi noen grunn. Dersom du trekker deg, vil alle opplysninger om deg bli anonymisert.

Dersom du ønsker å delta eller har spørsmål til studien, ta kontakt med Per Selle på tlf 480 96 676.

Studien er meldt til Personvernombudet for forskning, Norsk samfunnsvitenskapelig datatjeneste AS.

## Samtykke til deltakelse i studien

Jeg har mottatt informasjon om studien, og er villig til å delta

Christina Henniksen

(Signert av prosjektdeltaker, dato)

Om du ønsker delta, vennligst send et svar tilbake i form av en av de tre oppgitte kontaktmulighetene.

## Interview guide

1. Why do you think there are different electoral criteria among the three Sámi parliaments of Norway, Sweden and Finland?
2. What are your thoughts concerning the current electoral criteria in Norway?
  - adoption
  - marriage
  - the example of Lars Monsen, discovering one's Sáminess as an adult
3. How, ideally, would you like the electoral criteria to be?
4. What defines Sámi identity for you?
5. What are your views concerning Sámi re-vitalization?

## Interviews transcribed(Norwegian)

### 1. Christina Henriksen, MP Sámi parliament of Norway, NSR. 27/01/2016 Kl: 12:00, Tromsø UiTø

1. Hvorfor tror du det er ulike manntallskriterier blant de tre samiske parlamentene i Norge, Sverige og Finland?

**A:**

Fordi vi samer er delt inn i ulike nasjonalstater som har behandlet det samiske folk ulikt. Fordi samene i de tre nordiske statene har ulike erfaringer med assimilering, og er dermed i ulike situasjoner idag.

**01:00**

I Norge, vi har jo språk-kriteriet, som er det sterkeste, og etterhvert som generasjonene endrer seg; altså at vi får nye generasjoner, så må også de kriteriene endre seg fordi assimilering-politikken har rasert så mye av språket vårt. Dersom det var slik at alle samer snakket samisk så ville det har vært en enkel sak, ikke sant? Men nå er det slik at vi er altså nødt til å gå såpass langt, til en olderforelder som har hatt samisk som språk. Det sier noe om historien vår, og det sier noe om hva som definerer oss.

Det er jo også det her kriteriet(selv-identifisering) mange bruker litt «fjåsat», eller mange som ikke er samisk bruker, at man *føler* seg samisk. Det er jo en essensiell del, for meg hvertfall, for å registrere seg i valgmanntallet til Sametinget.

Hvorfor skal du ha stemmerett til Sametinget hvis du ikke anser deg som en del av det samiske samfunnet?

I Finland så har det slik som jeg oppfatter det, i enkelte områder slippet lettere unna assimilering-politikk, flere snakker(har beholdt) språket.

**02:30**

Da er det jo denne debatten som har vært angående dommen fra finsk høyesterett hvor staten går inn og definerer hvem som er same, der er det jo en gammel lov om hvem som har bodd i skogen, en gammel definisjon. De(den finske stat) opererer jo med andre... I Norge er det jo bare samer som kan drive med reindrift, en ren samisk næring, mens i Finland så kan man gjøre det i gårdbrukerstil uavhengig av hvem man er. I Sverige har man et veldig interessant samisk samfunn. Der har man samebyer, reindriftsiidaer, og der har staten vært veldig tydelig på å definere samebyene som samer. Der er det fortsatt en konflikt mellom de som er født inn i en sameby og samisk familie, og de som ikke er det, og da at staten, eller samer i samebyene, ikke anser dem som samer. Det har jo med at de som bor i samebyene ikke ønsker å miste privilegiumene sine, sitt livsgrunnlag.

**04:28**

Så det er veldig forskjellige situasjoner og det handler mye om hvordan *vi* har blitt behandlet gjennom tiden, og hvordan staten har behandlet oss.

Russland har en sterkere tradisjon med å drive folketellinger og dele inn i etnisiteter grunnet sin størrelse, det har man ikke i Norden.

2. Hva er dine tanker rundt de nåværende manntallskriteriene i Norge?

**A:**

Jeg mener at våre kriterier er nærmest slik det burde være. Jeg ønsker, og organisasjonen jeg representerer(NSR), ønsker et felles sameting fordi vi er ett folk. Det vil nødvendigvis bety at vi må snakke om hva slags kriterier vi skal ha for å sikre et legitimt sameting kan representere oss, det vil by på interessante diskusjoner med brødre og søstre i Finland og Sverige. Da må vi spille på lag med myndighetene, for å sikre at ingen mister rettighetene de har hatt i uminnelige tider.

*Jeg tror det er det som det handler om, å miste det lille man har(igjen), og tilhørigheten til den samiske kulturen. Vi er nødt til å ta innover oss på norsk side, at majoriteten av samisk befolkning i*



Norge aldri har lært seg samisk og kanskje aldri vil gjøre det. Da må vi forholde oss til at vi kan historien vår, samt (problemstillingen) hvordan sjekker vi hvem som faktisk er same?

**Thomas:**

**I en bok «den samiske medborgeren» skrevet av Per Selle står det at utvidelsen fra bestemor til oldemors-kriteriet var for å fange med/opp(inkludere) generasjoner av unge samer som har blitt fratatt språket sitt. Var du positiv til utvidelsen?**

**A:**

Jeg vet ikke når det skjedde. For min del kan jeg si at jeg har en bestefar som har hatt samisk som hjemmespråk, og jeg vet at mine oldeforeldre hadde det. De bodde i et språkblandingsområdet hvor man snakket samisk, norsk og finsk, så jeg er positiv til det.

#### **- ADOPSJON**

**A:**

Det er jo interessant, for handler det egentlig om blod eller kultur? Handler det egentlig om hva du er vokst opp i? Jeg har ikke noe imot at adopterte barn som er vokst opp i samiske familier og er en del av den samiske kulturen skal få ta del(i manntallet, samisk politikk). Men jeg tror at det kanskje trengs en diskusjon på ektefelle. Et adoptert barn tilhører en familie, en samisk slekt, og har vokst opp i samisk kultur og har tilhørighet.

Adopterte barn ser jeg på som en helt annen sak(enn ektefeller)

#### **- EKTEFELLE**

En ektefelle har gjerne ikke det. Jeg kan forstå de som har en samisk ektefelle ønsker å anerkjenne som en del av det samiske samfunnet. Om man ikke står registrert i det samiske manntallet, så betyr ikke det at man ikke tar del i det samiske samfunnet. Så jeg er mer skeptisk til ektefelle. For hva gjør man når, eller hvis, vedkommende skiller seg?

Da må man ha et kontrollorgan som sjekker at alle holder sammen og at ingen forlater(samiske områder). Jeg ønsker ektefeller av samer hjertelig velkommen til samiske områder, men at de skal innlemmes i manntallet tror jeg ikke er naturlig, at det er neste skritt, slik jeg ser det.

**11:01**

- selv-identifisering
- samisk språkkunnskap
- register-genealogisk

**Thomas:** av de tre sistnevnte, hvilken anser du som viktigst for å være samisk?

**A:**

Jeg mener at alle tre er like viktig, du har det med språket våres, og vi har allerede skiftet fra bestemor til oldemors-kriteriet fordi situasjonen er slik den er. Det er veldig viktig at det er naturlig når man har en forelder registrert, at man selv blir registrert, at du selv(barnet) er *elligible*.

Slik jeg sa isted, at man skal se på seg selv som same(selv-identifisering).. for folk som ikke er same vil det sikkert virke litt fjernt, de må gjerne fleipe med det så mye de vil. Men for oss som er samer er det helt essensielt at man anser seg selv som same og anerkjenner den samiske kulturen som en del av deg selv for å kunne stemme i Sametinget.

**Thomas: eksempelet om Lars Monsens oldefar, og vil nå lære seg samisk. Virker dette riktig for deg som medlem av Sametinget, virker det som han identifiserer seg samisk?**

**A:**

Altså, for Lars Monsen som med så mange andre, så er hans samiskhet tida bort(forbi/i fortiden?), hvis han har funnet et bilde betyr det at han kommer fra en samisk familie som har holdt det skjult, og det er han ikke alene om, kjendis eller ikke. Det er altfor mange i Norge. Jeg respekterer fullt hans behov for å bli kjent med det som tydeligvis er hans egen bakgrunn.

- kommentar om at alle vil bare vite hvem de er/hvor de kommer fra.

Hvis han har meldt seg inn i valgmannstallet så kommer det nok(sammen med) en del spørsmål om hvem han er(selv-identifisering).

At han vil ta del i det samiske samfunnet synes jeg er helt ok, hvis han har behov for å lære det samiske språket så er det jo nettopp det vi trenger.

*At vi tar tilbake det samiske språket, at vi vet hvem vi er.*

Folk må kjenne identiteten sin og gjerne ta til seg språket. Det er jo fint å ha en genser hvor det står noe på samisk(om Lars Monsens bruk av samisk).

### 3. Hvordan, ideelt sett, ønsker du manntallskriteriene skal være?

**A:**

Det har jeg ikke filosofert særlig på. Jeg har forholdt meg til de kriteriene som er, og er usikker på hvordan man skulle ha utviklet dem videre. Jeg tror det finnes de rette som har kompetanse til å gjøre noe slikt, noe som det samiske samfunnet må gjøre. Noe vi må gjøre nå som vi ser mot et felles sameting i Sápmi.

Vi ønsker at i forbindelse med 100års jubileumet for første same-samling i 1917 vil vi begynne å jobbe mot saken(felles sameting).

Et felles sameting vil bety at vi må ta hensyn til de utfordringene som venter, men igjen kommer vi tilbake til kriteriet om selv-identifisering, og det kan jo være at noen misbruker denne retten. Så det er jo et behov for en viss kontroll, en slags oversikt. Aller best hadde det vært med mer detaljerte folketellinger, gjerne jevnlig, men det har vi jo ikke og folk har jo unnlatt å fortelle om sin samiske bakgrunn også.

### 4. Hva definerer samisk identitet for deg, personlig?

**A:**

Jeg er oppvokst i den samiske delen av familien min, en del av tankesettet som jeg er vokst opp med gjør at jeg veldig lett, kanskje lettere, føler meg hjemme i den samiske kulturen enn majoritetskulturen. Jeg har en viss tilhørighet til språket, samt bruket av kulturelle symboler. Jeg vokste opp i et gruvesamfunn i Nord-Norge hvor det samiske har vært rimelig fortiet. Så små men mange biter av samisk kultur, og alltid en bevissthet om at vi har vært samer. Jeg har brukt kofte siden jeg har vært liten.

Jeg mener språk er en viktig del av identiteten, men jeg sier ikke at de som ikke snakker samisk ikke er samer. Det vet jeg jo selv, at slik er det ikke.

Jeg tror at de fleste samer som har mistet språket har et ønske, et higen eller et savn om å ta del i det(språket) enten de sier det eller ikke. Mye av identiteten *kan* ligge i språket, men også kultur og tradisjoner. Har du levd i fjæren så er sjøen en del av identiteten din. Den samiske kulturen er veldig variert.

Unger idag som vokser opp i byn, som kanskje markerer samefolkets dag og har samisk på skolen, vil ha sin egen oppfatning av sin egen samiskhet, og slik skal det jo være.

Vi som er samer har jo gjerne et statsborgerskap også, og for oss går det jo fint å kombinere disse to identitetene(samisk og norsk). Jeg forstår jo at for mange fra majoritetskulturen kan dette være vanskelig å forstå, «hvorfors kan vi ikke bare være norsk? Kan vi være begge deler?»

Identitetsspørsmål er veldig bredt.

- en uteforstående avbryter oss og spør om brosjyrer.

**Thomas: for å spisse hva du sier, det er altså historisk forståelse som du... du føler at du er oppvokst i en befolkningsgruppe som har vært utsatt for assimileringsspolitikk/undertrykkelse, og dette er da en del av din historie, din identitet?**

**A:**

Ja, det blir en del av jeg'et, men det er jo ikke alle som har hatt det slik, som Lars Monsen. Da er vi inne igjen innpå selv-identifiseringskriteriet.

Det er ikke opp til meg som Sametingsrepresentant å definere hvem som kan føle seg samisk. Da må vi stole på at folk ikke misbruker dette.

## 5. Hva er dine synspunkter rundt re-vitalisering av det samiske i Sápmi?

22:00

**A:**

Mine tanker rundt det er at vi har en vanvittig jobb å gjøre, og dem som har ressurser og ansvar for å sørge for at dette blir gjort er nasjonalstatene. Det er jo nasjonalstatene i all hovedsak som har gjort skaden, som bør reparere det. Det finnes noen som en gang referert til et regnestykke, hvor de ressursene brukt for å bygge ned det samiske språket/kulturen opp mot det som er brukt for å bygge opp, er smuler. Vi må tigge for smuler og utgangspunktet er så redusert for å bygge opp igjen.

Det er barn med lovfestet rett å få undervisning i og **på** samisk som ikke får det. Vi kan klage til Fylkesmannen når det ikke er adekvat tilbud, og han kan ikke gjøre mye, heller ikke skolen.

Det må kjøres på med midler med utdanning for lærere i samisk, tilrettelegging for samisk undervisning og midler til skoler. Uavhengig om det er én eller 600 elever.

Det er norsk lov, og da skal man følge det. Men da må vi også ha ressursene, og da blir det bare en ond sirkel hvor en klager til en annen men ingenting skjer.

**Thomas: du mener altså at det er gunstig(for samer/Sápmi) og mulig å revitalisere det samiske?**

**A:**

Det mener jeg, men det koster penger. Akkurat som alt annet, og det koster penger. Det må man erkjenne, og ta på alvor. Det har ikke noen norsk regjering noen gang gjort. Det gikk i riktig retning en tid tilbake etter tiår med, hva skal man si, *destruktive krefter*, men nå går det igjen feil vei.

Jeg ønsker at sentrale myndigheter tar dette på alvor og sammen med Sametinget løfter dette språkspørsmålet og bygge kulturen vår, så vi(samer) slipper å skrape på døren(til Stortinget).

Det er mulig, men det krever innsats. Heldigvis finnes det mange ildsjeler som gjør dette, som har språkkurs på kveldene som blir samisk-lærere og tar skritt utenfor det de egentlig er forpliktet til.

Uten dem hadde det råtnet helt.

25:41

**Torvald Falch, seniorrådgiver for Sametinget. 29/01/2016. Kl:1200. Sametingets kontor Storgata, Tromsø**

**Thomas:** 1. Hvorfor tror du det er ulike manntallskriterier blant de tre samiske parlamentene i Norge, Sverige og Finland?

**A:**

Det vet jeg egentlig ikke så innmari mye om. Manntallskriteriene i Norge og Sverige er i og for seg ganske like, det eneste som skiller dem er jo det med hvor mange generasjoner bak man går. I Sverige er det tre- til besteforeldre, og i Norge fire- til oldefargenerasjonen. Når Sameloven ble vedtatt i Norge i 1987 var det jo bare besteforeldre-krav her og, og så utvida til oldefargenerasjonen, som de ikke har gjort i Sverige.

I Finland er det jo litt annerledes og det tror jeg er av sånn finsk-historiske forhold og årsaker. De hadde jo et Sameparlament fra 1973 av, et såkalt parlament(Samerådet). Endringen kom jo i 90...

**Thomas:** 96

**A:**

96 ja. Det er klart at i Norge hvertfall er etnisitetsforståelsen bygger på den mer moderne, antropologiske forståelsen av etnisitet, at det er knyttet til grenser. Som både personer, individer og grupper kan flytte over. Det er mye knyttet til hvordan du uttrykker kulturelle karakteristikk og funksjoner osv. Og etnisitet er et slags samspill mellom folk, og ikke i isolasjon, som mange har en oppfatning. En gammel oppfatning av etnisitet, at man er som man er fordi man har vært isolert fra andre.

Du kan ha ulike karakteristikk som du vektlegger identitetstegn. Selvfølgelig er det jo ikke relativt, alt er ikke relativt for å si det sånn. Tilknytting til områder, ressursbruk, ressurskontroll er antageligvis ganske styrende for etnisitetsforståelsen. At det her med etablert samisk identitetesforståelse, cirka 100 år før kristus. Til da har alle drevet på, på en spesiell måte, så kommer det inn noe nytt, altså jordbruk. Det blir konkurranse om ressurser, og da får du det arkeologer knytter til det som er begynnelsen av samisk indentitet. Kulturelle tegn som er knyttet til jakt og fangst samfunn, som er mer en kontinuitet, til forskjell fra det nye, etterhvert det norrøne. Den der forståelsen av etnisitet som vokser fram i arkeologi og antropologien som etterhvert vokser fram på, utover 1970-tallet, har lagt i bunn for samepolitikken i Norge, altså det man har bygget den norske samepolitikken på, *forståelsen av hva samene er*. Det jeg ikke er sikker på om det er i samme grad på Finsk side. Jeg har ikke fulgt med, da jeg ikke kan finsk, men utifra det jeg forstår, evt få ekko fra finske debatter. Da virker det å være mer knyttet til slektsbånd, som er helt styrende, nærmest litt sånn... ja... genetisk avgjort.

Jeg skal være veldig forsiktig i å gi noen bastante meninger om det.

Men i den grad det skulle være tilfellet, så blir jo debatten om hvem som får være innenfor og utenfor mye vanskeligere.

For i en sånn moderne etnisitetsforståelse kan man jo faktisk *bli* same, men hvis du har en veldig statisk tilnærming, slik en genblodsforståelse, nærmest raseforståelse, så blir det veldig statisk. Det er mitt inntrykk at det ligger noe *der*(i raseforståelse), men jeg skal være forsiktig å ikke legge føringer på debatten rundt hvordan man definerer hvem som er samisk i Finland.

Og så ligger det nok noe i debatten om landressurs-rettigheter i Finland, som er helt annerledes enn på norsk side. Der det har det blitt nærmest etterlatt inntrykk av at hvis du er samisk så har du *mer* rettigheter enn andre, og da blir det viktig for noen å kunne bli samisk, for å sikre seg landressursrettighetene. Og da er det grupper i Nord-Finland som har prøvd å presse seg inn i manntallet.

Og dem som utgjør kjernen i Sametinget og samepolitikken i Sverige som er redd for å bli numerisk

utvannet. Så er staten inne på en helt annen måte, ved å blande seg inn i å definere hvem som er samisk istedenfor å la det være opp til samer. Særlig ved å bestemme at de som står i et register for hvis forfedre betalte en såkalt «lappe-skatt» på 1700-tallet og kan føre slektskapslinjer tilbake til dem, har rett til å stå i manntallet. Da risikerer man at man går veldig mange ledd tilbake i tid, og ikke bare fire. Jeg har forstått det slik at det er ikke gitt at alle som betalte den skatten nødvendigvis var samer, men at de bodde i samiske områder, og da ble alle betalende i de områdene ført opp som samer.

Men det er noen historiske faktaforhold som jeg ikke har oversikt over altså. Så det er jo primært *der*, de to forholdene som er med å styre, og det er jo derfor debatten om hvem som er samisk er heftigst på finsk side. Jeg opplever ikke den som like spiss på norsk side. Her er det jo et bredt politisk ønske om at flest mulig skal registrere seg som same.

09:10

- referer til frp-Henriksen som har meldt seg inn i manntallet, som gikk ut i media og sa at han *ikke* oppfattet seg som same. Altså at han innrømmer å lyge om selv-identifiseringskravet.

**A:**

På tross av sakens natur ble det ingen «opprensning» o.l i manntallet fra samisk side, og det tror jeg er mange på finsk side som synes er rart.

På svensk side har de jo samme kriterier som Norge, men også de som er reindriftsberettighet, eller?

**Thomas:** på svensk side ser man på hvem som bor i samebyer og ikke.

**A:**

Ja, men det er vel synonymt med å være samisk i Sverige er det ikke?

**Thomas:** det er eksklusivt for samer i Norge og Sverige men ikke i Finland

**A:**

det er ingen i samebyer som ikke oppfyller andre kriterier til manntallet.

Sverige har fulgt en annen samepolitikk historisk sett, hvor de har hatt assimileringpolitikk som i Norge, men også segregeringpolitikk hvor *lapp skal være lapp*. Hvor det samiske blir reindrift, og så skiller man reindriften ut. De har egne internatskoler for reindriftsbarn, og dermed blir samer og reindrift synonymt i Sverige. Slik er det jo ikke i Norge.

Sånn at *det* ligger også der, og derfor har du også i det svenske Sametinget; hvor jakt og fiske-samer er den største grupperingen på Sametinget. Og det synes ikke nødvendigvis alle som er tilknyttet samebyene er uproblematisk. Men det er jo ikke noen som foreslår at jakt og fiske-samer ikke skal kunne stå i manntallet. Men det er en diskusjon der, hvem er det som skal kunne stå i manntallet?

*Hvem er det som er same?*

12:04

Man har jo elementer av det samme i Norge også, det er jo en sånn strid mellom fastland-samer, kystlands-samer, innlandssamer. Det ligger jo der, men i Sverige er det mer spissa. Da tror jeg det kan være problematisk for noen ifra samebyene å utvide kriteriene mer, da de synes det er vidt nok som det er.

## 2. Hva er dine tanker rundt de nåværende manntallskriteriene i Norge?

12:40

**A:**

Er jo ikke same selv, så jeg står ikke der. Så jeg har ikke sterke meninger om det, og som ikke-same betyr det ikke så mye hva jeg synes.

104

Men mitt inntrykk er at det er en større grad av, erh, debatten domineres i større grad av en vilje til inkludering av flere inn i det samiske. Istedenfor en vilje til avgrensing.

Og derfor er det ikke, altså, egentlig, de som står i Sameloven at de som har samisk som hjemmespråk. Hvis du leser loven, helt isolert sett, så innebærer det jo at hvis jeg eller du, ordrett(tolkning), bor i det samiske kjerneområde og det er samer boende rundt oss.

Hvis jeg eller du skulle fått barn og lært oss og dem samisk, bruke samisk hjemme, så skulle man etter den lovdefinisjonen at man skal kunne registrere seg i det samiske manntallet.

Men det står i lovverket at det er *i oppveksten*, ikke sant, som hjemmespråk i oppveksten/oldeforeldre bla bla bla.

14:24

Hvis jeg skulle hatt en mening om det her så synes jeg at «*i oppveksten*» skulle man bare ha kuttet ut, hvis du faktisk bruker samisk som hjemmespråk selvom du har lært deg det i voksenalder, selv om du ikke har en forfader som var samisk. Ja, da er jo du inne i det samiske samfunnet! Da burde det vel være helt uproblematisk at du identifiserte deg som etnisk same, og kunne stemme på Sametinget.

Jeg tror ikke det nødvendigvis sann at det er en ytterligående mening i det samiske samfunnet, men jeg vet jo ikke helt da dette er noe som ikke diskuteres sann særlig mye.

**Thomas:** er det fordi det er et konsensus rundt det, eller er det fordi det er et tema man ikke ønsker å-

**A:**

Jeg tror det er relativt bred konsensus om at det fungerer greit, slik som det er. Og så er det jo selvfølgelig slik at det alltid vil være noen utrolige vanskelige grenseganger(grensesettinger), og det finnes ingen objektive svar på hva som vil være greit. Jeg tror de fleste kanskje vegrer seg for å gå inn i en stor debatt om dette her, egentlig.

**Thomas:** noen av problemstillingene som drøftes er jo med inngifte

**A:**

det har det jo vært noen forslag om å endre, det er det noen som har ytret meninger om; at en som er gift med en same bør kunne bli same. Min mening er at det er det vanskeligste kriteriet å overholde, fordi det å være gift er liksom ikke noe... hva er det for noe slags. Det er så mange samlivsformer som innebærer familierelasjoner uten at man i det hele tatt er gift. Og hva skjer hvis man blir skilt? Det synes jeg, for min del, det synes jeg høres veldig problematisk ut, og da synes jeg det er mye enklere med dette språkkriteriet. Er du gift med en same og du snakker språket så har du jo full sjanse til å delta. Litt innsats må man jo kreve, foruten å bare springe til byfogden.

17:00

**Thomas:** med adopsjon da?

**A:**

De er jo helt inkludert idag. Er du adoptert, og en av dine foreldre står i manntallet, så har du mulighet til å stå i manntallet. Det er jo dagens regler, det vil jeg tro de gjør på svensk og finsk side. Da er du jo rettslig sett barnet til noen.

**Thomas:** av disse tre kriteriene, hvilken tror du er viktigst?

**A:**

Den minst viktige er jo den siste, denne her «hvem som har stått i et register(register-genealogiske)». Hvordan statlige myndigheter førte disse registerene og hva de hadde i tankene kan vi bare undre på, men det var hvertfall ikke for at en gruppe mennesker skulle få stemmerett på 90-tallet. Det synes

jeg blir en ganske corny tilnærming til det. Den forstår jeg at de på finsk side, Sametinget i Finland, har sterke reaksjoner mot. Jeg tror i sånn urfolkssammenheng, hvem er det som er urfolk, så er det selv-identifisering som er det viktigste.

Men i selv-identifisering ligger det jo to-veis kommunikasjon. Du skal selv oppfatte og identifisere deg som urfolk, men du skal også bli akseptert som urfolk av de andre(urfolkene). I tradisjonell samfunn historisk sett fungerer jo dette, når du kommer inn til et lokalsamfunn og tiltar deg deres skikker og holdninger. Da blir du jo en av dem, og akseptert som en av dem.

I en moderne verden kan vi ikke ha det slik, en komite som skal få velge hvem som er ute og inne. Det er jo derfor man har de objektive kriteriene i tillegg, slik at de andre vil kunne akseptere deg. Derfor har man det objektive-språkkriteriet.

Hvis du tiltar deg språket og bruker det, så burde det også være tilstrekkelig. For da har du vist at du vil være, og er, en del av det fellesskapet.

Litt vanskelig å rangere kriteriene, men selv-identifisering kriteriet er viktigst, men det kan ikke fungere på egenhånd. Det har det egentlig aldri gjort, det fungerer i en kommunikasjon med noen. Når man i et moderne samfunn ikke har den aksepteringsbiten(stamme-komiteen), så må man ha noe i tillegg som er litt mer objektivt.

Ellers så blir det som et klesplagg, noe du kan ta av og på deg. Identitet er jo noe mer enn det, noe mer konsistent.

### **Thomas: lars monsen eksempelet**

#### **A:**

Noen ganger kommer det ut av det blå, jeg lurer på om han ikke alltid har vært klar over det. Uansett er det hans fulle rett. Det er veldig få som utnytter eller ønsker å utnytte systemet, for det er ikke så *lukrativt* å stå i manntallet til Sametinget. Det gir deg ingen andre rettigheter enn å stemme til Sametinget, så de som vil stemme på Sametinget er jo enten fordi de er genuint interessert i samiske spørsmål og vil være med å påvirke det, ellers fordi at dem reelt sett føler seg som same og ønsker en bekreftelse på at de er same.

Den eneste måten du kan få en bekreftelse, både for deg selv og andre at du er same, er å registrere deg i manntallet. Det kan ikke helt se ut at det skulle være noe utnyttelse av systemet, utnyttelse av hva for noe?

Det er jo selvsagt et mangfold i det samiske. Skal du ha en samepolitikk så må du også ha noe som gjør de samiske kulturelle trekkene og funksjonene, som skiller seg noe fra det øvrige.

Jeg undrer noen ganger;

«Kanskje er den største skilnaden det å kunne stå i same-manntallet»

samt hvordan man organiserer seg, blir et viktig trekk for din identitet. Det er ikke bare hva slags klær du har på deg, hva slags næring du har og hvordan du bærer sølja.

Du kan jo se på de nye samene at de ikke vet hvordan å bære kofte hehe.

Men det er kanskje andre uttrykksformer man benytter seg av for å signalisere sin samiskhet i denne moderne verden, og kanskje en av disse måtene er *hvordan man organiserer seg på*.

26:07