



A Critical Discourse Analysis on Finland's Rejection of The Reform of Sámi Parliament Act

A Critical Postcolonial Perspective

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Abstract

Finland is recognized as a country with high human rights standards including the rights of the indigenous people that are protected by various declarations, conventions, and international human rights laws. Finland first enacted a Sámi Parliament Act in 1995 and has most recently in 2019 received criticism from the UN Human Rights Committee for not guaranteeing the rights for the legally recognized indigenous Sámi people living within Finland's borders. Government proposal to reform the Act sparked the discussion of Sámi rights in Finland in the fall of 2022. Through a critical postcolonial perspective together with examining purposeful sampling material and the reform opposing discourse in the Finnish parliament, this thesis aims to get a view for the reason of the dismissal of the reform. It suggests that Finland's position as a human rights model country in indigenous people's rights is questionable in the matter of the Sámi rights.

Keywords: The Sámi Parliament Act, Postcolonialism, Settler Colonialism, Finland, Sámi

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List of Abbreviations

CDA: Critical Discourse Analysis

HRC: The United Nations Human Rights Council

KHO: The Supreme Administrative Court of Finland

MP: Member of Parliament

SPA: The Sámi Parliament Act

UN: The United Nations

UNDRIP: The United Nations Declaration on the Rights of Indigenous Peoples

1. Introduction

Finland has an internationally acknowledged image as a country with high human rights standards and quality in rule of law (World Bank, 2021). Finland is a relatively young country declaring independence in 1917 (InfoFinland, 2023). Before becoming independent the now Finnish territories were ruled by its neighboring countries first by Sweden and then by Russia (ibid.). In its short history Finland has not had any overseas colonies, but does the Finnish state continually engage with colonial practices within its borders in the relationship with the indigenous Sámi in Finland?

Finland is a party to seven different United Nations (UN) core human right treaties and is committed to values as protected in the Universal Declaration of Human Rights (Valtioneuvosto, 2021). Also, Finland operates as a member state to the UN Human Rights Council (HRC) in the 2022-2024 term (OHCHR, 2023). Finland actively commits to uphold and advocate for high human rights standards (ibid.). In its candidature to become a member state of HRC, Finland especially promises to respect and promote the realization of indigenous people's rights, including the rights of the indigenous Sámi people living in Finland and the neighboring countries (Valtioneuvosto, 2021). Finland persistently promotes itself as a central actor in the humanitarian field and as an active member of the UN (Suomen YK-liitto, 2023). There is, however, an opposite side to all of humanitarian actions made by the Finnish state. Finland repeatedly receives criticism for the treatment of the indigenous Sámi people from different UN bodies and the UN Human Rights Committee (UN human rights, 2023). Part of the criticism concerns the reform of the Sámi Parliament Act (SPA) (ibid.).

The Sámi are the only legally recognized indigenous people in the European Union (Saamelaisten oikeudet, 2023). The Sámi live within four states: Norway, Sweden, Finland and Russia (Vars, 2023: 466). It is difficult to establish the accurate number of the Sámi who are living within these states; however, it is a substantial number (ibid.). There are around 50,000-70,000 Sámi in Norway, 15,000-20,000 in Sweden and 2,000 in the Russian Federation (ibid.). According to data collected by the Sámi Parliament of Finland in 2015, there are 10,463 Sámi in Finland (Wesslin, 2019). In a political arena, the Sámi people are represented by three different Sámi Parliaments (one in each of the three Nordic countries), while in Russia they are organized into non-governmental organizations (Strömngren, 2011: 29). In Finland, Sámediggi also known as the Sámi Parliament was legislated in 1996 with its main purpose to safeguard

the cultural self-government guaranteed to the Sámi as an indigenous people (Sámediggi, 2023). Self-government of culture and language is regulated by the Sámi Parliament Act, enacted in 1995 (ibid.). As will be shown, the SPA in force violates the self-determination of the Sámi.

1.1 Purpose and Research Questions

A brief introduction provides a better understanding to the situation of the Sámi in Finland. A reform of the SPA has been driven by the Sámi since it was first enacted in 1995 (Näkkäljärvi & Vuomajoki, 2018). In short, the Act in place currently does not provide self-determination rights to the Sámi people in Finland (Laki Saamelaiskäräjistä 17.7.1995/974). As for now, the three consecutive Finnish governments have been handling the reform, however, none of these governments have finalized it (Juuso, 2023). The latest suspension of the reform took place on February 24, 2023 (ibid.). Although, the latest Sanna Marin's government had a three and a half year period to finalize the proposed law, it took the reform proposal into consideration in the last minutes of its term of office. (ibid.) Finally, the Constitutional Law Committee suspended the reform proposal due to "lack of time" (ibid.). After this third failure with the reform, it appears, as if the Finnish state is reluctant to finalize it. As the latest rejection being so recent, there is hardly any academic research done on the matter. Therefore, this thesis contributes to the existing body of knowledge by focusing on the present day situation of the Sámi people in Finland, further raising awareness of the postcolonial practices harming the only legally recognized indigenous people in the European Union (Saamelaisten oikeudet, 2023).

This thesis gives a critical postcolonial perspective of the research problem. The purpose of this thesis is to understand the contradiction between the image of Finland as a country that commits strongly to human rights and to underline why the Finnish parliament is reluctant to adopt the reform of the SPA, through analysing three speeches from three different members of Finnish parliament (MP) from the last plenary debate regarding the reform proposal. These speeches are enough to provide a full spectrum of the discourse raised by the opposing side of the Sámi Parliament Act reform. The research questions applied in this thesis are:

Why does the Finnish state, despite an otherwise strong commitment to human rights and despite pressure from multiple United Nations Committees, reject the Sámi Parliament Act?

What does this rejection reveal about the Finnish state's position on the Sámi Question?

1.2 Relevance to International Migration and Ethnic Relations

The concepts covered in this thesis are directly related to the study of International Migration and Ethnic Relations. The Sámi as an ethnic minority group has faced human rights violations, racism, abuse and oppression since the 17th century until the present day (Kylli, 2014: 106). There has not been much public political discussion or fact-based media representation about this topic until recent times. Accordingly, there is a need for an understanding of the historical and present day events and the problem behind the relationship between the Finnish state and the Sámi. Accurate knowledge of historical and current day events is essential for obtaining truth, justice, and making a change. Through an in-depth analysis of the SPA reform provides a deeper understanding through this thesis. Given the recent difficulties from the Finnish government to adopt the reform of the SPA, work as an incentive for this research to obtain up-to-date information and analysis.

1.3 Thesis Outline

This thesis begins with an introduction that outlines the research problem, aims and questions. The second part consists of a background chapter, leading to a chapter where previous research is reviewed. Then, the theoretical approach of postcolonialism and settler colonialism are presented, followed by the thesis' chosen methodology chapter including a presentation of critical discourse analysis (CDA). The next part contains the analysis of the empirical material from postcolonial viewpoint. In the following discussion chapter, the results are combined and interpreted, and future research ideas presented. Lastly, a conclusion is drawn outlining the answers to the research questions.

2. Background

This chapter presents background information, which gives insight as a foundation to understanding the need for this research. The legally recognized indigenous Sámi people have lived 3,500 years in Fennoscandia (Lamnidis *et al.*, 2018). Finland declared independence 106 years ago in 1917 (InfoFinland, 2023). How does a country with a history of a little more than hundred years sweep thousands of years history and living habits? Finland continues to unrecognize the Sámi rights and continue to assimilate the Sámi in a postcolonial manner. Finland has conducted multiple actions directly and indirectly in order to take control of the Sámi homeland. These actions will be discussed in this thesis. Finland continues settler colonialist power and the SPA reform opposing discourse is analysed to show how postcolonialism is living well and bold in one of the world's countries with the best image as a state with high human rights standards. First there is a need to introduce the research problem in the heart of the Sámi rights, followed by a representation of the most recent government proposal to amend the Act on the Sámi Parliament. Finally, an overview of the state procedures done on the Sámi homeland are presented, leading towards the research review.

2.1 Rights of the Sámi as Indigenous People

Firstly, it is important to acknowledge the Sámi as indigenous people in order to understand the foundation of the Sámi rights to demand the reform of the SPA. The rights of the Sámi in Finland are protected through international treaties and obligations in the Constitution of Finland and other legislation (Saamelaisten oikeudet, 2023). Central to all these obligations is the safeguarding of the right to self-determination as indigenous people (*ibid.*). Self-determination means that indigenous people have the right to decide freely on their political, social and economic affairs (*ibid.*).

International human rights treaties set a minimum level of protection to the rights of indigenous people (*ibid.*). This minimum level means that national legislation must be developed and applied in a way that the protection does not fall below the minimum level (*ibid.*). The public authorities are bound by the treaties on fundamental and human rights convention, even in the absence of any legal provisions concerning fundamental and human rights (*ibid.*). There are multiple international treaties, conventions and declarations that concern with indigenous people's rights, but here I will only present two declarations in more detail. They are of central

importance, when it comes to indigenous peoples' right to claim, because they have had a significant impact on national legislation also in non-ratifying states (Mörkenstam, 2019: 1718).

2.1.1 Indigenous and Tribal Peoples Convention, 1989

ILO Convention 169 on the rights of indigenous and tribal peoples was adopted in 1989 (Kansainväliset sopimukset, 2023). It has been ratified by the Nordic countries of Norway and Denmark (ibid.). Ratification of the Convention has been a long-standing objective of Finnish human rights policy (ibid.). Preparations for its ratification have been done for more than 20 years and it was first included as an objective in the government programme of Prime Minister Jyrki Katainen in 2011 (ibid.). The main articles 14 and 15 of the treaty deal with indigenous peoples' rights to land, water and natural resources (ibid.). The Sámi Parliament has stated that land and water rights apply to the Sámi homeland area and to land and water areas under state control (ibid.). However, the ratification of the treaty has not yet progressed, because no consensus on land rights has been reached (ibid.).

2.1.2 The UN Declaration on the Rights of Indigenous Peoples

In 2007, the UN General Assembly adopted a long-prepared declaration on the rights of indigenous peoples (UNDRIP) (ibid.). Finland adopted the Declaration without reservations (ibid.). UNDRIP brings together elements of existing international treaties (ibid.). The main articles of the Declaration concern with the right of indigenous peoples to self-determination, the right to their own language and culture, the responsibility of states to safeguard indigenous culture, the right of indigenous peoples to natural resources, and further, the UNDRIP prohibits all attempts to assimilate indigenous people (ibid.). The Declaration includes the principle of prior consultation, which implies the right of indigenous peoples to be consulted 'freely, in prior and in a well-informed manner' on important land management issues affecting their homeland (Kanninen, 2019: 234). This principle is increasingly given weight in the interpretation of international law (ibid.). States ratifying the UNDRIP do not implement the requirement of prior consent as a veto right for the indigenous people rather a principle of action (ibid.). Though the UNDRIP is not legally binding, it builds on a number of human rights treaties ratified by states which are legally binding on those states (Kansainväliset sopimukset, 2023). The Declaration reflects a global consensus on the content of indigenous peoples' rights and the obligation to promote human rights in accordance with UN treaties (ibid.). Some aspects of UNDRIP, such as non-discrimination, cultural integrity, property and self-determination, are

becoming norms of the customary international law (ibid.). The UNDRIP has a significant normative value due to its high degree of legitimacy (ibid.). A significant majority of the UN General Assembly adopted the Declaration and it is widely supported by the indigenous community (ibid.).

2.1.3 National Legislation

In Finland's national legislation, the core of Sámi rights is found in the Finnish Constitution (Saamelaisten oikeudet, 2023). It states that the Sámi as an indigenous people have the right to maintain and develop their own language and culture (ibid.). In addition, the Constitution gives the Sámi people autonomy over their language and culture in the region of their homeland (ibid.). The Constitution intends to give the Sámi people the right to determine their own affairs and to guide their future development (ibid.). All public authorities must actively promote the realization of the rights of the Sámi and prevent their erosion (ibid.). The authorities also have a duty to promote equality and prevent discrimination (ibid.). The authorities must consult with the Sámi Parliament on matters that may affect the status of the Sámi as an indigenous people (ibid.). Such situations may include, for example, the preparation of legislation or the implementation of administrative decisions (ibid.). The purpose of the consultation procedure is to have a genuine, timely and consensual discussion (ibid.).

2.2 Government Proposal to Amend the Act on The Sámi Parliament

The latest government proposal regarding an amendment on the SPA is presented in this section. The aim of the amendment is to protect and promote the realisation of the right to self-determination of the Sámi and to improve the conditions for the self-government of the Sámi with regard to their language and culture, and the functioning of the Sámi Parliament (Hallituksen esitys HE 274/2022 vp). The purpose of the proposal is to implement the decisions of the UN Human Rights Committee given in 2019 (ibid.; OHCHR, 2019). The decisions by the committee raised multiple concerns (ibid.). The decisions relate, in particular, to Section 3 of the Act regarding admission to the electoral roll of the Sámi Parliament, but the Committee also advises Finland to take the necessary steps to implement its obligation under the International Covenant on Civil and Political Rights to prevent similar violations in the future (ibid.). At the same time, the Committee stresses the right of the Sámi to self-determination in determining their status and membership of their community (ibid.). The proposal implements

Finland's obligations under the International Covenant on Civil and Political Rights, as well as the International Convention on the Elimination of All Forms of Racial Discrimination (ibid.).

The self-determination of the Sámi people and the self-governing role of the Sámi Parliament are emphasised in the proposal (ibid.). A reference to the right of self-determination of the Sámi would be added, and the competence of the Sámi Parliament would be developed (ibid.). It is proposed to revise the definition of a Sámi in order to change the rules of entry for a person to the electoral roll of the Sámi Parliament, i.e. the right to vote and stand as a candidate in the elections of the Sámi Parliament (ibid.). The right of the Sámi as an indigenous people to determine for themselves, who is a Sámi, i.e. the so-called group identification, is proposed to be strengthened by reforming the objective conditions for entry to the electoral roll, in a manner to be developed in cooperation with the Sámi Parliament, and by extending the composition of the Electoral Committee (ibid.). The appeal procedure concerning the entry to the electoral roll would be reformed so that the first level of appeal would be an independent and autonomous appeal board (ibid.). Its decisions would be subject to appeal to the Supreme Administrative Court of Finland (KHO), if it grants a leave to appeal (ibid.). The electoral roll would be redrawn on the basis of the revised criteria for eligibility (ibid.). The provision on the duty to consult public authorities will be reformed to a duty to cooperate (ibid.). The procedural requirements of the obligation and the consideration of the rights of the Sámi would be further specified and clarified.

2.3 The Ongoing Contradictions Between The Sámi and The Finnish State

As the foundation describing the rights of the Samí as an indigenous people is now established, a more detailed look into the ongoing contradictions hovering above the reform is to be taken. As stated in the national legislation, the Sámi as an indigenous people have a right to maintain and develop their own language and culture (Saamelaisten oikeudet, 2023). However, these rights seem to be jeopardized under the current SPA. For instance, the current SPA's section 3 called the Sámi definition essentially means the criteria according to which one can enter to the electoral roll of the Sámi Parliament in Finland (Näkkäläjärvi & Vuomajoki, 2018). When the first Sámi Parliament Act was enacted in 1995, the section 3 was amended on a government proposal to include a provision (2): 'that a descendent of a person who has been entered in a land, taxation or population register as a mountain, forest or fishing Lapp' can be officially recorded as indigenous Sámi (Näkkäläjärvi and Vuomajoki, 2018; Hallituksen esitys

Eduskunnalle, 1994). Although, “Lapp” has never referred to ethnicity, but to a person practicing the so-called Lapp livelihoods, this provision gave an impression that all those marked as Lapps were Sámi (Näkkäläjärvi and Vuomajoki, 2018). Currently, KHO has a power by using overall assessment to repeal decisions made by the Sámi Parliament (Tervaniemi, 2019). In other words, Finnish officials who do not necessarily know anything about Sámi livelihood can accept people to the electoral roll of the Sámi Parliament (ibid.). Only in 2019, 27 appeals concerning the right to enter the electoral roll were upheld by KHO (Lausunto oikeusministeriölle, 2021).

Reluctance to consult the Sámi Parliament in the matters of land use from the Finnish state can be explained with the fact that the state of Finland wishes to benefit from the natural resources and prevent loss of economic revenues in Sámi homeland area. The north of Finland is rich in natural resources, which means that a part of the gross domestic product is acquired from these resources (Sawe, 2019). As will be shown below, the Finnish government has adopted a number of new legislations in order to enable easier access to mineral exploration in the Sámi homeland. Even as of this moment, multiple companies are exploring minerals in the Sámi locations, on top of other ongoing procedures over natural resources in the area. The Finnish – Sámi relationship is contestably one of the most unacknowledged chapters of Finnish history and the above example of exploitation process in the Sámi homeland proves that the situation of the Sámi in relation to Finnish state needs a deeper analysis.

2.3.1 The Use and Control of Land and Natural Resources

Traditionally, the Sámi have been seen to inhabit the area of Finland from over one thousand years ago (Lehtola, 2008: 2). The Sámi had a right to ancestral ownership with the *siida* lands until the 18th century (Oktavuolta, 2023). Nowadays, 90 percent of the Sámi homeland is state owned land (Korpijaakko-Labba, 2003: 336). The transfer of the lands to the Finnish state has been investigated in several committees and working boards but full clarity on the question has not been achieved (ibid.: 300). The state often justifies its ownership rights based on the first Forest Act of 1886 (ibid.: 303). According to the Forest Act, the common lands, lands outside the municipality borders and so-called wastelands belong to the state (ibid.). However, the legality of the Forest Act is questioned by the Sámi Parliament’s working board’s report on land ownership in 2003 (Saamelaiskäräjien selvitys, 2008). According to the Forest Act, the criteria for creation of state-owned land is based on unowned areas and areas on which no tax

has been paid (ibid.). Such land has not existed in the Sámi homeland before the current property division (ibid.). As documented, the Sámi owned their reindeer pastures, hunting grounds and fishing waters with property rights recognized by the state authorities, and also paid taxes on their lands (ibid.). The Sámi ownership of lands has never been transferred to the state by legal acquisition, and thus, the state has not acquired ownership of the state forests as required by law (ibid.). Therefore, there is no documentation of the transfer of ownership from the Sámi to the Finnish state, and the land rights of the Sámi, i.e. their rights to the ancient lands, remain unresolved (ibid.).

Arguably, one of the biggest political issues in the Sámi homeland is land ownership and the ownership rights of the natural resources. Most of the land is owned and managed by the Finnish Forest and Park Service, however, this state ownership has been disputed by Sámi associations, Sámi Parliaments and researchers (Korpijaakko-Labba, 2000; Nahkiaisaja 2016). Municipalities decide on land use in their areas and all residents of a municipality have the right to vote and run for office. Municipalities are a political platform in which the Sámi people can, in principle, have an influence on the decision-making and advance their interests (Puuronen, 2022: 353-354). However, the foundational problem of ownership rights is a national question, over which municipalities have no real influence, as Finland has not ratified the ILO Convention 169 (ibid.).

Valkonen (2003) states that the struggle for control of natural resources, including land, rivers, lakes, springs, forests, fish and minerals, has been intense and continuous. For example, conflicting interests between tourism companies and the Sámi and Finnish reindeer herders regarding land use have been frequent in municipalities (Puuronen, 2022: 357). In order to stop tourism that exploits Sámi culture and to eliminate disinformation about the Sámi, The Sámi Parliament adopted the Principles for Ethically Sustainable Sámi Tourism in 2018 (ibid.). It aims to protect the cultural practices and customs of the Sámi people from tourism (Sámediggi, 2018). Valkonen (2003: 357) states that this is a negotiation about who can exploit whose culture as well as a negotiation about the boundaries of corporate colonialism.

The exploitation process continues as exemplified in the amended Forest Act of 2016 (Ranta, 2019: 214). Despite demands from Constitutional Committee, the Sámi Parliament, the Sámi Council and the UN Special Rapporteur on the rights of indigenous peoples, the prohibition of

deterioration on the Sámi culture was left out in the amendment (ibid.). After this, during the Sipilä's government in 2017, plans for an Arctic Railway across the Sámi homeland were made (ibid.: 214-215). The railway would serve the mining, forestry and fishing industries, and the booming Lapland tourism (Kanninen, 2019: 225-226). Many of the train tracks would cross the reindeer herding cooperatives and their pastures and would have an impact on Sámi culture (ibid.: 229). Though, the investigation was under process and needed to be completed as a matter of urgency, the Sámi Parliament, as the official representative of the Sámi, had not been consulted as required by Section 9 of the SPA (ibid.: 229).

Another example is the open-handed mining legislation, which has enabled the construction of Europe's largest gold mine in Kittilä, in the southern Sámi homeland (Puuronen, 2022: 359). The gold mine is operated by a Canadian company called Agnico Eagle Mines Limited (Kittilä Mine, 2023). Its Finnish subsidiary Agnico Eagle Finland Oy has multiple ongoing gold exploration permits in the Sámi homeland (Tukes, 2023). In 2016, a company called Geological Survey of Finland was granted a mineral exploration permit to the Sámi homeland in Enontekiö (Lakkala, 2016; Puuronen, 2022: 359). The company's plans were criticized and opposed, because they endanger reindeer husbandry and the ecological balance of the region's environment, however the resistance had no impact on the result (Puuronen, 2022: 359). Furthermore, the generous mining legislation is exemplified in the amendment of Finland's Mining Act in 2019, which was again amended without hearing the Sámi Parliament (Kuokkanen, 2020: 539). The amended law allows mining companies to apply for a mining permit without an environmental impact assessment, which is only required at a later stage (ibid.). As shown, it is clear that the exploitation practices continue in the Sámi homeland, further perpetuating the repression of the Sámi and their culture (Puuronen, 2022: 359).

3. Research Review

This chapter will present the different existing explanations of the Finnish position on the Sámi question. There are a number of researches focusing on the historical Finnish-Sámi relations, but not specifically on the reasons why the Finnish state is reluctant to adopt the reform of the SPA. The research that has been conducted prior is multidimensional and has been done more from the historical standpoint of the Finnish-Sámi relations. Thus, in order to build the answer to the research question presented on a firm ground, a more extensive account of the research and selective thought is needed.

McGuire (2022: 6) has examined the fragmentation of the Sámi in Nordic countries and argues that Finland has had a different kind of Sámi politics in comparison to Sweden and Norway. Finnish people have spent much of their history under foreign powers, which has resulted in seeking and defending Finnish unity regardless the strategy (ibid.: 5). One way of expressing the small Finnish-people's unity was through the subjugation of the Sámi (ibid.). Different to Sweden and Norway, the Sámi in Finland were assimilated through a policy of individual equality with no group rights (ibid.). In other words, The Sámi should have the same conditions for a quality of life as everyone else, without any special treatment. Nyyssönen (2009: 168-196) has explained that this sort of controversial idea of equality led to ignorance of the traditional livelihood of the Sámi. Lehtola (2012: 453-457) confirms this by arguing that the Finnish colonialism was a governing practice based on silencing, rather than aggressive suppression.

Lehtola (2012: 58-81) explains how the possession of the Sámi lands by Finnish authorities took a similar form as in Norway, where the nation-building project was related with the Norwegianization policy. In Finland, the possession of the lands started by building a traffic network connecting the Sámi homeland with southern Finland and reinforcement of Finnish administration (Lehtola, 2015: 29). The ideals of Finnish society were praised through a policy of one livelihood and one dwelling place, which aimed to replace the Sámi way of life based on seasonal migration (ibid.). The roads enabled an expansion of Finnish settlement along them and improved the operations of Finnish speaking institutions in the area (ibid.; Lehtola, 2012: 58-81). Though the use of Sámi language was never prohibited, the Finnish state did nothing to arrange education in Sámi language (Lehtola, 2012: 453-457). Lehtola (2015: 29) argues that this sort of fatherly way of determining what is good for the Sámi is an example of a modern persuasive colonialism that Finland has implemented in the Sámi homeland.

Kuokkanen (2020: 535) has explained the exploitation and dispossession of Sámi lands through Wolfe's theory of the "logic of elimination". It constitutes settler colonialism as an ever-evolving structure, aiming to displace the pre-existing policies and to erase the original inhabitants of the land and replace them with settlers (Wolfe, 2006: 388-390). According to Wolfe (2006: 390): "In its positive aspect, the logic of elimination marks a return whereby the native repressed continues to structure settler-colonial society." This is visible today, for example, through the Finnish education system, that does not provide a comprehensive understanding of the Sámi people, their history or way of life (Kuokkanen, 2007: 152). This continued ignorance creates a vicious circle that prevents the proper handling of Sámi issues (ibid.). According to Kuokkanen (2020: 535) settler colonialism does not necessarily take a form of physical genocide, but it can also be a matter of cultural elimination, restriction of living conditions and reproduction. Settler colonialism is characterised by dynamic processes of gradual disappearance of indigenous peoples through various ways, such as integration and assimilation (ibid.: 536). Wolfe (2006: 390) argues that if settler colonialism is understood as a structure rather than an event, its history does not end but continues in new forms across time. It transforms into different discourses and institutional forms, which are not always easy to recognize as 'logic of elimination' (ibid.).

In Nordic countries the demands of Sámi self-determination are constantly attempted to suppress through diverse forms of state-structured violence (Kuokkanen, 2020: 539). This is visible through new national legislation, in which the Nordic countries have not implemented their own state legislation and constitutional obligations concerning the Sámi and their rights (ibid.). An example of such policy making is the The Teno Agreement from 2017 between Norway and Finland (ibid.). It was presented as an attempt to protect the wild salmon stocks (Kuokkanen, 2020: 539; Ranta, 2019: 176). The Agreement reduced traditional Sámi way of fishing by 80 percent, while recreational fishing was only reduced by 40 percent (Ranta, 2019: 176). Negotiations of the Teno Agreement took five years but again the Sámi Parliament was not consulted despite the authorities' legal obligation to consult with them (Ranta, 2019: 179). Through limiting the rights of the local Sámi and extending the fishing rights of expatriates, the Teno Agreement eliminates the unique Sámi way of life and their traditional knowledge, and thus threatens the right to their culture (Kuokkanen, 2020: 539; Ranta, 2019: 176).

Settler colonialism characterises Nordic Sámi policy as well as Finland's Sámi policy and legislation (Kuokkanen, 2020: 540). This research review together with the background chapter prove that the state and the settlers have taken control of the Sámi lands, have used and continue using the natural resources in the Sámi homeland, and remain in control of the Sámi self-determination. Finland aims, through its institutions and legislation, to ignore the traditional Sámi livelihoods and culture. The above examples support Wolfe's (2006) claim that settler colonialism always needs more land. This together with the rising threat of corporate colonialism to the Sámi culture, lead us to examine the situation from a postcolonial and settler colonial view on the matter.

4. Theoretical Framework

This chapter presents theoretical framework for this thesis. Postcolonial approach lays perception to understand how colonialism has taken place in Finland, how the colonization of Sámi in Finland has affected the colonized as well as the colonizers, and what are the continuing after-effects. The rejection of the reform of the SPA reflects a complex interplay of sociopolitical factors that are rooted in historical, cultural, and power dynamics. The character of postcolonial studies is heterogenous and therefore, it is necessary to build one's own approach based on specific set of examples, emphasis and perspective for the context of each study (Loomba, 2005: 2-3). The theoretical framework of this thesis employs a multidimensional approach, drawing upon postcolonial approach, settler colonialism, and CDA, to analyze the underlying mechanisms and implications of Finland's decision to reject the reform of the SPA.

4.1 Postcolonial Approach

Postcolonial approach is a theory that critically examines society, describing the effects that colonialism has had and continues to have on the economic, cultural, social and psychological life of the peoples in former colonies, colonial powers, and in other parts of the world (Kuortti, 2007: 12). However, it does not historically limit to the processes of decolonization that have dismantled colonial structures, but it also critically examines the colonial period (*ibid.*). Postcolonial theory seeks to unveil meaningful uses of power and is therefore always politically motivated (*ibid.*). It draws attention to the neocolonial ways of shaping the new world order (*ibid.*). It also analyses the ways in which the colonial and imperial legacies are racist, gendered or politically, culturally and economically unequal (*ibid.*).

4.2 Settler Colonialism

Rather than a more classical understanding of colonialism, settler colonialism is used to understand the postcolonial theories as a permanent structure of power (Veracini, 2010: 6). Thus, settler colonialism distinguishes the 'post' from postcolonialism, meaning that there is nothing 'post' about colonialism. This is exemplified in the case of Finland, where settler colonialism seems to operate by eliminating the indigenous Sámi (*ibid.*; Wolfe, 2006: 387).

In the classical understanding of colonialism, the colonizing powers have promoted the

settlement in order to strengthen their grip onto the annexed territories (Wolfe, 1999: 1-2). The logic of settler colonialism functions differently: autonomous communities are essentially associated with a claim to sovereignty and the promise of development (ibid.). Additionally, settler colonialism requires a harmonized society whereas other types of colonialism are based on a hierarchy of difference (ibid.).

What is typical for settler colonialism – and different from colonialism in general - is the colonizer’s need to populate the interesting areas, intending to build a culture and administrative system according to the social norms of the majority population and displace those of the native population (Wolfe, 2006: 387-389). Settler colonialism is therefore not a project in which the conquerors are represented by a small elite and whose interests ensure administrative power to the conquerors (ibid.). Wolfe (1999: 2) describes settler colonialism as a structure that gradually transfers the social model, culture and population of the conquerors to the desired location. To achieve this, settler colonialism functions through the “logic of elimination”, which is based on obtaining and maintaining of land (Wolfe, 2006: 402). The aim of the logic is to minimize the national and cultural importance of the original inhabitants of the land, for example by assimilating and marginalizing them (ibid.: 402).

There is existing research in which the theory of settler colonialism has been applied to explain the relationship between the Sámi and the Finnish state. The prior research has been conducted from a historical viewpoint disclosing what has happened before rather than analyzing the present-day perspective on the SPA amendment. The aim of this research is not to examine historical events alone, but to investigate how the historical events have shaped the people in power to think and act in a way that the rights of the indigenous Sámi are still not realized. Therefore, settler colonialism alone is not enough to explain why the reform of the SPA is rejected. Based on the extensive review of prior information and research I have concluded that, in the context of the Finnish-Sámi relations, settler colonialism together with CDA is the most relevant theory also to explain the non-amendment of the SPA. I will consider how settler colonialism as one of the forms of colonial policy can explain the Finnish-Sámi relations and how it can be seen in the SPA process, and particularly how it explains the opposition of the SPA amendment.

Drawing from settler colonialism, the non-amendment of the SPA is analyzed in the context of

indigenous rights, identity and land claims. The rejection of the reform of the SPA represents the Sámi community's struggle for recognition and acknowledgment of their unique cultural identity and historical connection to the land. The non-amendment undermines these efforts, thereby perpetuating a history of dispossession and erasure.

4.3 Critical Discourse Analysis

CDA, further discussed in the following methodology chapter, explores the language, rhetoric, and narratives surrounding the non-amendment of the SPA reform. By dissecting the discursive strategies used by the Finnish government, it reveals how the rejection is framed, justified, and normalized. CDA allows to expose if power dynamics and hegemonic structures shape societal norms and decisions. Finland's rejection of the Sámi Parliament Act reform can be understood as an expression of hegemonic control exercised by the dominant Finnish state over the marginalized Sámi population. This perspective highlights how the non-amendment perpetuates a power imbalance that reinforces the primacy of the nation-state while subordinating Sámi demands for self-determination and autonomy. Moreover, the purpose of CDA is to unveil the possible ideological constructs that sustain the status quo and hinder the recognition of the Sámi rights.

4.4 Conclusion

The theoretical framework outlined here provides a comprehensive lens through which to analyze Finland's rejection of the reform of the SPA. By incorporating postcolonial approach, settler colonialism and CDA, this framework illuminates the multifaceted nature of the non-amendment, revealing the underlying power dynamics, historical legacies, and sociopolitical forces that shape this contentious decision. Through this analytical framework, a deeper understanding of the complexities surrounding the rejection emerges, paving the way for informed advocacy, dialogue, and potential pathways toward reconciliation and justice for the Sámi community.

5. Methodology

This research employs a qualitative research design to comprehensively investigate the reasons and implications behind Finland's rejection of the reform of the SPA. Qualitative research is deemed appropriate as it allows for an in-depth exploration of complex sociopolitical issues and the underlying dynamics involved (Creswell and Creswell, 2018). The thesis draws on multiple theoretical perspectives including CDA, postcolonial theory and settler colonialism to provide a holistic understanding of the opposition to the reform. This methodology chapter presents the qualitative research method, research paradigms, critical discourse analysis together with data collection, and ethics and limitations including the researcher's role.

5.1 Qualitative Research

This thesis follows a qualitative methodological approach (ibid.). Primary sources such as official government documents, parliamentary records, public statements, and media reports related to the rejection of the reform will be collected and analyzed (ibid.). This will give insights into the government's rationale, arguments, and framing of the rejection. This material will provide nuanced perspectives on the rejection and its implications, shedding light on underlying power dynamics, cultural contexts, and potential avenues for resolution. Literature related to historical Sámi-Finnish relations, indigenous rights and relevant legal frameworks will be reviewed to contextualize the rejection within a historical and sociopolitical continuum.

5.2 Research Paradigms

The material in this research is examined through critical discourse analysis. Discourse studies are usually underpinned by social constructionism, which rests on the assumption that knowledge is socially constructed through human activity, and that the use of language plays a key role in the process of creating meaning (Berger & Luckmann, 1987: 15-51). Theories and epistemological and ontological standpoints are of central importance to discourse analysis (Remes, 2004). This paper is based on emancipatory research, which aims to recognize the power imbalance and produce knowledge that can benefit disadvantaged people (Noel, 2016: 455). According to Groat and Wang (2013: 78-79), the foundational ontological assumptions of emancipatory research are: 1) that there are multiple realities and 2) that knowledge is not only created by the elite researcher or dominant group. Moreover, my epistemological worldview is based upon postcolonial theories and belief that knowledge is constructed and

contextualized (Loomba, 2005: 206). This is in line with discourse analysis, which is used to uncover social problems, and with the chosen theoretical framework to this research, as postcolonial theories seek to break down and acknowledge power imbalances (ibid.: 39; McEwan, 2019: 8). As the starting point for this thesis is now established with closely intertwined philosophical and theoretical standpoints, it follows a deductive research approach by building onto the established framework with the collected data.

5.3 Critical Discourse Analysis

I have decided to study three different MP's speeches in order to analyze the power structure between the Finnish politicians and Sámi people using critical discourse analysis. This method helps to understand connections the SPA reform opposing sides dialogue has to the earlier research. Sociopolitical approach is effective to break down how the discourse is influenced by society and culture. Drawing from CDA, the language and rhetoric used in the speeches will be critically examined to uncover underlying power relations, ideologies, and attempts at framing the reform in particular ways.

The analysis conducted in this research is based on framework of CDA proposed by Norman Fairclough. CDA sees discourse as a form of social practice, which implies a dialectical relationship between a discursive event and the situation, institution, and social structures around it (Fairclough and Wodak, 1997: 258). In other words, this means that discourse and these factors are in continuous interaction as they shape each other reciprocally (ibid.). This framework of analysis is exceptionally suitable for this research, because this thesis examines the relationship between power and knowledge, in order to uncover the underlying power relations between the Finnish state and the Sámi.

This Fairclough and Wodak's (1997: 271) view of CDA can be presented through eight principles. According to them, CDA stresses that language functions as a tool for making sense of particular problems in society and therefore, CDA addresses social problems (ibid.). They argue that CDA enables to study how discourses reproduce and change power relations in contemporary society (ibid.: 272-273). They claim that discourse constitutes society and culture because all discursive practice makes its contribution to reproducing or transforming them (ibid.: 273). Furthermore, the authors explain that ideologies that are ungrounded constructions of society are part of the discourse, which implies that discourse does ideological work (ibid.:

275). They underline that discourse is historical as it can only be fully understood in its particular context, such as culture, ideology and most importantly the historical past (ibid.: 276). Fairclough and Wodak (1997: 277) stress that CDA explores the connections between society and language and emphasize that the link between text and society is mediated rather than direct. Moreover, they underline that CDA is interpretative and explanatory, depending on the amount of context available and because each person may interpret the discourse in a different way (ibid.: 278). At last, they demonstrate discourse as a form of social action through an example of critical analysis on doctor-patient communication, through which became apparent that doctors use many strategies to dominate their clients (ibid.: 280). This led to guidelines for certain behavior patterns, which in the long term may contribute to changes in discourse (ibid.).

Fairclough (2003: 124) sees discourse as different perspectives of the world that are in relation with, for instance, one's social and personal identities. He explains that discourses not only represent the world as it is seen to be, but they function as projective, imaginaries representations of possible worlds (ibid.: 124). They differ from the actual world and are linked into projects intending to change the world to specific directions (ibid.: 124). This perception works as the foundation for the research question of why the Finnish state rejects the reform of the SPA.

CDA has a focus on the relationship between discourse and power. Fairclough (2001) claims that discourse is used to construct or maintain power structures in society. According to Fairclough (2001: 61) there is 'power in discourse' as well as 'power behind discourse'. He (ibid.: 41-49) explains that 'power in discourse' examines how power relationships are demonstrated through language. The idea of 'power behind discourse', instead, is focused on the power dynamics between the speakers. In other words, the former refers to how power relations are exercised in discourse, while the latter refers to how the power relations shape discourse.

Fairclough's view of language and power is based on Foucault's discourse theory. According to Foucault (1998), power and discourse are linked through knowledge. Foucault (1998) explains this as a vicious circle where knowledge enables power and power enables control of what is known and the way it is known. In other words, knowledge cannot be detached from power. Discourse can be seen as a way of representation of language in which knowledge is

represented and power exercised. Therefore, discourse is an action rather than just speech and discourse is knowledge that guides people's actions. Said (1978) has elaborated the link between knowledge and power in the relationships between colonizers and colonized. In his discussion of Orientalism, he explains that discourse i.e the way of knowing the 'Orient' is a way of maintaining power over it. This view of 'Orient' will be further exemplified in the analysis chapter of this paper.

Fairclough (1992: 73) presented a three-dimensional framework for discourse analysis where the aim is to map three separate stages of analysis: (1) description, concerns with the formal properties of text itself, (2) interpretation, which analyses how discourse is produced and distributed and then consumed, thus discourse is recognized as discursive practice, and (3) explanation, which examines the relationship between interaction and social context. According to Fairclough (1992: 72) the aim of this three-dimensional framework is to put together the tradition of linguistic analysis, the macrosociological tradition of analysing the relation between social practice and social structures, and microsociological analysis of seeing discourse as social practice.

According to Fairclough (1992: 73-78), the first step concerns the analysis of text itself and answer to questions of what is said and how is it said. This part of the analysis consists of the study of language structures produced in a discursive event. For Fairclough (1995: 57), the texts include the written and oral discourse, of which the latter may be just spoken as on radio or spoken and visual as on the television. Text analysis should concentrate on the analysis of vocabulary, grammar, and textual structures (Fairclough, 2001: 92-93). Vocabulary may be studied for example, through looking at wordings and their ideological significance, word meanings and possible metaphors (ibid.: 92). In grammar, the focus is on the specific clauses that build up the phrases in text (ibid.: 93). Finally, analysis of textual structures is done on the large-scale structure of text to understand how the text is structured to make it a whole (ibid.)

The second part of the analysis has to do with the relationship between text and interaction. The analysis of discursive practice consists of three essential steps that should be carefully analyzed: text production, text distribution, and text consumption (ibid.: 117). This is an interpretative action and it seeks to understand the text and discourse more broadly (ibid.). Understanding focuses on the meanings that the text and discourse represents in their contexts (ibid.:119). The

material is interpreted in situational, intertextual and social contexts, and the meanings are reflected both in the material and from material to the context (ibid.: 118). Interpretative analysis results in representations that informs us about the way in which a phenomenon is made through text and discourse (ibid.: 135).

The last part of the CDA is the sociocultural practice. According to Fairclough (2001: 135), “The objective of the stage of explanation is to portray a discourse as part of a social process, as a social practice, showing how it is determined by social structures, and what reproductive effects discourses can cumulatively have on those structures, sustaining them or changing them.” In this stage, the representations are questioned and placed in different frameworks of power and agency. This is particularly important when interpretative analysis reveals that some representations are dominant, as they were making other interpretations and alternatives impossible. Silent voices and discourses are highlighted, while the attempt is to break down what the previous stages of analysis seem to take for granted. The researcher’s approach is critical and emancipatory as the aim is to change the discourse, and even contribute to social change.

CDA places its methodology rather in the hermeneutic tradition and therefore, it is not set in stone how the selection of the empirical material should be done in CDA (Meyer, 2001: 24). According to Fairclough (1992: 227), the selection ought to be based on (1) the research problem, (2) the researcher’s knowledge of what is suiting and (3) whether or not you have access to the material. Therefore, a purposeful sampling is done, meaning that the researcher selects the participants that will best help to understand the problem and answer the research question (Creswell and Creswell, 2018). This will help to explore in-depth knowledge about the reasons why the reform of the SPA was rejected for the third time consecutively, where no other study concerning this particular case has been conducted before.

I will review the upcoming discourses concerning the SPA reform in relation to the existing literature presented in the background and research review chapters of this paper. After examining the referral debate material, I chose three most relevant speakers for this research, because this sample is enough to provide a full spectrum of the discourse raised by the opposing side of the SPA reform. Based on these speeches, I discovered two main discourses opposing the amendment. I developed them into two categories: (1) self-determination and (2) land

ownership rights, which I will unfold in the following analysis chapter. Including these themes, the discourse chosen will give an understanding of the power structure between the Finnish state and the Sámi.

5.4 Ethics and Limitations

Ethical considerations will be central throughout the research process (Creswell and Creswell, 2018). All the material used in this research is publicly available. The Parliament of Finland has been consulted on whether the document of the plenary debate can be used for research purposes. As it is, a public hearing can be used. The speeches from three different MP's in the referral debate will not be anonymized, because the speakers are politicians exercising public power and can, therefore, be criticized for what they say. The choice of speeches is not deliberately based on certain politicians of political parties, but in order to establish a full view of the reform opposing side and to be able to analyze historical and sociopolitical connections. The research will adhere to ethical guidelines regarding confidentiality, sensitivity to cultural issues, and respectful engagement with indigenous perspectives.

To understand limitations of this thesis I have thought of the scope and subjectivity of the matter. The scope of this research is to focus on Finland's rejection of the SPA reform and therefore may limit its ability to capture broader regional or global implications. There is no existing research conducted on the SPA reform and accordingly, this is the first time the specific postcolonial approach is applied to study the subject. Therefore, no comparison can be made between other research to see whether this approach is the most fitting one to study the rejection of the reform of the SPA. This can, however, work as an incentive for future research.

The interpretative character of CDA may introduce an element of subjectivity, especially during the analysis of material and theoretical synthesis. Therefore, it is crucial to mention my own biases and self-reflexing of being aware that I am a product of the white Finnish society that has not given me the proper information to understand the problems behind the Finnish-Sámi relations. I am not an indigenous person and this research is conducted from a non-indigenous perspective. In order to practice high objectivity and ensure from affecting the results with my personal assumptions, I have taken reflective notes about my own assumptions concerning the research subject during the whole research process (ibid.). My way of self-reflexivity stems

from my ontological and epistemological perspectives and that has helped me to critically interrogate myself throughout this research. Further, I will try to be transparent with my research procedure by explaining each step taken, for instance the data collection in my analysis.

6. Analysis

I examine two discovered discourses to oppose the SPA reform from the material in this analysis. The analysis is arranged in order for each chapter to present one of the two discourses and to understand the link between the two discourses opposing the reform of the SPA. At first, I establish an overview of the opposing discourse before showing a vaster analysis of its characteristics. Each chapter has subchapters to help answering the research question. The first subchapter answers the research question from the viewpoint of rejection of the reform in opposition of the right to self-determination of the Sámi, and the second subchapter answers question from the opposition of the right of land use of the Sámi.

CDA is an approach that examines how language is used to shape and reproduce power dynamics, ideologies, and social hierarchies (Fairclough and Wodak, 1997: 258). In the case of Finland's rejection of the SPA reform, CDA reveals underlying power relations, ideologies, and implications for the Sámi community.

The rejection of the SPA reform by Finland unveils a complex web of power dynamics and discursive strategies that perpetuate the marginalization of the Sámi people. This critical discourse analysis aims to dissect the linguistic and rhetorical mechanisms employed in the rejection process, shedding light on the underlying ideologies and power relations that hinder the recognition of Sámi rights and sovereignty. It is to be noted, that the material was in Finnish and I translated the speeches for this research. As a consequence, there may be slight differences in the nuances or tones.

6.1 A Plenary Debate as Empirical Material

I argue that in order to understand why the SPA reform was rejected again, the use of the most recent material available is crucial. Furthermore, the foundation of argumentation has been similar throughout the entire SPA process, which makes the selected document a valid source of analysis. Therefore, the empirical material used in this research consists of the speeches in the minutes of the last referral debate on government's proposal to amend the SPA (Pöytäkirjan asiakohta PTK 128/2022 vp). At the beginning of this referral debate, the Speaker's Council proposed referring the matter to the Constitutional Committee (ibid.). In the debate, Heikki Autto supported by Katri Kulmuni proposed against the proposal of the Speaker's Council, the

matter to be referred to the Constitutional Committee, to which the Committee on Agriculture and Forestry, the Committee on Economic Affairs and the Committee on Employment and Equal Opportunities should give an opinion (ibid.). Eventually, Autto's proposal of proceeding was accepted on November 25, 2022 (Pöytäkirjan asiakohta PTK 130/2022 vp). The referral debate under analysis took place in a plenary session held on November 23, 2022, at 14.02-22.34 (Pöytäkirjan asiakohta PTK 128/2022 vp). The minutes of the debate are publicly available on the parliament's webpage. The debate consists of 31 speeches from 15 MPs representing 7 different political parties (ibid.). The debate lasted for 2 hours and 1 minute, and the speeches take up 27 pages of the pdf file of the plenary session (ibid.).

Parliament's task of enacting legislation always begins with a referral debate, which is held during a plenary session (Eduskunta, 2023). The task of the referral debate is not to decide on the content of the act, but to introduce the matter (ibid.). Following the debate, the plenary session decides, upon a proposal by the Speaker's Council, to which committee the matter is sent (ibid.). After the committee reading, the law proposal will be discussed in two parliament's plenary sessions (ibid.). The special committee's report will form the basis for the two debates. The first session will decide on the content of the proposed law, whereas the second session only decides on the adoption or rejection of the proposed law meaning that the content of the Act can no longer be interfered with at this stage (ibid.).

At the time of the referral debate, the parliament consisted of 10 political parties. The prime minister, Sanna Marin's party The Social Democratic Party of Finland, formed the government together with the Centre Party, the Green League, the Left Alliance, and the Swedish People's Party of Finland (Valtioneuvosto, 2023). The opposition consisted of the Finns Party, the National Coalition Party, the Christian Democrats of Finland, Movement Now and Power Belongs to the People (ibid.). The party with the most seats in parliament was The Social Democratic Party of Finland (ibid.). The parties that did not participate in the particular referral debate were the Left Alliance, the Christian Democrats of Finland and Movement Now (Pöytäkirjan asiakohta PTK 128/2022 vp).

As the law proposal never made it to the second plenary session for a vote, the political parties did not have to take an official stance to the question (Koivisto, 2023). According to my research, only the Centre Party has taken an official stance to openly oppose the amendment

(Paananen, 2022). Therefore, the analysis will not be based on the stance of the political parties, but the units of analysis will be speeches of three individual MPs. However, this research is not an analysis of individual MPs' opinions, but an investigation of the reasons why the Finnish government did not adopt the reform of the SPA. I acknowledge that each speech represents the opinion of an individual MP and therefore, they may not be generalized to represent the government as a whole. However, they are selected as to represent and give an understanding of the reasons behind the rejection of the SPA reform, rather than a general opinion of the government and to show the variety of the rationale behind opposing the reform.

6.2 Right to Self-determination of the Sámi

The first of the two most prominent SPA reform opposing discourses in the referral debate builds on the idea that the definition of the Sámi is wrongfully stated in the reform and therefore reform is not needed as it would challenge the current definition of Sámi in the valid SPA. The rejection of the reform of the SPA is embedded within a dominant discourse that emphasizes ultimately the primacy of the Finnish nation-state and its governmental functions to 'know better' than the international counterparts. The MP's framing of the rejection as a matter of identity obscures the deeper issue of Sámi self-determination and commits to the idea of the state as a 'father' knowing better than the Sámi themselves. In addition, the MP's use of power discourse in which a national State Office of the Chancellor of Justice opposition is seen worthy enough to be noted in the speech, even at the same time the UN Human Rights Council claims are left unnoted, is an example of trying to legitimate the MP's own idealism.

“The reform proposal contains a number of problem areas. The deepest of these is Section 3 of the reform Act, which is being narrowed down by the proposal of the Ministry of Justice by removing the so-called Lapp' criterion from it. For example, the Office of the Chancellor of Justice has opposed the proposal.” (Representative Kärnä)

By positioning the Sámi rights as secondary to the national interest, this framing marginalizes the Sámi community and reinforces the hegemonic power of the state. The discourse surrounding the rejection employs subtle linguistic tactics to undermine the Sámi identity and their historical claims. The deliberate use of vague terms and statements like “can be easily thrown” and “does not take anything away from anyone” minimizes the significance of Sámi

sovereignty and claims. By employing such language, the Finnish MP's depoliticizes the issue, thereby sidelining the Sámi struggle for recognition and autonomy. Further reaffirming what Said (1978) has elaborated in his discussion in the way of knowing the 'Orient' is a way of maintaining power over it. The MP 'steps over' the ILO Convention 169 criteria on Indigenous and Tribal Peoples and claims to have better knowledge.

"The Forest Sámi can be easily thrown into the framework of the ILO Convention criteria on Indigenous Peoples, because the origin of the families and traditional livelihoods have been preserved and are known. In other words, they represent the oldest Sámi population in Finland." (Representative Turtiainen)

"In its current form, the Act ensures that the voice of the Forest Sámi is heard in courts, and it does not take anything away from anyone." (Representative Turtiainen)

6.3 Right of Land Use of the Sámi

The second of the two most prominent SPA reform opposing discourses in the discussion builds on the idea that the reform is not needed because the SPA in place already guarantees the right to use of land for the Sámi and that the Sámi already have the power to decide on the use of land. Economic considerations underpin the rejection discourse, with the Finnish government subtly prioritizing resource extraction and economic development over Sámi rights. The discourse indirectly constructs the reform of the Sámi Parliament Act as a potential hindrance to economic progress, portraying the Sámi demands for self-governance as incompatible with national economic interests. This framing reinforces a narrative where the Sámi community is cast to have power in land use and "the right of veto" over decisions of the Finnish state in Sámi areas, further perpetuating their marginalization and spreading disinformation on the matter.

"Based on the right of veto, the Sámi Parliament has great power in land use issues." (Representative Turtiainen)

The composition of voices and perspectives in the discourse surrounding the rejection is carefully curated to maintain the dominance of the state's narrative. The exclusion of Sámi voices from the decision-making process reinforces the hierarchical power structure, casting the Sámi people as passive recipients rather than active participants in shaping their own

destinies. This selective inclusion perpetuates the illusion of inclusivity while maintaining the status quo of Sámi marginalization. The MP's discourse also reveals the connection between the Sámi Parliament, the state's need for governing the definition of Sámi, and the decisions of right of land use.

“It should not be possible to invoke the right to self-determination in cases of discrimination and infringements of rights. The Sámi Parliament has administrative powers, and the Finnish authorities have a duty to cooperate and negotiate with the Sámi Parliament in land use matters in the Sámi areas.” (Representative Turtiainen)

“The main controversies relate to the definition of the Sámi. This definition is essential not only for recognition, but also, for example, for reasons relating to different types of land ownership.” (Representative Purra)

6.3.1 Link between the Definition of Sámi and Right of Land Use of the Sámi

Definition of Sámi has a link between the decisions of land use because if the Sámi Parliament would in fact have power in land use the definition of Sámi will decide who has the power to be part of the decision making in the Sámi Parliament. It is important to represent the link between the definition and power of land use in order to further understand the reform opposing discourse.

7. Discussion

The discussion will unpack Finland's rejection of the reform of the Sámi Parliament Act. The rejection of the reform of the SPA by Finland is a complex and multifaceted issue that reflects deeper sociopolitical dynamics, historical contexts, and power struggles. This discussion delves into the key dimensions surrounding this rejection, highlighting its implications for indigenous rights, the Sámi community, and the broader discourse on self-determination and sovereignty.

Finland's rejection of the reform of the SPA raises fundamental questions about indigenous rights and recognition in Finland and places the internationally recognized image of Finland in doubt. The reform represents the Sámi people's aspirations for self-governance, cultural preservation, and participation in decisions affecting their lives. The rejection, however, underscores the challenge many indigenous communities face in attaining genuine recognition of their right for self-determination within nation-states. It prompts us to critically assess whether existing legal and administrative frameworks adequately protect and promote indigenous interests or perpetuate marginalization.

Through a critical lens, we have witnessed how the rejection of the reform of the SPA is not merely a legal or administrative decision, but a manifestation of deeper power dynamics. The dominance of the Finnish nation-state is reaffirmed through discursive strategies that prioritize power over the Sámi self-determination and economic interests. These narratives marginalize the Sámi community and their struggle for self-determination, illustrating the enduring influence of colonial histories.

To understand the rejection fully, it is essential to consider the historical context and colonial legacy that continue to shape the Finnish-Sámi relationship. The imposition of Finnish cultural norms, land dispossession, and assimilation policies have deeply impacted the Sámi community. Postcolonial insights further illuminate the lasting impact of historical colonization on contemporary interactions between states and indigenous communities. The rejection underscores the challenge of navigating the complexities of identity and sovereignty within the framework of a dominant nation-state. The Sámi people's fight for recognition, land rights, and cultural preservation is hindered by an overarching system that privileges the interests of the majority culture.

Incorporating settler colonialism, we recognize that the SPA reform rejection is part of a broader indigenous rights discourse. The reform of the SPA symbolizes the Sámi people's quest for acknowledgment, representation, and the ability to shape their own destiny. Its rejection perpetuates a narrative of dispossession and challenges the inherent rights of indigenous communities to govern themselves and protect their cultural heritage.

At its core, the rejection reflects power dynamics and cultural hegemony. The dominant Finnish state's reluctance to grant the Sámi people autonomous governance speaks to a broader challenge in redefining power relations. The rejection reinforces the status quo of a centralized authority that may be unwilling to share decision-making power or to acknowledge the validity of diverse cultural and governance models.

The rejection of the SPA reform has implications for the broader discourse on self-determination. It raises questions about the limits of state sovereignty and the extent to which the indigenous Sámi can exercise meaningful self-governance within nation-states. The rejection underscores the tension between indigenous autonomy and the political realities of maintaining territorial integrity and administrative efficiency. The rejection serves as a catalyst for advocacy and activism. It highlights the need for ongoing dialogue, negotiation, and collaboration between the Sámi community and the Finnish state. While the rejection may represent a setback, it also underscores the importance of resilience and continued efforts to push for policy changes that align with international indigenous rights frameworks and principles.

The rejection of the SPA is not an isolated incident. It resonates with similar struggles faced by the Sámi community in Norway and Sweden. The rejection provides an opportunity for global solidarity and learning. Amidst these complexities, it becomes evident that the rejection is not a standalone incident but an outcome of systemic and deeply rooted issues. The discourse surrounding the rejection reflects the broader struggle for equity, justice, and the decolonization of indigenous lands and minds. It demands a reevaluation of policies, a reimagining of identities, and a willingness to engage in meaningful dialogue and collaboration.

Ultimately, the rejection of the reform of the SPA serves as a call to action to deconstruct the barriers that uphold existing power dynamics, to challenge the normalization of cultural

hegemony, and to work towards a more inclusive, just, and equitable society. While the rejection may represent a setback, it also sparks a conversation, a reminder that the fight for indigenous rights and recognition is ongoing and essential for a more harmonious and balanced world. The rejection of the SPA reform by Finland serves as a poignant reminder of the intricate interplay between power, identity, historical legacies, and sociopolitical dynamics. This research has endeavored to dissect the multifaceted layers underlying this rejection, shedding light on the complexities that shape the Finnish-Sámi relationship.

This research has, with a postcolonial approach, opened a new research topic regarding the Finnish-Sámi relationship. There is still a need to hear the Sámi voice and their experiences of the Finnish non-amendment of the SPA. Engaging the Sámi in the discussion would provide a wider understanding of the issue from the indigenous perspective that for many non-indigenous people seems to be unknown. This would finally create a space for the Sámi to be heard and create a better opportunity for accurate information and change of system.

8. Conclusion

The postcolonial approach together with the critical discourse analysis of Finland's rejection of the reform of the Sámi Parliament Act reveals a multifaceted web of power dynamics, linguistic strategies, and ideological constructs that perpetuate the marginalization of the Sámi community. By dissecting the dominant discourses, language suppression, economic motivations, and selective representation, it becomes evident that the rejection is a manifestation of a broader systemic issue. This thesis underscores the urgent need to challenge and reshape the discursive landscape, advocating for the recognition of Sámi rights, autonomy, and self-determination within the Finnish nation-state.

In conclusion, the Finnish state, despite an otherwise strong commitment to human rights, rejects the Sámi Parliament Act reform including right to self-determination of Sámi contrary to Finland's reputation and international image. There is no singular simple reason behind the rejection of the reform, rather the causes behind the rejection form a complex web of political play, power structures, colonial history and economic interests, inside the Finnish domestic arena. I argue that the rejection reveals that in the matter of the Sámi, Finland is not worthy of its international reputation and by continuing to suppress the Sámi people, the Finnish state is unable to account to the standards it holds in the international human rights arena.

This research has contributed to dismantling the power relations in which the indigenous Sámi have vis-à-vis the Finnish state. The oppression of the Sámi will not end only with a change of attitudes, but with knowledge and understanding of the power that the Finnish state has over the Sámi, and by amending the Sámi Parliament Act. Replacing assumptions and prejudices with correct information about the Sámi people is the first step in ending the colonial practices and obtaining justice. This thesis hopes to perform as a catalyst for future research by unraveling the power structures and contributing a critical lens of decolonizing information.

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