DO FENCES MAKE GOOD NEIGHBOURS?

THE INFLUENCE OF TERRITORIALITY IN STATE-SÁMI RELATIONS

by

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Abstract

The Sámi of northern Europe are divided among four states and have lost most rights to land and resources in resources in their traditional area. This analysis seeks to determine whether territoriality has been a significant source of conflict between the Sámi and the Nordic states. In contrast to the fixed and exclusive territoriality of the state, Sámi concepts of territory have tended to be flexible and diffuse. The contradiction between these two types of territoriality has manifested itself in the following ways, which will be analyzed historically:

1. Nordic states viewed the Sami as nomadic, thus having no ownership of their land.

2. Traditional Sami activities, notably reindeer herding, were viewed as illegitimate or backwards, resulting in the privileging of modern forms of land use such as agriculture.

3. Where states did feel an impulse to protect the Sami way of life, they viewed nomadic pastoralism as economically non-viable, prompting systems of administration which increased state regulation of herding.

These conflicts lie at the root of the issues which the Sami are struggling with today: rights to land and resources, self-government, and self-management in herding. Just resolution of those issues requires understanding and acknowledgement of the influence of territoriality in shaping the current situation. This analysis attempts to break away from state-centric perspectives in international relations to give provide greater understanding and legitimacy to nations that have been unwillingly incorporated into states through colonization.

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"Power may be at its most alarming, and quite often at its most horrifying, when applied as a sanction of force. But it is typically at its most intense and durable when running silently through the repetition of institutionalized practices."
–Anthony Giddens, *The Nation State and Violence*

Introduction

Territoriality is a defining feature of the international system, yet its nature and importance are rarely analyzed within the field of international relations[1]. Many political communities, aboriginal peoples in particular, have very different conceptions of territoriality than those of modern states. The failure to acknowledge territorialities other than the fixed and exclusive form of states effectively excludes divergent territorial communities from consideration by international relations, and by extension denies their legitimacy as actors in the international system. The promotion of a single view of territoriality has reinforced and legitimated the systematic erosion of aboriginal societies through the development of modern states. This paper examines one such case. The relationship between the Sámi and the states of Norway, Sweden, and Finland (including their historical antecedents) has been defined largely by the states' bias towards a modern conception of territory.[2]

The Sámi, the indigenous people of northernmost Europe, have been denied autonomy and land rights through the processes of colonization and modern state building. The states that assumed control over the Sámi and their land came to reflect a view of territory characterized by fixed, exclusive, geographically

[1] This paper uses a definition of territoriality from Robert David Sack: "…the attempt by an individual or group to affect, influence, or control people, phenomena, and relationships, by delimiting and asserting control over a geographic area" (quoted in Casimir, p. 19).

bounded space. Exact borders are defined which show where one territory ends and another begins (Ruggie, pp.148-152). As the Sámi have been largely a pastoral nomadic people, these absolute notions of territory are not suitable for a way of life characterized by collective organization, seasonal migration, and flexible and adaptive land use.

The practice of reindeer herding has played a strong role in defining Sámi territoriality, but has also led to many misunderstandings. It must be understood that herding developed simultaneously with the expansion of modern states over the past five hundred years (Paine 1994, p.11). In this sense, Sámi and state territoriality were each undergoing internal change at the same time as they were influencing one another. Not all Sámi adopted herding, some instead remained primarily fishers and hunters. Today only a small minority of Sámi actively practice reindeer herding. Notwithstanding these qualifications, herding has an important territorial and symbolic value which makes it highly relevant to this analysis. Reindeer herding has been the primary way in which the states have recognized a distinct Sámi identity, and the administration of herding through the control of territory has been the most common instrument of state power over the Sámi (Sillanpää 1994, p.63).

A historical analysis of the expansion and intensification of state power over the Sámi will show that the territorial biases of the states have undermined the political, economic, and cultural basis of Sámi society. This conceptual conflict has manifested itself in three ways:

1. The division and incorporation of the Sámi and their land into the kingdoms of northern Europe was justified on the basis that the Sámi had no conception of ownership, and thus the territory was free for the taking.

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[2] Russia will only be included in the analysis of the early political development of the region. The Sámi of the Kola Peninsula experienced a rather more comprehensive destruction of their traditional institutions under Soviet rule, which together with a paucity of source material prevents a meaningful comparison with the other three jurisdictions.

2. Sámi economic activities, primarily reindeer herding, were viewed as illegitimate or backwards. The states promoted the interests of modern or developed forms of land use (*i.e*, those based on fixed and exclusive territoriality, such as agriculture), at the expense of traditional Sámi activities.

3. Having undermined the territorial system within which Sámi reindeer management operated, the states used the theory of 'the tragedy of the commons' to justify greater state control over herding. This theory promoted the idea that non-exclusive land use was inherently flawed, and ignored the Sámi's own resource management systems.

This examination will demonstrate the real world effects of theoretical concepts when they are harnessed to the coercive power of the state. At one level, this paper hopes to add a new perspective to the issues that now face the Sámi in their quest for greater autonomy and rights to land and resources. In a broader sense, this paper is a contribution to a body of critical theory in international relations which examines the development of the international system.

Significance to the Discipline

The main contribution this work aims to make to the study of international relations and majority-minority relations is to highlight the importance of territoriality within these relationships. The trend of political realism which has dominated international relations since the second world war has treated its units of analysis (states) as functionally similar. Comparative studies would often take government type or market system as the variable, but it was always assumed that all states occupied a fixed piece of land, drew borders around that land, and exercised sovereign control within it. Yet, as this study shows, there are other concepts of territory, and units other than states which can make claims to legitimacy at the so-called international level. As religions and ideologies have forged clefts between communities, differing views of territoriality can also create misunderstanding, mistrust, and messianic impulses to impose one's own beliefs on the other. Territoriality is certainly not the only factor which has fed conflict in world history, nor even the most important, but it is one that has been neglected in the scholarship to date. While territoriality is particularly salient with regard to understanding the power relationships between dominant national groups and

indigenous minorities, studies of territoriality could also be expanded to other international relationships as well.

This paper also questions the ethical principles (or lack thereof) upon which much of the study and practice of international politics is founded. Borders provide political élites and scholars with an organizational tool to impose order on an essentially chaotic world. While they provide order, they do so at the expense of a loftier goal: justice. Political realism divorces itself from questions of morality, and instead substitutes power to determine the rules which provide order to the system. Since it is the states which have determined the structure of the system, it is hardly surprising that they make efforts to preserve their monopoly on power in the international system by denying legitimacy to those actors which threaten not only individual states, but the very basis of the system. For example, those actors which reject the state's claim to a monopoly on the legitimate use of force are termed terrorists, or rebels.

Despite the dominance of power politics, certain notable theorists have campaigned to hold both the discipline of international relations, and the practical application of statecraft to a higher standard than simply preserving *peace* (the absence of conflict) or *order* (maintaining the integrity of the system). From Immanuel Kant to Hedley Bull these authors have asked whether states should seek *justice* in their relations both with each other, and with the other members of the global society, internally and externally (Wheeler & Dunne, 1996, pp. 97-100). This analysis seeks that standard. It is perhaps naïve to believe that some degree of moral propriety could be introduced to a system ruled largely by the unflinching pursuit of power. Yet, increasing recognition of human rights, and the willingness of states to bend the sacred principle of sovereignty by becoming involved in human rights issues abroad leaves some hope. For the sake of achieving just solutions to aboriginal rights issues on the agendas of so many nations today, international relations (in theory and practice) must account for the injustices inflicted through the processes of colonialism and state-building.

As the study of international relations has traditionally been limited to the study of states, there is very little literature from political science or international relations perspectives on Sámi territoriality, or aboriginal territoriality generally. Lennard Sillanpää's *Political and Administrative Responses to Sámi Self-Determination* (1994),

Franke Wilmer's *The Indigenous Voice In World Politics* (1993), Bernard Nietschman's "The Fourth World: Nations Versus States" (1994), Johan Eriksson's *Partition and Redemption* (1997a), and Greg Poelzer's "Land and Resource Tenure: First Nations and Traditional Territories and Self-Governance" have laid some of the basis for including aboriginal perspectives in these fields. International relations theorists Kratochwil (1986), Ruggie (1993), and Ferguson & Mansbach (1996) have also made strong contributions by considering the political units, or polities, which preceded states on the international stage. State and state-building theorists such as Poggi (1990), Badie & Birnbaum (1983), and Giddens (1987) have brought insight into the motives and processes which created modern states. To broaden the understanding of territoriality in this literature, works such as Casimir & Rao's *Mobility and Territoriality: Social and Spatial Boundaries among Foragers, Fishers, Pastoralists and Peripatetics* have been used. The issue of Sámi land tenure has been well examined from a legal perspective by authors such as Korpijaakko-Labba (1993) and Svensson (1991, 1997), but they largely accept the legal framework of the states. The largest wealth of knowledge on the history of the Sámi relations with states exists in the fields of cultural anthropology and sociology. The works of Aikio (1994), Ingold (1978), Paine (1994) and particularly numerous works by Hugh Beach have been invaluable in fleshing out the details of Sámi society. The composition of existing literature has resulted in the inclusion here of a broad range of source material not often found in traditional international relations analyses. Breaking down the hard boundaries of disciplinarity will hopefully contribute to a more complete and sophisticated understanding of aboriginal-state relations.

Methodology

To accomplish this analysis a comparative case-study methodology will be used. Typical comparative analyses in the social sciences seek to compare units of the same functional type. In political science and international relations, the state is the most common unit of analysis. The very point of this study, however, is to uncover certain differences between the state and the Sámi. But who are the Sámi, and on what level can they be compared to the state? A category of analysis must be found in which the territorialities of the Sámi and the state can be explored. As this study will show, the organization of Sámi society does not fit well into the classifications of social or political units used by the social sciences. While there is no precise unit within Sámi

society that has the same functional role as the state, the concept of a political community or polity can be applied to both the *siida* and Sápmi.

The main unit of Sámi social organization is the *siida*, a type of local band unit. While the majority of what can be termed political functions were performed at the *siida* level, a shared identity across the entire Sámi settlement area (called Sápmi) and the inter-relationship between different *siidas* can be seen as constituting a broader political community.[3] Some latitude must be given to the categorization of these Sámi political units, both because of the limitations of using modern concepts of political organization and because of the disruptions to Sámi political development resulting from colonization. The state itself, should not be considered a static concept either. This study takes a historical approach: there is considerable change in both the political units of the Sámi and the Nordic societies. With this qualification in mind, the analysis will use the political units (polities) of both the Sámi (*siida/*Sápmi) and the state (from kingdom to modern state) to uncover differences in how each group conceives of and organizes territory, and how those differences affected the relationship between the two.

If territoriality is understood as a significant social phenomenon, as it is argued in this paper, then it should be reflected at different levels within each macrosocial group. The Figure 1 shows a number of possible levels at which territoriality may operate. Although the territoriality of each group will primarily be explored at the level of the polity, the analysis will at times draw on other perspectives to provide a greater understanding at the conceptual level.

Level of Analysis	Sámi	State
Conceptual	**Sámi Territoriality(ies)**	**Modern Territoriality**
System	Siida Network	Intl. System of States
Polity	***Siida*/Sápmi**	**State**
Local	Herding Area	Farm/City

Figure 1: Sámi and State Levels of Analysis

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[3] See Sámi Nationhood, in Chapter 3 for a more detailed discussion of the political organization of the Sámi.

By taking a case study approach, it is not necessary that the chosen units be precisely defined or that they are exactly like units. The primary reason that this methodology was chosen is because the richness of the actors, concepts, motives, and relationships can be explored without reducing them to overly simplistic classifications or explanations. Charles C. Ragin describes the advantage of comparative case study:

> Most comparativists, especially those who are qualitatively oriented, are interested in specific historical sequences or outcomes and their causes across a set of similar cases. Historical outcomes often require complex, combinatorial explanations, and such explanations are very difficult to prove in a manner consistent with the norms of mainstream quantitative social science (Ragin, p.13).

The concept of territoriality and how it is reflected in both groups is complex and not easily assessed. The case study method allows an understanding of each group's territoriality to emerge from descriptions of its social organization, economic activities, political actions, and a variety of other sources. The differences between the territoriality of the two groups is best seen in their interrelationship as these concepts come into conflict. It is this conceptual conflict which is the issue examined by this paper.

The historical and geographical scope of this examination will be rather broad. It extends over time from the earliest records of contact between the Sámi and the medieval Nordic kingdoms to recent decades, and spatially covers the Sámi settlement area, the current states of Finland, Norway, and Sweden, and their historical antecedents. The main exclusion from this analysis is the state of Russia and the Sámi of the Kola Peninsula. While it may seem to be an artificial exclusion, there is unfortunately insufficient information available on the case of the Sámi in Russia to make a meaningful comparative analysis.

The problem for investigation in this paper is whether territoriality has been a significant source of conflict between the Sámi and the Nordic states. Ragin states that "comparativists are interested in identifying the similarities and differences among macrosocial units. This knowledge provides the key to understanding, explaining, and interpreting diverse historical outcomes among macrosocial units" (p.6). Towards that end, two fundamental questions must be answered: can Sámi and state territoriality be sufficiently differentiated, and is territoriality a convincing explanation of the relations between the two groups? Together, these two questions can be used to test the hypothesis that incompatible concepts of territoriality have played a key role in relations between the Sámi and the Nordic states, with negative consequences for the Sámi.

Outline of Chapters

A common criticism of political realism is that it is ahistorical, that is, it treats the international system as if it had always existed in its present form (Ferguson & Mansbach, p.261). For that reason, this analysis aims to account for the development of the state system and its consequences for groups excluded from the system, through a historical perspective. The relations between the states and the Sámi fall into the three broad themes outlined above, which follow a rough chronological sequence. While the time markers of history have been adopted as an organizational device, the substance has determined the structure rather than *vice versa.*

The first chapter provides a introduction to the current state of international theory on territoriality and on the origins of the international system. To that body of theory is added the Fourth World perspective, which chooses nations, not states, as the main unit of analysis. These perspectives provide a basis to understand the inherent conflict between the concepts of territoriality manifest in the state system, and aboriginal notions of territory. The study aims to establish the *modern* nature of state territoriality and the shortcomings of traditional international relations perspectives which assume the universality of the state and its territorial basis.[4] In addition to laying the theoretical foundations for a Fourth World critique of the international system of states, the chapter defines key concepts of modern versus aboriginal territoriality, nation, and state.

To understand precisely how aboriginal concepts of territory differ from that of modern states, Chapter 2 examines traditional Sámi territoriality. Using primarily anthropological sources, the chapter seeks to discover the basis of Sámi concepts and expressions of territoriality. In the Sámi case, territory is directly linked to both resource use and social organization. Therefore, the chapter studies the relationship between the development of reindeer herding and Sámi territoriality. This introduction to the nature of herding provides an important basis to understand the impacts of later state interference in that activity. What is apparent from this survey, is that there is not one traditional form of Sámi territoriality, but many.

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[4] The use of *modern* in this paper is largely used to describe the spirit and philosophy of the period from the scientific enlightenment to the industrial age in Western culture, though not necessarily the actual time period this covers. Modernity captures the values of scientific progress, rational knowledge, capitalism, and industrialization, with an underlying presumption that that which is new is inherently superior to that which came before.

Chapter 3 explores the first of the three periods of relations between the Sámi and the states of northern Europe. The roots of conflict between the two can be found even before the development of modern states. This chapter examines the genesis of the modern state in the kingdoms of Denmark-Norway, Sweden-Finland, and Russia. As these three empires developed the territorial control and institutional authority of modern states the Sámi and their land were divided between them. Through the instruments of taxation regimes, border treaties, and settlement programs, the emerging states extended their sovereignty over the Sámi. The Sámi's political autonomy and land ownership rights were not recognized by these empires who claimed to be taking possession of ownerless lands.

In later periods, the modern states that took control over the Sámi and their lands then increased that authority. The fourth chapter examines the various ways in which the states exerted power over the Sámi. The states of nineteenth century were greatly influenced by the forces of nationalism, industrialization and social Darwinism. Together they promoted decidedly *modern* notions on the value of progress that relegate the Sámi and their way of life to an inferior level. The states thus justified their promotion of activities which served the institutions of the state and the majority population. The primary way that this was achieved was through the regulation of reindeer herding. This chapter analyzes the various methods which the states employed to promote activities based on fixed and exclusive land use over the flexible, adaptive, and overlapping territoriality of pastoral herding.

Finally, Chapter 5 explores the most recent phases of state-Sámi relations into the twentieth century. Shifting state interests and increasing pressure to recognize aboriginal rights resulted in better intentioned, yet equally misguided policies toward the Sámi. In their quest to save herding and Sámi culture the governments attempted to rationalize herding along scientific principles, without any real understanding or appreciation of the traditional Sámi herding system. At the root of this impulse was the theory of the tragedy of the commons, which predicted overgrazing as an inevitable result of common land use systems like Sámi nomadic pastoralism. Without appreciating the management functions of the Sámi territorial system, the states further hindered herding through increased administration and territorial control. The chapter will

analyze the shortcomings of these approaches, and the impact they have had on not only reindeer herding, but the overall survival of Sámi society.

Chapter 1:

Theoretical Background

The modern system of states is based on a specific conception of territoriality, which undergirds the system's fundamental principle: sovereignty. Sovereignty is strongly related to the territory of the state as Poggi describes: "The basic implication of the sovereignty (or autonomy) of the state, is that the state has exclusive control over a portion of the earth - *its* territory, over which it routinely exercises jurisdiction and law enforcement, and whose integrity it is committed to protecting against encroachment from any other political power" (p.22). Because it entails a state monopoly on power within its borders, sovereignty requires exact boundaries which divide states in order to be a useful concept. The dominant theories of international relations, especially neorealism, have focussed almost exclusively on this system of states as if it had always existed, always would exist, and was based on a single view of territoriality. This view has been criticized by theories of structuration and post-structuralism, among others.[5] While these critiques have been extremely useful in deconstructing the myth of the universality of the state, an important aspect of the system's development continues to be ignored. To date, the means by which a modern conception of territoriality was transferred from (predominantly) European empires to the rest of the world through colonialism has not been fully addressed. This issue is especially significant to aboriginal peoples whose conceptions of territoriality are fundamentally different from that of modern states. Notions of territoriality were conveniently used to deny rights and justify the conquest of these peoples at the time. Conceptions of international relations which do not recognize forms of territoriality other than that of modern states legitimate and perpetuate regimes of oppression which deny territorial rights to subordinate peoples. Using a perspective which takes these subjugated nations or political communities rather than states as its focus, this

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[5] Definition of these theories from Hendrik Spruyt: "Structuration theory criticizes neorealism for not accounting for the formation of structure…" and "Post-structural theory views neorealism's particular depiction of international relations as a manifestation of a dominant conceptual framework." Hendrik Spruyt, *The Sovereign State and Its Competitors* (Princeton: Princeton University Press, 1994), p. 13.

analysis will examine the limitations of how international relations theorists have addressed conceptions of territoriality in the development of the state system.

Territoriality and International Relations Theory

Traditional views of the international system within international relations theory are typified by Kenneth Waltz and Robert Keohane. Both Waltzian neorealism and Keohanian liberal institutionalism share similar assumptions about the international system, based on "an anarchic Westphalian world of territorially bounded sovereign states" (Ferguson and Mansbach, p.261). The most striking aspect about the subject of territoriality in mainstream international relations theory is that the subject is virtually ignored. It is simply taken as a given that states exercise sovereignty over fixed, delineated territories, which are distinct from one another.

A common criticism of such theories is that they treat the state as a universal. This assumption of the universality of the state is seen clearly as Keohane summarizes Kenneth Waltz's analysis of international systems:

> International relations is an anarchic rather than hierarchic realm, populated by units (states) performing similar functions. Thus any international systems that we analyze are 'ordered' by the principle of anarchy. And in such systems we need not be concerned with the functions performed by the units, since they are functionally alike. Thus the dimension of differentiation of units 'drops out' (Keohane, p.14).

Structuration theory and post-structuralism have mounted a sustained challenge to this ahistorical and uniform view of the international system. Writers such as Friedrich Kratochwil (1986) , John Gerrard Ruggie (1993), Hendrik Spruyt (1994), and Yale Ferguson and Richard Mansbach (1996) have sought to analyze forms of political and territorial organization which preceded the modern state system. Their analyses have questioned the realist view that the state is the only unit that should be considered by international relations. For the most part even these studies have missed an important aspect of the politics of territoriality. That is, they fail to examine the means and motives behind the expansion of modern territoriality to other cultures through colonialism. The continued existence of a bias against forms of territoriality other than that of the state within international relations theory manifests itself in two key ways.

First, most depictions of the history of the international system take an 'evolutionary' approach which explains the emergence of states, and the disappearance of other forms of political organization based on their ability to compete. As Bateson remarks such views display, "…a Darwinian vision that emphasizes that certain forms of human organization have become dominant while others—although conceivably viable in a less selective environment—have been progressively eliminated. These comments conceal chauvinist value systems, notions of 'more highly evolved' and therefor better" (Bateson, p.151). This approach parallels similar social Darwinist theories which were used to legitimate notions of racial superiority, and also fails to appreciate the value of cultural and human diversity.

Second, the process of the expansion of the state system outside Europe is virtually ignored. Examples of Eurocentrism abound in the works of Ferguson and Mansbach (1989), Ruggie (1993) and Spruyt (1994), which seem to indicate that the only worthy competitors to the state were European, such as the Athenian *polis*, Holy Roman Empire, or Italian city-states (Spruyt, p.6). This conveniently allows the authors to ignore how the system was 'forced' on the rest of the world, rather than being part of some natural evolution. Failing to consider the world outside Europe means that aboriginal peoples are denied consideration as units worthy of analysis.

Inside/Outside the Discipline

R.B.J. Walker (1993) teaches that even the way the discipline of international relations is structured has been defined by notions of territory. Inside the boundaries of states exists the ordered world of the political, and outside those boundaries is the anarchical world of international relations (Walker 1995, pp.306-307). Borders do not just divide states, but they also divide the discipline. Where then do the aboriginal nations of the world fit into this division? These peoples are not accorded legitimacy as members of the international order. As Nietschmann notes, "Traditional studies interpret the world as enclosed by a fixed, legal network of some 191 states that relegate people to the nationless status of ethnic groups and minorities" (1994, p.226). The only way in which these groups are considered by international relations theory is in their relation to states.

Conceptions of territoriality play a significant role in determining which groups are granted consideration as units worthy of study by international relations theorists. Groups that have territorial expressions which conform, more or less, to modern ideas of spatial organization (fixed and exclusive) are granted some legitimacy. Thus, groups like the Basques or Tamils are accorded some potential for acceptance into the international system because they aspire to be states. As noted above, aboriginal peoples typically have conceptions of territoriality which are neither exclusive nor fixed, and thus conflict with the very way the modern state system is constituted. The only opportunity for recognition is by accepting the territorial standards dictated by states.[6] Groups which do not fit neatly into the territorial system of states, like the nomadic Sámi, present a threat not just to individual states, but to the basis of the international system.

As they are excluded from consideration by the discipline of international relations, any detailed study of nations beneath the state level is left primarily to anthropologists and ethnographers. Mary Catherine Bateson, an anthropologist, notes that her field has focussed on groups thought of as 'less advanced,' whose continued existence is threatened by cultural assimilation: "These are people trapped willy-nilly in the politics of boundaries and central coercive power, no longer sovereign, but often excluded from participation, dwindling at the mercy of larger entities" (Bateson, p.150). Bateson believes that anthropology has much to offer to the study of international communities, such as its celebration of the richness of cultural diversity, but she recognizes that breaking the stranglehold of state-centric theories will be a great challenge (Bateson, pp.150-151).

Modern versus Aboriginal Territoriality

The territorial expression of the modern state has been taken for granted within international relations, and thus little effort has been given to articulating its particular characteristics. Recent contributions, such as the work of R.B.J. Walker and John Gerrard Ruggie, have taken up this issue of the modernity of state territoriality. Ruggie states, "The distinctive signature of the modern—homonomous [functionally similar]—

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[6] The current land claims process in Canada is evidence of these structural constraints. Settlements are based on modern property rights, bounded, fixed, and exclusive. (Dyck, pp. 159-161).

variant of structuring territorial space is the familiar world of territorially disjoint, mutually exclusive, functionally similar, sovereign states" (Ruggie, p.151). The territoriality exemplified by states is delineated by exact boundaries, codified by international law, and enforced by the principle of sovereignty which grants each state exclusivity within those lines. Gianfranco Poggi similarly describes modern state territory as possessing, "…geographically distinct, fixed, continuous boundaries…" (p.22). Walker reflects on the modernity of such notions, by drawing parallels between "the invariant laws of Euclid, the segmented precision of the clock or the sovereign claims of territorial states" (Walker 1993, p.5).

Giddens also provides several ways of distinguishing the modern state from its predecessors, the tribal and class-divided societies. With relation to territory he notes that pre-modern societies did not have fixed boundaries, but instead were roughly divided by frontier areas (1985, p.79). The territoriality of the modern state also reflects the development of modern urbanism, forming a "created environment in which the transformation of nature is expressed as commodified time-space" (1985, pp.192-193). That is, rather than being a natural environment, space itself has become a component of state power resources. As territory and the institutions of the state become bounded together, the former begins to reflect the philosophy, interests and organizing principles of the latter.

If precise lines separating exclusive domains typify modern territoriality, what is an aboriginal conception of territoriality? Quite simply, there is not one. There are many. Unlike the system of states in which all units are functionally similar, the aboriginal world encompasses a multitude of expressions of territoriality. Indeed, territoriality has been one way in which aboriginal societies have been differentiated from modern ones. These groups have traditionally been described as 'uncivilized,' 'primitive' or 'less technologically advanced.' These descriptions exhibit a modern bias against that which is different from our own. Territoriality cannot be divorced from the economic practices, social organization and culture that comprise native existence, all of which have been thought of as backwards in comparison to modern society. Thus, forms of territoriality based on non-exclusivity, mobility, and flexibility were held to be inferior.

There are many examples of such pre-modern expressions of territoriality among the world's aboriginal peoples. The Sámi (formerly known as 'Lapps') of northern Scandinavia traditionally practised nomadic pastoralism in their herding of reindeer. This activity required seasonal cycles of migration in order to take advantage of different grazing areas. Herding was performed collectively and rights to pastures were held at the village level (Beach, *et. al.*, pp.54-59). The Beaver Indians of northern British Columbia organized territories according to the economic activity pursued there, be it hunting moose or beaver, berry picking, or fishing. Most of these territories overlapped, were often separate from where the holder resided, and were structured to balance the needs of the community with the available resources (Brody, pp.149-153). The marine Chukchi of Siberia lived in fixed settlements along the Arctic coast, where they hunted marine mammals as their primary activity. The resource territories of these settlements were separated not by fixed lines, but by flexible 'buffer zones' in which a community could hunt or gather plants when needed (Krupnik, pp.34-39). In the case to be examined in this paper, Sámi territoriality is closely connected to semi-nomadic reindeer pastoralism which involves flexible movement of people and animals, without clear territorial boundaries. The mobility of the Sámi puts their territorial practices at odds with the fixed boundaries of the states which colonized them.

These are but a tiny sample of the many ways in which aboriginal peoples have organized territory, but provide a good insight into how such methods differ from modern territoriality.[7] Some derivatives of these of territorial forms survive today, but for the most part the imposition of modern territorial organization has vastly eroded or eliminated traditional ones. While the disappearance of traditional territoriality is significant in its own right, the above examples show the relationship between territory and economic activity, and thus to overall cultural survival. Aboriginal peoples depend on the land tenure systems which have managed their relationship with nature and its resources. When that territorial system is removed, the group can no longer provide for its own needs, making it dependent on the state and vulnerable to disintegration and assimilation. Or, as Franke Wilmer asks, "Can political autonomy be enjoyed without its attachment to the means of

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[7] For further information on the variety of territorial forms practiced by indigenous peoples, see Brody (1988), Casimir & Rao (1992), Krupnik (1993).

physical survival? Cultural survival is impossible without an economic base" (Wilmer, p.112). The manner in which conflict between modern and aboriginal conceptions of territoriality manifested itself in the colonial experience shows the importance of these ideas.

Territoriality in Theory and Practice

In the senses described above, the dominant theories of international relations can be seen as complicit in legitimizing and reinforcing colonial practices. The transformation of indigenous forms of territoriality must be seen as part of an overall process of colonization through the imposition of power by states. Geography has played an important role in discourses of power. Maps shape our ideas about our world and our place within it. In the words of Brian Harley, "…cartography, like politics itself, remains today a teleological discourse, reifying power, reinforcing the status quo, and freezing social interaction within charted lines" (Henrikson, p.59). This conjuncture of geography and politics is especially relevant to state relations with the aboriginal nations they usurped. An example of colonial geo-graphing (or earth writing) can be seen in the denial of land rights to peoples without fixed territoriality (Ó Tuathail 1996).

Since many aboriginal expressions of territoriality are based on mobility, these peoples were thought not to have any sense of possession or ownership of the land on which they lived. This understanding of ownership is itself premised on fixed and permanent notions of territory, which belie the actual sense of connection that aboriginal peoples have to their land. The empires and states which expanded their control over the Americas, Asia, and Africa did so without any regard for the native inhabitants or pre-existing territorial composition. Examples of this attitude include the legal principle of *terra nullius* ('ownerless land') which was applied to those parts of the globe that were not claimed by a 'modern' state, and the contention that Columbus 'discovered' America (Kratochwil, p.39). *Terra nullius* denied the indigenous inhabitants of these regions all rights to land and resources, which were appropriated by the colonial powers.

The pattern of assimilation and paternalism that characterizes state-aboriginal relations globally also has a territorial dimension. Many forms of aboriginal land tenure are based on some variation of common property. The theory of the 'tragedy of the commons' shows a territorial bias, as it believes systems of

common property management are inherently inviable, and thus require (state) regulation. This view ignores the reality that such communities have their own means of resource management (Casimir, pp.8-9). Nevertheless, many states saw it as their role either to 'modernize' communal economies, forcing them into agriculture or industry, or 'protect' them through government administration (Dyck, pp.56-60).

Arbitrarily drawn boundaries which divide once unified nations, the complete loss of land and resources to outsiders, and systems of rule which slowly destroy cultures are all 'real world' effects of a single-minded view of territoriality. The story does not end there, however. The study of international relations has itself legitimated the process by which these nations were robbed of their autonomy and culture.

Fourth World Theory

In response to the limitations of traditional theories of international relations in understanding the territorial character of the relations between states and aboriginal minorities, the analysis takes a Fourth World perspective as its point of departure. The term Fourth World was first used to describe the world's aboriginal peoples by Shushwap Chief George Manuel in his 1974 book *The Fourth World: An Indian Reality* (Griggs 1992). Because the terms 'aboriginal' and 'indigenous' often lead to confusion, misunderstanding and dispute this definition was broadened to, "Nations forcefully incorporated into states which maintain a distinct political culture but are internationally unrecognized" (*ibid.).* Fourth World approaches differ significantly from the traditional state focus of international relations. Bernard Nietschmann's work, "The Fourth World: Nations Versus States" provides much of the framework of this analysis. He asserts:

> The fundamentally different starting point of Fourth World analysis is that it describes and maps geography, history, and politics based on the world's 5,000 [to 8,000] nations, instead of focusing on states, regions, blocs, and superpowers as traditional analyses do… (Nietschmann 1994, p.225).

The use and misuse of language, with its underlying assumptions and values, is very important to the Fourth World movement. The term 'nation' is fundamental to this discussion and likely one of the most misused and misunderstood concepts in the study of 'international' relations (even misused in the name of the discipline). All too often the term 'nation' is used interchangeably with the term 'state.' Nietschmann, however, defines nation in this sense: "The term nation refers to the geographically bounded territory of a common people as well as to the people themselves." (1994, p.226).

The distinctions that not all nations are states, and that nations also have a territorial dimension (though not necessarily defined by fixed borders), are both important. The territorial component of the term 'nation' is not usually recognized within mainstream international relations, as the sovereign state is held to be the only unit with a legitimate claim to occupy space. The territorial demarcations of the modern state system are seen by Fourth World theory as artificially imposed boundaries which deny excluded peoples their own *nationhood* (Nietschmann 1994, p.227). Theoretical models which emphasize those boundaries are seen by the Fourth World as giving misplaced legitimacy to systems of power which were established through genocide, cultural assimilation, and wholesale theft of land and resources.

A complete analysis of the development of the state system globally from a Fourth World perspective is well beyond the scope of this paper.[8] A brief look at the role territorial systems played in the evolution of the modern state system, and a Fourth World critique of how international relations theories have treated that process will highlight where the 'silences' exist and provide a starting point for future research. The question of how modern views of territoriality differ from those of many aboriginal societies must be addressed first.

Conclusion

What can a Fourth World perspective offer that other theories in international relations have not?. There are many lessons that we modern thinkers can take from aboriginal ideas of territoriality, as "Every isolated example of a band or a tribe or island settlement that has ordered its affairs differently is an example of possibility" (Bateson, p.151). Kratochwil notes that one advantage of the exclusive principle of territorial sovereignty is its simplicity (Kratochwil, p.50). But is simple always best? How is it that modern minds are so reluctant to envision systems of organization that are complex, fuzzy, and multi-layered? Yet aboriginal peoples were able to manage such complex systems of overlapping jurisdictions, usually without the benefit of written records let alone modern electronic systems of communication and GIS technology. Are we too

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[8] For further information, see Griggs (1992) , Ryser (1980, 1992, 1994), Nietschman (1985, 1994) and the Fourth World Documentation Project website (http://www.halcyon.com/FWDP/).

limited in our thinking to imagine such complexities, or are we just unsure of how we would draw it on a map?

A transformation of this kind which gives aboriginal views of territoriality greater legitimacy also has direct implications on aboriginal rights, especially the settlement of native land claims. Making governments aware of the different ways in which aboriginal peoples express territoriality will allow a better understanding of claims based on particular land uses. Furthermore, it should lead to an acceptance of settlements that do not delimit exclusively aboriginal lands from exclusively public and private lands. Arrangements which allow some sharing of land and resources, consistent with traditional usage patterns would serve the needs of both indigenous peoples and the rest of society. By taking a broader conception of territoriality, one which does not require exclusion, states may realize that settling aboriginal claims is best accomplished through co-governance and sharing territory rather than dividing it between aboriginal and state spheres.

Finally, breaking the state-centric view of the world within the study of international relations may have a parallel effect on foreign policy decision makers. The present international system which is based on the principle of sovereignty and non-intervention while upholding a peoples' right to self-determination (UN Resolution 1514) is internally contradictory (Nietschmann 1994, p.230). Understanding the manner in which most states were imposed on unconsenting 'nations' will lead to a greater understanding of the relative legitimacy of states and nations. Evaluating the claim of the peoples of Irian Jaya (West Papua) to form their own state requires a knowledge of how Indonesian territoriality came to subvert West Papuan territorialities.

This analysis shows that Fourth World theory and aboriginal conceptions of territoriality have much to offer the discipline of international relations. The modern international system is based on a specific notion of territoriality. Even those theorists who purport to challenge the underlying basis of the system still do not fully transcend that assumption. Shifting our unit of analysis from the state to the nation allows a much more sophisticated understanding of variations among territorial systems, and how those systems came to be transformed. This is particularly relevant to those nations whose territoriality differs most from that of the modern state: aboriginal peoples. These groups have suffered most by the extension of the state system over

their homelands, because the modern sense of territoriality was antithetical to their own. As the survey of current theory on the development of the state system has shown, this injustice has been compounded by modes of thought which continue to deny legitimacy to their expressions of territoriality. In this sense, the reification of the territorial state has been an example of what Steve Smith described: "…in the name of enlightenment and knowledge, international theory has tended to be a discourse accepting of, and complicit in, the creation and re-creation of international practices that threaten, discipline and do violence to others" (Smith, S., p.3).

Chapter 2:

Traditional Sámi Territoriality

What is Sámi territoriality, and how is (or was) it different from the territoriality embodied in the state? Given the cultural, geographic, and economic diversity among the Sámi it would be a gross oversimplification to try to define their territorial views in concrete terms. The degree of heterogeneity is further compounded by the transformation of Sámi culture over time and in response to interaction with other groups. With these limitations in mind, the following chapter's aim is not to present a definitive model of Sámi territoriality. Instead, a variety of factors which have influenced Sámi conceptions and expressions of territory will be examined. What becomes rapidly apparent is that there is no single form of Sámi territory, but a broad range depending on a number of variables (ecology, geography, state authority, and historical period).

This chapter is thus a rudimentary exploration of both the diversity and common elements of Sámi territoriality prior to the expansion of states into their traditional areas. This starting point we can use to compare with later transformations to Sámi territoriality by the Nordic states. The key component to the understanding of Sámi territoriality is the *siida.*

The *siida* is the most basic social organization of the Sámi. Although the term *siida* has been used to refer to the territory controlled by such a social group, it is properly the social unit only (Aronsson, p.110). While the *siida's* main role is commonly seen as economic organization (subsistence), nearly all aspects of Sámi social life and decision-making were organized at the *siida* level (Beach *et. al.*, 1992; Ingold, 1978a). The categorization of the *siida's* activities into social, political, or economic spheres is rather misleading in this sense, as these are modern concepts which were not compartmentalized in the *siida.* As the *siida* formed the focal point for nearly every aspect of Sámi life, it can be seen as a parallel political community to the state.

By applying Franke Wilmer's definition of political community from *The Indigenous Voice in World Politics*, both the *siida* and the state can be seen as units which can be used to compare traditional Sámi and modern forms of territoriality:

> a political community consists of participants who (1) self-identify themselves as community members, (2) recognize common interests, (3) relate to one another according to a rule of reciprocity, and (4) pursue shared interests through collectively sanctioned decision-making institutions. (p. 44)

This definition does not exclude the Sámi as a whole from also being considered a political community. Wilmer herself recognizes the possibility of such coexisting political communities, such as the state and the world system. For the purposes of the comparison of territorial concepts in this chapter, the *siida* will be the unit of analysis. The territorial characteristics of the *siida* will be contrasted with that of the state to form a basic understanding of the differences between traditional Sámi and modern territoriality.

Perceptions of Sámi Territoriality

"Tell them we don't just *wander*," a Sámi herder implores ethnographer Robert Paine (Paine, p.11). This beautifully captures the frustration of the Sámi with the myths of their nomadic lifestyle held by outsiders. Outsiders commonly perceive Sámi as randomly following reindeer wherever the herds care to tread. The implication of this view is that the Sámi do not have any sense of possession or belonging to the territory on which they herd. This is incorrect. In fact, the Sámi have a well developed and complex sense of territoriality. Nomadic peoples, especially *pastoral* nomadic peoples such as the Sámi, most certainly have a sense of territory as the pasture is the most important resource in herding. Nomadic pastoralism involves a rare combination of seasonal migration and collective herding of animals (Paine, p.15). The "logic of territoriality" is different from that of agriculture, or other land uses defined by distinct, bounded, and exclusive spaces (Paine, pp.15-16).

How has Sámi nomadic pastoralism shaped conceptions of territoriality, and how have these conceptions conflicted and changed with the encroachment of states which expressed their own ideas of territoriality? Much of the information on the territorial organization of the Sámi focuses on the importance of reindeer herding to Sámi territorial patterns and ideas. From this, one might assume that the nomadic and flexible form of territoriality practised by the Sámi developed *because* of the resource activity of herding. Although herding is a relatively recent phenomenon, the basic structure of the *siida*, the main unit of Sámi organization, predates the development of herding (Svensson 1997, p.38; Ingold 1978a, p.147; Odner, p.76). Although the transformation from the hunting of wild reindeer to reindeer pastoralism over the last five hundred years has

certainly changed the Sámi's relationship to the land and the seasonal cycle, the basic elements of their territoriality (flexibility and mobility) remained.

While herding certainly played an important role in shaping the territorial character of the Sámi between the sixteenth and nineteenth centuries, one should be very cautious that it is not treated as the only explanation of that transformation. The bonds of commonality and great variations, both between Sámi groups and across time, can be discovered through an exploration of the *siida*, which lies at the heart of the Sámi's territorial expression, with its "recognized territorial base" and discernible, but flexible, membership (Sillanpää 1994, p.38).

Basic Characteristics of the Siida

Mindful of the many differences in *siida* structures, one can still discover certain shared characteristics of traditional Sámi organization. The most notable aspect of *siida* social structure its flexibility in group membership, common to many Arctic peoples. This flexibility is evident in the way that groups of families merge or divide during different parts of the year (Beach 1981, p.53, 59; Björklund, p.81; Aronsson, p.109). At the lowest level of Sámi social organization is the nuclear family. Up to five of these families would form a local band which lived and moved together during the year. An example of a *siida* structure is provided by Tegengren. The Inari siida in the eighteenth century consisted of 27 households, which were divided into four groups for hunting. Each family provided one adult male hunter, and thus each of the four hunting teams consisted of seven to eight men (Odner, pp.28-29).

During the spring and summer the local bands separated and migrated to exploit "dispersed and sparse resources," but they would come together in winter, when resources were less abundant, to minimize risks through collective cooperation (Ingold 1976, p.1; Aronsson, p.109). In wintertime, roughly from December to April, all the local bands which made up the *siida*, totalling perhaps five to forty families, gathered in the winter village (Odner, p.76). Figure 2 shows an example of a Skolt Sámi *siida* and the different areas which are used by component hunting groups during the year. This map indicates the kind of territorial complexity which the *siida* system can entail, but it is still limited by the need to represent territory in a static two-dimensional manner. This winter village often also served as a trading centre for other *siida* and non-Sámi traders (Beach 1981, p.65).

Skolt Sámi socio-territories around 1920.
Source: Odner, p.224.

Figure 2: Example of *Siida* Migrations

The *siida* annual cycle, having small groups migrating around during spring and summer, then converging to a central winter village, also provides a useful image of what the physical structure of the *siida* territory might have looked like. The *siida* territory would likely cover a broad area, including a variety of ecological zones which could be exploited for different purposes throughout the year. The major divisions between *siida* territories would be marked by prominent features in the landscape (mountains, rivers, *etc*). These divisions did not form linear boundaries so much as serve to denote the transition from one area to another. It was possible for more than one *siida* to occupy a single territory, or more commonly, share territory in the boundary zones between one another (Odner, p.88).

The physical shape of a *siida's* territory was largely a combined function of the local geography and the type of economic activity practised. When hunting was the primary activity of Sámi groups, the winter village was more-or-less a permanent settlement with hunting teams migrating within round, cellular territories (Ruong, p.154). By the seventeenth century, pressure from outsiders brought an end to hunting as the primary Sámi

resource mode, resulting in "widely divergent adaptations according to prevailing ecological conditions" (Ingold 1976, p.2). *Siidas* in lowland areas turned to agriculture, those near the coast and rivers were primarily fishers, while in the mountains and inland forests reindeer herding developed (*ibid.*). The agriculturists (and later the fishers) eventually lost the *siida* structure, being assimilated by new settler cultures. Although the development of reindeer herding certainly changed the territorial structure of the *siida*, the herding *siidas* retained both their territorial integrity and cultural individuality much later than the other groups. For this reason, the practice of reindeer herding is critical to understanding the territorial relationship between the nomadic Sámi and the Nordic states during the period of colonization.

Despite the many forces that have transformed Sámi culture and social life a continuity can be traced between the traditional *siida* structure and modern Sámi herding territories (Bergman, p.65). The herding districts created by government administrators in all three states were usually created in relation to an existing *siida* group. The boundaries of those districts then became a fixed part of the legal domain of the state and subject to its interests rather than to those of the *siida*. Modifications to herding boundaries were made due to border changes, to reduce herder-settler conflict, and later as part of state herding management strategies. While herding Sámi were able to maintain some links to traditional *siida* structures through the herding districts non-herding Sámi largely lost this form to pressures of external contact (Ingold 1976, p.2).

Flexibility of the Siida System

The Sámi had a definite concept of territory and of each *siida's* rights of access, but it was a more elaborate and flexible system than the hard lines which divide modern states and nations. The *siidas* managed these territorial relationships and settled disputes that might arise without the intervention of outside authorities (Odner, p.26). The characteristics of overlapping boundaries, or non-exclusive territory, clearly separates Sámi concepts of territory from the "the familiar world of territorially disjoint, mutually exclusive, functionally similar, sovereign states" (Ruggie, p.151).

From the information known about Sámi territorial organization before the nineteenth century, it is clear that it represented a very different form of territoriality than that held by Nordic colonizers. In the preceding

chapter, the assertion was made that the discipline of international relations has wrongly assumed the universality of a single concept of territoriality. The work of Knut Odner illuminates that anthropology has suffered from a similar belief. Odner claims that the works of Väinö Tanner, Helmer Tegengren and Ørnulv Vorren, though among the most important anthropological and ethnographical contributions on the Sámi, mistakenly put Sámi concepts of territory into "a metaphor of national states" (Odner, pp.87-88). That is, real concepts of ownership and land use were not recognized because they did not conform to the idea of permanent settlement in a fixed area.

The investigations Odner carried out into the territorial behaviour of the Varanger Sámi highlight the fundamental differences between Sámi and state concepts of territory. The complexity of Sámi territorial arrangements can be seen in examples of shared or overlapping land use. These shared access arrangements demonstrate that there was not a simple one-to-one, parallel relationship between the social group and its territory. In the modern context state borders contain both the membership and territory of the state. Other types of political communities could have a definitive membership "without regard to territorial boundaries" and could share territory with other similarly organized groups (Aronsson, p.111).[9]

Odner notes that Sámi from other *siida* had "residual rights" in the Varanger *siida*. The Inari and Utsoki Sámi who stayed in the Varanger area had rights to fish and were not viewed as trespassers (Odner, pp.87-91). Numerous other accounts of Sámi territorial behaviour reinforce the point that "a single geographical territory can be utilized by a number of demosocial groups" (Aronsson, p.111). In Norrland, Mountain and Forest Sámi had their winter pastures in the same areas as settled agriculturists (Aronsson, p.111). Although co-existence between the Sámi and non-Sámi settlers could have been more problematic given the conflicting territorial uses, as long as settled areas were small the mobile groups of Sámi could move among them (Zachrisson, p.13). Evidence of shared territory, or overlapping boundaries is more common between *siidas*, such as the common off-shore fishing rights between the Varanger and Neiden *siidas* (Odner, p.27). It is clear

[9] Organisms defined by territory are called geosocial, while those defined by membership are called demosocial by Russian anthropologist Juri I. Semenov (Semjonov). See Semjonov, 1947.

that the Sámi had a well-developed sense of territory, but one which included flexible boundaries and some non-exclusive land and resource use.

Nomadism and Pastoralism

The territorial expressions of the *siida* clearly have a strong relationship to subsistence activities. Nomadism plays a key role in the link between the two, and represents the clearest distinction between modern and traditional Sámi modes of territoriality. Sámi nomadism is today widely understood to mean the practice of reindeer herding, yet the Sámi practised a form nomadism long before they began travelling with domesticated herds.. Because herding was treated as a unique Sámi trait by both states and anthropologists, it became difficult to separate the identity of the Sámi from the practice of reindeer herding. While this has been advantageous in that the Sámi have resisted cultural assimilation due to the persistence of herding, it has also caused many misconceptions and tensions among the Sámi. The exaggeration of the cultural importance of reindeer herding belies the fact that it only developed over the past five hundred years. For the purposes of the current discussion what is most important to understand is that nomadism did not develop because of reindeer herding, but the nomadic form of the *siida* preceded the development of herding.

During the period when hunting and fishing formed the primary resource activity, the Sámi practised what is generally referred to as semi-nomadism. As defined by Hansegård, semi-nomadism involves "migrations between a small number of places of sojourn conditioned by the food available for hunters and fishermen at the various grounds during the various seasons" (pp.22-23). In this early stage only a few domesticated reindeer were used for transportation or decoys. It is likely that in this stage, prior to the Sámi's transition to reindeer herding, the winter village was a permanent home for much of the group. Teams of hunters would migrate with wild herds during part of the year. Full-nomadism is considered to be when the entire group migrates with semi-domesticated herds for most of the year, with no permanent settlements (Ruong, p.153). These terms are not absolutes, but rather delimit a range based on the degree of seasonal movement practised by the group. During the eighteenth century mountain Sámi were the most nomadic, while forest Sámi were still considered to be semi-nomadic (Beach 1981, p.69).

Herding

The practice of reindeer herding is often viewed as the defining feature of Sámi culture, and the force which determines their migratory and settlement patterns. Although the basic foundations of Sámi territoriality clearly pre-date its development, herding both transformed and reinforced those foundations (Svensson 1997, p.38; Ingold 1978a, p.147; Odner, p.76). The territorial implications of herding, with its seasonal migrations to take advantage of different ecological conditions, marked the most significant difference between the Sámi and the Nordic states that would come to occupy their territory.

Herding has probably been the most-studied aspect of Sámi life, and a weighty body of theory and terminology has been created to describe it. Although it is not the aim of this chapter to go into great depth about different herding methods, migration patterns, and the like, some familiarity with these concepts is useful to understand the territorial significance of herding. This basic introduction will also be of value in later chapters as herding legislation and other state-based reindeer management policies are analyzed.

The transition from the hunting of wild reindeer to reindeer herding during the seventeenth century marks the first major shift in Sámi territorial organization. If one accepts the assertion that these changes were brought about because of pressure on lands and resources from colonists, then this episode may be seen as the first conflict between Sámi and modern territorial forms (Ingold 1976; p.2, Beach 1981, p.66). Aronsson identifies several possible factors influencing this transition. The advent of herding might be part of "a long cultural development in human adaptation and utilization of the landscape" (Aronsson, p.16). Another explanation is that the increasing scarcity of wild reindeer forced the Sámi to turn to herding. Building on that idea, Lundmark blames the disappearance of wild herds on taxation policies which promoted the exploitation of natural resources in the pursuit of revenues (*ibid.*).

It is not entirely clear to what extent these changes were due to indigenous or external factors. Some accounts claim that once herding began to be adopted, the wild herds were intentionally killed off to prevent mixing (Beach 1981, p.68; Aronsson, p.30). Moreover, much of the external factors that contributed to the development of herding were not due to the territorial differences between the Sámi and the states. The

adoption of milking and pasturing methods from agrarian settlers, for example, seems rather benign. This early territorial transformation (or, economic transformation with territorial implications since the two are inherently related), should thus be seen instead as foreshadowing the real structural changes that would take place under the power of the state.

The advent of herding, whatever its cause, should not be viewed as a sudden transformation, but rather as a gradual development from the hunting of wild reindeer. The connection between hunting and herding can be seen in a number of ways. In early times, wild reindeer migrated naturally, and Sámi hunters followed the herds. The migration routes of domestic herds follow the old routes of the wild herds (Odner, p.28; Aronsson, p.32). Changes to migration patterns have evolved based on the mutual relationship between the herders and the reindeer (Paine, p.14).

Another way to view the transition from hunting to herding is along an axis of degree of herd control. This continuum usually ranges between *extensive* and *intensive* herding methods, but hunting can be viewed as a point involving even less control than extensive herding. Extensive herding involves large herds and loose control with the animals largely left to find their own pastures. Under intensive herding, the herds are smaller and are under almost constant control. Intensive herding requires families to move with the herds, while in extensive herding the herds need only be gathered for marking, castrating, separating and slaughtering (Beach, p.35; Hansegård, p.24). In its most extensive form, herding is only slightly removed from hunting. The earmark which establishes ownership marks the only difference (Beach 1981, p.35; Aronsson, p.14).

Despite the similarity of the extensive form of herding to hunting, it was actually the intensive form which developed first. One reason for the development of intensive herding was that the existence of wild herds and predators necessitated close control over the herds to prevent losses. Only later as herd management techniques changed, wild herds and animal predators were eliminated or drastically reduced, and technology like fencing became more widely used could herds be safely allowed to wander extensively (Beach 1981, pp.39-52). Another reason why intensive herding developed first was a very territorial one. Facing competition for land and resources from settlers and state authorities, "A herder actually occupying a tract of

land with his herd establishes a far better claim over the area than would a herder with his herd spread thinly everywhere" (Beach 1981, pp.66-68). In this sense, intensive herding can be seen to be a response to colonial ideas of land-ownership.

The transition from hunting to intensive herding to extensive herding was by no means uniform across the Sámi culture area, with some groups retaining the intensive form longer. However, by 1900 the development of extensive herding with large herds had forced an end to intensive herding as most of the herds were intermixed (Hansegàrd, pp.24, 102). The decreased control of extensive herding allowed Sámi herders more time to pursue other activities. The seasonal rounds that are described below are typical of the intensive period. As large-scale migrations became less common due to the development of extensive herding, summer settlements gradually shifted towards spring/autumn settlements. This resulted in a two-settlement system, one for winter and one for summer (Hansegàrd, p.102).

In addition to degree of control and nomadism, other factors which determined the type of herding practised were geography and ecology. It has already been mentioned how different local conditions resulted in differences between farming, fishing, and herding Sámi. On a finer scale, among the herding Sámi these differences also manifested themselves into ecological divisions such as mountain Sámi, forest Sámi, and coastal Sámi.

Ecological Divisions

Both forest and mountain Sámi are types of reindeer herding groups (indeed, their differentiation arises from the type of herding practised), and have been well documented in the literature. The coastal, or sea Sámi have also kept small herds, but by the 1800s were primarily fishers. The territorial differences between the forest and mountain groups will be analyzed primarily in relation to their herding practices.

It should be noted that there is no real cultural meaning in the categories forest, mountain, or coastal (Beach 1981, p.70). These divisions are only meant to describe the modes of resource exploitation and geographic location of the different groups. Prior to the eighteenth century, there was no real basis for separating forest

Sámi from mountain Sámi (Beach 1981, p.69) as both practised similar forms of herding. However, over time these differences have been reinforced by the legal structures imposed by the state.

The division between mountain and forest Sámi is based on differences in settlement areas and migration routes (Bergman, p.60). Both groups use the same boreal forests for their winter pastures, but the mountain Sámi herders migrate to the mountains in summer while the forest Sámi herders remain in the forests (Aronsson, p.29). The degree of nomadism is also a factor in separating these two groups, as mountain Sámi are the most nomadic, making long-distance migrations between the mountain and forest pastures. Forest Sámi are usually described as being semi-nomadic, making only small migrations within the forest zone.

The development of herding in the Swedish mountain regions transformed the traditional round *siida* territory into long narrow strips which followed the migration of reindeer from the north-west to the south-east (Beach 1981, p.71; Ruong, p.154-155). The territorial division of mountain Sámi *siidas* became known as *vuoma*, "…a geographical area seasonally occupied and migrated through by several bands…" (Beach 1981, p.71). The mountain ranges form natural divisions between the territories. The shape of these territories is still evident in the present-day Swedish reindeer districts. Rounded herding territories were more or less maintained among forest Sámi in Sweden, Finland, and Norway where the geographic features do not form such marked boundaries(Ruong, p.154-156).

Another way in which the territorial system of the Sámi underwent change through advent of herding was the break-up of the winter village. Herding, especially in winter, required space for grazing. Whereas the sub-groups of the *siida* had once come together to make use of common resources in the winter, herders now had to spread their herds out when snow-cover made vegetation hard to find. The *siida* structure was thus split up into smaller units to pursue migratory herding (Beach 1981, p.66). This was true of both mountain and forest Sámi. The cycle of agglomeration in winter and dispersal in spring and summer which typified the hunting *siida* was replaced with new patterns of seasonal migration.

Although the forest Sámi historically outnumbered the mountain Sámi, their vast migrations made the mountain Sámi more interesting research subjects (Aronsson, p.28). Unlike the mountain Sámi, the areas of

the forest herding provided sufficient variation in vegetation within a small area. Thus the forest herders can make their seasonal migrations within a much smaller area. Aronsson notes, "Forest Saami reindeer herding in its typical and traditional form was characterized by migrations between a number of semi-permanent settlements (usually three to seven) during the summer, and migration with tent dwellings (*kåtor)* on the winter pasture grounds" (Aronsson, p.28).

The work of Beach (1981) provides a detailed description of the seasonal round of mountain Sámi herders in the 1870s in the Tuorpon district of Sweden. The pasturelands and herding activities can be divided into spring, summer, autumn, and winter seasons. These long-distance migrations took place along the mountain valleys which run from the high Scandinavian mountains in the west (summer pastures) to the forests and coastal lowlands near the Gulf of Bothnia (winter pastures). In spring the herds would begin heading for the low foothills where the first bare patches would appear on sun and wind exposed slopes. Pregnant cows were particularly eager to find good grazing land before calving (Beach 1981, pp.83-85). As migrations became more regularized the spring camps were used as depots where winter sleds could be stored for the return to the forests in the fall. In summer, herds clustered even higher in the mountains to avoid being ravaged by insects. Green vegetation was the main food for the reindeer, and milking was the primary summer activity of the herders. Milking could last as long as green vegetation was available, then the herds would slowly return eastwards in autumn as the vegetation began to disappear from the higher elevations. Autumn was also the time to castrate those bulls that would be slaughtered in winter, and keep some tame animals for transport. Also in the fall different herds would be allowed to mix for mating before being separated for the winter. The flexibility of herding group membership is evident here as the *siida* composition first conglomerates for mating, then separates into its smallest units in winter (Björklund, p.81, Beach 1981, pp.87-92). The herd is at its most vulnerable in winter from predators and weather. The herds must be small to take advantage of winter grazing conditions (Beach 1981, p.66).

Unlike the differentiation between forest and mountain Sámi, the division between coastal Sámi, and the other Sámi groups pre-dates herding, likely taking place between the sixteenth and seventeenth centuries (Odner, pp.29, 97). The coastal Sámi mixed wild reindeer hunting with fishing and even hunting for sea

mammals such as whales, seals, and walruses. In the case of the Varanger Sámi, a coastal Sámi group in northern Norway, nomadic herding of reindeer began in the latter half of the seventeenth century, with migrations between the summer pastures on Varanger peninsula and winter pastures in the forests of northern Finland (Odner, p.17). Coastal herds were typically much smaller than those of forest and mountain herders. This led to conflict and the end of herding in Varanger in the eighteenth century when the much larger mountain herds began to compete for pastureland with the smaller coastal herds (Odner, p.17). The end of herding did not, however, mean the end of migratory settlement patterns for the coastal Sámi. Most families continued to keep at least two habitation sites: a coastal site for summer and spring fishing, and winter site further inland (Odner, p.25).

Conclusion

Even without completely understanding the complexities of the different herding methods, or the social structure of *siida,* one can appreciate from this presentation that the Sámi had very real and complex connections to the land. The Sámi did not simply roam wherever they or the reindeer cared to tread, but had well-developed systems, organized at a group level, which ensured access to important resources throughout the year. The *siida* structure represented the main method of Sámi political, social, economic, and territorial organization as we understand those terms today.

The picture which the *siida* system presents is very different from the political structures we are familiar with in the modern age. The mobility, flexibility and diffuse boundaries of the *siida* were clearly discordant with the fixed and linear notions of borders that would later be imposed by the states both at the level of the herding district and the state. Despite the great variation among the different groups of Sámi, and the transformations that took place over time (particularly in the transition from hunting to herding), the general territorial character of the *siida* is clearly differentiated from that of the state. Different groups may have been more mobile, had greater flexibility in use of resource areas, or have had greater overlap with their neighbours, but these variations are minor in relation to the fundamental differences that separate them from the territoriality of the state.

These differences significantly affected the relationship between the Sámi and the states which exerted control over the area. In the first place, the political forces which competed for power over the Sámi area did not recognize Sámi territoriality as a basis for legitimate occupation of the land. As those kingdoms developed the modern expressions of territoriality inherent in the state system the mobility of the Sámi presented a challenge to their need to stake firm claims of sovereignty. Sámi expressions of territoriality were systematically subverted by colonial power, as they were anathema to both the philosophical basis and practical interests of the states.

Chapter 3:

The Development of States in the Sámi Area

At the dawn of the middle ages the region of Fennoscandia was home to the Sámi as well as three kingdoms which began to expand their influence. The Sámi, and the kingdoms of Denmark-Norway, Russia, and Sweden-Finland did not then have the characteristics of modern states, especially with regard to their territorial manifestation. Like other European monarchies in this period, the three kingdoms would evolve over the course of the thirteenth to nineteenth centuries into territorial states with fixed and exclusive borders. The Sámi and their lands became the figurative, and sometimes literal, battleground on which the three kingdoms competed for power and territory (Sillanpää 1994, p. 38; Salvesen, p. 109). Neither the integrity nor autonomy of the Sámi was ever recognized by the emerging states, but the land was rather seen as ownerless, free to be claimed. The reason that the Sámi were not considered to have a right to possess the land then, as now, is largely attributable to a prejudice against indigenous systems of territoriality.

The period examined in this chapter is the era of territorialization in Europe, when competing powers began to draw lines on maps representing where one exclusive domain ended and another began. The concept of sovereignty upon which these arrangements were based was also used to justify rule over other nations, as in the case of the Sámi. The means by which the nascent states of Fennoscandia came to integrate the Sámi homeland into their own territory is placed in the larger context of the territorial struggle between the Sámi and the Fennoscandian states. The state-building model of Anthony Giddens and the nation development model of Anthony D. Smith provide useful bases from which to analyze this parallel process in the case of the Sámi and the states of northern Europe.

State-Building

The means by which states extend and consolidate their power is the theme of Anthony Giddens' work, *The Nation-State and Violence,* which provides a state perspective on the emergence of modern states upon pre-

existing lands and peoples. Giddens differentiates between two types of states, 'traditional' (or 'non-modern')

and 'modern,' and examines the transition process between the two. Unlike many authors who have written

on the origins of the state, Giddens appears to recognize that the modern state system was created by the

systematic dismantling of a previous order: "In a period of three hundred years, an insignificant slither of

human history as a whole, the face of the earth has been wiped clean. That is to say, traditional societies of all

types have become more or less completely dissolved" (Giddens 1987, pp.33-34).

Giddens' typology is more appropriate to the kingdoms of Denmark, Russia, and Sweden, than to an

understanding of the Sámi political community. His work provides a valuable insight into the processes by

which these 'traditional states' evolved into 'modern states.' Especially relevant to our discussion of

territoriality is the means by which these states expanded and consolidated their power by dividing and

swallowing the Sámi and their lands. He makes reference to three components of this process which will be

analyzed in this chapter: taxation, border formation, and settlement. He describes a general pattern, which

well describes the early stages of the colonization of the Sámi by the three kingdoms:

> In conquest empires it was generally the case that indigenous populations would be left to carry on their pre-existing patterns of conduct — even their established administrative system being left largely untouched — so long as they paid their taxes or delivered the necessary tribute. But quite often the newly arrived conquerors made systematic attempts to displace some segments of the population and settle the area with others. (Giddens 1987, pp.51-52)

In building a general understanding of the state-building process, Gianfranco Poggi complements Giddens by

examining the characteristics which make a state a state, and the historical stages of its evolution. The process

which Poggi describes, from feudalism through absolutism to the modern state, fits well with the ideas of

Giddens and provides a useful measure with which to check the development of the Nordic states. His work

does much more than just describe, however. He gives great insight into the nature of the state which helps

explain why, not just how, the state came to dominate other forms of human organization.

Just as Giddens does, Poggi sees the state as fundamentally concerned with violence, and identifies two types:

"those pertaining to inter-state relations; and those pertaining to keeping control of the population and

maintaining order within individual states" (p.65). Revenue was needed to pay for the armies, and the armies

enforced the extraction of those revenues from the population (the building of what Giddens calls authoritative and allocative power resources (1985, pp.7-8)). For Poggi, this cycle explains the development of states historically:

> they established agencies which systematically monitored the changing demographic and occupational composition of the state's population, and sought to improve its health and its education and to promote and regulate modernisation. A bigger, busier, more productive, better educated, happier population would yield greater revenues, and thus indirectly increase the state's military might (p.66).

This pattern is consistent with Durkheim's description whereby the modern state, "progressively extends a more compact system over the whole surface of the territory, a system more and more complex with ramifications which displace or assimilate pre-existing local organs" (Badie & Birnbaum, p.13). It is at this stage that the state truly becomes modern, in the territorial sense. The traditional state (or kingdom) did not need to exercise territorial control to meet its needs. The character of the modern is exactly that it demands an exclusive territorial claim: "the state does not *have* a territory, it *is* a territory" (Poggi, p.22). This change can be seen in the Sámi case as the states made the transition from taxation through intermediaries to direct administrative and territorial control.

Initially the Sámi were able to positively contribute to the states' needs through taxes and, ironically, by their very presence on the land. The taxation of the Sámi did not produce enough revenue for the increasingly large and expensive military campaigns the states waged in the middle ages. The transition from frontiers to national borders gave the states direct access to resources and provided a legal justification for the exercise of military power. [10] As the scale of administrative control elevated, however, the Sámi territorial and economic system became increasingly in conflict with the modern 'bigger, busier, more productive' society the states desired. At that point it became necessary for the states to use the coercive and administrative power at their disposal to remove obstacles to modernization. More productive forms of economic activity were encouraged though the settlement programs, forcing the Sámi to adapt or perish. This analysis will show that

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[10] Giddens describes the difference between frontiers and borders: "In all cases, 'frontier' refers to an area on the peripheral regions of a state (not necessarily adjoining another state) in which the political authority of the centre is diffuse or thinly spread. A 'border', on the other hand, is a known and geographically drawn line separating and joining two or more states. (1987, p.49)

the instruments of taxation, border formation and settlement placed Sámi expressions of territoriality firmly in conflict with those of the state.

Sámi 'Nationhood'

While Giddens and Poggi provide a very useful perspective from which to understand the behaviour of the states, they are insufficient for understanding the Sámi polity. It is difficult to know, in social science terms, how to treat the Sámi as a group. Too little is really understood about the political organization of the *siida* system, or how relations were constituted between different *siida.* Should the Sámi be treated as a cohesive nation or a collection of loosely organized tribal groups? The works of Anthony D. Smith and Franke Wilmer provide a basis from which to approach this difficult subject.

A common theme in recent texts on Sámi history (and one consistent with a Fourth World perspective), is that the Sámi *nation* was divided and parcelled out by the medieval kingdoms of Denmark (-Norway), Sweden (-Finland), and Russia (Muscovy, Novgorod, and Karelia) (Sillanpää 1994, pp.37-38, Eriksson, J. 1997a, p.77). Terming the Sámi of that era a nation serves the purposes of the present-day Sámi political movement, but perhaps gives the impression of a more cohesive and homogeneous community than actually existed. The previous chapter depicted some of the many divisions among Sámi groups, by geography, language, and economic activity. Although Nietschmann and other Fourth World scholars prefer the term nation when referring to groups sharing a common identity and territory, the nation and nationalism is as much a modern construction as the state (Nietschmann, p.226; Smith, A., p.11).

Instead of nation, Smith prefers the term *ethnie* to describe the "collective cultural units and sentiments of previous eras" as he traces their transformation into modern national units (Smith A., p.13). Smith's criteria are for *ethnie* are: a collective name, a common myth of descent, a shared history, a distinctive shared culture, an association with a specific territory, and a sense of solidarity (pp.22-31). These criteria can be compared with those of Wilmer's political community: a self-identifying group, common interests, reciprocal relations, and collectively sanctioned decision-making institutions.

The commonalities of language, religion, dress, art, music, social organization and the like provide considerable evidence of shared culture. The sense of solidarity and decision-making institutions are more problematic. While a national (in the sense we know it today) identity did not develop among the Sámi until after the second world war, the Sámi were indeed a collective community, with an overarching sense of identity even before the middle ages (Eriksson, J. 1997a, p.82). Just because a Sámi's primary identity in the absence of external pressure (an 'other' to engender the 'we') likely rested at the *siida* level does not invalidate the existence of a collective identity. Furthermore, it makes little difference if we choose to look at the Sámi as a whole or smaller groupings, since "even on a subethnic level, identity cut across rather than follow along state boundaries" (Eriksson, J. 1997b, p.163). State borders did not just divide Sápmi, but language groups and *siida* territories as well, as shown in Figure 3.

Sápmi and the Sámi Dialect Boundaries.
Source: Eriksson, J. 1997b, p.163.

Figure 3: Sámi Dialect Boundaries

It is not reasonable to expect the Sámi political community of pre-modern times to reflect modern ideals of organization. Smith and Wilmer's criteria must be applied with an understanding of the historical context. While no collective institution was responsible for political decision-making for all of Sápmi, it must be remembered that the political communities which would become states lacked real political cohesion themselves. To make a fair comparison, the *siida* system and the principles which regulated relations between different *siidas* constituted as much of a decision-making institution as the European feudal system (Poggi, p.36).

The political units that existed in Northern Europe during the middle ages were considerably different from the centralized, territorial states which would emerge by the eighteenth century. Just as the Sámi themselves were a loose assortment of regional sub-groups, the states were likewise a weak and diffuse collection of kingdoms, city-states, principalities, estates, *etc.* At that time, these polities lacked the characteristics of
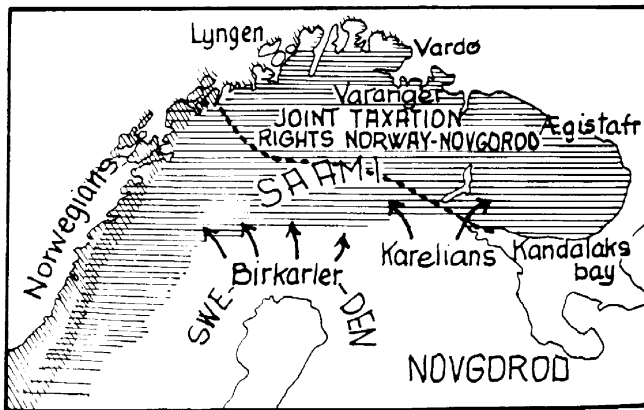
modern territoriality (described in Chapter 1) just as much as the Sámi. Thus Sámi autonomy was able to exist in reality, despite being partitioned and subsumed on paper, because "…state sovereignty and the associated domestic-international divide were neither established political ideas nor reflections of reality. At this time, polities overlapped, autonomies were incomplete, and loyalties were divided" (Eriksson, J. 1997a, p.41-42). These nascent states, however, would gradually began to procure the trappings of modern states as they expanded both their geographic scope and magnitude of authority. This examination traces the early history of state-building in the Sámi area, and the shows the role of territoriality in the colonial process.

Early Forms of State Influence (Pre-1550)

Like elsewhere in Europe, the fourteenth to eighteenth centuries were politically turbulent in the Baltic, Scandinavia, and Russia. Shifting alliances, frequent wars, and power struggles between nobles all created great upheavals and resulted in many changes in the regional balance of power.[11] While most of the activity was limited to the southern lands around the Baltic, the Arctic coasts around Varanger and the Kola peninsula also became the site of rivalry over trade routes. The borders that divided the claims of the kingdoms to the Sámi lands initially did not have much real significance, as state authority did not penetrate very far into the interior of the Lapland 'wilderness.' This would soon change as the borders stabilized, the central authority of the states increased, and they consolidated power over their domain.

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[11] For a thorough discussion of the political history of the region in this period, see David Kirby's *Northern Europe in the Early Modern Period: The Baltic World 1492-1772,* London: Longman Group, 1990.

The earliest way in which the medieval kingdoms exerted control over the Sámi and their lands was through trade and taxation. The political objective at that time was not the ownership of territory, but economic control. The crowns granted intermediaries, such as the *birkarler* in Sweden-Finland and Karelian traders in Russia, the right to collect taxes on behalf of the state in exchange for access to trade and a share of the taxes. The spheres of influence of these groups are shown in Figure 4. Access to trade with the Sámi, particularly in the Varanger region, was of great economic value to the kingdoms and created much tension, especially between Sweden-Finland and the Russian city-state of Novgorod. The two signed the Treaty of Nöteborg in 1323, which "was the first attempt to delineate the frontier, but its terms were extremely vague and imprecise… Neither traders from Karelia, nor settlers from the Finnish side paid much heed to it" (Kirby, p.25). Other attempts to divide the Sámi area into taxation zones followed. In a 1326 treaty Novgorod agreed to Norway's (under Swedish rule since 1319) ownership of Finnmark, but maintained some overlapping taxation rights (Odner, pp.10-11).

Habitation, boundaries, taxation ca. 1300-1500.
Source: Odner, p.208.

Figure 4: Taxation Boundaries

The character of these tax regimes should be noted. Rather than being taxes based on territorial rights, the taxes imposed were more like trading dues as the only penalty for non-compliance was the denial of access to important trade markets (Salvesen, p. 110). As the institutions of the European kingdoms were largely based on a feudal order with an economic foundation in agriculture, the nomadic hunter-gatherer structure of the Sámi posed something of a puzzle. Affairs in the Baltic region captured most of kingdom's attention, and so long as they kept receiving taxes from trade, the crowns were satisfied to leave the northern wilderness to their agents. The eventual development of centralized states based on control of territory would later change

this relationship, and institutions were created that reflected the ideals of private property, serving the interests of the states (Salvesen, p. 113).

The formation of the Kalmar Union in 1397 created an alliance between the crowns of Denmark, Norway, and ostensibly Sweden. The Union was fraught with internal division and rival claims to its rule. Denmark effectively secured control of Norway, but efforts to force Sweden to submit to its rule produced repeated conflict between the two kingdoms, with Sweden finally leaving the Union in 1523 (Kirby, pp.41-64; Odner, pp.10-11).[12] The intervening years not only produced war between Denmark-Norway and Sweden, but the Finnish-Karelian frontier continued to be disputed between Sweden and Novgorod. The expansion of another Russian city-state, Muscovy, eventually gained control of both Novgorod and Karelia (Kirby, pp.51-57). Amid this political upheaval, and often armed violence, the Sámi communities that lay in the disputed territories suffered at the hands of tax collectors and soldiers from all sides.

The Beginnings of Territorial Control (1550-1620)

The character of these kingdoms began to change in the sixteenth century. Protracted wars forced both Sweden and Denmark to institute numerous administrative and economic reforms to avoid bankruptcy, thereby increasing centralized power and developing professional bureaucracies (Kirby, pp.97-101). While this development began during the reigns of Gustav Vasa in Sweden (1523-1560) and Frederick II of Denmark (1559-1596), it would not be until Peter I (the Great)'s unification of Russia in the seventeenth and eighteenth centuries before it could be called a centralized territorial state in any real sense (Kirby, pp.299-307). With the concentration of power in the monarch and a regularized system of rule, the political entities of Sweden-Finland, Denmark-Norway, and Russia had become absolutist states, "the first major institutional embodiment of the modern state" (Poggi, p.42) In concert with these organizational changes, the new states began to change their objectives towards the Sámi.

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[12] Norway officially came under control of the Danish Crown in 1536.

The wars that were taking place were no longer simply disputes over access to trade and taxation, but over tangible possession of territory. For instance, Sweden assumed direct control of trade and taxation from its *birkarler* agents around 1550 (Odner, p.13). The existence of *birkarler* trade was then used to justify Sweden's sovereignty over the territory. Muscovy attempted to exert its own authority in the area with the construction of a monastery in Petsamo in 1556 by Ivan IV (the Terrible), which became the centre of substantial trading activities (Odner, p.13). While the profits from trade and taxation were certainly a strong consideration, they alone did not represent a significant enough resource for Sweden and Muscovy to go to war. Sweden's decision to invade Russia in 1589 had a territorial objective (Odner, p.14). Sweden declared as much, seeking to establish control over Karelia and the Kola Peninsula (Kirby, p.119-120).

Sweden managed to sack the monastery at Petsamo, but fell short of conquering the rest of its objectives. The Treaty of Teusina in 1595 brought an end to conflict between Sweden and the Russian kingdoms, and created the first real border between Finland and Karelia. The two empires agreed to split the region between them, with the border running all the way from the White Sea to the Karelian Isthmus. Sweden abandoned its claims to the Kola and Karelia, and Muscovy recognized Sweden's ownership of Lapland in return. Muscovy also gave up its Baltic territories of Narva and Estonia (Kirby, pp.119-121; Odner, p.13).

Following Teusina, civil war broke out in Muscovy and by 1611 Sweden's armies were once again in Russia. Denmark took advantage of the situation to launch a war on Sweden's other flank. The treaties which ended these wars in 1613 (with Denmark) and 1617 (with Russia) altered the political landscape in the European Arctic once again (Kirby, p.121). Sweden lost its claims to the Arctic coastline in Varanger, and a system of overlapping taxation zones were drawn up. This was particularly difficult for the Inari Sámi who were in some cases simultaneously taxed by all three kingdoms (Odner, pp.13-14; Sillanpää 1994, p.38).

These overlapping taxation zones might have actually benefitted the Sámi by forestalling real partition by preserving weak and permeable boundaries (Eriksson, J. 1997a, p.84). However, increased state authority over the administration of taxation had tangible effects on the Sámi. In all three jurisdictions, the creation of taxation districts was the first step in the 'territorialization' of the Sámi by the states. That is, by delineating

specific areas corresponding to specific groups of Sámi, the states begun the erosion of traditional Sámi territorial units, and their replacement with state-defined territories

The Swedish tax law of 1605 recognized traditional forms of Sámi economic activity, such as reindeer herding, as the legal form of land use north of the Lapland Boundary, while agriculture was reserved for the South (Aikio 1993, p.16). This differentiation is somewhat laudable, as it appears to grant legitimacy to Sámi forms of land use and territoriality. However, the system defined taxation districts (taxlands) which did not coincide with the Sámi's own s*iida* territories. The collective basis of territorial 'ownership' was also changed from the *siida* to individuals, which was completely at odds with the Sámi pastoral herding system. (Beach, *et al*, p.67).

The manner in which the kingdoms assumed control over the Sámi territory is rooted in the territoriality of the two groups. Because the Sámi were migratory, their system of social organization and economic activity depended on the seasonal *use* of land, rather than its permanent *possession*. The European feudal system was based on agriculture, and therefor required tangible occupation to establish rights of ownership. In the Sámi system land was held by the *siida,* whereas private ownership by local lords had been the norm in Europe since medieval times, creating a further division between Sámi and state concepts of territoriality. In extending their control over the lands of the Sámi, the states claimed that they were taking possession of ownerless lands. (Sillanpää 1994, p.41). This rationale for the appropriation of territory has had great significance for the Sámi's current struggle to reclaim rights to land and resources.

Consolidating Control through Settlement (1620-1751)

From 1620 to 1751 the boundaries of Fennoscandia remained largely stable, and the nation states began consolidating their gains internally. The clearest and most effective method of establishing control, or sovereignty, over a newly colonized area is through settlement. By encouraging members of the dominant populations to move into the areas of the Sámi homeland, the states of Sweden and Denmark-Norway promoted land tenure systems based on private property and agriculture (Sillanpää 1994, 44).

By granting legitimacy only to systems of private ownership and denying collective land rights to the Sámi, the states began to distribute sections of land in Sámi territories to southern farmers, without regard for the pre-existing systems of land tenure by the Sámi. Territorial systems based on individual ownership of fixed plots clearly do not mesh well with systems of collective ownership with flexible and adaptive boundaries. Competition for land and resources between settlers and the Sámi was widespread (Kvist 1994, p.32). The governments, which were actively encouraging settlement and farming for their own economic and political interests, were clearly biased in favour of the former in settling these disputes (Salvesen, pp.126-127). Many Sámi gave up their traditional lifestyles to become farmers, a victory for the assimilationist policies of the states.

Considerable Norwegian settlement occurred in the Varanger fjord in the early sixteenth century, but this was largely independent of a deliberate state policy. Most of the settlers went to take part in the prosperous trading and fishing in the area. Rivalry between Sweden and Denmark-Norway over the Varanger fjord lead both to promote settlement in the area to reinforce their respective claims (Odner, p.13). The 1613 treaty which settled the Varanger dispute in favour of Denmark-Norway allowed the two empires to concentrate on more pressing matters in the Baltic and central Europe.

Full-scale settlement programmes in Sweden-Finland began around 1670 with Lapland governor Johan Graan advocating agricultural settlement in his county, which he felt could co-exist with traditional Sámi land use (Kvist 1994, p.32; Svensson 1997, p.43). This so-called parallel development theory would form the basis of much of Sweden's administration of Lapland into the twentieth century as it tried to manage relations between increasingly incompatible modes of land tenure and economic activity.

Swedish settlement proclamations in 1673 and 1695 revealed the state's bias towards an agricultural tax base. As Lapland was ill-suited to farming, and new settlement disrupted a well-established source of revenue for the state (Sámi trade goods) the promotion of farming over herding did not necessarily serve the states' economic interests. Few southern farmers were interested in settling in Lapland, despite the incentives

offered by the Crown. Full scale colonization in Sweden-Finland would not take place until the eighteenth century (Kvist 1994, pp.32-34; Sillanpää 1994, p.39).

To implement the new settlement programmes, the states began a process of translating their *de facto* jurisdiction over the Sámi area into ownership under law. Until roughly the mid-seventeenth century Sweden-Finland and Denmark-Norway had granted some recognition to Sámi rights to their lands, whether as ownership or some other status. In the fifteenth and sixteenth centuries, 'nationalizing' the Sámi through taxation and trade regimes was the best way for the kingdoms to make a claim of sovereignty. Creating relationships between the crowns and the Sámi whereby taxes were paid in exchange for rights to resources presumed the state's authority over the land. Since 1550 Swedish law had recognized Sámi rights to land and hunting and fishing in Lapland, but this began to change in the late sixteenth and seventeenth centuries (Sillanpää 1994, p.42). In the 1760s Sweden declared land that had once been regarded as the property of the Sámi were owned by the Crown (Kvist 1994, p.33).

A similar pattern of extinguishment of Sámi rights to their land through state-sponsored settlement occurred in Norway. Increased Norwegian settlement took place in the eighteenth century, but was still largely limited to coastal areas where settlers engaged in trading and fishing (Sillanpää 1994, p. 45).

The Sámi of Norway are divided between those on the Arctic coast who are primarily fishers, and reindeer herders in the interior. Norwegian settlers in these counties paid land taxes and were considered tenants on Crown land. In the northern counties of Norway, the Sámi had paid a 'Lapp tax' instead of the land taxes paid by Norwegian settlers. Although both Sámi and settler lands in the area were considered crown land, the Sámi were granted inheritance rights for the lands they used. Progressively, these special Sámi rights were removed between 1661 (in the county of Nordland) and 1775 (in Finnmark) (Sillanpää 1994, p.45). The state claimed that this act extinguished any Sámi land rights.

By the mid-eighteenth century the Sámi had lost any pre-existing rights to land and resources, and the states had asserted their ownership of the region through legal declarations and settlement. Yet, until 1751 there

was still no official boundary between Norway and Sweden and the Sámi were largely able to hold off state authority by maintaining mobility. The Treaty of Strömstad signalled the end of the ambiguous nature of the Sámi territory. Land became either the domain of the Swedish or Danish crown, the Sámi became either Swedish or Danish subjects.

Finalizing the Borders (1751-1826)

Sweden had spent the better part of the seventeenth century rising to the status of a European great power, but was in serious decline at the dawn of the eighteenth century. Russia had re-emerged as a dominant force in the region due to the internal reforms and military gains of Peter I (the Great) (Kirby, p.318). In the first half of the eighteenth century Sweden was repeatedly at war with both Russia and Denmark over territories in central Europe and the Baltic, but these conflicts spread to the north. The Great Northern War saw Sweden lose Finland temporarily to Russia, and suffer two great losses in attempting to invade Norway in 1715 and 1718 (Kirby, pp.295-332).

Forced to concede its dominant status and seek stability in the region, Sweden negotiated the Treaty of Strömstad in 1751, which defined the Norwegian-Swedish border (Figure 5 shows this and the subsequent borders which divided Sápmi). An addendum to the treaty, the Lapp Codicil, is perhaps the most significant document concerning Sámi territorial rights, often referred to as the Sámi Magna Carta. Many involved in Sámi rights issues today feel that the Codicil does more than just secure Sámi rights of access across the border. Being an instrument of international law, some scholars and Sámi politicians claim that its language binds the states of Norway and Sweden to guarantee the cultural survival of the Sámi (Sillanpää 1994, p. 47).
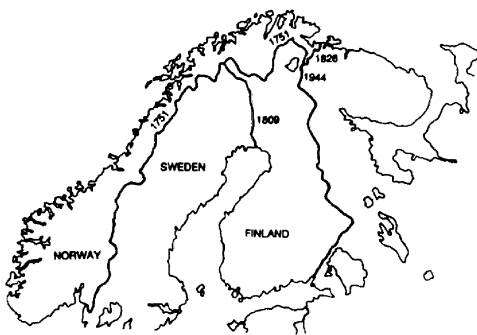
Fennoskandia: International Borders on the Northern Cap

1751 The border between Sweden and Norway finally determined. Norway took over Karasjok, Kautokeino and Utsjoki on the north side of the River Tana (Polmak). The rest of the common area went to Sweden.
1809 Sweden gave up Finland which became a Grand Duchy under Russia.
1826 The border between Russia and Norway finally determined. The common areas south and east of Varanger were shared.
1944 Finland's border with the Soviet Union revised. Petsamo and Suenjel, which had belonged to Finland since 1918, were lost to the Soviet Union.

Source: *Ottar*, No. 84, 1975, p. 41.

Figure 5: Borders Across Sápmi

The Lapp Codicil's importance stems from its recognition, in a legal international treaty, of the right of the Sámi to continue to cross the border as part of their seasonal migration of reindeer herding. The text of the Codicil states:

> The Sami need the land of both states. Therefore, they shall, in accordance with tradition, be permitted both in autumn and spring to move their reindeer herds across the border into the other state. And hereafter, as before, they shall, like the state's own subjects, be allowed to use land and share for themselves and their animals, except in the places stated below, and they shall be met with friendliness, protected and aided... (quoted in Sillanpää 1992, p.6).

The Codicil shows a remarkable level of understanding of Sámi interests. This level of commitment to the survival of the Sámi and their way of life would decline in later state legislation. In light of other state policies at the time, the Codicil must be seen as something of a victory for the Sámi. One must not forget, however, that the border treaty still represented a restriction on the mobility that the Sámi enjoyed before the treaty, though a lesser one than without the Codicil. Strömstad established the authority of the states to regulate the migratory activities of the Sámi. This opened the door to increasing state interference in their daily lives thereafter, especially with regard to the regulation of reindeer herding. The treaty also forced the Sámi to choose citizenship in either country, further fracturing the integrity of the Sámi.

On the other side of the Sámi territory, the Varanger region continued to be an undefined frontier between Norway and Russia until 1826, with the land south of the Varanger Fjord held in common by the two countries (Salvesen, pp. 110-112). This region was home to the Skolt Sami, who were not reindeer herders like those along the Norwegian-Swedish border, but primarily gained their livelihood from hunting and fishing. In 1826, the Skolt Sami were made citizens of either Russia or Norway, based on whether they were identified as Orthodox or Evangelical-Lutheran, respectively (Salvesen, p. 112). Other disruptions and separations occurred with the Napoleonic wars in the early nineteenth century. Finland was ceded from Sweden to Russia in 1809, becoming an semi-autonomous region. Likewise, Norway became a semi-autonomous region of the Swedish monarchy in 1814 (Sillanpää, 1992, p. 3).

Conclusion

By the early nineteenth century, the Sámi and their land were under the authority of institutionalized states. Taxation regimes, border treaties, settlement acts, and land proclamations were the administrative instruments by which the states introduced and strengthened their control, backed up by coercive threat of force. In this sense, the processes of state-building exhibited in northern Europe are consistent with those described by both Giddens and Poggi. From a Fourth World perspective, these processes must be seen as *de*structive, as well as *con*structive. Despite the notion of *terra nullius*, states never develop in a vacuum. Rather, they are built on top of pre-existing societies like that of the Sámi. The history of colonization in the Sámi area affirms that the process of state-building is also a process of nation-destroying.

While the recognition of the Sámi as a nation is by no means clear, they were nevertheless a functioning society with a recognizable culture and forms of social, economic and territorial organization. It is reasonable to believe that the partition of the Sámi, and their incorporation into the emerging states of northern Europe occluded the development of that disparate and diffuse community into what we would recognize as unified nation. Indeed, the emergence of a united Sámi political movement has still not overcome their division amongst states, as most activity is still organized on a country-by-country basis. The nationalizing processes of the states have largely supplanted Sámi identities with Swedish, Norwegian, Finnish and Russian ones.

Their partition by the states impeded the ability of the Sámi to constitute an autonomous society and mount any effective resistance to their assimilation. The states themselves also underwent considerable change over this period, with their institutions and organization increasingly reflecting concepts of territoriality originating in the feudal agricultural system of central Europe. Territorial organization based on exclusivity became increasingly necessary for the states to secure their economic and political objectives. The expansion of the administrative power of central governments allowed the states to extend their control to frontier areas for the first time, requiring defined borders. In the period of peace that followed Strömstad, those borders provided stability which enabled the northern states to consolidate their sovereign powers through legislation and other institutional processes.

Chapter 4:

Expansion of State Sovereignty

Having established their legal authority over the Sámi lands and instituted the beginnings of state administration in the Sámi settlement area, the Nordic states consolidated this control in the nineteenth century. Three dominant social forces of the age, nationalism, industrialization and social Darwinism, would shape relations between the states and the Sámi. Nationalist movements in Nordic Europe promoted the interests of the majority cultures, while excluding the Sámi and others from the new societies. Social Darwinism provided a scientific rationale for policies which allowed the states to promote the interests of the dominant culture over the Sámi. As they were considered to be on a lower level in terms of race and culture, the Sámi could not have the same privileges as Norwegians or Swedes, nor could their backwards ways be allowed to stand in the way of economic development. The Nordic states needed the natural resources of the Sámi traditional area. To gain access to these resources and to create the developed and productive societies they desired in the North the states undertook a process of dismantling the *siida* territorial system and replacing it with modern state forms.

The main focus of this chapter is on the latter half of the nineteenth century, during the height of nationalism and social Darwinism in the political culture of northern Europe. During this time the states built on the processes of taxation, settlement, and border treaties described in the previous chapter to consolidate territorial control over the Sámi lands through legislation. Norway, Sweden, and Finland began comprehensive state administration of reindeer herding management through the introduction of legislation, which was the primary means of advancing their territorial interests. The extension of state control over this activity, fundamental to Sámi cultural survival, is likely the strongest example of the states' determination to impose their own view of territoriality on the Sámi. Social Darwinism provided a scientific legitimation for policies which diminished the status of the Sámi in order to promote the industrial and nationalist interests of the states. An introduction to the political environment in nineteenth century northern Europe provides the context in which this process took place.

Nationalism

The nineteenth century was a pivotal period in the political development of western Europe. The Napoleonic wars at the beginning of the century shifted many borders, and threatened the integrity of the vast multi-ethnic empires, such as Austro-Hungary. Riding the wave of liberalism, nationalist movements began to emerge all across Europe, culminating in widespread revolutions against the old monarchies in 1848-1850. Nordic Europe was not immune from these forces, as Sweden played the great power game, losing Finland to Russia in 1809, but acquiring Norway from Denmark in 1814. Norway and Finland in turn began their own nationalist campaigns to escape the influence of Sweden.

Nationalist policies were already evident in Sweden and Norway in the previous century with settlement laws designed to establish a Nordic presence in the northern wilderness and assert each nation's claim of sovereignty (see chapter 3). Following the Napoleonic wars, Sweden, Norway, and Finland could all be termed states, although the latter two were still legally bound to the Swedish and Russian crowns respectively. With the final borders being established (Sweden-Finland 1809-24, Norway-Russia 1826, and Finland-Russia 1829-33) and the institutions of central government being created in Oslo and Helsinki these once amorphous regimes were truly becoming modern states (Aikio *et. al.*, p.37; Salvesen, p.123).

The new political units which were taking shape during this period since the Peace of Westphalia in 1648 were in the form of nation-states, that is, based on an ideal of single national identities. Unfortunately, the ethnic composition of the world has not neatly arranged itself into discrete and viable groups of nations around which borders can be drawn. Thus, the sovereign aims of one group often came into conflict with another. Nietschmann reminds us that, "one-nationality states (the nation-state) are rare (Iceland), while the drive to create on territory and one people out of many nations and peoples (ironically termed 'nation-building') is a primary cause of half the world's conflicts" (1985, p.4). The break-up of Yugoslavia was a bleak demonstration of the tenuous character of states which try to suppress or ignore internal tensions among national groups. Perhaps because of this artificial basis one

should not be surprised that, "more than ninety percent of all states that have ever existed ended in collapse" (Griggs, 1996).

The question of which nations had the right, or the ability, to achieve self-government has by no means been straightforward. Achieving political independence has depended on a number of factors, including a strong national culture, and support from a great power unfriendly to one's current political master. It was clear, however, that to be a candidate for independence one had to fit the characteristics of the rest of the club. So-called primitive peoples like the Sámi were never given consideration as nations capable of becoming self-administering, but were instead resigned to a subservient status, to be cared for (or abused) by more developed cultures. That their territorial organization differed from the ideal of the state guaranteed that the Sámi could not fit into the international system.

The very process of nation-building needed to acquire or consolidate political independence required the perpetuation of a mono-cultural myth. Other ethnic groups had to be absorbed into the mother/fatherland. The Sámi were just one such national group that became a victim of determined nation-building. The effects were less in Sweden, which had already established a dominant nation and state, but the political viability of Norway and Finland depended on their creating strong national cultures.

Social Darwinism

The liberal culture of science and reason of this time encouraged ideas of development and progress in which "races and ethnic groups were ranked and their cultural state seen as an expression of inherited traits" (Kvist 1994, p. 34). Sweden, Norway, and Finland, and their respective majority cultures, saw themselves as taking their place among the culturally civilized and economically developed states of Europe, and the backwards Sámi would not be allowed to stand in their way.

Lawmakers in Scandinavia were very much influenced by the latest views of social Darwinism, espoused by social philosophers such as Herbert Spencer (Eriksson, G. 1982, p.89). Darwinist theories, applied to cultural

development, gave rise to ideas of a linear sequence of social evolution, with modern industrial civilization at the top of the ladder. The colonial policies of European states, notably Britain, have often been seen as reflecting social Darwinist values, as "the Victorians were confident that their industrial progress indicated a higher level of intelligence for the white race and they were anxious to find excuses for their conquest of other peoples. The concept of 'survival of the fittest' was used throughout Europe to "legitimize the policy of displacing other races from territory which – by the standards of industrial society – they could not exploit properly" (Bowler, p. 190-195)

Social Darwinist thought played a strong role in Sweden and Norway, especially where relations with the minority Sámi were concerned. This situation of Finland is somewhat different as it had been ceded from Sweden in 1809 to become a Grand Duchy under the Russian empire. Instead of conscious expressions of superiority over the Sámi, an attitude of general neglect towards the Sámi seemed to prevail in Finland, which in the end had similar results (Korpijaakko-Labba, p.17). It is easy to see how theories which provided scientific justification for the aggrandizement of the majority culture over the Sámi would find a welcome home. Such views were particularly evident in the very forums which were tasked with guiding state policy on the Sámi.

The 1870s mark a distinct shift in attitudes with regard to the Sámi from moderate views towards racial determinism in Sweden and later in Norway. The policies introduced in the 1880s reflected the racial philosophy of Spencer, and the German evolutionist Haeckel who spurred his country's colonial movement (Svensson 1997, pp. 100-105). Swedish writers like von Duben and Retzius began a trend in anthropology that would lead to the foundation of Uppsala's Institute for Race Biology in 1922, which aimed to keep the Swedish race pure from Finnish and Lappish blood (Beach 1981, p. 279).

Those directly responsible for Sweden's policies regarding the Sámi were themselves strong advocates of such social Darwinist thinking. Growing conflicts between settlers and the Sámi prompted the establishment of the Sámi Law Committee in 1882 to develop new legislation to mitigate these conflicts. An ardent social Darwinist, H.A. Widmark, governor of Norrbotten, was largely responsible for the work of the committee.

Widmark also had the additional incentive of wanting to secure access to mineral rights in his county by reducing Sámi land rights (Beach 1981, p. 79).

The Sámi Law Committee's work would lead to the development of special laws to regulate reindeer herding. Supreme Court Justice Knut Olivecrona was instrumental in drafting the 1886 Reindeer Pasture Law (RBL). Ostensibly, the aim of the Swedish government at the time was to find a way for Swedish farmers and Sámi herders, fishers, and hunters to co-exist in the northern provinces. Olivecrona's public statements leave little doubt about the actual agenda…"Those folk groups which do not wish to leave the nomadic life must necessarily remain on a lower level of culture, step aside for the more civilzed settled groups and finally, after a gradually ebbing life, die out…" and, "…it is the duty of the State to encourage the higher civilization and culture which alone has the future in its arms, which is opposed to the lower culture struggling to its last breath." (Beach 1981, p.311; Svensson 1997, p.102).

Racially-motivated policies were equally prominent in Norway, especially in the years leading up to the dissolution of the union with Sweden. Although it retained a considerable degree of autonomy, Norway had been forced into a 'personal union' with Sweden in 1814. The factors contributing to the Norwegian nationalist movement will be examined later. It is clear, though, that racial attitudes which characterized this movement were of a similar social Darwinist bent. Its assimilationist policy of Norwegianization was imbued with language opposing European civilization to "Eastern barbarism, culture versus chaos; law versus anarchy; progress versus 'backwardness; Germanic race versus Mongolian race, *etc.*" (Niemi, p.75).

Norwegian social Darwinists such as Peder Kjerschow were responsible for recommendations to eliminate Sámi rights to land and water under Norwegian law (Cramér 1994, p.54). Norwegian laws to regulate Sámi reindeer herding were certainly not intended to protect this way of life in perpetuity. Rather, Norwegian lawmakers viewed herding as "some form of historic anachronism which would soon disappear in the natural order of progress" and that the laws were designed to cover a "winding up period" for this activity (Sillanpää 1994, p.70).

Industrialization

Another factor which must be considered in the formulation of Nordic Sámi policies in this period is simple self-interest. Gaining possession of the lands and resources in the Sámi settlement area was a powerful motivation for the states. The forces of liberalism, nationalism, science, and industrialization all fed off each other in nineteenth century Europe. While the Nordic states would not undergo the kind of industrial revolutions that were taking place in England and central Europe, the raw materials to feed European industrialization were highly valued and abundant in the Sámi areas (Kvist 1994, p.31; Magga, p.14).

In all three jurisdictions denying Sámi rights to land and resources was materially advantageous to the state. Sámi tax revenues, especially in Sweden (including Finland), had ceased to be profitable by this time, creating a need to replace that revenue with other sources. Farming by settlers was seen as a more advantageous source of tax revenue. Finally, clearing Sámi title to land allowed the Nordic states to pursue exploitative resource development in its northern colonies. Mining in northern Sweden and Norway, fishing in Norway, and Lapland forests in the Grand Duchy of Finland were all handy sources of revenue for states anxious to take part in burgeoning European industrialization. Accessing these resources required the States to secure land rights in the North, and to ensure that activities such as herding did not infringe on more profitable pursuits (Sillanpää 1994, pp.44-46).

Racism and economic self-interest cannot be separated from one another, but rather are mutually enforcing. As Hugh Beach explains, racial stereotypes provided a legitimation for the policies that would best benefit the majority population and the governments themselves:

> It generally seems to be the case that people let their prejudices form according to what is materially profitable for them to believe. It is much easier to avoid a lot of ethical dilemmas by enslaving 'smart monkeys' than by enslaving human beings. Similarly, it is easier to deny ownership rights to Sami nomads whose brains are proclaimed to be abnormal than to deny such rights to fully developed biological and 'cultured' humans. (Beach 1981, p.278)

The denial of Sámi ownership rights in this sense allowed the Nordic states to treat their northern regions as wilderness or resource frontier, ready for exploitation by the civilized society. Subsistence activities such as reindeer herding, and the territorial systems on which they are based were relics, from the viewpoint of the states, and were to be phased out to make way for modern economic activities.

Nordic Sámi Policies in the Nineteenth Century

Given the general attitudes which prevailed towards the Sámi in this period, the kinds of legislation that were developed are unsurprising. Beginning with the assumption that traditional (read *inferior*) Sámi culture and economy cannot survive of their own accord two administrative policies were possible: assimilation or paternalism. The first strategy sought to encourage the transition of the Sámi from pastoral nomadism to modern economic pursuits. Assimilation was often mixed with some degree of paternalism, bringing the fading culture under the (often misguided) care of state administration.

While this combination of cultural displacement and protection may seem contradictory, it must be stressed that the laws and lawmakers of the time did not aim to save Sámi culture for perpetuity. Rather they sought to reduce conflicts between herders and settlers, and mitigate the inevitable problems of the transition from herding to more developed economic activities (Sillanpää 1994, p.64, p.70). The protection was not so much for the Sámi culture, or even the single activity of herding. The lawmakers saw themselves as saving the physical lives of the Sámi. The difference between protecting the Sámi as people and protecting the Sámi as *a people* is seen in the words of Swedish M.P. Waldenström, "Those Lapps who become sedentary will continue to exist, those who persevere as nomads are doomed to die out. No legislation can ever prevent this evolution." (Svensson 1997, p.102). Waldenström does not appear to recognize that a Sámi ceases to be a Sámi once the culture is lost.

The most obvious way that this underlying racism manifested itself in government legislation was through the privileging of settled forms of land use (agriculture, forestry, mining) over Sámi forms of land use such as reindeer herding, hunting, and fishing. The herding policies of Norway, Sweden and Finland demonstrate the motives of the states towards the Sámi. Norway and Sweden took similar approaches as the Lapp Codicil and Nordic Union required co-ordination of trans-boundary herding. Finland, part of Sweden until 1809, went in a different direction while it was part of the Russian Empire.

Norway

Norway's policy towards the Sámi in the nineteenth century must be placed in the context of its union with Sweden and increasing Finnish immigration. Although Norway had its own government and could make its own laws, Sweden played a stewardship role over its affairs. The rise of a strong Norwegian nationalist movement in the latter half of the nineteenth century is evident in the backlash against Finnish immigrants. While the nationalist policies of Norwegianization which took place in this period were primarily targetted against the Swedish overlords and the Kven (Finnish immigrant) population, the Sámi were caught in this tide of ethnic politics and racially motivated legislation (Eriksson, J. 1997a, p.88).

Since the time of the Lapp Codicil of 1751, Sweden and Norway had shared responsibility over the movement of Sámi herders across the border. The 1814 Treaty of Kiel transferred control of Norway from Denmark to Sweden. After a brief fight for independence, Norway was forced into the Nordic Union. Cooperative action on herding was understandably facilitated by joint-rule. Norway, however, became increasingly reluctant to live up to the terms of the Codicil and sought ways to limit grazing rights (Salvesen, p.128). Norway's motivations for wanting to limit Sámi herding rights were the same as Sweden's. As settlement increased in Norway's northern territories, the need to protect the economic interests of Norwegian farmers, foresters and fishers dominated any instinct to protect the Sámi way of life. The Reindeer Herding Acts (RHA) of 1854 and 1933 were designed to ensure that herding did not interfere with the development of other "culturally and economically superior" land uses (Sillanpää 1994, p. 70). That social Darwinism was dominant in the Norwegian political climate is evident from such laws and policies which viewed herding as an anachronism which "would be tolerated only so long as it did not hinder the development of agriculture" (Sillanpää 1994, p. 70).

Growing dissatisfaction in Norway with its subservient relationship with Sweden reached a peak at the end of the nineteenth century. Sámi herders became a target of Norwegian nationalism as "Swedish Lapp traffic" was cited as another form of pervasive "Swedish penetration" (Eriksson, J. 1997a, p.88). The Lapp Codicil, which guaranteed the Sámi access to pastures across the Swedish-Norwegian border, was seen as a tool of Swedish control over Norway. Finland, which had been part of Sweden when the Codicil was signed, was

ceded to Russia in 1809. The border between Finland and Norway was closed in 1852. Since Sámi from Norway could no longer migrate to pastures in Finland, Norway felt it was getting less benefit from the treaty. "The Norwegians were unanimous in wanting to leave the Union without any future obligations to Sweden" and this included 'Swedish' Sámi grazing on Norwegian land (Salvesen, p.128).

The influx of Kvener immigrants from Finland to Norway created a further problem for the Sámi. These migrations put increased population pressure on the land base in northern Norway, and fuelled racial stereotypes which not differentiate between Sámi and Kveners. The cultural and language policies that were enacted to protect Norwegian interests against this foreign invasion were decidedly assimilationist (Niemi, p.71). Norway's indiscriminate strategy of Norwegianization is evident in a 1902 law which granted land ownership only to Norwegian speakers (Skotvedt, p.167).

Attempts have been made to explain away overtly racist policies by claiming they were in the interests of defence against a security threat from Russian-controlled Finland (Skotvedt, p.167). However, Niemi contends that "recent historical research has shown that such a menace in reality never existed" (Niemi, p.72). In other words, the Norwegian government created a scapegoat to justify heavy-handed assimilationist policies in its northern territories in order to bring the Kvens and Sámi into the cultural fold.

Norway clearly had both a political and an economic desire to force the Sámi to assimilate into the majority culture and abandon their traditional activities. The erosion of Sámi land rights and cultural survival would have likely been carried even further had it not been for the Lapp Codicil and the Nordic Union. These two legal instruments allowed Sweden to exert some influence in how herding rights would be regulated in Norway. Both nations had a shared interest in limiting Sámi herding rights and strengthening the position of settlers in their northern counties. Norway, however, would likely have done away with these rights altogether, but was restrained by a more liberal Swedish government. The result of negotiation between Sweden and Norway was the Joint Reindeer Herding Legislation of 1883 which placed the first limitations on the transborder migration of reindeer as stipulated in the Lapp Codicil of 1751. The regulations included,

"detailed rules for dividing up the various areas, controlling the migratory routes along which the reindeer passed, and compensation for damage caused by reindeer" (Salvesen, p.127; Sillanpää 1992, pp.10-13).

When Norway finally secured its independence from Sweden in the dissolution of the Union in 1905, it was able to pursue a much stricter policy towards the regulation of herding. Norway had already instituted more restrictive herding regulations in 1897, but they could not be fully implemented while the terms of the 1883 agreement were operative. Norway pushed to have the terms of the Codicil abolished, but Sweden would not allow it. The Karlstad Treaty which formally ended the Union between the two countries included the Convention Relating to the Pastoral Sami Right to Reindeer Grazing Lands, *etc.* (Salvesen, p.128; Sillanpää 1994, p.48). Norway was forced to recognize the rights of the Sámi nomads and cross-border migration continued, but in a much restrictive form. The Reindeer Convention of 1919, further regulated available pasturelands on the Norwegian side of the border.

Sweden

The Swedish taxation system known as taxlands had made Sámi herding economically beneficial to the Swedish Crown. The development of agricultural settlement in the area was not seen as a threat to herding. The government felt that herding and agriculture could peacefully coexist, as each was suited to different terrain separated by the Lappmark border. But by the end of the nineteenth century, taxes from herding were insignificant and conflicts between herders and farmers increased. This created a situation in which, "the State, faced with decreasing herder-settler compatibility, might be increasingly willing to undermine the value of herding rights…" (Beach 1981, p.311). The policies and legislation enacted by Sweden in the 1880s and 1890s show a declining interest the protection of herding. Instead, social Darwinism and economic development (more so than nationalism) combined to create a regime that promoted the interests of agriculture, forestry and mining to the detriment of herding and Sámi culture.

Sweden's policies followed a mix of assimilation and paternalism by protecting some rights to land and resources only for those Sámi who actively participated in herding. Sweden's parallel, or compatibility, theory created two legal frameworks, one for a Sámi livelihood, and one for settled agriculture. The herding acts of

1886 and 1898 entrenched this economic definition of ethnicity into Swedish law. Those who participated in a 'traditional Sámi' livelihood (primarily reindeer herding) were classified as Sámi while those who pursued agriculture were considered Swedes or Finns (Kvist 1994, p.35). A Sámi could no longer mix herding and farming. The problem was made worse as rights to hunting and fishing were only extended to Sámi herders. Those who had once pursued a mix of activities were now denied any means to supplement their income (Beach 1981, p.312).

Non-herding Sámi, denied any rights or protection of their culture, were generally assimilated into Swedish society. Herders, on the other hand, remained the only legally recognized Sámi, but were brought under a system of paternalist state control of herding management. The long term effect of these instruments has been the erosion of Sámi culture and identity, and factionalism between herding and non-herding Sámi.

The 1886 Act also affected the structure of Sámi territorial organization. As the Act was developed to reduce conflict between herders and settlers, the boundaries of herding districts were amended in some cases, and generally 'solidified' (Sillanpää 1994, p.64). The relationship between herder, pasture, and animal was again changed from the system that existed under the taxlands. Herding rights became collectivized. This was contrary to Sámi custom as animals had always been the property of individual herders and their families. The main aim of this collectivization action was to create a legally responsible entity, the Lapp village, to pay compensation to farmers where the guilty party was uncertain (Sillanpää 1994, p.64). The 1886 and 1898 Reindeer Herding Acts also specified that the Sámi's right to the land was usufruct (right of use), not ownership (Kvist 1994, p.36).

The 1898 Act did not so much change the boundaries and territorial systems of herding, as introduce state-based resource management, which would dominate reindeer herding in the Nordic countries to the present. New regulations introduced at this time "stipulated the manner of control, number engaged in herding, scheduling and a number of other aspects of herding operations" (Sillanpää 1994, p.64). This was the most paternalist character of state-Sámi relations in Sweden, as Sámi herders began to be excluded from the management of their own herds. The Lapp Sheriff administration, which had been created in 1760 to

supervise the taxlands system, now shifted its role. Under the new herding acts, the Lapp Sheriffs were given the responsibility to settle disputes between herders and agricultural settlers, and generally enforce the new herding regulations (Beach 1981, p.78).

The restrictions on Norwegian pasture lands available to Sámi herders from Sweden had a significant impact on herding patterns in Sweden. Following the Joint Legislation of 1883 and the Karlstad Treaty of 1905, many Sámi herders in northern Sweden were forced to relocate southward to find alternate pastures. As the northern herders practised a much more extensive method of herding than their southern counterparts, there was much conflict resulting from this movement (Sillanpää 1994, p.65). This upheaval of vast numbers of herders and animals had a much greater disruption to traditional patterns of Sámi herding than the incremental changes that had taken place because of reforms to the taxlands system.

Finland

Finland, until its loss to Russia in 1809, had been part of Sweden and Finnish Lapland had been part of the taxland system and subject to all other policies of the Swedish Crown concerning land and herding rights up to that point. Finland, upon becoming a Grand Duchy under the Russian Empire in 1809, began to experience its own political, cultural, and economic awakening. These developments, however, were largely at the expense of Sámi rights, which were eroded through both general neglect and conscious intent by the new Finnish administration.

Although technically part of the Russian Empire, Finland enjoyed considerably more autonomy and liberalism than any other part of the Tsar's domain. Finland retained Swedish civil and criminal law, and was given its own central administration in the new capital of Helsinki (Klinge, p.57). In effect, Finland was becoming its own state and thus began the process of building a national identity. The Finnish language began to predominate in the government and civil service (which had been dominated by Swedish). Heretofore, Finland had had no national culture or history of its own, distinct from Sweden. Its new political independence encouraged a growing nationalist movement through the publication of poetry by J.L. Runeburg and Lönnberg's collection of national myths in the *Kalevala* (Klinge, pp.63-65). Just as in the case

of Norwegianization, creating a Finnish national identity required the subjugation of other cultures within its territory, namely the Sámi.

The taxlands system, despite its intrusive nature, had at least offered Sámi herders in Finnish Lapland some legal basis for the right to use the land where they lived for herding. Once cut off from Sweden, the administration of the land system was effectively lost. Records remained in Sweden, and the circuit courts which had regulated land rights under the taxland system ended. Any registration of Sámi title to their lands was lost (Korpijaakko-Labba 1993, p.17). There was no reason for the new Finnish administration to take action to protect these rights, as the elimination of Sámi rights to land served their national interests.

Finland's national awakening also included something of an industrial revolution, as transportation networks of canals and railways were built to promote economic development (Klinge, p.73). Most significantly for the Sámi, the forests of Lapland were seen by Helsinki as the key to the country's growth. With a rise in the value of wood in the latter half of the nineteenth century, the 'green gold' of Lapland made forestry a more important economic activity than agriculture, let alone herding (Korpijaakko-Labba, p.18; Klinge, p.77).

As a result of the boom in Finland's forest economy, the Ministry of Forests became the *de facto* land owner of public land in Lapland, which included the traditional lands of the Sámi. Although no special legislation was passed on the regulation of herding or other traditional subsistence activities of the Sámi until 1898, the forest administration acted to deny land rights to the Sámi in order to promote forestry (Korpijaakko-Labba, p.18) . The cultural distinction between the Sámi and Finns in Lapland began to blur as many Sámi went to work in the forests and Finnish farmers started herding to supplement agriculture.

The traditional *siida* system in Finland, already largely already forgotten in the legal and administrative sense, was completely eliminated by an 1898 decree. This decision stated that herders must be members of a reindeer herding association, or *paliskunta*, and created new herding districts prescribed by the state (Sillanpää 1994, p. 73). To have grazing rights herders were required to be registered in one of these districts. This arrangement also gave the state the right to limit the number of reindeer in each district (Aikio 1994, p.17). Just as was the case in Norway and Sweden the objective of this administrative restructuring of Sámi territory

was to provide a system of compensation for damage done by reindeer (Sillanpää 1974, 73-74). Although herders continued to practice reindeer husbandry generally in the same areas as before, the territorial system of the *siida* no longer functioned to regulate that practice. The new state territorial system took herding management away from the herders themselves and gave it to government administration.

Conclusion

By the end of the nineteenth century the Nordic states had firmly established their own modern territorial forms in place of traditional Sámi ones. The territorialization of the Sámi area that began with the establishment of national borders spread inwards as the states began to extinguish Sámi rights to lands and resources to make way for modern economic production. Dividing the Sámi territory into new discrete and structured units allowed the states to incorporate them into their political administration. By compartmentalizing herding and assuming control over its management, the states guaranteed their access to important resources and space for modern economic development in their northern regions.

These actions left only a tightly regulated form of reindeer herding as the basis of Sámi cultural survival. Assimilationist policies had fractured and destroyed Sámi traditional economic activities, social organization, language and religion, and appropriated their land base for the state or settlers. Non-herding Sámi, denied any legal recognition, became the easy targets of assimilation through nationalism and economic development across northern Europe.

Herding became the only means by which a Sámi identity could survive, distinct from the majority populations in the Nordic countries. The importance of reindeer herding in this cultural struggle is recognized as some Sámi expressed during the Taxed Mountains case (in which Sámi land title was debated in the Swedish courts): "We conceive of the *reindeer* as a key factor to our culture. Without the reindeer our culture is gone, as too little remains then… The reindeer represent an immense value to us Sami. And I am not thinking of the reindeer as a source of capital, but the reindeer have a *value* which is far more than just money." (Svensson 1997, p.11 original emphasis).

The role of modernist thought is considerable in these processes. Social Darwinism, nationalism, and industrialism all reflect modernist principles of scientific rationalism, the value of progress, and hierarchies of culture and development. The promotion of modern forms of territoriality was but a part of this larger pattern. The thinking that dominated state policies in this era would remain unchallenged until the world wars. The cataclysmic events of the mid-twentieth century would shake the world's absolute faith in progress. The technologically-driven mass killing of the First World War and the ultimate horrors of racial ideas manifested in Nazism and the Holocaust would force states to reconsider such principles. The post-war era would mark a significant change in the relations between the Sámi and the states. Although the motives of the states changed to reflect a greater respect for the interests of the Sámi, the means by which they acted to protect that interests were still based on the primacy of civilized culture and western science.

Chapter 5

Rationalization and Modernization of Herding

Until the twentieth century, despite the many incursions of the state into the affairs of the Sámi, the day-to-day practice of herding was ultimately left to the herders themselves (Björklund, pp.77-78). As state interests began to change with the decline of agriculture, and with a fundamental shift in the role of government towards its citizens after the world wars, even this last vestige of autonomy was taken into the domain of the state. Although the efforts by the states to manage herding were perhaps better intentioned than the self-serving policies of previous centuries, the results were no better for the Sámi. The three governments attempted to manage herding without a full understanding of the resource system they were trying to 'fix.' This lack of knowledge was further compounded by a bias towards scientific solutions and consequent delegitimation of Sámi herding practices.

State policies towards the Sámi in this period are almost invariably related to the *rationalization* of reindeer herding management. Essentially, the states adopted the role of guardians over reindeer herding (and by association Sámi culture) and set their rapidly expanding bureaucracy to work finding ways to make herding more productive and profitable. That is, government rationalization policies tried to transform herding into a modern commercial industry in the fashion of Henry Ford's assembly line.

Rationalization was the common instrument, yet it was employed to achieve a variety of goals. The objectives of rationalization have shifted over the course of the late nineteenth to twentieth centuries. At least three different goals of rationalization can be identified over this period: constraining herding, promoting Sami socio-economic welfare, and preventing overgrazing resulting from a tragedy of the commons. All of these goals can be viewed in the context of the contradiction between Sámi and state concepts of territoriality. The creation of distinct herding units and associations meant that Sámi territories were fixed and bounded just as were states. By acting to improve the economic situation of reindeer herding without understanding the territorial system upon which it is based, the states embarked on numerous misguided policies which only served to worsen the situation. Most prominently, the theory of the tragedy of the commons is a perfect

illustration of a modern bias against unfamiliar systems of territoriality and resource management.

The earliest rationalization efforts evolved from the states' desire to mitigate conflict between herders and settlers, as discussed in Chapter 4. The transformation of Sámi herding units into compensation collectives can be seen as a first step in herding rationalization. Towards the same goal, measures were also taken to reduce contact between the two groups. Limitations on herd sizes were imposed with a view to reducing the extensivity of herding which was causing damage to agriculture in the herding areas.

As agriculture declined in the North after World War II the states lost the economic incentive in continuing to promote it over herding. The living conditions in Sámi communities also began to be seen as incompatible with the principles of human rights and equality characteristic of the Nordic social welfare states. From these considerations developed a new imperative to raise the living standards of herders by modernizing herding. The added justification that the protection of herding was vital to the survival of the Sámi culture was often cited as well. However, the relationship between state-prescribed herding and Sámi culture is by no means a direct one. The results of employing herding policies to address issues of Sámi culture were often highly detrimental to both.

Finally, since the 1970s and into the current decade, the states have been possessed by the desire to prevent disasters of overgrazing as predicted in Garrett Hardin's 1968 work, "Tragedy of the Commons." Hardin's theory postulated that in a commons situation, where people are given free access to a resource, individual interest will deplete that resource even though that would be against their common interest. The Sámi herding system was not in fact a commons, but this was not recognized by modern states which did not understand the Sámi management system and viewed only their own scientifically-based management solutions as legitimate.

The states' failure to understand or give legitimacy to the Sámi territorial system was to severely damage that system and substitute an artificial state model in its place. As the survival of reindeer herding and Sámi culture generally are largely linked with control over and access to land, these changes limited the ability of the Sámi to be self-sufficient and make decisions for themselves. The net effect of rationalization policy this

century has been to force the Sámi collectively into a dependant relationship with the state and to institutionalize that relationship.

The overwhelming problem with all government rationalization measures, regardless of what objective they served, is that they interfered with a (still) functioning system of resource management. The territorial system of the Sámi, as outlined in Chapter 2, represented *the* means by which the relationship between herd, pasture, and herders had been managed. The dismantling of that system through centuries of increasing interference by states brought herding to a point where it was nearly impossible to continue past management practices . When policies were applied to this system without a real understanding of its nature, or the effects of previous interference, they inevitably made the situation worse rather than better. The problems that resulted were then used to justify even more state intervention and the blame was ascribed to the 'stubborn' Sámi who refused to give up their outdated ways rather than to the state's own actions (Beach 1981, p.281).

Rationalization

To understand the thinking behind these policies and the reasons they failed, one must know what is meant by rationalization. This introduction to the term rationalization, as it is used in the context of herding management, will also serve to illustrate the various methods that have been used in all three states. The rationalization methods described below reflect the continuing importance of territory in relations between the Sámi and the states. Many methods are directly territorial in nature, such as those controlling access to pasture or creating fences between herding areas. Others are related to the fundamental structure of the Sámi territorial system by creating territorial units (herding districts) with the same territorial characteristics as the state but on a different scale. In these ways, the state was able to co-opt the Sámi territorial system, remake it in its own image, and finally integrate it with its own institutional framework. All of this was done in the name of rationalization, which promised to save both herding and Sámi culture.

In the literature on the herding management the term rationalization usually implies both a western scientific basis and that the source of rational herding policy is the state. While this has been true for much of the recent changes to herding policy which is the subject of these works, it must be stressed that there is nothing

inherent in the terms rational or rationalization that makes them the particular domain of the modern, or the state (Beach 1981, p.286). Sámi herding practices can be just as rational as those advocated by the state. To understand the difference, Hugh Beach's definition of rationality is of use: "… what is 'rational' in herd management can refer to any innovation – technical, medical, organizational and legal – aiding the cause of herding profitability" (*ibid*.). The difference between traditional Sámi herding strategies and those encouraged or imposed by the state, is found in the question of profitability for whom? When examining the herding policies that have been recently implemented in Sweden, Norway, and Finland, the answer to this question is, invariably, the state. Despite the various claims to improve conditions for herders, protect the herding industry, or preserve Sámi culture, the economic interests of the state have been foremost in the formulation of any rationalization policy.

The following list gives a broad overview of the types of rationalization measures that have been attempted to regulate reindeer herding. Where possible, some information is included on how such measures were applied and resultant problems has been included. What is clear from this list is that the measures imposed by the state usually ran counter to traditional Sámi herding practices, causing resistance, alienation, and further erosion of a once functional and adaptive resource management system. It also is clear that these measures very rarely worked as intended.

Probably the most common form of rationalization, limiting herd size through forced slaughters, quotas, taxation, *etc*, has been part of almost every reindeer herding act introduced this century. Reducing herds has been used to satisfy a number of goals (limiting incursions into farmland, achieving maximum efficiency for available pastureland, or preventing overgrazing). Even before the rationalization period, limits were placed on herd size in Sweden and Norway to serve political motives within the Nordic Union in the nineteenth century. When the Swedish government imposed limitations in 1944 to reduce conflicts with settlers, "many herders preferred to let their animals 'go wild' rather than pay extra tax or submit to forced slaughter," thus actually increasing the problem of stray reindeer (Beach 1981, p.319).

Related to herd size, the rationalization of herd composition has been attempted mostly through slaughter policies to achieve proportions of certain types of deer. To maximize meat production it is preferable to slaughter calves, as they gain the most weight in the first year without placing a burden on the pasture. Selective breeding has also been introduced to develop the best mother cows, the best quality meat, the quickest growing bulls, *etc.* These measures were initially strongly resisted by Sámi herders as early calf slaughter goes against past practices, and selective breeding is quite an alien concept (Beach 1981, p.339).

Limiting the number of herders allows remaining herders to be more profitable and aims at the most efficient number of herders. This is usually achieved by licensing arrangements, association membership, voting systems, and quotas. The problems of reducing the number of herders to improve the herding economy or promote Sámi cultural survival will be discussed later.

The use of fences facilitates extensive herding, and requires less direct control of herds. There is probably no better symbol for the imposition of a system of fixed territoriality upon a formerly permeable and flexible one. In all three countries the new state-prescribed herding districts had defined membership and territory, unlike the traditional *siida*. It thus became possible to fence off these areas from each other. Fences were also useful in limiting damage to other land users in herding areas, and internally to separate seasonal pastures. With this final solidification of territorial boundaries, the geographic flexibility of the herding system ceased to exist, and the adaptive functions it served had to be substituted with *ad hoc* solutions from the state.

The creation of parallel herding districts and herding associations allowed the state to tinker with the structure of herding units to make the most efficient use of herd, pasture, and herders. A hybrid model of an economic cooperative replaced the old herding arrangements within the *siida.* To maximize efficiency of labour, herding was to be conducted at the collective level rather than based on traditional relationships between herders. This new situation created a contradiction between cooperative herding management and individual reindeer ownership which problematized the conduct of herding activities (Beach 1981, p.327).

The introduction of wage structures have also been used to encourage rational herding. Finnish *paliskunta* system follows a wage model, which has also been partially used in Sweden. Because the practice of herding

had been collectivized, an individual reindeer owner could avoid his own herding responsibilities and still have his herd brought to slaughter with all the rest. By charging owners a fee per head within the cooperative and from that paying herders a daily wage it was hoped to solve that problem. This solution caused problems of its own, as a *per diem* wage meant herders were paid more the longer the work took, creating a disincentive to efficient herding.

Broadly speaking, the commercialization of the herding industry is perhaps the most systemic form of herding rationalization. Many government efforts have focussed on making herding into a commercial venture. This has included marketing reindeer domestically and internationally as an exotic delicacy, the development of export controls, health and quality standards for meat, developing new products, and measures to increase price for meat. In 1976 Norway nationalized the meat production industry, with all meat bought by the state at a set price (Sillanpää 1994, p.76).

Finally, the introduction of mechanization and communications can also be viewed as a consequence of rationalization. Since the 1960s reindeer herding has been revolutionized by the use of snowmobiles, motorcycles, walkie-talkies, and even helicopters. Although use of new technology would likely have been adopted anyway, government loan programs and subsidies accelerated its introduction. The commercialization of meat production also forced herders to mechanize to keep competitive and profitable. Government regulation of meat quality also meant the use of modern slaughterhouses, and other facilities. Use of technology has had many impacts on how herding is performed, and has also raised a number of environmental concerns such as wildlife disruption and land erosion (Beach 1993).

The above synopsis of rationalization methods reflects the lack of a defined strategy of herding management within any of the three governments. Instead, it seems that the measures were adopted *reactively* in response to shifting state interests, and as band-aid solutions to problems created by previous policies. Despite the apparent lack of foresight or a coherent strategy, the actions of the state clearly indicate their ongoing territorial inclination. As will be seen below, rationalization efforts contributed strongly toward the erosion of traditional territorial systems and their replacement with modern state-inspired ones. An examination of the

three main phases of state rationalization of herding management also reveals that the states' territorial bias led them to apply solutions with unclear or contradictory objectives and without a sound understanding of the system.

Mitigation of Herder-Settler Conflict

The earliest attempts at herding rationalization can be seen as an outgrowth of earlier state measures to mitigate conflict between herders and settlers. In the first half of this century the economic interests of the states were still best served by the promotion of agriculture over herding, as it contributed more to the national revenue. This would later change as northern agriculture declined after World War II. In the beginning, however, all three states endeavoured to protect farming by restricting the practice of herding.

With the decreasing persuasiveness of a purely economic motivation, policies which promoted fixed forms of land tenure (sedentary agriculture) over diffuse and flexible ones (nomadic reindeer herding) are further evidence of the states' territorial impulse. Measures taken in the name of rationalization were designed to keep herding and farming apart, and to direct herding towards forms of land use more consistent with the territoriality of the state. This was accomplished in two ways: through the creation of discrete herding units with a single defined membership and territory, and by changing herding practices to discourage extensivity.

All three states had different organization structures for their herding districts/associations.[13] Common to all was the goal of creating physical separation between herders and other land users (agriculture, but increasingly forestry, mining and other interests) (Kvist 1994, p.36). The boundaries of herding territories were solidified and codified by the state. Socio-economic structure and territory had finally become parallel for the Sámi as the herding collective was placed on a one-to-one relationship with its territory. The stated

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[13] The boundaries of Finland's *palisknta* system were created in 1898, and the 1948 Reindeer Herding Act made the *paliskunta* into a collective herding association, and its members shareholders in the cooperative. Sweden's Grazing Act of 1928 gave the state control over the internal affairs of *lappby* districts. The 1971 Reindeer Herding Act made *lappby* into *sameby*, also adopting a cooperative herding model. (The Norwegian herding act of 1933 made herding districts legally responsible for damages. The 1978 Act gave the state greater powers to regulate internal affairs within the district). Finland's system departs most from the traditional *siida* structure, while traditional structure has been maintained to a degree in Norway (Berg, 83).

reasons for equation of single territories with single collective herding units was to make herding more rational, *i.e.*, the herding process becomes more efficient through collective-scale action, and creating herding relationships based on more rational relationships than traditional family or small scale social connections (Beach 1981, p.326). The true purpose, though, was to create a single entity which would be legally responsible for damage compensation within its territory (Sillanpää, pp.73-74).

Secondly, the rationalization of herding in the beginning of the twentieth century involved a movement towards intensive, rather than extensive, herding methods. This is a reversal from earlier periods when greater extensivity was more rational as it required less labour. Intensive control, was required to introduce numerous other rational methods to herding. Creating herding associations, each with a specific territory fenced off from the others, gave the state a vehicle through which to carry out its herding policies. Limiting extensivity was also an important means to limit herder-settler conflict. The perception was that greater extensivity in herding results in more animals straying into farmland and causing damage (Beach 1981, p.318).

The events of the two world wars caused a dramatic shift in state interests *vis à vis* herding in the latter half of the century. Northern agriculture was no longer sufficiently productive to justify government efforts to sustain it. Instead, ensuring the survival of a healthy herding industry began to make better economic sense. A growing consciousness of human rights and the status of minorities arose from the events of the world wars, and forced the Nordic states to look at the situation in their own backyard.

Protection of Herding and Sámi Culture

The post-war era is largely recognized as an important phase in the development of the state (Poggi, pp.109-110). This was truly the age of the welfare state, when government control began to establish its presence in all aspects of its citizens' affairs. A number of objectives of the post-war welfare state directly concern the administration of herding by Finland, Norway, and Sweden. These are: a desire to ensure a basic standard of living for all citizens, a need to secure state control of resources to ensure economic development, the need for a stable tax base, and an interest in protecting the rights of minority ethnic groups. The unifying element in these and many other new areas of responsibility that the state created for itself in this period, is the belief

that control, management, or protection (*i.e.,* rationalization) by a central government better serves the interests of the common good.

Therein lies the crux of the conflict. The actions undertaken by the states in the post-war era in herding management were done not in the interests of Sámi herders or Sámi culture generally, but for the benefit of the state or the citizenry. The fundamental problem with state herding policies in this period is the failure to recognize how the interests of the state as a whole differed from those of its various subgroups. In justifying new initiatives to rationalize herding management, stated objectives included raising the living standard of herders, protecting herding, and preserving Sámi culture. Unspoken, but underlying these aims, was the goal of securing access to lands and resources to facilitate large-scale economic development projects such as forestry, mining and hydro-electric dams.

On the surface, the *stated* aims seem like worthy and reasonable objectives: having more profits for herders promotes the survival of herding, the survival of herding promotes the survival of Sámi culture. A more careful consideration of these goals reveals profitability and cultural survival are very rarely compatible objectives. Because of a lack of understanding of the systems they were rationalizing, and because a failure to recognize potential conflicts between the various interests involved, government rationalization efforts quite often had the very opposite effect than was intended.

An example of how these interests can collide is provided by Beach's "The Swedish Dilemma: Sámi Rights and the Welfare State." (Beach 1983). The Swedish government sought to increase the productivity of herding and provide herders with a level of income similar to those of Swedish farmers. The solution was to increase the profitability of herding through various rational management practices (selective breeding, grazing rotation, and calf slaughter) and to reduce the number of herders, thereby providing a better income for the remaining herders (Beach 1983, pp.12-13). Not only did this policy not succeed in achieving its stated objectives, it did serious damage to the integrity of the Sámi in Sweden. As Sámi identity in Sweden is defined occupationally under law, those forced to abandon herding lost the only rights they had. Having to find work outside the Sámi traditional areas, these people were also unable to maintain a Sámi cultural identity.

Furthermore, to be a herder under Swedish law required having a grandparent who herded. In this way, once a herder left the profession it also effectively eliminated his descendants from herding. Reducing the number of Sámi with both *de jure* and *de facto* Sámi identity in Sweden completely undermined the viability of the Sámi as a whole.

Reindeer herding in Finland illustrates another way in which state policies have different impacts on herding and on Sámi culture, and should not be treated as parallel. Finland's *paliskunta* system is often considered to be the most rationalized form of reindeer herding, especially in terms of structural rationalization. The *paliskunta* is a legal corporation with its members all being shareholders, with voting rights weighted by the number of reindeer owned (Ingold 1978b, p.107). Actual husbandry decisions are left to each *paliskunta,* but herding activities are conducted towards the production of meat for a well-developed domestic and export market.

The 1948 Reindeer Herding Act allowed any Finnish citizen, Sámi or non-Sámi, to practice reindeer herding as a member of a *paliskunta* (Sillanpää 1994, p.74). Thus, herding management policies enacted by Finland largely avoided the question of protecting Sámi culture. Rationalization measures were enacted only as a means to promote herding as a commercial activity. Unlike in Sweden and Norway, herding in Finland is not reserved as a special right of the Sámi. This situation, despite its detrimental effect on Sámi land rights, reveals an ironic difference between the promotion of herding and the promotion of Sámi culture. Although the Sámi make up a minority of herders in Finland, a much greater percentage of Sámi in Finland practice herding than in Sweden or Norway, where herding is reserved as a Sámi right (Sillanpää 1994, p.76).[14] This is because the herding in Finland is more open to both Sámi and non-Sámi alike. It is much easier for a non-herding Sámi in Finland to take up herding than in Sweden or Norway, which have restrictive rules for who can be a member of a herding collective.

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[14] About 25-30% of Sámi in Finland practice some herding rather, compared with 10% of Norwegian or Swedish Sámi (Sillanpää, 75). Sámi typically have much larger herds than Finnish 'hobby' herders, and 40% of Finland's herds are located within the traditional Sámi areas, 85% of those owned by Sámi (Sillanpää, p.75).

Given the growing divergence between the interests of reindeer herding as an economic activity and Sámi rights and culture, treating them as mutually beneficial may actually do serious harm to both. Some believe that herding should be treated solely as an industry, separate from the issue of Sámi culture (Ingold 1978b, 128). This argument makes some sense as only a minority of Sámi actively practice herding, and in Finland the majority of herders are non-Sámi. However, herding continues to have cultural significance to the Sámi beyond the actual numbers of herders, and Sámi identity in Sweden and Norway is recognized only in relation to herding. For these reasons herding cannot so easily be divorced from the broader questions of Sámi culture or rights. The relationship between the two is not parallel, and state policies which do not recognize the complexity of the connection have invariably failed.

The development of a strong Sámi rights movement in the 1960s and 1970s prompted the governments to give the Sámi more control over their own affairs, holding out some hope that herding could be brought into harmonization with the overall objectives of promoting Sámi rights and culture. Other developments interceded however, prompting the government to react even more strongly to rationalize herding.

Prevention of Overgrazing

The philosophy behind government rationalization of herding management since the 1970s was a product of Garrett Hardin's theory of the tragedy of the commons, published in 1968. The subsequent acts and policies were enacted with the express intention of averting the kind of tragedy of overgrazing which Hardin describes (Hardin, 1968). According to the theory, in a situation where pastures are held in *common* while animals are individually owned (such as in reindeer pastoralism), "every single herder will try to maximize individual gain by putting more animals on the pasture, and this ultimately leads to overgrazing, diminishing herds and economic loss for all herders" (Björklund, p.75). Recent state regulation of reindeer herding has been based on the belief that individual herders will overgraze common pastures for their own benefit, to the detriment of the group.

Such a philosophy, and its subsequent adoption within state administration, is tangible evidence of the states' lack of comprehension for Sámi territoriality. The very notion that Sámi herding areas are commons shows

the inability of the state to recognize territorial systems other than its own. Lack of appreciation for the Sámi's own resource management has resulted in ill-conceived state regulations in the name of scientific rationalization of the reindeer industry.

Tim Ingold's 1978 article, "Rationalization of Reindeer Management Among Finnish Lapps" is an example of this kind of scientific thinking which dominated herding management in the 1970s. This philosophy sees pastoralism as inherently self-destructive and "ecologically unstable" and requiring centralized (read 'state') scientific rationalization to prevent catastrophic overgrazing (Ingold 1978b, pp.104-106). Ingold's scientific perspective is evident from his language:

> Given that a deer needs to consume 1500-2000kg (fresh weight) of lichen per winter, and that the optimum productivity of grazed lichen is around 120-160 kg/ha/yr, it follows that about 10-12 ha of pasture are required per deer, or 2 ha per year allowing for a five-year pasture rotation cycle (Ingold 1978b, p.116).

Such thinking formed the basis of paternalistic herding management policies which were enacted in all three states during this period (Sillanpää 1994, 65-75).[15]

What Ingold and the state biologists, economists and bureaucrats were reacting to was not Sámi reindeer pastoralism, but a corruption resulting from centuries of state interference in the Sámi territorial structure. The previous chapters of this paper have outlined the repeated incursions the state has made into Sámi territorial organization. The states failed to recognize that that the traditional *siida* system was the basis of Sámi reindeer herding management. Husbandry decisions, herd composition, access to pasture, and many other aspects of herding are (or were) integrated into the *siida* structure. By undermining that system, traditional herding management began to break down. Yet it was more convenient for the state to blame the Sámi or their ways for this failure than admit to any blame themselves. Ingold, in fact credits state intervention with actually delaying reindeer pastoralism's "inevitable self-destruction" (Ingold 1978b, p.123).

Recently, however, there has been a growing opinion among some social scientists that the commons metaphor is entirely inappropriate for Sámi reindeer herding (Björklund 1990; Paine 1992; Berg 1996). The

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[15] Norwegian Reindeer Husbandry Act of 1978, the Swedish Reindeer Herding Act of 1971, and the Finnish Reindeer Breeding Act of 1990 (having its origins in a 1973 parliamentary report).

situation which Hardin describes is actually not a commons, but one of free and open access where there are no limitations on a herder's access to pastureland. This is not the case in the traditional Sámi herding system, however, where the *siida* acts to regulate access to pastures among groups of herders (see Chapter 2). As Björklund asserts, pastoralism is a situation where "humanity *is* mediating the relation between land and animals, while the paradigm adopted by conventional quantitative-oriented science presupposes a social vacuum where the only relation of interest is the one between animals and pasture" (Björklund, p.76).

One of the most important functions (if not the main function) of the *siida* system has been the regulation of grazing. The special characteristics of the traditional *siida* reserved most pastureland for *siida* members, involved a complex seasonal migration and division of herds to prevent overgrazing, and allowed access to herds from neighbouring *siida* when their own pastures were insufficient. All of these functions entail *human* management of the relationship between pasture and herd (Björklund, p.76). Since the situation of open access does not exist in the Sámi herding system, that calls into doubt the appropriateness of the regulations enacted by the states to provide a new form of herding management. Views of resource management based exclusively on scientific rationalization, such as tragedy of the commons, ignores this human element. [16]

The results of Norway's efforts to avoid a tragedy of the commons and improve the profitability of herding illustrate the perils of such strategies. The 1978 Reindeer Management Act aimed to halt overgrazing and raise herding income by reducing both herds and herders. Government subsidies were designed to replace herding income, but in fact made it unnecessary for herders to slaughter the animals. The total number of reindeer actually increased from 48,110 in 1975 to 112,00 in 1989 (Berg, pp.78-79). In this case state actions backfired on a grand scale because the government did not take a fundamental principle of Sámi herding culture into account, that herd surplus is insurance for a rainy day, or money in the bank.

Despite the misunderstandings inherent in tragedy of the commons theory, there are increasing signs that reindeer pastures are showing signs of deterioration, but not yet on a scale that could be called a 'tragedy'

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[16] In fact, the situation on which Hardin bases his theory, the English sheep commons, is also misunderstood as one of open access. The English shepherds had social relationships to regulate access to the pasture, just as the Sámi.

(Berg, p.83). This raises a point of contention among those who reject the tragedy of the commons metaphor. Debate centres on the question of whether the traditional system of Sámi resource management still continues to operate, or whether it has been crippled by encroachments and government interference.

Disruptions caused by encroachments and restructuring of boundaries gradually made it impossible for many aspects of herd management to function. Nevertheless, herders continued to adapt to the new conditions. The development of the *siida* from its origins as a hunting organization to various forms of reindeer herding demonstrate its flexibility and adaptability. Examples of numerous cases of government rationalization efforts gone awry indicate that external corrections to the system have been more likely to cause it to break down than any inherent flaws of pastoralism or the recalcitrance of herders. The cycle of increasing state interference may have reached the point where the traditional herding system began to break down entirely. Herders, or the system itself, can no longer adapt quickly enough because the state has assumed so much control of herding management. The herding system of the Sámi is based on the herder regulating the relationship between pasture and animal. If the herder has been replaced in this arrangement by legislation or bureaucracy, it is unlikely that that relationship can be effectively managed. Only herders who spends most of their time with their herd, on the land, can have the necessary awareness and respond quickly enough to maintain the careful balance between herd size and pasture capacity.

The theory of the tragedy of the commons and the policies which followed it are based on false assumptions and ignorance about the Sámi territorial system and conviction in the superiority of modern forms of territorial organization. The inability of the state administrations to think beyond their own concepts of territory prevented them from realizing the value of Sámi modes of territoriality and their own culpability in the breakdown of the herder-herd-pasture relationship.

Conclusion

The failures of government approaches to reindeer herding management indicate that, contrary to their belief, government bureaucrats *do not* know what is best for herding or for Sámi culture. In implementing rational herding policies, the states acted to serve their own interests with an underlying bias towards *modern*

forms of organization. The belief that farming was a more advanced (or civilized) activity than reindeer herding, prompted governments to promote agriculture over herding even as it became an economic drain on the state. The very idea that herding or Sámi culture could not survive on its own without the benevolent protection of the state also reveals this bias. Prejudice and ignorance often go hand in hand. Because traditional systems of territorial organization and resource management were thought to be 'simplistic' or 'backwards' no real attempt was made to understand their inner workings. Thus governments had only their own scientific theories to tell them how their rationalization policies would work. Flawed initial assumptions based on incomplete knowledge meant they had no real way of knowing the effects their modifications would have in the real world. The states' efforts to avert a tragedy of the commons, their failure to acknowledge the existence of a Sámi form of resource management, and the role that the territorial system plays in that management, are classic examples of such misguided thinking.

This chapter presents the natural result of the systematic erosion of the traditional Sámi territorial system through the construction of the apparatus of the modern state. By the turn of the century, encroachments by settlers and the transformation of Sámi territorial models into modern forms based on fixed and delineated concepts of territory had done serious damage to the functionality of herding. As traditional Sámi herding began to suffer, the states were quick to find the root of its problems within herding itself, failing to recognize the external forces which had crippled much of herding's adaptive functions. The expansion of state control over herding is consistent with overall trends in state-building in the post-war era. Seemingly from their own inertia, states vastly expanded their internal structure and extended their spheres of control over almost every aspect of society.

The impacts of state (mis)management of herding have not only done damage to herding, but have caused collateral damage as well. Sámi collective integrity and culture have suffered due to loss of autonomy over their own resources, worsening economic conditions in Sámi communities, and the loss of herders and their families to non-Sámi areas. State policies have even done damage to their own interests, as they have had to shoulder the economic costs of supporting herding, developing new strategies to make it sustainable, and

providing welfare support for those forced to leave herding. It is conspicuous that government

rationalization efforts have hurt precisely those interests which they were meant to serve.

Conclusion

The preceding examination shows the tremendous influence that many concepts which are taken for granted actually have in practice. At a superficial level, a discussion of culturally-defined concepts of territoriality may appear to be little more than a theoretical exercise for academics. If one thing is clearly demonstrated in the experience of the Sámi it is that mere ideas can have significant impacts when they are backed up by the power of the modern state. The ubiquitous presence of the state in all corners of society allows it to exert profound influence through seemingly innocuous incremental changes. These actions rarely provoke attention, let alone resistance, until the damage is too far advanced to halt. Recall Giddens' words presented at the beginning of this paper, "Power may be at its most alarming, and quite often at its most horrifying, when applied as a sanction of force. But it is typically at its most intense and durable when running silently through the repetition of institutionalized practices" (Giddens 1987, p.9).

Unlike the Incas or the Zulus, the Sámi did not face the state's open 'sanction of force' through armed genocide. Instead the Nordic states gradually extended their power over the Sámi through the 'repetition of institutionalized practices' such as taxation regimes, border treaties, and especially reindeer herding policies. One reason that these institutionalized practices were dangerous to the integrity of the Sámi nation is because they were rooted in *modern* concepts of territoriality which were incompatible with pre-existing Sámi forms. To fully appreciate the significance of this incompatibility, one can examine the current state of Sámi society. Culturally, politically, economically, and legally the Sámi nation has been fractured by territorial borders imposed by the state.

This paper demonstrates the importance of an indigenous or Fourth World perspective on the development of the international system. Chapter 1 shows that the dominance of statist analyses in international relations serves to deny legitimacy to indigenous nations, and help perpetuate the colonial processes by which they came to be incorporated into modern states. Territoriality plays a significant role in this matter, as the state embodies a universal concept of fixed bounded space which is too often assumed to be the only way of conceiving territoriality.

The discussion of Sámi territoriality in Chapter 2 discredits this assumption by showing the varied ways in which territoriality of the Sámi *siida* system significantly differed from that of the state. Far from being a homogenous unit, the *siida* was a complex entity which differed both between different groups of Sámi, and over time. Nevertheless, the examples of diffuse boundaries, shared land rights, and seasonal variation mark Sámi territoriality as distinct from the modern territoriality of the state. Thus, the first condition of the hypothesis, that the two forms of territoriality are significantly different, is passed. The remaining analysis focuses on the second question: the importance of territoriality to understanding the relationship between the Sámi and the state. In doing so, it also reinforces the verity of the first condition.

The expansion of state sovereignty over the Sámi and their partition among the medieval kingdoms of northern Europe, as examined in Chapter 3, has a very real connection to the Sámi's current struggle for land rights. From the legal perspective of states, the Sámi hunting, fishing, and herding culture was not developed enough to constitute land. Only their own "'civilization' – that is, one based on agriculture" was considered sufficiently developed to acquire land title (Korpijaakko-Labba, pp.8-9). The land laws of Sweden (and Finland) are perhaps the most tangible evidence of the existence of the territorial bias of the state, as they demand that the states must have "defined boundaries" and have an individual owner to be considered private property (that is, anything else would be considered the property of the Crown) (Korpijaakko-Labba, p.12). The states continue to use the legal justification that they took possession of ownerless lands in order to enforce their claim to the Sámi area. The defence that the Sámi were incapable of forming a conception of ownership continues to be upheld today to deny land rights to the Sámi.

The incorporation of the Sámi into states and their progressive assimilation into majority cultures has served to fracture Sámi identity and supplant it with new Swedish, Norwegian, or Finnish ones. As a result, the Sámi have been prevented from developing into a cohesive political community. Only since the 1960s have the Sámi begun to reintegrate their activities and organization across state borders. Most of the main Sámi political organizations, such as the Sámi parliaments, are constituted on a country-by-country basis. Despite a desire to foster a sense of pan-Sámi unity, divisions between Swedish Sámi, Norwegian Sámi, and Finnish Sámi identities often preclude full cooperation.

At a local level, the transformation of the *siida* through tax laws, herding legislation and other instruments of the state has nearly destroyed the old socio-territorial institutions of the Sámi. The *siida* system represents a mode of territorial organization which was also the means of political, social, and economic organization. The actions of the state to undermine these traditional institutions and replace them with state-derived forms impaired the ability of the Sámi to determine their way of life and forced them into a dependent relationship with the state. Chapter 4 describes how the promotion of agriculture over herding, and the belief that herding was an economically and culturally inferior activity caused many Sámi to abandon traditional subsistence activities. Many Sámi were force to leave their communities to find work and take up employment. Without any cultural connection this economic transformation became *de facto* cultural assimilation. In Chapter 5 we see how the effects of state efforts to *save* herding and Sámi culture actually caused further harm. Because government actions were based on biased notions of the Sámi herding system, the resulting *rationalized* herding industry was not viable without continued state support and was largely stripped of any cultural relevance for the Sámi.

Overall these chapters illustrate that territoriality has indeed played a significant role in the relationship between the Sámi and the states. Territoriality, often assumed to be a constant or a non-factor, is in this relationship a significant variable and has proven to be a useful explanatory device to understand the development of that relationship. Besides satisfying the second condition of the hypothesis, the significance of territoriality in this case can likely contribute to an understanding of other cases. This same kind of analysis could be applied to the colonial histories of other indigenous peoples. The Sámi were well suited to this approach because of the still-existing remnants of nomadic pastoralism and their partition by four different states. Even cursory examinations of Fourth World literature indicate that this is not an isolated case, and the territorial concepts of other indigenous nations have also influenced, and been transformed by, their colonization by states.

As a pastoral nomadic people, the Sámi's relationship with the land is the key to all aspects of their societal organization. The states' rejection (or ignorance) of Sámi concepts of territoriality resulted in the dismantling of the territorial basis of that society. By removing that lynchpin, the structure of the society was severely

weakened, allowing the states to divide up the pieces, and replace previous structures with their own. These effects are not trivial, nor are they entirely matters of historical record. The issues outlined above are the fundamental issues with which the Sámi are struggling: political autonomy, rights to land and resources, economic self-determination and herding self-management. Understanding the importance of territorial ideas and biases in producing the current state of affairs is essential for a just settlement of these matters.

Although it has been argued that the territorial concepts of the Sámi and the states have been in conflict throughout the history of their relationship, this does necessarily mean that conflict is the only possible result in practice. The experiences examined in this study show that the greatest problems arose not simply because of the inherent incompatibility of the two concepts but because the states treated their own view of territoriality as universal and were blind to how Sámi concepts differed. The realization that there are differences between these views of territoriality provides hope that both parties can come to better understand each other and seek ways to mitigate the impact of those differences.

How then can paying attention to territoriality help to achieve a better relationship between the Sámi and the states, and perhaps compensate for previous harm? The current Sámi political movement and struggle for self-determination could benefit tremendously from a broader understanding of territoriality. If legitimacy can be given by the states to Sámi concepts of territoriality, however the current Sámi political communities choose to define or articulate them, that will go a long way to ensuring the continued cultural, economic, and political viability of the Sámi. The interconnectedness of the Sámi territory, livelihood, and culture makes it necessary for them to have a greater degree of control over the land to provide a material basis for cultural survival.

The current reindeer herding legislation in all three countries should be revisited to encourage Sámi self-administration of the herding system, insofar as possible in the current circumstances. The recognition that territoriality can be both flexible and non-exclusive opens up many possible new territorial arrangements that might be negotiated between the Sámi and the states. Instead of seeing territory as either ours or theirs, cooperative arrangements could be sought to accommodate a number of different stakeholders, legal regimes

and land uses, rather than drawing hard boundaries. Ideally, such arrangements would promote cooperation rather than competition, since the groups (indigenous and majority culture) would be working to benefit the same area of land.

While differences between concepts of territoriality have had a negative impact on past relations between the Sámi and the states, this analysis may be a first step in building a relationship where those differences are recognized and mutually respected. From this basis, the Sámi and the states can build a future where there is space for the values and interests of both.

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