

Promoting inclusive parliaments:
The representation of minorities and indigenous peoples in parliament

CASE STUDY / PARLIAMENT / SAAMI

The Saami and the national parliaments: Channels for political influence

Eva Josefsen



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Preface



This article is a revised edition of an article published by International Work Group for Indigenous Affairs (IWGIA) under the title: "The Saami and the National Parliaments: Direct and Indirect Channels for Influence" in Wessendorf, Kathrin (ed.): Challenging Politics: Indigenous peoples' experiences with political parties and elections, IWGIA Document No. 104, Copenhagen 2001. The previous edition appeared in the publication *Gáldu Čála* 2/2004.

The study addresses two available channels of influence for the Saami population in relation to the national parliaments in Finland, Sweden and Norway, namely the election to national parliaments and the election to the Saami parliaments. The purpose of the study is not to present a thorough analysis of these channels. It has also been necessary to make some choices regarding which elements of these channels of influence to include. An important constraint for a detailed presentation of the conditions on the Finnish side has been the language barrier. Unfortunately, the undersigned has not been able to make use of Finnish texts. It is also not possible to provide anything other than a superficial description of the conditions in Russia due to relatively limited literature in English or a Scandinavian language regarding this subject.

I would like to thank IWGIA for the fact that it was possible to revise this study in 2003 and publish it in Norwegian and Saami under the auspices of *Gáldu* - Resource Centre for Rights of Indigenous Peoples in Kautokeino. I would also like to thank Karin Mannela Gaup, Rune Fjellheim and Marit Myrvoll for constructive input and comments in connection with the revision of the 2003 edition, as well as Elisabeth Einarsbøl at *Gáldu* - Resource Centre for Rights of Indigenous Peoples for good comments and proposals for changes in connection with this last edition. Any errors in the study, however, are the sole responsibility of the undersigned.

Eva Josefsen
Alta, June 2007

Introduction



This study addresses the Saami's relationship to the nation states through the election systems and political parties. Saami mobilisation in Finland, Sweden and Norway developed differently over time with varied conditions for political participation and influence. The development towards socio-economic equality between the Saami and society at large has been positive during the final decades of the 20th century. The greatest and most thorough change came with the establishment of the Saami parliaments in Sweden, Finland and Norway. The Saami in Russia still labour under very difficult framework conditions, both economically, socially and politically.

The study will begin with a presentation of the nation states' Saami history and the basis for the current national policy concerning the Saami. This will be followed by a presentation of the Saami's formal relationship to the national parliaments in two main sections; a direct channel through national elections to the parliaments, and an indirect channel via the Saami parliaments.

The direct channel provides an opportunity to influence the composition of the national parliaments, and thus the policy pursued, via the ballot box. Through the indirect channel, the Saami popula-

tion may influence the composition of the Saami parliaments, and thus influence the policy pursued by the Saami parliaments vis-à-vis the national parliaments.

This approach does not entail that all important decisions concerning the Saami population are made by the national parliaments. The Saami people also have other avenues for exerting influence than the ones addressed in this study. Influence may also be exercised through local and regional election channels and cooperative relationships and agreements. The cooperation agreement between the Saami Parliament and Troms County Municipality from 2003 is one example of this. The government administration, at both the local, regional and national levels, also plays an independent role in the development of the Saami societies in Finland, Sweden and Norway. However, it has unfortunately not been possible to address this in more detail within the framework of this study. This does not mean, however, that the significance of the government administration should be disregarded in any way, neither as regards preparatory stages nor during implementation of political resolutions.

The Saami

There are significant problems of method associated with attempts at establishing exact statistics for the total number of Saami (Pettersen 2004). This is partly due to the nation states' former assimilation and oppression policy vis-à-vis the Saami population. It is estimated, however, that there are 5000 – 6500 Saami in Finland, 17000 – 20000 in Sweden, approximately 2000 in Russia and 40000 – 45000 in Norway (Eriksson 1997). The Saami are a minority in almost the entire settlement area with the exception of the municipalities of Kautokeino and Karasjok in Norway and the municipality of Utsjok in Finland. There may also be other municipalities with a Saami majority although no current figures confirm this.

A little less than 10% of the Saami are active within reindeer husbandry. Parts of the Saami population make their living from agriculture, fishing and other commercial use of uncultivated land, but many of the Saami are now employed in other parts of the labour market. The Saami language can be divided into nine dialect groups that cut across national borders. Many Saami do not speak the Saami language.



The Saami live in four countries: Sweden, Finland, Russia and Norway. The map below shows the traditional Saami settlement area.



Source
Myrvoll, 1999, p 11

National Saami policy

The States' former Saami policy

The Nordic states' Saami policy from the 19th century up to some time after the Second World War was based on assimilation. This entailed that the Saami should replace their own cultural attributes and special linguistic features with corresponding skills from the majority culture. Saami culture, language and livelihoods were regarded as an obstacle to a consolidation of the nation states and general social development, an attitude that found its ideological foundation in Social Darwinism (Nystø 1993b). This ideological foundation was incorporated into all social structures; legislation, education, research and practical policy. There were, however, national differences. From the beginning of the 20th century, Sweden pursued a segregation policy vis-à-vis the Reindeer Saami and an assimilation policy vis-à-vis the other Saami, while Norway stuck to the assimilation policy for all Saami. On the Finnish side, the assimilation policy was not as explicit as in Norway. This means that the degree to which the various states tried to deprive the Saami of their language and culture varied in intensity (Sjølin 1996).

In the latter half of the 20th century, this ideology was gradually replaced by a more positive attitude from the governmental authorities, for example by introducing individual universal human rights. Over time, an international consensus developed that it is not possible to treat everyone the same based on identical standards. There was a gradual realisation that citizens may have different cultural backgrounds while the society at large was characterised by the majority culture. This understanding resulted in a shift in a positive direction as regards the State's relationship to minorities and indigenous peoples.

The Saami's call for collective rights is based on their status as an indigenous people. The demand for rights as an indigenous people is a response to circumstances not determined by themselves. The

most important circumstances are cultural affinity and the fact that "their historical settlement areas have more or less forcefully been incorporated into the nation state" (Oskal 1998, p 149). This entails that indigenous peoples have collectively been incorporated into the State without their own consent.

In other words; the political understanding of the relationship between the majority and minority, between the State and the Saami, has changed. Upon establishment of the national Saami parliaments, the states accepted the principle of group rights. Not only did the establishment of the Saami parliaments result in a structural change of the national political systems, but also in a broader understanding of representative democracy (Broderstad 1999).

In parallel with the development in the understanding of the relationship State – indigenous people, there was also a change in the understanding of representation through numerical elections. Based on the realisation that the principle of equal weighting of ballots during elections in multi-cultural societies, means that ethnic minorities as a constant minority will be at the mercy of the constant majority, attempts were made to find arrangements that to a greater extent would ensure that the Saami would have a voice and be heard.

The formal basis for the current national Saami policy

The development has been positive during the most recent decades as regards Saami issues. In relative terms, Saami policy issues have garnered more attention and focus on the national policy agenda than ever before. Laws and provisions have been adopted that provide stronger formal protection of Saami rights. These structural changes have created new framework conditions for political activities on behalf of the Saami, and the Saami as a people have achieved a potentially greater

National Saami policy

sphere of influence than before. However, there are national variations as regards how far the nation state is willing to commit itself to an expansion of the Saami's political rights, and to recognise the Saami as an indigenous people and as an ethnic group entitled to collective rights beyond ordinary civil rights.

The formal basis for a national policy concerning the Saami in Finland, Sweden and Norway is two-fold; international law and national law. Even though international conventions have been ratified; i.e. approved by the State, this does not entail that these conventions automatically have the same status as national law. In some countries this requires going through a special process, for example by explicitly incorporating the conventions into national law.

International law consists of several international agreements and conventions that states have endorsed or ratified. *The UN's International Covenant on Civil and Political Rights from 1966*, which all three of the countries have ratified, and the *ILO Convention (No. 169) concerning Indigenous and Tribal Peoples in Independent Countries*, ratified by Norway, are two of these central conventions.

Article 27 in the UN's International Covenant on Civil and Political Rights from 1966 states that "*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*". The UN has also determined that the article's concept of culture also comprises the material basis¹ for Saami culture. This interpretation has also been endorsed by the nation states.

ILO Convention No. 169 is the one most frequently referred to as regards Saami land rights as ascertained in Articles 14 and 15. The Convention also contains provisions to the effect that the states are

The demand for rights as an indigenous people is a response to circumstances not determined by themselves.

obliged to consult the indigenous peoples (Article 6) and that indigenous peoples' customs shall be taken into account when applying national laws and regulations (Article 8). The Convention also has articles addressing such issues as the right to training, employment, health and education.

Finland

Two provisions have been incorporated into the Finnish Constitution that cover Saami rights. Article 17, third subsection recognises the Saami's status as an indigenous people, as well as the right to use their native language when submitting inquiries to the authorities. Article 121, fourth subsection states that the Saami have linguistic and cultural autonomy within their homeland² to the extent that this is stipulated in other legislation.

In 1995 the Finnish Parliament adopted an Act on the Sami Parliament (No. 974 of 17 July 1995). Section 1 states the following regarding cultural autonomy within the homeland: "*The Saami as an indigenous people shall, as is further detailed in this act, be ensured cultural autonomy within their homeland in matters concerning their language and culture*". Section 5 goes on to stipulate that the Saami Parliament may consider all issues concerning the Saami's language, culture and status as an indigenous people.

Contrary to what is the case in both Sweden and Norway, the authorities are obliged to negotiate



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- with the Saami Parliament regarding all important decisions that either directly or indirectly may affect the Saami's status as an indigenous people. Section 9 states: *"The authorities shall negotiate with the Saami Parliament regarding all far-reaching and important measures, that directly or indirectly may affect the Saami's status as an indigenous people (...)"*. Compared with Sweden and Norway, the Saami in Finland therefore have the strongest statutory rights.

However, practice shows that these formal rights have not been converted into practical political action to any particular extent. No comprehensive formal structures or joint arenas of significance have been established between the Saami Parliament and the Finnish Government to ensure that the intention in the legislation regarding Saami influence is met. The authorities' statutory obligation to negotiate with the Saami therefore appears to be a provision with little actual substance. The competence regarding Saami issues is also low, both in the central public administration and among Finnish politicians. This lack of competence also includes limited familiarity with Finnish legal provisions regarding Saami issues. Saami issues mainly sort under Justitieministeriet (the Finnish Ministry of Justice), but Saami issues are also handled by other ministries. The Ministry of Land and Forest is responsible for reindeer, fish and game management, while the Ministry of Education is responsible for educational and cultural activities. There is also a Saami delegation under the leadership of the county governor in Lappland County Municipality, with six members from six ministries and six members appointed by the Saami Parliament (Nordic Saami Convention 2005).

Sweden

In Sweden, the Saami's status as an indigenous people has not yet been codified into law. In connection with Sweden's ratification of the Council of Europe's Framework Convention for the Protection

of National Minorities and the European Charter for Regional or Minority Languages³, it was stated, however, that the Saami are an indigenous population. The status as an indigenous people has not, however, been stipulated in the Constitution. The reasons given by the Swedish authorities for this is that the Swedish Constitution's provisions that ethnic, linguistic and cultural minorities shall be granted the opportunity to keep their culture and social life, also provide constitutional protection for the Saami.⁴ The European Convention on Human Rights has also been a part of Swedish national law since 1995⁵, in addition to Sweden having ratified the UN's International Covenant on Civil and Political Rights, thus committing itself to follow up Article 27, for example.

As regards ILO Convention No. 169, there was a discussion in SOU 1999:25 regarding which conditions must be met before ratification can take place. Sweden has still not ratified this convention.

In 1992 Sweden adopted a Saami Assembly Act (Sametingslag 1992:1433). The act governs the activities of the Saami Parliament, and states that the Saami Parliament is a governmental authority generally to be regarded as a governmental administrative body. The Saami Parliament is also an elected body elected by and among the Saami population. The Ministry of Agriculture serves as the ministry responsible for Saami issues. Within the Ministry, it is Same- och utbildningsenheten (the Saami and Educational Department) that handles Saami and reindeer husbandry issues in addition to being responsible for higher education and research related to commerce, preservation of gene resources, genetic engineering, hunting and game management, political agricultural issues and agricultural land issues (www.regeringen.se). The responsibility for issues concerning Saami language and culture sorts under the Ministry of Cultural Affairs, while the Ministry of Education is responsible for Saami schools.

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Norway

His Majesty King Harald V said during the opening of the Saami Parliament in 1997: *"The Norwegian State is founded on the territories of two people – the Norwegians and the Saami"* (Hætta 1998). This had also been stated previously in Storting White Paper No. 52 (1992-1993).

In Norway, the UN's International Covenant on Civil and Political Rights is part of the national Norwegian legislation⁶. Norwegian authorities also ratified ILO Convention No. 169 in 1990. This Convention's Articles 13 and 14 are of particular importance for Saami land rights. In 1987, the Storting (Norwegian Parliament) adopted the Saami Act (Act of 12 June No. 56 1987). Section 1 states that: *"The purpose of the Act is to enable the Saami people in Norway to safeguard and develop their language, culture and way of life."* Approximately the same text has been incorporated into the Constitution as Article 110 a).⁷ Chapter two of the Saami Act has provisions regarding the Saami Parliament. Section 2-1 stipulates that "The business of the Saami Parliament is any matter that in the view of the Parliament particularly affects the Sami people". Chapter three provides provisions regarding the use of Saami language for public bodies as well as geographical and administrative delimitations. The Saami language is an official language in Norway.

Proposal for a Saami Convention

In 2005, a draft Nordic Saami Convention was presented, prepared by an expert group consisting of government-appointed members from Norway, Sweden and Finland. The Convention has a total of 51 articles and the purpose of the Convention is to allow the Saami people to safeguard and develop their language, culture, livelihoods and way of life with the least possible interference by national borders. The Convention stipulates minimum rights, states that the Saami are an indigenous people in

the three countries and that the Saami have the right of self-determination. The states' responsibility comprises all administration levels: national, regional and local.

The Convention is divided into a total of seven chapters, which include Saami control through the rights of the Saami parliaments and their relationship to the State, Saami language and the status of the culture, e.g. through Saami media, education and research, Saami land and water rights and Saami livelihoods.

The preface mentions the Finnish representatives' difficulties with accepting parts of the Convention, including Article 3 on the right to self-determination, Chapter 4 on Saami land and water rights, and Article 42 on reindeer husbandry as a Saami livelihood. The Convention is, however, supported by all members, has been subjected to a consultation process and is currently being considered by the various governments.

Russia is not covered by the draft convention.

Russia⁸

Russia has ratified the UN's International Covenant on Civil and Political Rights and, like the other countries with Saami settlements, is bound under the covenant and its Article 27. The covenant is part of national Russian law (Ravna 2002). ILO Convention No. 169, however, has not been ratified by Russia. →

Saami policy issues have garnered more attention and focus on the national policy agenda than ever before.

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- As is the case in Finland and Norway, Russia also has a provision in the Constitution that provides protection for indigenous peoples, that states:

The Russian Federation guarantees the rights of small indigenous peoples in accordance with the generally accepted principles and standards of international law and international treaties endorsed by the Russian Federation.

Ravna 2002, p 154

Legislation at the federal and regional level is subject to the constitutional provisions of the Russian Federation.

The Federal Assembly of Russia adopted on 30 April 1999 the "Act relating to guarantees of the rights of small indigenous peoples of the Russian Federation", also called the "Indigenous Peoples Act" (Ravna 2002). The Act provides, for example, rights for indigenous peoples to participate in areas such as consultation and control concerning traditional land areas and as regards traditional ways of living and livelihoods. The Act does not grant strong legal protection, but still ensures a legal basis (Ravna 2002). In spite of these formal provisions regarding indigenous peoples' rights, the indigenous peoples themselves experience that they are excluded from their traditional land areas by other economic interests (IWGIA 2002). The Saami language, culture and natural basis for the culture in Russia are therefore under great pressure. As a small indigenous people, the Saami generally have little opportunity to reach the Russian authorities, neither through the ballot box nor by elected representatives giving priority to the Saami or indigenous peoples in general. The Duma in the County of Murmansk, however, adopted provisions in 1997 that state that the governmental bodies in Murmansk shall assist the Saami in implementing their rights (Rantala 2005). The municipality of Lovozero has also employed one person to handle indigenous people issues (Rantala 2005).



The Russian Saami are organised in two organisations; Guoládaga Sámi Searvi (Kola Saami Association) established in 1989, and Murmanskka guovllu Sámesearvi (Saami Association of Murmansk Region). Both associations are members of the Saami Council,⁹ which has status as a "permanent participant"¹⁰ in the Arctic Council. The Saami on the Russian side can therefore be heard through this body. The Russian Saami also have the opportunity to work through the organisation RAIPON (Russian Association of Indigenous Peoples of the North, Siberia and Far East).¹¹ This entails that the Saami in Russia can strengthen their influence through participation in various international forums through these two organisations that have status as NGOs¹² in various international organisations.

For the Saami on the Russian side, it is also important that the Saami in the other Nordic countries show solidarity and use any available opportunity to influence Russian policy and politicians in a positive direction as regards both social rights and the rights of indigenous peoples.

The direct channel

The direct channel in this context shall be understood to mean systems that regulate the composition of and participation in national democratically elected bodies. The basic principle is an electoral system in which each citizen has one vote carrying the same weight with decisions made based on majority rule. In this system, the Saami have the same formal rights as the rest of the population.

In the Western democracies, ideological divisions are organised into national parties. Saami issues must also be adopted into these systems characterised by the majority's understanding of culture and society, and compete for attention with issues of national interest. How the Saami make use of this direct channel varies from country to country. In Sweden the Saami have historically rejected national parties as an appropriate alternative for promoting Saami issues. In Norway, however, the ties have been closer. This division showed up even at the first Saami Congress in Trondheim in 1917, where among the Swedish Saami there *"was an overwhelming majority for a policy independent of party politics"* (Minde 1996, p 3). Finnish Saami participate in national parties to a greater extent than in Sweden, but appear to make less aggressive use of these channels than the Norwegian Saami. The fact that the electoral channels have been used differently can, at least to some extent, be due to the states' policy vis-à-vis the Saami being different in the three countries, with the result that the Saami societies have developed differently.

Proposals regarding separate seats for the Saami in the national parliaments have been presented from time to time, but have not yet been considered in Finland, Sweden or Norway. This has also not been a prioritised demand by the Saami organisations. However, there are examples of indigenous peoples having direct representation in national elected parliaments. Denmark has a provision in the Constitution that stipulates that Greenland shall be represented in the Danish parliament Folketinget (NOU 1984:18). In New Zealand, seats have been reserved for the Maori in the national parliament since 1867 (McGill 1996-1997).

The direct channel in Finland

Ordinary elections to the Eduskunta (Finnish parliament) are held every fourth year, and all citizens from 18 years of age have the right to vote. People elected to the parliament must be eligible to vote during the parliamentary election. The president may issue writs for a new election. The country is divided into fifteen constituencies, and the number of inhabitants determines the number of representatives from each constituency. A total of 200 representatives are elected.

Proposals regarding separate seats for the Saami in the national parliaments have also not been a prioritised demand by the Saami organisations.

Elections in Finland are based on proportional representation with the voters being able to influence which persons are elected. Lists may be organised through a party or an electoral pact, but the candidates are not ranked in any order on these lists. The voters therefore vote both for a list and for a person on this same list. A vote on a person is counted as a vote for the party/list, and the sum total of such votes for the parties will determine how many seats each party will have from each constituency (Heidar and Berntzen 1993). The number of votes for each candidate will determine who will represent the party/list.

The Saami population in Finland has not yet been represented in the Finnish parliament (Aikio 1994). Since 1978, however, the parliamentary committees have conducted hearings with Saami representatives. No Finnish party has adopted any separate Saami policy, but the parties have been influenced



The direct channel

- by Saami members. It is difficult to determine the extent of this influence, however, because the parties do not have Saami issues on the agenda or clear Saami policy objectives. Quite the contrary, as the term "Saami policy" is rarely used because Saami politicians do not want to "irritate" the Finnish majority (Eriksson 1997). However, Finnish Saami have been elected to municipal councils as representatives of Finnish parties in the Saami municipalities in Northern Finland, in addition to Saami also having been elected on Saami lists with no party affiliation.

The direct channel in Sweden

Ordinary elections to the Riksdag (Swedish parliament) are held every fourth year. Elections for county councils and municipalities are also held on the same day. All citizens above 18 years of age are entitled to vote. The country is divided into 29 constituencies for the Riksdag elections. The constituencies correspond with the counties with a few exceptions. A total of 349 representatives are elected to the Riksdag. People elected must be eligible to vote during the parliamentary election in addition to having been nominated by a political party or a political group. The candidates are listed in a ranked order.

Political participation

No Saami has been elected to the Swedish Riksdag since the introduction of universal suffrage (Sjølin 1996)¹³. Proposals for Saami representation were presented to the Riksdag in both 1920 and 1930, and in 1940 there was a proposal that a "lappriksdag" (Lapp Parliament) should be established with duties such as appointing Saami representatives to the national parliament (Sjølin 2002, pp 51-56). Since then no written demands have been presented for separate Saami seats in the Swedish parliament. As regards ensuring that the Saami would be able to congregate to safeguard their own interests, the Swedish authorities covered the costs of the meeting in 1937 and 1948 to obtain Saami viewpoints on bills being

considered by the Riksdag (Sillanpää 1994). This may be interpreted to mean that Swedish authorities wanted to let the viewpoints of the Saami be heard. However, these were only two single events against a backdrop of governmental tutelage and lack of rights as a people. This was stated as late as in 1974: *"The State as the protector of the Saami provided poor protection in matters where the State was a stakeholder. It is currently the State that causes the greatest encroachment on the Saami"* (Dahlström 1974, p 109).

Participation in party politics

Even as early as the first Saami Congress in Trondheim in 1917, the Swedish Saami rejected the notion that cooperation with the national parties was an option. The same happened the following year, in Östersund in 1918, during the first national congress for the Saami in Sweden, as there was a majority for not engaging in ordinary party politics there as well. The main reason for this may be the historical conflict between reindeer husbandry and other livelihoods. The national Swedish parties were not regarded as natural allies in this conflict. On the contrary, they were perceived to be advocates for and collaborators with agriculture and forestry interests. Another explanation may be that the Saami wanted to pursue a neutral line in terms of party politics in order to be more free to influence existing decision processes without being tied to individual parties (Sjølin 1996).

As the Saami decided on a neutral strategy as regards party politics, there were few Saami on the ballots and not many in the parties well acquainted with Saami issues. It may be said that the consequence of this could be seen when the Riksdag in its debate on SOU 1989:41 on Saami law and the Saami Parliament "manifested a lack of knowledge and competence regarding Saami issues" (Nystø 1993b, p 48). It appeared that the Saami policy debate among the parliamentary representatives to a large extent was focused on reindeer husbandry without placing it in a comprehensive Saami policy context. National Swedish Saami policy has in other

The direct channel

words been focused on reindeer husbandry up to the present, with affiliation to this livelihood being considered as the objective criterion for ethnic Saami identification (Mörkenstam 1999).

Prior to the establishment of the Saami Parliament, there were no Saami lists for municipal, county or parliamentary elections. After the Saami Parliament has started to function, and the Saami organisations have established their own Saami parties, several of these parties have established lists during municipal elections and gained seats. Another development in recent years is that several Swedish parties have prepared a separate Saami platform, including the Left Party of Sweden, the Green Party of Sweden and the Swedish Social Democratic Party.

The direct channel in Norway

Elections in Norway are based on proportional representation. Ordinary elections to the Storting (Norwegian Parliament) are held every fourth year, and all citizens from 18 years of age have the right to vote. The country is divided into 19 constituencies for the Storting elections. The Storting has 165 seats.

Elected persons must be eligible to vote during the parliamentary election in addition to having been nominated by a political party or an electoral pact or be on an approved list. The candidates are listed in ranked order.

The first Saami policy mobilisation

The first Saami, Isak Saba, was elected to the Storting in 1906. He represented the socialist party for Eastern Finnmark and was elected based on two programs, of which one was a Saami policy platform. The northern Saami mobilisation was to a large extent a Sea Saami movement with a background in the Norwegianisation policy and the economic deterioration for the Sea Saami (Drivenes and Jernsletten 1994). However, Saba was to remain

In 1921, the Saami movement in Finnmark County had separate lists for the parliamentary election.

a solitary figure in the Storting in his attempt at slowing down the Norwegianisation of the Saami. He also did not gain any support for his modest campaign from his own fellow party members. There was broad political consensus in the Storting regarding Norway's assimilation policy vis-à-vis both the Saami and other minorities, a consensus that did not show any sign of change until after 1945.

There was also a mobilisation among the South Saami. The motivation of the South Saami, as for the Swedish Saami, was to defend the interests of reindeer husbandry, which were under strong pressure from the authorities. The fact that business interests and conflicts gained the most attention, while the South Saami were few in numbers, rendered any establishment of alliances with Norwegian parties very difficult (Drivenes and Jernsletten, 1994, Minde 1980). This, however, resulted in an inner unity among the South Saami, which in turn ensured that most South Saami organisations survived the 1930s and 1940s.

Around 1920, the Saami movement in Northern Norway, like the South Saami and the Saami on the Swedish side, attempted to stay outside Norwegian party politics. In 1921, the Saami movement in Finnmark County had separate lists for the parliamentary election. The same was the case in Nordland County in 1924. They were, however, a long way off receiving the votes necessary for a seat in the Storting. These two attempts, and a Saami policy supplement to the election manifesto of the



The direct channel

- Labour Party in 1924, marked the end of the Saami policy mobilisation aimed at the Storting for several decades. Any representatives in the Storting with a Saami background during this period up to the 1990s, were not elected based on a Saami policy platform and did not promote any significant Saami policy initiatives (Minde 1995).

Participation and representation

After 1945 there was a new Saami mobilisation, this time through establishment of national Saami

organisations. "The Sámi in Sweden showed the way in the 1950s and 1960s. The breakthrough came in Finland, where an elected Sámi parliament was established in 1973. In Norway, a major change occurred in public opinion about the Sámi situation during the 1980s." (Magga 1994). The conflict between the Saami and the State concerning the development of the Alta/Kautokeino watercourse created a political legitimacy crisis for Norwegian authorities, which resulted in a change in the political climate for Saami issues in a more positive direction.

Pursuing power through participation in the national election system is basically a Norwegian phenomenon during this period. The Saami movement made it possible once again to present Saami lists. This happened for the first time after 1945 during the parliamentary election in Finnmark in 1969 (NOU 1984:18). After this there were Saami lists during municipal, county and parliamentary elections in Finnmark, Troms and Nordland counties. Saami representatives have also been elected to municipal councils, county councils and the Storting via Norwegian party lists, and have worked actively on Saami policy issues. Sámeálbmot bellodat (Sami People Party) was approved as a nationwide party in 1999.

Direct Saami representation in the Storting has been proposed several times. In 1969, when there were Saami lists in Finnmark for the parliamentary election, it was stated that "the time is now right for amending the Constitution of Norway to provide a legal basis for the Saami's right to representation in the Norwegian Storting" (NOU 1984:18, p 479). In 1974, the Liberal Party suggested that the Constitution should be amended to stipulate that the Saami in Norway should elect two separate representatives. However, the demand for direct representation in the Storting through fixed seats has never been a rallying point for Saami organisations. It was instead the demand for a separate elected body that was pursued to strengthen the democratic rights of the Saami.



The Indirect channel

The Saami channel, or indirect channel, to the national parliaments is the elected Saami parliaments. Elections are organised as direct elections based on an electoral register of Saami eligible to vote. Registration in the Saami parliaments' electoral register is voluntary. In other respects, the election arrangements are to a large extent based on the same model used in the respective countries. This entails that there also are some differences between the three Saami parliaments.

The Saami parliaments have been established based on the realisation that the Saami will always be a small minority in the national political systems, and that the ordinary (direct) electoral channel does not ensure that the voice of the Saami is heard. The prelude to the indirect channel was the growth of national Saami organisations after the Second World War. The precursors were local Saami associations, as well as non-Saami organisations, with most of the members from academic communities with Saami language and culture issues as their main focus. The Nordic Saami Council was established in 1956 as a coalition of Saami national organisations from Sweden and Norway and the Saami Parliament in Finland. When the borders to the east were opened and Russian Saami could participate as members, the name was changed to the Saami Council. The Council is funded annually via the Nordic Ministerial Council's budget.

In 2000, the Saami parliaments in Finland, Sweden and Norway established a joint Nordic cooperative body; the Saami Parliamentary Council. The Saami Council and the Saami in Russia have status as observers in the Council. The purpose of the Saami Parliamentary Council is to safeguard the interests of the Saami and strengthen Saami cooperation across the borders. The objective is also to coordinate the voice of the Saami internationally and in particular vis-à-vis other indigenous peoples in the world. The chairmanship rotates between the three countries. Over a four-year period, each of the Saami parliaments will hold the position as president or vice president for a period of 16 consecutive months. The secretariat function is

handled by the Saami parliament from which the president hails.

The Saami channel in Finland

Lapin Sivistysseura was established in 1931, and was the first organisation dealing with Saami issues in Finland. The initiative came from non-Saami bureaucrats and academics with Saami language and culture as their special field. The members were also to a large extent non-Saami (Jernsletten 1995, Sillanpää 1994). For many years, the organisation was one of the most influential in Scandinavia with the purpose of promoting attention to Saami culture. In 1945, the Saami established a separate organisation; Saami Litto. This organisation, however, never became a strong national Saami interest group vis-à-vis Finnish authorities (Sillanpää 1994). As Finnish Saami do not have an exclusive right to reindeer husbandry, there has also been no development of a strong Saami reindeer husbandry organisation.¹⁴ Saami reindeer owners are a minority in the Finnish reindeer husbandry organisation Paliskuntain Yhdistys.

In a joint meeting between Lapin Sivistysseura and Saami Litto in 1947, a memo was drafted specifying necessary public measures to safeguard the future of the Saami. This meeting resulted in the establishment of a commission on Saami issues in 1949. The commission presented a proposal for establishment of the first Saami Parliament in 1972 (Sillanpää 1994).

The establishment of this Saami Parliament led to Saami activists changing their focus from political mobilisation to cooperation with the State. "Most nongovernmental political organizations eventually died, and with them also critical and "irresponsible" voices. This is an important explanation for the comparatively quiet and weak opposition of Finnish Sami." (Eriksson 1997, p 98).

With the establishment of the national organisation Suoma Sámiid Guovddášsearvi (Saami Association



The Indirect channel

- of Finland) in 1996, Finnish Saami once again had an organisation with all Saami as its target group. Suoma Sámiid Guovddášsearvi is a member of the Saami Council. The activities are mostly financed via earmarked funds, which provides for poor economic framework conditions. Without reasonable financing of the operations, it will not be possible to develop an effective Saami political organisation in Finland.

As regards who has pushed Saami issues in Finland, Sillanpää says: *"In some ways, the Finnish state has been the instrumental force in the mobilization of a collective Sami political identity when, by means of a Cabinet Decree in 1973, it created the Sami Delegation (or "Sami Parliament")."*¹⁵ (Sillanpää 1994, p 58). The progress may therefore be interpreted as coming because *"pro-Saami bureaucrats in the ministries may have had a considerable influence in effecting reform."* (Jernsletten 1994). The Saami policy development on the Finnish side therefore appears extraordinary compared with Sweden and Norway, where the development is a result of Saami demands.

The old Saami Parliament (1972 – 1995)

The first trial election to the Delegation for Sami Affairs (Saami Parliament) was held in 1972. The first ordinary election took place in 1975, and the first Saami Parliament convened at the beginning of 1976. The Parliament had 20 representatives and was the Finnish Saami's voice in the Saami Council. After 1972, the Saami Parliament was the unifying body for Finnish Saami. Saami initiatives vis-à-vis the authorities also came from here, with the result that "the Constitutional Committee of the Eduskunta has, since 1976, issued a number of statements (...)." (Sillanpää 1997, p 206). The old Saami Parliament (Sámi Párlameanta) was replaced by the new Saami Parliament (Sámediggi) in 1995.

The new Saami Parliament in Finland

In 1995, the Finnish Eduskunta adopted an Act on the Sami Parliament (Act No. 974) where it was resolved that a Saami Parliament would be established. Section 1 of the Act states that the Saami

have status as an indigenous people. This was an important change in status for the parliament and the Saami people in Finland.

The Saami Parliament has 21 representatives and four deputies. The Act on the Sami Parliament stipulates that the Saami Parliament shall be led by a chair and two deputy chairs (Section 11 of the Act on the Sami Parliament). Of the ordinary representatives, there must be at least three representatives and one deputy from each of the municipalities within the Saami "Homeland" (Section 4). Elections to the Saami Parliament are held every fourth year. All of Finland constitutes one constituency. A candidate must be proposed by three other persons. The elections are therefore purely individual in nature where *"Family, friends and neighbours seem to be the electoral basis"* (Eriksson 1997, p 140). The candidates do not represent any parties or groups, and there is thus no party machine behind the representatives in the Saami Parliament. As there is only one national Saami organisation in Finland, it is expected that the Saami Parliament will be dominating body in the Saami policy arena in the future as well.

The Saami channel in Sweden

The first national Saami organisation in Sweden, Same Ätnam,¹⁶ was established in 1945. The main objective of this organisation is to promote the interests of Saami not affiliated with reindeer husbandry. In 1950, Svenska Samernas Riksförbund (SSR)¹⁷ was established to safeguard the interests of the Reindeer Saami. Both organisations have been represented in governmental committees handling Saami issues. In addition, Saminuorra was established in 1963 and Landsförbundet Svenska Samer (LSS) in 1980. Since then, the national organisations Renägarförbundet and Samerna have also been established.

The demand for a Saami Parliament was fronted by Same Ätnam and Svenska Samernas Riksförbund

The Indirect channel

through two letters to the Government in 1981. The background for the Swedish authorities willingness to establish a Saami Parliament was the general international development of issues relating to minorities and indigenous peoples, in addition to the judgements rendered in the "Taxed Mountains Case" (Skattefjällsmålet), and partly the Alta Case in Norway (Nystø 1993a).

The Saami Parliament in Sweden

The study of Saami issues in Sweden resulted in the establishment of the Saami Parliament through the Sami Assembly Act (SOU 1989:41). Other Saami demands, such as a constitutional amendment confirming their status as an indigenous people, or ratification of ILO Convention No. 169, were not met. It was also emphasised that the Saami Parliament was to be a regulatory body under the Swedish Government and not primarily a body for Saami self-government. The first president in the Swedish Saami Parliament summarised this as follows: "All those good intentions to acknowledge the Samis as a people and provide them with a kind of self-determination got no further than the introduction of the Sami Assembly Act, the purpose of which is merely to regulate the Sami Assembly" (Åhrén 1994, p 37).

The first Saami Parliament in Sweden convened in 1993. The Saami Parliament has 31 representatives elected every fourth year. All of Sweden constitutes one constituency. Saami organisations determined early on that they did not wish to be on the ballot through Swedish national parties. Instead, separate parties have been established either as an extension of Saami organisations or established in connection with elections. Parties, groups or other associations that want a list on the ballot, must register with the Election Board. During the election period 2001-2005, nine parties were represented, while six are represented in the period 2005-2009.

Upon proposal from the Saami Parliament, the Government appoints a chairman for the Saami Parliament (Section 2 of the Sami Assembly Act).

Saami organisations determined early on that they did not wish to be on the ballot through Swedish national parties.

The reason for this is that "The general rule is that the head of a governmental administrative body is appointed by the Government" (Prop. 1992/93:32 Appendix 1, p 45). In addition, the Saami Parliament shall elect a board with up to seven representatives and seven deputies (Section 4) with responsibility for the current operations. In accordance with Section 5a of the Act, the plenary may withdraw the support of the board's representatives if the majority of the board is not in accord with the majority of the plenary of the Saami Parliament.

The Swedish Lagting (house of the Swedish Parliament) decided, in Section 1 of the Sami Assembly Act, to establish a Saami Parliament "*with the primary objective of handling issues related to Saami culture in Sweden*". Chapter 2, Section 1 of the Act lists the duties of the Saami Parliament. This comprises distributing governmental funds to Saami culture and organisations, appointing the board of the Saami school, managing the work on the Saami language, taking part in social planning and ensuring Saami needs are safeguarded – including the interests of reindeer husbandry, and, finally, providing information about Saami conditions. Such a specific listing of duties in the Sami Assembly Act, illustrates and emphasises that the Saami Parliament in Sweden is a governmental administrative authority. However, the Saami Parliament also serves as an elected Saami body. "It is undoubtedly an impossible situation. If a Parliament representing an ethnic minority is to enjoy any legitimacy and to show any kind of power, it is obvious that it cannot at the same time represent



The Indirect channel

- its major opponent, in this case the state." (Eriksson 1997, p 162). This two-fold and conflicting role is stipulated in the Sami Assembly Act.

The Saami channel in Norway

The first main, nationwide Saami organisation, Norske Reindriftssamers Landsforbund¹⁸ was established in 1948. In 1968, Norske Samers Riksforbund¹⁹ was established to represent all Saami, and has since worked for Saami rights, with special emphasis on the demand for a separate elected body and Saami land rights. Samenes Landsforbund was established in 1979, in connection with the Alta Case. This organisation rejects all demands for historical Saami rights, including the establishment of the Saami Parliament. In 1993, Samenes folkeforbund²⁰ was established by a breakaway faction of Samenes Landsforbund that wanted to participate in the Saami Parliament elections.

The Alta Case forced the authorities to put Saami issues on the agenda through several large studies on Saami cultural and legal rights. During this process, both the Sami Reindeer Herders' Association of Norway and the Norwegian Saami Association played key roles.

The Saami Parliament in Norway

The Saami Parliament first convened in 1989. 41 representatives are elected from 13 constituencies with three representatives from each constituency.²¹ Elections are held every fourth year simultaneously with the parliamentary election. The representatives are elected from lists established by Saami national organisations, Norwegian political parties and local lists. The daily operation is managed by the president of the Saami Parliament and the executive council representing the current plenary majority at all times. The Saami Parliament's plenary meetings are chaired by a leadership.

Candidates for the Saami Parliament elections in Norway have come from Saami organisations, Norwegian parties and local lists. The practice of Saami being on the ballot under the name of Norwegian parties is a distinctive characteristic for the Norwegian Saami Parliament compared with the Saami parliaments in Sweden and Finland. All parties represented in the Storting have been represented among the flora of lists for the Saami Parliament elections. So far, Saami representatives from three Norwegian parties have been elected. The Labour Party has had representatives in the Saami Parliament from the first term. The party has prepared rules for the party's Saami policy work that regulate, for example, the party's nomination process and scope of activity and responsibility for the party's "Saami Policy Board".²² The mandate is to provide advice to the party's Storting group and, if relevant, to the party management in the ministries, as well as to the party's Saami Parliament group. The party's Saami policy manifesto (principles) is adopted by the Labour Party Congress. If the head of the Saami Policy Board is not a member in the Labour Party's Executive Board, this person is entitled to attend meetings on Saami policy issues. The Centre Party has been represented in the Saami Parliament since 1993. The party has also established formal structures through a "Saami Policy Board"²³ and through provisions concerning this board in the Centre Party by-laws. The Saami Policy Board is represented in the Executive Board and summoned to the Party Congress. The board is responsible for the election platform for the Saami Parliament elections. The Conservative Party has been represented in the Saami Parliament since 2001.

The fact that Norwegian political parties have lists for the Saami Parliament elections have contributed to putting Saami issues on the agenda, activating the Saami members and having Saami policy platforms drawn up.

Exercising influence

Even though Sweden, Finland and Norway may appear to be relatively homogeneous countries when viewed from the outside, there are still historical and cultural differences between the countries. These differences also show up in public forums as regards both political and administrative traditions.

Sweden and Finland have not yet had a thorough general public debate regarding the relationship between the Saami and the State. In Norway, there was a legitimacy crisis between Norwegian Saami and the Norwegian State in connection with the conflict concerning the development of the Alta/Kautokeino watercourse, which caused an intense debate and resulted in Norwegian authorities having to reassess their Saami policy. The Saami in Sweden and Finland have not been able to confront the national authorities in the same manner.

National parliaments, parties and the Saami

Saami influence on decisions in national elected bodies depends on several factors. One of these is how concerned the national parties are about Saami policy issues, and to what extent they have incorporated this into their platform. Another variable is the involvement of the Saami, and how actively the members work on establishing

The parties have committed themselves through adopting Saami policy platforms to a varying extent.

Saami policy issues on the party policy agenda. This also includes whether Saami are nominated and elected to national parliaments on the basis of Saami policy viewpoints adopted by the parties. In this study, these variables are addressed under the direct channel.

Saami influence may also be exercised through the elected Saami parliaments, here called the indirect channel. This influence is structural through direct election of Saami representatives to the Saami parliaments. The formal framework and the Saami parliaments' ability to establish spheres of influence in relation to national authorities, will determine how efficient this type of influence will be.

There is a congruent history of the Saami's influence on the national parliaments through national



Exercising influence

- parties in the three Nordic countries. Over the last 20-30 years, however, the development has moved in different directions. The Saami on the Norwegian side in particular have been able to establish more central roles in several of the parties.

The parties have committed themselves through adopting Saami policy platforms to a varying extent on the Finnish, Swedish and Norwegian sides. A clear advantage of a party policy involvement is that the Saami then can exercise direct influence on the parties' viewpoints. Viewing and developing Saami policy in relation to party policy ideology may become an incentive for stating opinions and exchanging views among all parties. At the same time, it cannot be ignored that Saami members in the national parties will always be a minority. Resolutions adopted by the party majority also apply to the party's Saami members. This may create problems in cases where the priorities of the majority are contrary to the interests of the Saami. Saami members may end up as "hostages" providing legitimacy to a policy not in agreement with the general interests of the Saami.

The Saami on the Swedish and Finnish sides have not been as involved in national parties as on the Norwegian side. The Swedish Saami have focused their activities vis-à-vis the Riksdag through the Saami organisations, while the Finnish Saami use the Saami Parliament.

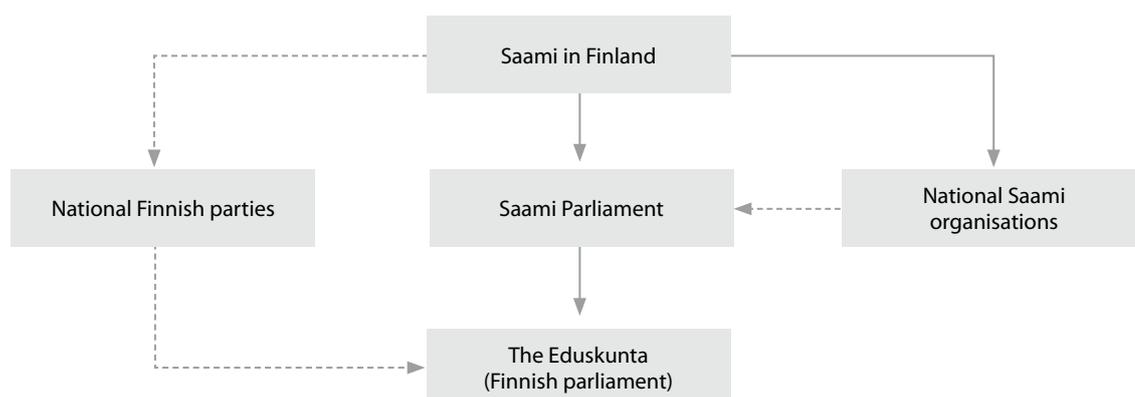
The Saami parliaments in Sweden, Finland and Norway have also developed differently. This will probably be of significance for the future development in the three countries, but also for the bodies' ability to influence the national parliaments.

The Saami and channels to the national parliaments

The three models below illustrate the Saami's relationship to the national parliaments.

The Saami organisations in Finland do not have the necessary financial resources to function as efficient interest groups. As shown by the figure below, no local or national Saami organisations are officially affiliated with the Saami Parliament through the electoral channel.

FIGURE 1
The Saami and the Finnish Eduskunta



Exercising influence

The Saami Parliament elections are organised purely as an election of individuals. The candidates do not need to commit to a platform nor are they responsible for any member organisation. So far, the Saami in Finland have not challenged the Finnish parties to clarify their Saami policy positions, with the result that the parties have only limited obligation to function as channels to the Eduskunta. Thus, the Finnish Saami Parliament faces considerable challenges as regards safeguarding the interests of the Saami.

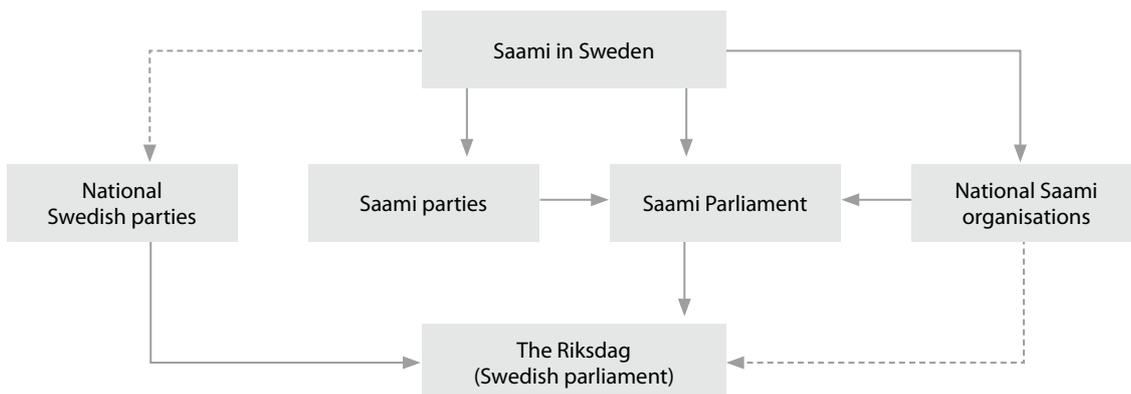
The Swedish Saami have relatively weak affiliation with national Swedish parties. The parties have very few or no Saami members that work actively and efficiently on Saami policy. However, several parties have prepared Saami policy platforms that they are committed to in political terms.

The Swedish Saami organisations have a tradition of working directly with the Swedish authorities, both as lobbyists and as a party to various negotiations. It is assumed that this position has been weakened after the Saami Parliament was established, with



FIGURE 2

The Saami and the Swedish Riksdag



Exercising influence

- the exception of the reindeer husbandry organisations. These organisations also participate in the Saami Parliament through Saami parties.

The main channel of influence for the Swedish Saami is therefore expected to be the Saami Parliament. The Saami Parliament in Sweden, however, has had relatively strict formal constraints for its political activities due to the fact that the Swedish authorities regard the parliament mainly as a government administrative body.



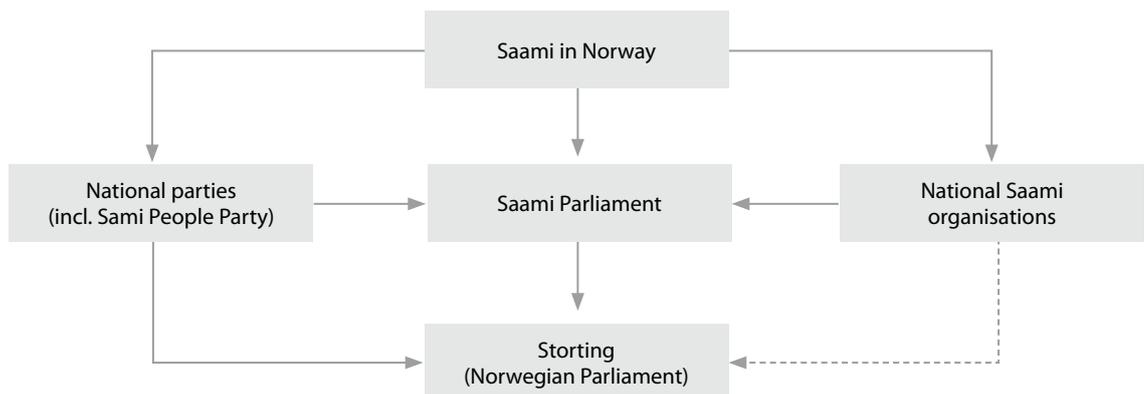
As shown in the figure below, the Norwegian Saami have several paths to the national parliament.

The most important channel before the Saami Parliament was established, was the national Saami organisations. The importance of this has been reduced after the establishment of the Saami Parliament, with the exception of the Norske Reindriftssamers Landsforbund, which serves as the State's negotiating partner for issues associated with reindeer husbandry.

The national Norwegian parties comprise an open channel that has developed rapidly since the estab-

lishment of the Saami Parliament. The advantage of this kind of channel is that more arenas are created for development of Saami policy, and that Norwegian party politicians can be held accountable to a greater extent. But there may also be drawbacks associated with a system where Norwegian parties are represented in both the Saami Parliament and the Storting. The parties in the Storting may, for example, be more considerate of the opinion of the party's Saami representatives on an issue than of majority decisions adopted by the Saami Parliament. So far, there has been little sign of this kind of development in the relationship between the Saami Parliament and the Storting.²⁴

FIGURE 3
The Saami and the Norwegian Storting



Conclusion

When the focus is exclusively on national parliaments, it is not possible to address all channels of influence available for the Saami on the national, regional and local political arenas. The Saami have other avenues than just the national parliaments or the Saami parliaments. They participate locally and regionally by casting their vote and being on the ballot, but participation is strongest at the local level, probably because it is easiest to gain a foothold at this level. Much power and possible influence is also vested in the municipal councils. There have been examples of representatives from Saami lists being pivotal and thus having been able to present demands far beyond what is indicated by the number of representatives. The Saami have also been able to exert influence through administrative positions in central, regional and local government, and through appointments to various public boards and committees. However, these issues are not covered by the terms of reference for this study.

As regards national influence, many elements have to be factored in. In a historical viewpoint, the situation after the Second World War is totally new. The development was especially positive during the last two decades of the 20th century for Saami participation in various political and administrative arenas. The states have increasingly accepted cultural pluralism at the group level, and that ethnic groups must have genuine influence on their own situation. As demonstrated by this study, the Saami have both a direct and indirect channel. The assumptions and functions differ, however, with the result that the degree of influence also varies.

This study provides a description of some elements of the current situation. Based on the scope of the study, it has not been possible to discuss how real the Saami influence actually is.



Index of literature

Aikio, Pekka (1994): "Development and the political Status of the Sámi People of Finland" in *Majority-Minority Relations, The case of the Sami in Scandinavia*, Diedut No. 1

Broderstad, Else Grete (1999): "Samepolitikk: Selvbestemmelse og medbestemmelse" (Saami Policy: Self-Determination and Co-Determination) in *Makt- og demokratiutredningen*, Rapport 8 Makt, demokrati og politikk – bilder fra den samiske erfaringen

Dahlström, Edmund (1974): "Den samiske minoriteten i Sverige" (The Saami Minority in Sweden) in Lars Svonni (ed.): *Samerna – ett folk i fyra länder*, Bokförlaget Risma

Drivenes, Einar Arne and Regnor Jernsletten (1994): "Det gjenstridige Nord-Norge. Religiøs, politisk og etnisk mobilisering 1850-1990" (The Unmanageable Northern Norway. Religious, Political and Ethnic Mobilisation 1850-1990) in Einar-Arne Drivenes, Marit Anne Hauan and Helge A. Wold (ed.). *Nord-norsk kulturhistorie. Det gjenstridige landet*, Gyldendal norsk forlag, Oslo

Eriksson, Johan (1997): *Partition and Redemption, A Machiavelian Analysis of Sami and Basque Patriotism*, Umeå University, Sweden

Heidar, Knut and Einar Berntzen (1993): *Vesteuropeisk politikk* (Western European Politics), Universitetsforlaget Oslo

Hætta, Odd Mathis (1998): *Sametinget i navn og tall, høsten 1997-høsten 2001* (Saami Parliament in Name and Figures, Autumn 1997-Autumn 2001), Saami Parliament

Jernsletten, Regnor (1995): "The (Nordic) Sámi Council and National Sámi Associations", Paper presented at the Second International Congress of Arctic Social Sciences (ICASS II), Rovaniemi, May 29th – June 6th

Jernsletten, Regnor (1994): "Samisk etnopolitisk mobilisering i et komparativt perspektiv" (Saami Ethno-Political Mobilisation in a Comparative Perspective), Introduction to the seminar "The Saami – An Indigenous People between Tradition and Modernity", 11 November 1994, organised by the Centre for Sámi Studies

Magga, Ole Henrik (1994): "Sámi Past and Present and the Sámi Picture of the World" in Lassi Heininen (ed.) *The Changing Circumpolar North: Opportunities for Academic Development*, Arctic Centre Publications, Rovaniemi

McGill, Georgina (1996-1997): "Reserved Seats in Parliament for Indigenous Peoples. the Maori Example", Departement of the Australian Parliamentary Library, Research note 51

Minde, Henry (1996): "The Saami Movement, the Norwegian Labour Party and Saami Rights", article, Centre for Saami Studies, Tromsø, September 3rd

Minde, Henry (1995): "The International Movement of Indigenous Peoples. An Historical Perspective", in Brantenberg Hansen og Minde (ed.): *Becoming Visible, Indigenous Politics and Self-Government*, Centre for Sámi Studies, Tromsø

Minde, Henry (1980): "Samebevegelsen, det norske arbeiderparti og samiske rettigheter" (The Saami Movement, the Norwegian Labour Party and Saami Rights) in Trond Thuen (ed.): *Samene, urbefolkning og minoritet*, Universitetsforlaget

Myrvoll, Marit (1999): *Samene – et folk i fire land* (The Saami – One People in Four Countries), Sami Education Council

Mörkenstam, Ulf (1999): Om "Lapparnas privilegier": föreställningar om samiskhet i svensk samepolitik 1883-1997, Stockholm (On the "Privileges of the Lapps": Conceptions on Saami in Swedish Saami Policy 1883-1997, Stockholm): Stockholm University, Department of Political Science

Nordic Saami Convention, draft from Finnish-Norwegian-Swedish-Saami expert group, issued 26 October 2005

Nystø, Nils Jørgen (1993) (a): "Sametinget og sameloven i nordisk perspektiv" (The Saami Parliament and Saami Act in a Nordic Perspective), in *Forvaltningen av samiske interesser i 1990årene*, University of Tromsø, Faculty of Social Science, Stencil A no. 63, 1993

Nystø, Nils Jørgen (1993) (b): *Nasjonalstat og minoritet* (Nation State and Minority), post-graduate thesis, University of Tromsø

Index of literature

Oskal, Nils (1998): "Urfolksvern og demokrati: om det moralske grunnlaget for samiske rettigheter. Noen betraktninger om Samerettsutvalgets innstilling (NOU 1997:4) med vekt på grunnsynet" (Protection of Indigenous Peoples and Democracy: On the Moral Basis for Saami Rights: Some Reflections on the Saami Rights Committee's Recommendations (NOU 1997:4) with Emphasis on the Fundamental Principle) in Else Grete Broderstad (ed.) *Samisk rettigheter – utfordringer lokalt, regionalt, nasjonalt og internasjonalt*, Publication series no. 5, Centre for Sámi Studies, University of Tromsø

Pettersen, Torunn (2004): Retten til kunnskap om seg selv. Tilrettelegging for bruk av talldata om samene som gruppe – noen normative begrensninger og muligheter (The Right to Knowledge About Yourself. Facilitating Use of Figures on the Saami as a Group – Some Normative Limitations and Possibilities). Working paper. Guovdageidnu/ Kautokeino, Sámi Instituhtta/Nordic Sámi Institute.

Rantala, Leif (2003): in *Nordisk samekonvensjon: utkast fra finsk – norsk – svensk – samisk ekspertgruppe* (Nordic Saami Convention: draft from Finnish - Norwegian - Swedish - Saami expert group): appointed 13 November 2002, presented 26 October 2005, Oslo: Norwegian Ministry of Labour and Social Inclusion

Ravna, Øyvind (2002). *Kampen om tundraen. Nenetserne og deres historie* (The Fight for the Tundra. The Nenets and Their History). Sámi Instituhtta, Diedut no. 4/2002

Sillanpää, Lennard (1997): "A Comparative Analysis of Indigenous Rights in Fennoscandia" i *Scandinavian Political Studies*, vol. 20 No. 3-1997

Sillanpää, Lennard (1994): *Political and administrative responses to Sami self-determination*, SSF Commentationes Scientiarum Socialium 48 Helsinki

Sjølin, Rolf (2002): *En studie i ickemakt. Samer och samefrågor i svensk politikk* (A Study of Powerlessness. Saami and Saami Issues in Swedish Politics), Sámi Instituhtta

Sjølin, Rolf (1996): *Samer och Samefrågor i Svensk politik. En studie i ickemakt* (Saami and Saami Issues in Swedish Politics. A Study of Powerlessness), Umeå University

Åhrén, Ingvar (1994): "Political Development in Sápmi" in *Majority-Minority Relations, The case of the Sami in Scandinavia*, Diedut no. 1, 1994

IWGIA (2002): *The Indigenous World 2001-2002*, Copenhagen

Sweden:

- Government Proposition 1992/93:32 Samerna och samisk kultur m.m. (The Saami and Saami Culture, etc.)
- Sami Assembly Act of 1992 (SES 1992: 1433)
- SOU 2002:77 Sametingets roll i det svenska folkstyret (The Role of the Saami Parliament in the Swedish Democracy)
- SOU 1999:25 Samerna – et ursprungsfolk i Sverige (The Saami - An Indigenous People in Sweden)
- SOU 1989:41 Samerätt och Sameting (Saami Law and Saami Parliament)

Norway:

- The Act of 12 June No. 56, 1987 relating to the Saami Parliament and other Saami legal issues (the Saami Act)
- Storting White Paper No. 52 (1992-1993) Om norsk samepolitikk (On Norwegian Saami Policy)
- NOU 1984:18 Om samenes rettsstilling (On the Saami's Legal Status)

Finland:

- The Act on the Sami Parliament of 17 June 1995 (974/95)

Web sites:

- The Swedish Government: www.regeringen.se
- Sámi radio: www.saamiweb.org
- Saami Parliament in Sweden: www.sametinget.se
- Norwegian Saami Association: www.nsr.no
- Sami ätnam: www.same.net/~same.atnam/index.htm
- Saami Association of Sweden: www.sapmi.se/webb/index.php
- Sami Reindeer Herders' Association of Norway: www.nrl-nbr.no/
- Sami People's Federation: www.samene.no
- Norwegian Labour Party: www.dna.no
- Norwegian Centre Party: www.senterpartiet.no

References

- 1 In this context the concept refers to land and natural resources.
- 2 This area comprises the municipalities of Enontekiö, Enare and Utsjoki, and the reindeer pastures in the municipality of Sodankylä.
- 3 Framework Convention for the Protection of National Minorities (Strasbourg, 1.II.1995), European Charter for Regional or Minority Languages, Strasbourg (5.XI.1992)
- 4 In SOU 2002:77 it was proposed that the Saami's position as an indigenous people be codified in the Constitution.
- 5 Act (1994:1219) relating to the European Convention for the Protection of Human Rights and Fundamental Freedoms.
- 6 Act of 21 May 1999 relating to strengthening the status of human rights in Norwegian law.
- 7 The Saami's status as an indigenous people in Norway is based on official Norwegian Saami policy, for example through ILO Convention No. 169, however, the status as an indigenous people has not been codified in national legislation, neither in the form of formal statutes nor in the Constitution, regardless of the fact that reference is made in the Finnmark Act, for example, that the Act shall apply with limitations in pursuance of ILO 169.
- 8 Other than this section, this study will not address the channels of influence for the Saami and indigenous peoples on the Russian side. There is not much written information available in English or Scandinavian languages regarding these issues, which unfortunately made it impossible to address this issue in this study.
- 9 www.saamicouncil.net/?deptid=1113
- 10 The status as a "permanent participant" entails that the representatives of indigenous peoples have the same formal rights as a state with the exception of voting rights. This means that they shall be informed, consulted, be entitled to promote proposals for new items on the council agenda and have the right to attend all Arctic Council meetings at all levels.
- 11 www.raipon.org
- 12 NGO: Non-Governmental Organisations.
- 13 Universal suffrage was introduced in Sweden in 1908-1910 for men and in 1918-20 for women. Rolf Sjölin has provided an account of the Saami's political participation in Sweden (1996, 2002). Prior to 1910, the right to vote was linked to real property and payment of tax. The Swedish policy during that era was based on the principle that non-Reindeer Saami were to be assimilated, while the Reindeer Saami were to be segregated. This entailed that settled Saami with property or a fixed, taxable income, formally had the same rights as the rest of the Swedish population, also the right to vote. The Reindeer Saami, however, were exempt from taxation, thus also formally not entitled to vote, even though the practice varied from municipality to municipality. After 1910 all Saami men were granted universal suffrage on equal footing with the rest of the population. The right to vote, however, was still curtailed in respect of unpaid tax, not completing the compulsory military service, or receiving support from the poor relief fund. A special exception was the Saami in Jämtland County, as they were not registered in the regular census listings in the municipalities, but in separate "Lappförsamlingar" (Lapp Communities). Thus, they did not formally belong to a municipality, and were therefore not entitled to vote. This applied to both Reindeer Saami and settled Saami. The exception was Saami owning real property, who were registered in the municipality's census listing and allowed to vote. The political status of the Saami in Jämtland was not normalised until 1940 (Sjölin 1996).
- 14 Even though the Saami in Finland do not have a statutory exclusive right to reindeer husbandry, as is the case in Norway and Sweden, it is estimated that a larger share of the Saami in Finland are associated with reindeer husbandry in some manner (approximately 25 – 30 %) than for the Saami in Norway and Sweden. In contrast to Norway and Sweden, where it is nearly impossible for Saami other than Reindeer Saami to get started in this trade, Saami in Finland have a real possibility of gaining a foothold within reindeer husbandry if they live within a reindeer grazing district. (Sillanpää 2002)
- 15 "In some ways, the Finnish state has been the instrumental force in the mobilization of a collective Sami political identity when, by means of a Cabinet Decree in 1973, it created the Sami Delegation (or "Sami Parliament")."
- 16 www.same.net/~same.atnam/index.htm
- 17 www.sapmi.se/ssr/index.html
- 18 www.nrl-nbr.no
- 19 www.nsr.no
- 20 www.samene.no
- 21 A proposal for a new electoral system was presented on 4 April 2007. Any changes to the electoral system will be implemented after the election in 2009.
- 22 www.ap-sametingsgruppe.no
- 23 www.senterpartiet.no
- 24 On the contrary, as shown by the Storting's work on the Finnmark Act, where the Storting's Standing Committee on Justice consulted the Saami Parliament and Finnmark County Council, respectively. This showed that the Saami Parliament has considerable influence in those cases where the majority and minority factions within the Saami Parliament act as one vis-à-vis external parties.

Image references

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About the project

Promoting inclusive parliaments: The representation of minorities and indigenous peoples in parliament

Many situations around the world demonstrate that an adequate representation of minorities and indigenous peoples in policy- and decision-making by society is instrumental in breaking the cycle of discrimination and exclusion suffered by members of these groups, and their ensuing disproportionate levels of poverty.

Yet minorities and indigenous peoples often remain excluded from effective participation in decision-making, including at the level of the national parliament. One of the criteria for a democratic parliament is that it should reflect the social diversity of the population. A parliament which is unrepresentative in this sense will leave some social groups and communities feeling disadvantaged in the political process or even excluded altogether, with consequences for the quality of public life or the stability of the political system and society in general.

The Inter-Parliamentary Union (IPU) and the United Nations Development Programme (UNDP) are undertaking a project which aims to understand and promote the effective representation of minorities and indigenous peoples in parliament. The objectives of the project are to:

- Increase knowledge of the representation of minorities and indigenous peoples in parliament
- Provide tools for parliaments and other stakeholders to promote inclusive parliaments
- Build capacity to advocate for more inclusive parliaments

The project is funded by the Canadian International Development Agency (CIDA) for the period 2008-2010. More information is available at www.ipu.org/minorities-e and <http://www.agora-parl.org/node/1061>.

Case studies

Case studies are being carried out in selected parliaments in every geographic region. Case studies aim to gather first hand experiences from parliaments on working methods, procedures, challenges and opportunities for working towards more inclusive parliaments. Interviews with leading actors inside and outside parliament inform the preparation of each case study.

The case studies seek to:

- Describe the current level and historical trends of representation of minorities and indigenous people in parliament, including from a gender and social perspective.
- Investigate the main challenges that minority or indigenous representatives face as members of parliament.
- Identify how parliament as an institution seeks to include minorities and indigenous peoples in its work.
- Identify examples of good practice, and highlight particular challenges to be addressed.



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