

# Threats to the Freedom of Speech of the Indigenous People Sámi in Finland

MSc Dissertation submitted to the Department of Media and Communications, London School of Economics, in August 2017, in partial fulfilment of the requirements of the MSc in Media and Communications

Ms Pirita Näkkäläjärvi  
pirita (a) alumni.lse.ac.uk

*Table of Contents*

Abstract ..... 3

Introduction ..... 4

Literature Review ..... 6

    Freedom of Speech ..... 6

    Threats to Freedom of Speech ..... 8

    Freedom of Speech and Equality ..... 10

    Indigenous Peoples’ Rights and Freedom of Speech ..... 11

    Indigenous Peoples’ Rights and Equality ..... 13

    Indigenous People Sámi in Finland ..... 14

    Conceptual Framework ..... 15

    Objectives of Research and Research Question ..... 16

Research Design and Methodology ..... 17

    Semi-Structured Interviews and Thematic Analysis ..... 17

    Pilot ..... 17

    Interview Guide ..... 18

    Sampling ..... 18

    Conducting Interviews ..... 19

    Coding ..... 20

    Ethical Issues ..... 20

Results ..... 22

    Silencing ..... 22

    Subordination ..... 25

    Delegitimisation ..... 27

    Disinformation ..... 29

    Epistemicide ..... 31

Conclusions ..... 35

Acknowledgements ..... 37

Notes ..... 38

Bibliography ..... 39

Appendix 1: Consent Form ..... 43

Appendix 2: Interview Guide ..... 45

Appendix 3: One Full Interview Transcript ..... 48

## *Abstract*

This MSc Dissertation explores how the freedom of speech of the indigenous people Sámi in Finland is threatened. Fifteen users of Sámi freedom of speech in Finland – activists, artists and politicians – were interviewed. Based on inductive thematic analysis of the interview transcripts, five threats to Sámi freedom of speech in Finland were identified: silencing, subordination, delegitimisation, disinformation and epistemicide. No generalisations can be made based on a qualitative interview research, but the results suggest that there are grounds for concern about the freedom of speech of the indigenous people Sámi in Finland.

The significance of the findings is that the threats identified undermine the classical justifications for freedom of speech: the democracy, truth, self-fulfilment and diversity arguments. They also violate the values underlying freedom of speech, including the right to equality and non-discrimination. The right to equality extends also to indigenous peoples after a recent paradigm shift in international law. Thus, any violations of the equality and the freedom of speech of indigenous peoples become a serious societal issue. The results of this dissertation suggest that although the constitution of Finland and international law formally grant the Sámi freedom of speech, the Finnish state has not paid enough attention to ensure that the freedom of the speech of the indigenous people Sámi is fully realised in Finland.

Freedom of speech of the indigenous peoples has attracted only little academic interest. A key theoretical contribution of this dissertation is to establish a link between the literature on freedom of speech and indigenous peoples' rights through the concept of equality. The most important empirical contribution is to raise awareness about the deep foundational and epistemological differences between the indigenous people Sámi and the dominant Finnish population.

Key words: MSc Dissertation, freedom of speech, Sámi, Finland, indigenous peoples, equality

## ***Introduction***

The topic of this MSc Dissertation is the freedom of speech of the indigenous people Sámi in Finland. The Sámi are the only legally recognised indigenous people in the EU. The Sámi homeland, *Sápmi*, stretches across the northern parts of Norway, Sweden, Finland and Russia. There are about 100,000 Sámi; 10,000 in Finland.

My dissertation was inspired by the work of Professor Matthias Åhrén (2016). He has an elegant way of deriving indigenous land rights from equality. The beauty of the argument is that it uses only the fundamental concept of equality to justify indigenous rights. No need to get lost in the weeds of legal and micro-history. I wanted to try and explore the relationship between a fundamental concept in Media and Communications – freedom of speech – and indigenous rights.

In my previous job I have witnessed how the ability of the Sámi to use their freedom of speech has deteriorated in Finland. The Arctic, home of the Sámi, is rich with natural resources and thus a target of increasing political and economic interests. Consequently, the pressure on politically active Sámi has also increased. There are also attempts to silence Sámi media in Finland. Independent media giving voice to the indigenous people Sámi is considered a dangerous and destabilising force by some members of the dominant population.

Indigenous and insider research like this dissertation – both I and the interviewees are Sámi – is inherently political and requires constant reflexivity (Smith, 2002:4;137; Hammersley, 2013:44). However, insider research has been made more acceptable by feminist and critical schools that take interventionist, emancipatory approaches. I lean on feminist theories also in the theoretical development of my argument. I hope that my dissertation can contribute to the indigenous constructionism and defending of marginalised knowledge (Hammersley, 2013:44). A contribution of this dissertation is to provide an insider view on the lived experience of vocal Sámi persons in Finland in 2017. Year 2017 is the year when Finns celebrate their 100<sup>th</sup> Independence Day *and* the Sámi celebrate their 100<sup>th</sup> jubilee marking the beginning of the Nordic Sámi political cooperation. Year 2017 is also the year when Prime Minister Sipilä's government is preparing to start a truth and reconciliation commission between the Sámi and the Finnish people.

I hope that this dissertation can contribute to the understanding of the fact that indigenous peoples, also the Sámi, 'do not just constitute distinct cultures, but they form entirely distinct forms of culture, distinct 'civilisations', rooted in premodern way of life' (Kymlicka, 2001:128–129). Without the appreciation of the epistemological and 'foundational' differences (Garton Ash, 2016:98) of the Finns and the Sámi, also truth and reconciliation cannot succeed.

Both freedom of speech and indigenous rights are wide topics, so many key debates are beyond the scope of this dissertation. Thus, topics such as censorship, protection of free speech around the world, the harm principle, role of state, ways to combat hate speech as well as the definition of indigenous peoples, collective vs. individual rights and Sámi press freedom do not get the attention that they would deserve. Also, the legal aspects of freedom of speech and indigenous peoples' rights are beyond the scope of this Media and Communications dissertation. However, key definitions and instruments are discussed throughout to tie the dissertation to a wider context of participation of the indigenous peoples in the political decision-making in contemporary democracies.

## ***Literature Review***

The objective of this literature review is to bring together literature on freedom of speech and on indigenous peoples' rights.

### **Freedom of Speech**

Freedom of speech stems from the liberal intellectual tradition 'concerned with the relationship between the principles of democracy and ideas of individualism and individual rights' (Steel, 2012:9–10; Koltay, 2013:77). The definition of freedom of speech used in this dissertation is the one in the European Convention on Human Rights.

Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. (Oetheimer, 2007:6)

Freedom of speech also includes the rights of the listener (Garton Ash, 2016:74–75). By hearing others' competing arguments, individuals are able to choose the lifestyle that makes them happiest (Levin, 2010:14).

Freedom of speech is considered so central to our democratic institutions, that a strong justification – such as the interest of national security or prevention of disorder – is required to curb free expression (Oetheimer, 2007:7; Steel, 2012:7).

Although freedom of speech is a universal human right (Garton Ash, 2016:120), different countries take a variety of approaches to issues involving expression (Saunders, 2017:367), most notably hate speech. The US comes closer than other countries to absolute protection of free speech (Saunders, 2017:9). At the other end of the spectrum stands Germany as a 'particularly strong supporter of codes banning hate speech' (Saunders, 2017:76–77). Most democracies regard freedom of expression as the most essential freedom 'upon which all others depend' (Garton Ash, 2016:119), but the German Basic Law regards 'inviolable' human dignity as the most important constitutional value (Saunders, 2017:77–78).

### ***Arguments for Freedom of Speech***

There are three major philosophical arguments or classical justifications for freedom of speech: 1) democracy, participation and government, 2) truth and knowledge, and 3) individualistic justifications and self-fulfilment.

First, freedom of speech is essential to democracy, because without it the citizen is unable to come to an informed view as to the direction in which government should proceed (Saunders,

2017:1). In the purest form of a legitimate government, each citizen has an equal voice, then equal vote (Garton Ash, 2016:77;120). This right to participation justifies especially the protection of political speech (Saunders, 2017:3).

Second, the truth argument is historically the most durable argument for free speech (Barendt cited in Steel, 2012:19). Especially in the the US, the truth argument has been characterised by the metaphor of the marketplace of ideas (Garton Ash, 2016:75). Free speech enables us to find truth or at least to get as close as humanly possible to the truth (Garton Ash, 2016:75;119). According to John Stuart Mill's *On Liberty*, 'free exchange of ideas would result both in our coming more quickly to the truth of any disputed matter and in our more fully understanding the grounds of true opinion' (Golash, 2010:xvii). Freedom of speech also advances knowledge (Saunders, 2017:5).

Even false opinions have value in leading to a deeper understanding (Saunders, 2017:5). Thus, even offensive speech should be protected – with caveats against incitement and hate speech – because 'a suppressed opinion may turn out to be true and that, even if not altogether true, it may yet contain some grain of truth' (Steel, 2012:8; Garton Ash, 2016:75). Finally, freedom of expression is also seen to facilitate the development of critical thinking through the 'enterprise of sorting true from false' (Mill cited in Levin, 2010:57–58).

Third, freedom of speech is also essential for self-fulfilment: 'to realise our full individual humanity', 'to be fully ourselves' and to develop to one's fullest capabilities (Steel, 2012:20–21; Garton Ash, 2016:73–74). It is the basis of individual autonomy, freedom and happiness (Koltay, 2013:14).

One of the key debates in freedom of speech concerns the collusion of negative and positive liberties (Steel, 2012:21–22). Negative liberty is freedom *from* harm, for example freedom from intimidation, freedom from persecution or arbitrary sanction from the state (Steel, 2012:21). Positive liberty, or freedom *to*, emphasises one's own agency and autonomy to see, hear and do what one likes (Steel, 2012:21). The classic solution to the collusion is offered by Mill: the only time that state should interfere with the freedom of expression is when there is a risk of physical assault or imminent harm to an individual or their property (Steel, 2012:22).

The three classic justifications are augmented with other arguments. For example, it is argued that in 'our emerging cosmopolis' in the connected world, freedom of speech helps us to live with diversity (Garton Ash, 2016:78).

### *Critique of Classic Arguments*

First, the democracy argument is challenged by the view that freedom of speech enables hate speech, which in turn undermines democracy, human dignity and the principle of equal treatment (Koltay, 2013:17; Garton Ash, 2016:217; Saunders, 2017:73). Hate speech is most often used about racial, ethnic or religious epithets, but it may also refer to demonstrably false empirical claims (such as Holocaust denial); incitement to hatred or violence; and the creation of hostile social environment – all in regard to gender, racial, ethnic, or religious groups (Lee, 2010:22).

Second, the key criticism of the truth argument concerns the ‘irresistible’ metaphor of the marketplace of ideas (Schonsheck, 2010:27). It is reminded that marketplace for *goods* is riddled with friction, market failures and negative externalities, that justify government intervention (Lee, 2010:20). In the marketplace of *ideas*, hate speech can be considered such a negative externality, that also justifies restriction to free speech (Lee, 2010:20–21;23).

Third, the placing of individual in the centre is criticised for not sufficiently emphasizing the interests of the community (Koltay, 2013:16). However, individual’s right to freedom of speech has a built-in collective dimension. Freedom of speech, while attributed to individuals, is exercised in community with others, providing protection for ‘group life’ (Kymlicka, 2001:71). Freedom of speech includes the right of the individual to participate in building the entire culture (Saunders, 2017:3). Freedom of speech is ‘a general social good’ and an instrument that serves making common societal decisions (Steel, 2012:8; Koltay, 2013:8–9). For Mill, ‘benefits to the individual are always tied to benefits to the culture as a whole’ and they reinforce each other (Levin, 2010:51). When liberty is protected, individuality flourishes, diversity arises and competing visions of the good life can be assessed (Levin, 2010:51).

### **Threats to Freedom of Speech**

Based on the literature review, there are five major threats to freedom of speech: three classical concerns and two that deal with women’s and minorities’ right to equality.

The first threat to freedom of speech is state interference. On the classical liberal view, constitutional rights should protect individuals from interference of liberties by the state, because governments abuse their powers and are naturally tempted to limit dissenting speech (Barendt, 2007:38; Levin, 2010:1). Thus it is argued, that the best way to promote equality is that all citizens receive ‘neutral concern’ from the state (Levin, 2010:9).

The second traditional liberal threat is fear of censorship (Levin, 2010:5). So strong is the fear that some argue that



if we must make the choice between liberty and equality [...] we should have to choose liberty because the alternative would be the despotism of thought police. (Dworkin, 1997 quoted in Levin, 2010:94)

However, censorship is not only something practised by authoritarian states but can operate as a threat from within open liberal democratic societies, for example in periods of national crisis (Steel, 2012:2;153).

Third, in reality, freedom of speech is constrained by private powers, for example commercial media and the financing of political campaigns especially in the US (Garton Ash, 2016:121). Thus, the notion that open debate necessarily leads to the truth is challenged, because the market of ideas is not absolutely free and because there are forces, which are capable of operating against the truth (Koltay, 2013:5;7).

The fourth threat, subordination, originates from the feminist theorists' critique of pornography (MacKinnon, 2003:205; Levin, 2010:62–63). The idea is that certain type of speech (pornography) represents subordination of a group (women). That speech perpetuates the subordination by dominant culture, ranks the group as inferior, legitimises discrimination against them, deprives them of certain powers and interferes with their range of options in life (Levin, 2010:63).

The subordination argument can be expanded from pornography to stereotypical or racist representations. They can amount to discrimination (Garton Ash, 2016:217). In New Zealand, an aboriginal activist brought civil action against a comedian, whose character King Billy Cokebottle portrayed aboriginals as rude, stupid, unable to pronounce longer words, unable to speak English properly, dirty, ill-educated, always drinking and always swearing (Saunders, 2017:85). The complaint (who lost the case), considered this portrayal to hold aboriginal people up to ridicule (Saunders, 2017:85).

The fifth threat is silencing, also developed by feminist and critical race theorists (Lawrence, 1993:79; Levin, 2010:62). The silencing argument directly challenges the liberal view of freedom of speech that holds that the best way to combat false speech is with rebuttal speech (Levin, 2010:62). The argument builds on Mill's ideas of utility and diversity of lifestyle. The central claims are that hate speech reduces the maximum total amount of speech that reaches the market, it reduces the utility of freedom of speech by taking speech of women and minorities out of the marketplace of ideas in advance, and it compromises the diversity central to flourishing of the society (Lawrence, 1993:79; Levin, 2010:65).

Silencing happens, first, because hate speech silences the subsequent speech (Levin, 2010:87). The racist or sexist speech has 'a chilling effect' that is so powerful as to entail that women and

minorities will not even attempt to rebut it out of fear, disenfranchisement or cynicism, or because their attempted rebuttals will be wholly ignored or profoundly misunderstood by the dominant culture (Levin, 2010:87). Silencing also happens because speech is discounted and devalued due to an alleged inferiority because of their race, gender or sexuality (Levin, 2010:68). Regardless of their intrinsic value, the words and ideas of minorities become less salable in the marketplace of ideas (Lawrence, 1993:79). Finally, self-censorship caused by fear is one form of silencing (Weihe, 2017:15). It is seen as a big threat against freedom of speech, because fear is ‘uncontrolled and has no clear boundaries’ (Weihe, 2017:15).

### **Freedom of Speech and Equality**

To conclude the chapter on free speech, discussion is expanded from the instrumental value of freedom of speech to the values underlying freedom of speech. Levin’s (2010:1–6) argument is especially relevant to for this dissertation. She raises equality at the forefront of the debate. Similar approach can be seen by Richards (1999:126), who speaks about free speech as remedy for structural injustice, such as racism.

Levin (2010:1–7) challenges the common notion that neutral facilitation of the marketplace of ideas by the liberal state can be interchanged with equality. She argues that neutrality in fact promotes oppression, not equality (Levin, 2010:1–2). Levin (2010:8) sees that the marketplace of ideas is not operating as envisioned by the classical liberal theorists and that it is not anymore a place where diverse views are considered openly and in a spirit of genuine inquiry. Instead, culturally oppressive speech has become dominant and it has convinced, that women and minorities have inferior moral worth (Levin 2010:1–2). Consequently, their voices are not heard. This way, culturally oppressive speech violates women’s and minorities’ right to liberty and equality, and precludes them from having access to the mechanism of free speech to formulate and realise their conception of good life (Levin, 2010:8).

There are similarities between Levin’s argumentation and the analysis of the flaws in the concept of public sphere (Dahlberg, 2014). It is argued that the Habermasian rational-critical deliberation – inclusive, reasoned, reciprocal, reflexive, sincere, and coercion-free argumentation – is not working because both “legitimate” “undemocratic” elements and “illegitimate” elements get excluded (Dahlberg, 2014:21;27–28). One of the reasons for the exclusion is strategic manipulation, including bribes, threats, or violence (Habermas, 1996 cited in Dahlberg, 2014: 27–28).

## **Indigenous Peoples' Rights and Freedom of Speech**

Next I will explore the role of freedom of speech in the literature about indigenous peoples' rights.

### *Indigenous Peoples' Rights*

Indigenous peoples have only recently emerged as international legal subjects, and consequently there is still no formal definition for indigenous peoples (Åhrén, 2016:143). However, there is a general understanding of which *groups* constitute indigenous *peoples* for international legal purposes<sup>1</sup> (Åhrén, 2016:143).

Indigenous peoples' rights have leapfrogged with the development of the ILO Convention 169 on Indigenous and Tribal Peoples (later ILO 169) in 1989 and the adoption of the UN Declaration on the Rights of Indigenous Peoples (later UNDRIP) in 2007 (Anaya, 2009:133; Åhrén, 2016:101). ILO 169 is an international treaty binding on the states that are parties to it, but the UNDRIP is as a declaration and thus not binding on the UN member states (Swepston, 2009:143; Burger, 2011:55).

Indigenous cultures have maintained a collective nature. Collective rights are a requisite for the existence of indigenous peoples as collectives (Fitzmaurice, 2011:539; Åhrén, 2016:127-128). According to the UNDRIP, indigenous peoples have individual *and* collective rights (Fitzmaurice, 2011:536). When the rights are in conflict, they must be weighed against one another, and only fundamental individual rights automatically take precedent over collective rights (Åhrén, 2016:129).

### *Self-determination and land rights*

The literature on indigenous peoples' rights is focused on self-determination and land rights (Anaya, 1996; Lâm, 2000; Kymlicka, 2001; Ivison et al., 2002; Anaya, 2009; Allen and Xanthaki, 2011; Burger, 2011; Graber et al., 2012; Pulitano, 2012; Gilbert, 2014; Tobin, 2014 and Åhrén, 2016), because 'undoubtedly, the most important issue for indigenous peoples remains the right to self-determination' (Allen and Xanthaki, 2011:5), and because land rights are vital for indigenous peoples' 'survival as distinct peoples' (Tobin, 2014:141).

Self-determination is important to remedy past wrongs caused by the 500 years of colonialism (Kymlicka, 2001:128–129). Colonial states dispossessed indigenous peoples of their lands, dismantled their authorities and effectively denied them their right to self-determination (Burger, 2011:43). With the renewed self-determination, indigenous peoples want to roll back

---

<sup>1</sup> The most relied upon working-definition is the so-called Cobo-definition (Åhrén, 2016:143–144).

the ‘inequities lingering from historical patterns and defeat the contemporary barriers’ to flourishing as distinct communities (Anaya, 2009:2). Indigenous peoples do not seek secession, but a degree of self-government (Pulitano, 2012:9) exercised through their own political institutions that allow the development of societies ‘with respect for distinct cultural characteristics’ (Anaya cited in Åhrén, 2016:115).

Land rights are crucial to indigenous peoples because their daily subsistence, development and well-being are ‘intertwined with the natural environment and biodiversity’ (Tobin, 2014:120). Indigenous peoples have a ‘special social, cultural and spiritual relationship’ with their traditional land and waters (Tobin, 2014:101–102). Natural resource exploitation is the single biggest threat to the existence of indigenous peoples around the world (Tobin, 2014:120). States and industries continue to place ‘overwhelming pressures’ by the exploitation of oil, gas, mineral, fisheries, forestry and freshwater resources (Tobin, 2014:120). Securing land rights is central to the indigenous rights as a whole (Tobin, 2014:101–102).

### *Paradigm Shift*

The demands of indigenous peoples seek to modify the traditional notions of self-determination and land rights (Kymlicka, 2001: 124–125; Åhrén, 2016:1). Indeed, a paradigm shift in international law has taken place (Åhrén, 2016). Despite the hesitance of some legal scholars, indigenous peoples are now recognised as peoples for international legal purposes with peoples’ rights as such, for example a right to self-determination (Åhrén, 2016:113;116;118–119).

In the state–individual dichotomy that the classical international legal system advocated, there was no room for indigenous peoples (Åhrén, 2016:81). Traditionally the right to self-determination has been interpreted to include the right to form one’s own state (Kymlicka, 2001:123). The so-called salt-water thesis has limited the scope of the right to independence to peoples subject to colonisation from overseas (Kymlicka, 2001:123). This is however unjustified, because ‘internal national minorities can be just as oppressed, and just as in need of self-determination, as overseas colonies’ (Kymlicka, 2001:124).

The two key demands of self-determination and land rights are addressed in the key instruments: the UNDRIP proclaims that indigenous peoples have the right to self-determination, and *both* the UNDRIP *and* the ILO 169 recognise the collective rights of indigenous peoples to land, natural resources and the environment (Fitzmaurice, 2011:537; Åhrén, 2016:101). However, indigenous peoples continue to struggle against the structure of domination as a whole as well as the struggle within the structure of domination with the aim of transforming it from within (Tully, 2002:50).

### *Indigenous Peoples' Freedom of Speech*

There is little academic literature on the freedom of speech of the indigenous peoples. However, the topic is addressed by the UN. Freedom of speech is part of the UNDRIP and the article 16 mentions that

States, without prejudice to ensuring full freedom of expression, should encourage privately owned media to adequately reflect indigenous cultural diversity. (UN, 2008)

UN notes that members of indigenous peoples are 'often silenced by majorities that unjustifiably see their expression as threatening' (UN, 2014:4). Accordingly, it is argued that the right to freedom of expression 'gains added value when it is used to protect groups or minorities in need of particular attention', such as indigenous peoples (UN, 2010:8).

These remarks show that there is awareness of the significance of indigenous free speech, although the right is yet to feature more prominently in the academic literature.

### **Indigenous Peoples' Rights and Equality**

A discussion on the role of equality in indigenous peoples' rights closes the circle. Similar to Levin (2010:1–6), Åhrén (2016;1;149) places equality at the centre of the analysis.

Åhrén elegantly derives indigenous land rights from equality. First he establishes that following the recent paradigm shift, it is only natural that indigenous peoples are treated equally with other peoples (Åhrén, 2016:157). The right to equality is conventionally – in line with the individual liberal tradition – understood as the right geared towards individuals only (Åhrén, 2016:149–150). However, this has now changed and the protection is extended also to groups (Åhrén, 2016:200).

Second, Åhrén (2016:165;201) argues that a right to acquire property on *equal* footing with others is critical to the freedom of the individual. Then, referring to the recent paradigm shift again, he argues that the understanding of the right to property has changed.

When the right to equality evolves to require not only that equal cases be treated equally but also that different cases be treated differently, this development should directly impact on the understanding of the right to property. If this assumption is correct, the result is an amended understanding of to what extent indigenous communities have established property rights over their respective territories through traditional use. (Åhrén, 2016:201)

In other words, it follows from equality that if a community has traditionally used lands in manners *customary to its culture*, it has established a property right to that area (Åhrén, 2016:201).

### **Indigenous People Sámi in Finland**

In Finland, the constitution recognises that the Sámi are an indigenous people with a right to maintain and develop their own language and culture (Finlex, 2017b:4). The constitution also grants the Sámi linguistic and cultural self-government in their native region (Finlex, 2017b:24). However, the development of Sámi rights in Finland has come to a halt and for example the ILO 169 remains unratified (Council of Europe, 2016:5).

Indigenous peoples have a right to participate in governmental decision-making processes that affect them, including the right to free, prior and informed consent (FPIC) (Allen and Xanthaki, 2011:1–2). If FPIC is followed correctly, negotiations aim at reaching an agreement with the indigenous people – not just organising a formal hearing with no real impact (Burger, 2011:48; Heinämäki, 2017:32).

In Finland, the Sámi Parliament Act contains an obligation for the authorities to negotiate with the Sámi Parliament in all far-reaching and important measures, which affect the status of the Sámi as an indigenous people in the Sámi native region (Finlex, 2017a). However, the obligation is not actually applied (Heinämäki, 2017:32). As a result, the ability of the Sámi to participate in political decision-making is undermined.

### *Sámi Freedom of Speech*

The only research focused on Sámi freedom of speech was written over a 30 years ago. A thesis written in the Norwegian Journalist College was titled ‘Sámi freedom of expression and press freedom under the Norwegian boot’ (Varsi, 1983). Unfortunately, this Norwegian-language thesis is not readily available even from the author himself.

Media and communications research has focused on the Sámi Radios under the national broadcasting companies in Finland, Norway and Sweden. Sámi Radios strengthen the feeling of unity (Sara, 2007:85), and diffuse new ideas and provide as a space for critical ethno-political discussion (Kortelainen and Länsman, 2015:705). The goal of the Sámi Radios is to ‘speak within the nation, as a claim and an enactment of self-determination’ (Plaut, 2017:12). However, due to the political economy, they have limited power to set strategies (Markelin and Husband, 2013:74).

Despite the lack of academic research, there are signals that Sámi freedom of speech is an issue in Finland.

One would expect a people living in one of the most advanced democracies in the world (EIU, 2016) to enjoy a high level of freedom of speech. Indeed, the constitution of Finland (Finlex, 2017b) and the International Covenant on Civil and Political Rights (UN, 2017) grant the Sámi freedom of speech *both* as Finnish citizens *and* as members of a distinct people, respectively. However, despite this formal right to freedom of speech, it seems that in reality the right is not fully realised. First, anti-Sámi sentiments are on the rise:

I have had contact with many Sámi who feel that they have no future in their own homeland and who cannot act, move, or to pursue their livelihoods without fear of being bullied or threatened. (The former President of the Sámi Parliament of Finland, Mr. Klemetti Näkkäljärvi cited in Council of Europe, 2015:41)

A survey by the Ministry of Justice (Korhonen et al., 2016:19;106) confirms that the Sámi encounter hate speech and harassment in public places in Finland, most often online. The most common forms are constant negative commentary, verbal insults, harassment or humiliation, name-calling, silencing or restriction of societal participation (Korhonen et al., 2016:106). For example, reindeer-herding Sámi are a target of conscious and constant tarnishing and bullying online (Lehtola, 2015a:142).

Second, the Finnish national public sphere is highly politicized and highly insensitive to Sámi perspectives. As a result, the ‘threshold to "speak out" publicly has been very high (Junka-Aikio, Forthcoming:12). Even the Council of Europe (2016:22) noticed that the positive development of the Sámi-language broadcasting within the Finnish Broadcasting Company in 2010–2015 was met with a backlash, even hate speech.

Without a clear stance from the authorities towards these acts, the progress achieved so far as regards Sámi minority visibility would be at risk of being jeopardised. (Council of Europe, 2016:22)

### **Conceptual Framework**

The conceptual framework brings together freedom of speech and indigenous peoples’ rights through equality.

A key value underlying all the philosophical justifications for free speech – democracy, truth, self-fulfilment and diversity – is the right to equality. Whereas liberal thinkers see state interference, censorship and commercial forces as major threats to freedom of speech, feminist

and critical race theorists identify subordination and silencing as threats to free speech by placing equality at the centre of the analysis (Levin, 2010).

Equality is appearing as a key consideration also in indigenous rights (Åhrén, 2016). Following a recent paradigm shift, indigenous peoples now have a stronger claim to a spectrum of fundamental rights, such as right to equality, right to property, and, I argue, right to freedom of speech. Any possible violations of these rights are thus a serious societal issue.

In Finland, the development of Sámi rights has come to a halt and for example the right to free, prior and informed consent (FPIC) and the obligation to negotiate with the Sámi are not applied (Council of Europe, 2016; Heinämäki, 2017). This elevates the importance of Sámi freedom of speech, because it is one of the only remaining ways for the Sámi to get their voice heard in the political decision-making in Finland.

So far, freedom of speech of indigenous peoples has attracted little academic interest. However, there is evidence that Sámi freedom of speech is an issue in Finland for example due to hate speech (Korhonen et al., 2016).

### **Objectives of Research and Research Question**

To fill the research gap identified in the literature review, this dissertation explores threats to the freedom of speech of the indigenous people Sámi in Finland by turning to users of Sámi freedom of speech. Building on the fact that indigenous peoples are holders of both individual and collective rights, I start by deductively exploring both the individual as well as collective levels of Sámi freedom of speech in Finland.

The research question (RQ) with two sub-questions (SQ) is:

RQ: How is the freedom of speech of the indigenous people Sámi threatened in Finland?

SQ 1: How is the freedom of speech of the indigenous people Sámi threatened in Finland on the level of an individual?

SQ 2: How is the freedom of speech of the indigenous people Sámi threatened in Finland on the collective level?

Based on the literature review, I argue that indigenous peoples have a strong right to freedom of speech as both individuals and as a distinct people. Given the recent paradigm shift in international law, possible violations of the Sámi freedom of speech are a serious societal matter in terms of the cultural survival of the Sámi in Finland. This dissertation can contribute to the understanding of the nature of such threats to the indigenous people Sámi in Finland in 2017.



## ***Research Design and Methodology***

This chapter discusses the research strategy and the methods applied.

### **Semi-Structured Interviews and Thematic Analysis**

The research strategy was to conduct qualitative semi-structured interviews of users of Sámi freedom of speech and to analyse the interview transcripts using thematic analysis to reveal common trends and patterns.

Interviewing is a suitable method for a little researched topic, because interviews are able to produce rich information both on a factual and a meaning level (Kvale, 2007:9–11). Semi-structured interviews retain an openness to change the order, to follow up the answers with unplanned questions and to probe the responses that are important in exploring a new topic, but also ensure that themes are covered systematically (Kvale, 2007:9;51; Robson and McCartan, 2016:285).

Thematic analysis was chosen as the method to analyse the verbatim interview transcripts due to its content-driven nature. Thematic analysis can identify themes or concepts that ‘are in the data’ (Ezzy, 2002:86) and capture ‘the complexities of meaning within a textual data set’ (Guest et al., 2012:11).

Surveys and focus groups were considered as alternatives to interviewing. The main weakness of surveying is the risk of interviewer bias, because respondents choose alternatives determined by the interviewer (Robson and McCartan, 2016:248). Focus groups were dismissed, first, because of practical challenges of gathering interviewees scattered around Finland. Second, although group interaction may facilitate discussions on sensitive topics (Kvale, 2007:72; Robson and McCartan, 2016:299), that might not apply to the less open Sámi culture (Lehtola, 2015a:226).

The interviews of this dissertation do not constitute elite interviews (Kvale, 2010:70). The sampling strategy employed does not produce an exclusively ‘elite’ sample, as the sample includes also ‘ordinary’ people. The interviews do not qualify as pure ‘expert’ interviews, as not all interviewees are experts in media or communications.

### **Pilot**

The research design was piloted with three interviews in May 2017. The key learning was that an insider researcher benefits from thorough preparation. A professional research design produces proper distance between the interviewer and the interviewee ‘through difference as

well as shared identity' (Silverstone, 2007:47). A detailed consent form builds trust and an interview guide mediates proper distance and sets a professional stage for the interview (Kvale, 2007:65).

The pilot revealed weaknesses in the research design. Accordingly, the interview guide was edited to clarify the questions, to improve the flow and to reduce bias. Also, the interview guide was used more systematically (order of questions, avoidance of repetition) in the dissertation to improve the quality of the descriptions and to reduce work in the transcription phase.

### **Interview Guide**

Two interview guides were developed: 1) a researcher's guide that was formulated in theoretical language to ensure that all relevant aspects were covered (Kvale, 2007:58), and 2) an interviewer's guide that used shorter everyday language and included probes to ensure that important topics were exhausted in the actual interview situation (Robson and McCartan, 2016:288–293). Interview guides are found in Appendix 2. Both interview guides were structured thematically building on the deductive research question. In addition to the 'what' of the interview, attention was also paid to the 'how' of the interview in order to promote a positive interaction and keep the flow of conversation going (Kvale, 2007:57).

### **Sampling**

The typical sample size for interviews is 5–25 (Kvale, 2007:44). If there are only few interviews, it is hard to draw meaningful conclusions, but on the other hand, but if the number is too high, there will not be enough time to study the transcripts and the interviewer starts meeting the law of diminishing returns (Kvale, 2007:43–44). Fifteen persons were interviewed for this dissertation.

The sample was produced by purposive cell sampling. It is a non-random way, which uses the researcher's expert judgement to choose a representative sample out of the sampling universe (Robinson, 2014:32). The sample universe consists of users of Sámi freedom of speech in Finland based on the following inclusion criteria: the person is a) a Sámi, b) speaks Sámi, c) often appears in media commenting Sámi issues and d) often participates in social media discussions about Sámi issues. Criteria ensure that the sample includes persons who are active users of Sámi freedom of speech, understand the discussion climate in Finland, Norway and Sweden and have recent personal experience of speaking in media and social media.

The sampling strategy produced a list of sixteen interviewees. Fifteen were interviewed. The average age of the interviewees was 38 years. The oldest interviewee was 61 years old and the

youngest 22. Eleven women and four men were interviewed. The skewed gender balance reflects the reality that most Sámi institutions are led by women (NRK Sápmi, 2017). Seven interviewees live in the Sámi native region and eight outside. All interviewees speak one or more Sámi languages or are studying the language. Most interviewees are regularly interviewed about Sámi issues in media. All are active at least on Facebook but also on Twitter in terms of discussing Sámi issues.

The inclusion criteria ensured sufficient homogeneity and heterogeneity (Robson, 2014:2–28). Sources of homogeneity include demographic (Sámi origin), life history (Sámi language) and psychological (active participation) considerations. Sources of heterogeneity are gender, age, geography and the three Sámi languages spoken in Finland. Heterogeneity of views provides rich inputs for the grounded method in question (Robinson, 2014:27).

An alternative sampling strategy based on media statistics (Yle Sápmi in a given timeframe) was also considered. This approach would have had the benefit of an appearance of objectivity. However, the strategy was rejected. First, Yle Sápmi publishes hundreds of online news a year but provides no analysis tools. Manual processing would have been time-consuming. Second, this sampling strategy would have captured official Sámi representatives interviewed in media but might have left out vocal ‘ordinary’ people. Third, not all Sámi persons appearing on media are active in social media. Finally, I estimated that the samples produced by the two strategies would not have had major differences.

### **Conducting Interviews**

Fifteen users of Sámi freedom of speech were interviewed in Sámi or Finnish via Skype or Facebook between May and July 2017. The sixteenth interview was cancelled due to scheduling conflicts. Two pilot interviews were used in the dissertation.

All interviews were recorded and transcribed in the original language. Neither outside help nor software were used. The MSc Dissertation submitted had to include one full interview transcript as Appendix 3. However, it was omitted from the public version in order to protect the interviewee in question.

Due to time constraints only three interviews were translated into English. Anyway, translation was not necessary after I decided to do the coding manually in Excel instead of using a software package that only understands English. Coding was done in English.

There were no issues of access, as I know most of the interviewees either personally or from social media.

## **Coding**

Although the interview guide was built deductively based on the literature review, the thematic analysis took an inductive approach (Ezzy, 2002:88), ie. I let the data speak for itself. Codes were derived from the data instead of using predetermined analytical categories (Guest et al., 2012:7;36).

Following an iterative thematic analysis approach (Ezzy, 2002:88; Rapley, 2011:277; Guest et al., 2012:17;49–50), the transcripts were first closely read to identify both explicit and implicit ideas related to the research question. The ideas were then transformed into initial codes and the codes were aggregated into a codebook in Excel (Guest et al., 2012:52–53). All the interview transcripts were coded using the initial coding framework while constantly reviewing and revising the coding framework and making sure all possible ideas in the transcripts are exhausted (Rapley, 2011:277). Finally, codes that were repeated, linked and similar were collated into main theme codes, while reviewing and refining them (Rapley, 2011:275–277). At this stage, relationships between codes were analysed to build the narrative of the analysis (Ezzy, 2002:91–93). The initial reading – ie., the open coding (Ezzy, 2002:88) – was done manually on paper but the coding framework was created in Microsoft Excel. The final coding framework had six layers of codes in Excel: a main theme code and five auxiliary codes.

The dissertation includes verbatim quotes from all interviewees translated into English. In the discussion of results, verbatim quotes from as many different participants as possible illustrate the themes and enhance the validity and reliability of the results (Guest et al, 2012:95;268). The quotes selected capture particularly well the nature of the themes identified.

## **Ethical Issues**

The dissertation follows an ethics plan approved in March 2017. The main ethical issues identified in the plan were 1) delving into experiences that can be deeply personal and thus sensitive; 2) indirectly impinging on the vested interests of powerful persons; and 3) a risk that taking part in an interview could cause anxiety and stress.

These issues were mitigated by a careful process of informed consent and by anonymising the personal details of the interviewees. All citations in this dissertation are presented anonymously. Even interviewee numbers are omitted to prevent identification. The consent form is in Appendix 1.

In addition, there are ethical issues related to sampling. First, there is potential bias in the sample sourcing. Although my expert judgement about the Sámi public sphere is based on my work

experience in Sámi media and my active participation on social media, my judgement is however clouded by social media algorithms.

Second, I am aware of the issues with regards to the distance between me and the interviewees. This is however unavoidable, because we all belong to the small Sámi society, in which as closeness based on kinship, professional relationships and friendships is common. Nevertheless, this kind of closeness is not only negative, as knowledge produced in interviews rests on the ability of the interviewer to create a stage where the subject is free and safe to talk (Kvale, 2007:8). Also, the sampling strategy selected was necessary for the validity of the dissertation (Robinson, 2014:37–38). For example, it is important that a sample adequately supplies all the information needed for comprehensive analysis of the research question and locates the analysis within a relevant group and time (Robinson, 2014:38).

The ethical sampling issues were mitigated by a transparent sampling strategy.

## ***Results***

This chapter summarises the five themes inductively arising from the interviews. A couple of remarks as context for the results.

First, all interviewees demonstrated profound understanding about the scope of freedom of speech, as classically understood.

I can write just like I want, but of course, but, but the fact is that I have to take whatever comes from there.

I don't actually mind negative feedback at all. You actually think, that it kind of belongs, it comes with the territory.

Second, sub-questions of the research question are addressed already at this stage. The sub-questions deductively set out to explore threats to Sámi freedom of speech on *both* individual *and* collective level. Interviewees share a view that on the individual level a Sámi person has a formal right to freedom of speech, but in reality the right is not fully realised.

Minimum requirements are fulfilled. Like, you can say what you want, but it is a whole different matter how it is received.

Also, based on the interviews, it is difficult for a Sámi person to speak in public as a private person. The ethnical background is always mentioned in interviews and Sámi individuals are often seen as representatives of the entire Sámi people.

We are not given such space, that we, we could have our opinions as private persons. That is really hard. It makes it difficult for, like, individuals to participate. And those who want to speak and express their opinions, they are forced in a position of a representative, when they open their mouths.

To answer the sub-questions, the space for individual expression is limited because a private person is easily presented and viewed as a Sámi representative. Thus, when speaking in public, a Sámi individual is exposed to threats to the Sámi freedom of speech on a collective level. They are discussed next.

## **Silencing**

The first threat identified is silencing. In line with feminist and critical race theory literature (Lawrence, 1993; Levin, 2010), culturally oppressive speech has a powerful effect that silences people and stops them from attempting rebuttal speech.

I start feeling really anxious, personally, when I happen to see those comments.

I sat on the train and cried.

### *Ways to Silence Sámi*

According to the interviews, attempts to silence vocal Sámi are common. First, silencing is explicit and caused by hate speech mostly online, but also for example in newspaper letters to the editor.

We are belittled, ridiculed, discredited, defamed.

Interviews are followed by a flood of ugly, nasty comments online.

You are a lunatic. You are half-breed. Child of a rivgu<sup>2</sup>. You are like...you should die.

Well, I think I suffer from kind of collective hate speech. Like, like they are not targeted against me, but they are targeted against the Sámi and that does have a negative impact on me.

According to the interviews, silencing is mostly done by the dominant population and is politically motivated. The discussion climate is aggressive and hostile towards the Sámi. Anti-Sámi sentiments are not hidden even in online discussions using real names.

[Hate speech] has become like a new normal. It is like normalised.

Many bring up a local Facebook group called Inari Citizen Channel<sup>3</sup> as an example of an online arena, which reflects the way that hate speech has become a new normal, and where attempts to silence vocal Sámi are common. The group has about 4,800 members – a large number for a municipality with 6,800 inhabitants. When Sámi topics are debated, discussion escalates and derogatory comments are common. When Sámi persons start providing facts, debates get silenced.

The moderators closed the discussion, and blamed, like the other debaters there also, that the Sámi behave in an inappropriate way, pick a fight and produce hate speech.

They threw me out [of the group], because I didn't give up.

In line with recent Nordic research (Bladini, 2017:59;67), Sámi women suffer disproportionately from hate speech that is characterised by sexism and is more personally than professionally oriented.

[Men] are only subject to belittling of reindeer-herding as a livelihood, but women are usually subject to belittling of their person.

Second, there are implicit silencing attempts through rhetorics.

---

<sup>2</sup> A Sámi word that means a non-Sámi woman. The word originates from the old Scandinavian word *rygr* that mean a lady or housewife (Korpilähde, 2015:23–24). The word has got a negative connotation for example because the pronunciation sounds like the Finnish word *riuku* that means a pole.

<sup>3</sup> Inarin kansalaiskanava.

You have to understand that we've always lived in peace here in this area. You should keep your voice down and we can get along. That is a way to try and silence the Sámi in a civilised way.

The dominant population says that you're picking a fight again. You should calm down. Third, interviewees have also experienced harassment ranging from threatening personal messages to even death threats. For example, Sámi politicians are pressurised to give up politics.

There have been also, how should I say it, like attempts to put systematic pressure on me.

Finally, there is silencing also inside the Sámi community. Vocal Sámi are told to keep quiet. Some interviewees see that Sámi media practices self-censorship. Interviewees feel that the root cause of internal silencing lies in the history of colonisation.

It also reflects the state of our people, that we don't feel so well as Sámi.

### *Significance of Silencing*

Interviewees share a view that silencing has a serious impact on the Sámi in Finland. First, according to the interviews, silencing attempts are indeed able to remove part of the Sámi speech out of the marketplace.

I don't always want to initiate a discussion about something, about an issue, on Facebook, because I know that it will attract...that hate speech starts simmering.

Many smart people, who would have information and opinions based on information, they don't want to participate to any degree in the discussion, because they get stigmatised.

Second, interviewees bring up self-censorship. Many say that they think twice before speaking in public.

I have become more cautious about my work.

It does teach people to be quite careful, and it is really regrettable, that it does shut people up.

It is constant, it is like walking a tightrope, that did I say too much.

According to the interviews, silencing is most effective in the small villages in the North. This leaves a big role for the so-called City-Sámi.

I feel like people who live like outside the Sámi native region can often express their opinions a bit more daringly and that is good. Because there aren't, like, cliques, they don't have to think that who around here, who starts using it against me.



Third, silencing undermines critical internal discussion. Some interviewees consciously avoid voicing internal criticism, because it can be used against all Sámi.

This does prevent like this kind of free society, how would you say, the forming of the Sámi civil society view, when you constantly have to censor yourself.

Overall, many interviewees feel strongly about silencing. It is a threat to the small people: even if one person stops expressing their opinions because of fear, Sámi freedom of speech is threatened.

There are so few of us Sámi, and also those who have resources to take part in these discussions and to uphold Sámi perspective. If we quiet down because of hate speech, belittling or silencing, then we are quite gone.

Well, it does go quite deep, like when you see hate speech towards women, then that also feels bad, but somehow the hate speech encountered by the Sámi, it does go somehow even deeper. It is like, I have been thinking that is it because there are so few of us, that you constantly have a fear, that what if we disappear? And then, hate speech can contribute to it, that we do, like, disappear.

Well, it is in a sense that if the amount of debaters is decreasing all the time, and the amount of people who want to participate in discussions is decreasing, then it does narrow it and decrease, decrease like the freedom of speech of the Sámi.

Some interviewees say that they have consciously taken up a role to speak also on behalf of those who do not want to participate in discussions themselves.

### **Subordination**

The second theme identified is subordination. In line with feminist and critical race theory literature (Lawrence, 1993; MacKinnon, 2003; Levin, 2010), the impact of subordination is to present Sámi as inferior and less than full and equal participants in public life. In the Sámi context subordination is manifested through stereotypes. Outright racism has regulated the relationships between the Finns and the Sámi (Junka-Aikio, 2014:218). However, stereotypes have evolved (Lehtola, 2015a:258). The old stereotype of a Sámi (prominent in TV humour programmes) was a primitive, dirty, unkempt drunkard, whereas the updated stereotype represents the Sámi as an undemocratic grouping, which is always whining, demands special rights, discriminates its own minorities, picks a fight and easily takes offence (Lehtola, 2015a:258). This framing also fits in with earlier colonial discourses in which the Sámi were portrayed as greedy, quarrelling and led by narrow personal or tribal interests (Junka-Aikio, 2014:217).

### *Ways to subordinate Sámi*

According to the interviews, there are attempts to subordinate Sámi by appealing to both the old and new preconceptions. Media is seen as guilty of reproducing the stereotypes.

It is like reducing Sámi to a tourist sight.

A picture was painted giving the impression that there is unemployment in Lapland partly because Sámi are drunkards.

[Journalists] have told me that when they discuss these things in their own circles, that they'd like to write something about Sámi issues, then the major comment is that you should not get involved with that mess.

### *Significance of Subordination*

Based on the interviewees, subordination is powerful. First, stereotypes and preconceptions rank the Sámi voice as less valuable, and legitimise discrimination of the Sámi voice.

They don't want to listen and understand the opinions and experience of the Sámi people.

We are cut out of the picture.

And a big part of the efforts by the Sámi, of our victories, of our culture, of our everyday life, of all those discussions among ourselves, they are left outside.

The most important job of racism is to separate people and to limit the power of the people who belong to the wrong group.

All we say is categorised as useless whining.

In terms of the hierarchy of liberties, silencing is considered a breach of a negative liberty, taking the speech of women or minorities out of the debate in advance (Levin, 2010:65). Subordination is a breach of a positive liberty, a denial to exercise one's agency (Levin, 2010:63–64). It is sometimes argued that the silencing argument is stronger than the subordination argument, because negative liberty rights are more fundamental to democracy than positive liberty rights (Dworkin, 1997 cited in Levin, 2010:64).

The interviews confirm the view that subordinating rhetoric can be so powerful that it has the power to *enact* subordination and to keep those considered inferior “in their place” (Levin, 2010:22;63).

I think that it is the fact that someone has repeated for 500 years that you are nothing, you are nothing, you are nothing. And that is mantra, that people themselves have started believing and believed that they are nothing.

Among the Sámi groups, the Skolt Sámi are the group that has suffered from subordination of the cruellest kind.

People wanted to fade Skolt Sámi characteristics, Skolt Sámi names, Skolt Sámi history, Skolt Sámi identity from inside and from outside, because it has been something so ridiculous, a laughing-stock, something to be ashamed of.

Especially on the Finnish side, there is a theft of land on such scale that when the young state called Finland has started to function, when it started its operations, then to be able to justify it, all through the 1920s and 1930s that Finland had the Petsamo region, then of course they had to rationalise it by writing the owners of the rights as subhuman. That we are like the kind of un-, non-human.

Analysing the extent of the discrimination experienced by the Skolt Sámi is far beyond the scope of this dissertation. However, these excerpts can begin to illustrate how deeply rooted and subconscious subordination still is.

Subordination is not a thing of the past. Also the young, educated generation carries the trauma.

The tone with which they tell me, that oh, you are a Skolt Sámi. So it immediately, like immediately puts me in my place. It is for me like an automatic reaction.

Finally, there is an observation that compared to for example feminist or LGBTQI minorities in Finland, the Sámi lack allies. Possibly, one of motivations of subordination is to make Sámi appear less sympathetic for political alliances.

Like, they have tens of thousands ready to march, march in demonstrations, but in my opinion the Sámi have quite few non-Sámi allies, who could raise these issues.

### **Delegitimisation**

The third theme identified is delegitimisation. In feminist and critical race theory literature, delegitimisation is covered as part of subordination and silencing (Lawrence, 1993; Levin, 2010). However, due to the prominence of the theme in the interviews, I raised delegitimisation as a distinct theme. Delegitimisation is a threat to freedom of speech, because it causes the targets to be taken less seriously as they enter the public arena (MacKinnon cited in Lawrence, 1993:79).

They endure the microaggression of having their words doubted, or misinterpreted, or assumed to be without evidentiary support. (Lawrence, 1993:79)

Dominant groups are able to exercise illegitimate power upon their disadvantaged groups, with the result of discounting their views for reasons that have ‘absolutely nothing to do with their merits as ideas’ (Levin, 2010:69;97).

An idea that would be embraced by large numbers of individuals if it were offered by a white individual will be rejected or given less credence if its author belongs to a group demeaned and stigmatized by racist beliefs. (Lawrence, 1993:79)

### *Ways to Delegitimise Sámi*

Based on the interviews, there are various ways to delegitimise the Sámi. There are attempts to undermine the credibility and reliability of the Sámi on the level of an individual as well as the level of the Sámi Parliament.

The first way is to accuse Sámi of bias due to their ethnicity or even a surname. Similar accusations of bias do not apply to local Finns despite their vested interest in land rights.

I have experienced that there are attempts to like discredit my know-how in a way or expertise in Sámi issues by claiming that I'd be biased due to some reason.

The Sámi are always considered biased to talk about themselves and it's a typical Finnish view that the Sámi are not allowed to speak for example about land rights or rights, because it is a right that belongs to the Finnish people.

The second way is to stigmatise politically active Sámi. Interviewees tell that the objective of being called an activist – a negative connotation in the Finnish press – is to undermine one's credibility.

I was really annoyed with the Finnish Yle headline, that Outi Pieski<sup>4</sup> doesn't make political art. I started feeling like, like ok, so she is a nice Sámi whom you can give an award because she is not political.

If you comment Sámi matters too much, then you are stigmatised and it can impact your future employment opportunities and your credibility. Unfortunately, even if you only brought up facts for example about Sámi matters, even if you were an expert in that, then you can be stigmatised, that you are an activist and you are not taken seriously.

The third way is by placing high demands on the Sámi. There is a strict requirement of unanimity for the Sámi Parliament – a requirement not applied apply to the Finnish Parliament. Interviewees tell that in media interviews there is a common demand for the Sámi to know answers to everything to be credible.

---

<sup>4</sup> A Sámi artist.

### *Significance of Delegitimisation*

First, delegitimisation denies the Sámi the right to speak for themselves and to be experts of their own culture. Facts delivered by a Sámi are discredited, but happily accepted if provided by an outsider.

We are not considered on the same level, we are not taken into account the same way and our opinions are not considered as valuable.

It is useless for a Sámi to bring up any facts at all. They have no influence whatsoever.

We don't have the chance to express our opinions and often it happens that we have to watch from the sidelines when others discuss Sámi issues.

Second, delegitimisation alleviates the dominant culture 'from the burden of listening to the culture' deemed less legitimate (Levin, 2010:88). According to the interviewees, this happens in both formal and informal contexts.

It is like tick the box, that yes, we heard you, but it doesn't matter what you said, because it doesn't count at all.

Sámi wishes and desires don't in fact have to be taken seriously.

Sámi voice is dependent on the space that the dominant population gives us.

### **Disinformation**

The fourth theme identified is disinformation. Disinformation – built also into the definition of hate speech (Lee, 2010:22) – has been identified in the Sámi context as 'a manifestation of oppression' (Lehtola, 2015a:7).

### *Ways to Create Disinformation*

Based on the interviews, disinformation about the Sámi is a threat to the Sámi freedom of speech. First, according to the interviews, there are systematic information operations to undermine the Sámi politically.

You can see it, the same kind of disinformation, it starts from one source and in a couple of weeks' time it has spread to other debaters.

It goes in sync with the news coverage of these certain papers that have picked their sides. Lapin Kansa<sup>5</sup>, Inarilainen<sup>6</sup>.

Some of the most wide-spread and the most deeply-ingrained pieces of disinformation are that the reindeer-herding Sámi are immigrants from Norway, that there are elite Sámi who

---

<sup>5</sup> The only provincial newspaper in Lapland, North of Finland.

<sup>6</sup> The local newspaper in Inari.

discriminate against minority Sámi groups, and that there is a Forest Sámi minority which is excluded from the Sámi politics (Junka-Aikio, 2014; Lehtola, 2015a).

You, like, bang your head against the wall, because the same arguments always come up. Always the same, inaccurate arguments.

I find that really worrying that the longer people repeat these lies, then they change into real information, and they appear in books and research and museums.

They are like, like totally insane stories, that, and they change, like, into real information.

The disinformation about the Sámi is persistent, although it has been proved wrong many times. In reality, nomadic Sámi are not immigrants, as they have traditionally migrated with their reindeer in the vast Sámiland long before the national borders were drawn (Lehtola, 2015a:136–142). Instead of being oppressors, the reindeer-herding families have been carriers of the Sámi language and the culture even through the colonial pressures (Lehtola, 2015a:142).

Second, confusion is created by constantly coming up with new terms, such as non-status Sámi or Forest Sámi. New groups are represented as *the* original indigenous peoples of Finland and victims of elite Sámi discrimination.

With these terms they stir up confusion in people's minds.

They are good stories. As if there existed a Sámi minority that is discriminated. That there are elite Sámi, who discriminate a small group. It gets the sympathies.

They believe that there are Sámi conspiracies.

The explanation behind this phenomenon is that Sáminess became a sought-after identity with the plans to ratify the ILO 169 in Finland (Lehtola, 2015a:276–277). The groups masquerading as Sámi consist of Finns stealing the Sámi identity in the hope of potential land rights (Lehtola, 2015a:276–277).

### *Significance of Disinformation*

Based on the interviews, disinformation about the Sámi is a strong force in the Finnish society. First, disinformation is deliberately constructed, building on existing preconceptions. Disinformation is sticky.

Many people have fundamentally decided, that, locked their own opinion or don't let new information or any argument shake them.

You are not able to influence with facts in anyway. You can't influence the discussion.

It is easy for them to believe what others tell them, when you don't have proper knowledge about things. Then it's easy to join the choir that yes, those are the immigrants.

The disinformation experienced by the Sámi can be situated in the post-truth phenomenon (Junka-Aikio, 2014; Lehtola, 2015a; Ball, 2017). Based on the interviews, the Sámi discourse is impacted by the post-truth just like any other political speech. Also in the Sámi context there are “bullshitters”, who ‘will say what works to get the outcome they want, and care little whether it's true or not’ (Ball, 2017:6). There are narratives of corrupt and aloof elites (Ball, 2017:175). There are conspiracy theories, that tap into something ingrained in our psyche – an underlying tendency ‘to trust elaborate theories more than the institutions at the core of our nations’ (Ball, 2017:174–175). Debates are also influenced by confirmation bias, the inclination to ‘look for and accept information which supports our current beliefs’ and to ‘struggle to accept information that goes against them’ (Ball, 2017:180). And, just like everywhere else, there is an even stronger effect, the backfire effect, at play.

When presented with evidence that contradicts one of our most closely held beliefs, it may actually serve to reinforce that belief rather than challenge it. (Ball, 2017:182)

Second, disinformation has become a political weapon to obstruct the development of the Sámi rights in Finland. In the post-truth era, in which facts do not matter, disinformation is consciously appropriated against the Sámi. Maintaining disagreements gives a perfect excuse not to ratify the ILO 169 in Finland. According to the interviews, the tactic is working.

Of course it has been depressing. That suddenly everything, the whole discourse went through also to the MPs without questions being asked. That has been a big disappointment.

And as they repeat them many times on social media, then you hear the politicians here saying that it is true.

## **Epistemicide**

The fifth theme identified is the threat of epistemicide to the Sámi freedom of speech.

Free speech literature only hints at epistemological issues. In the context of silencing, it is stated that attempted rebuttals of women and minorities can be ‘wholly ignored or profoundly misunderstood by the dominant culture’ (Levin, 2010:62). Garton Ash (2016:96) speaks about ideologies of civilizational difference that cause communication problems: ‘I use the rather colourless term foundational for these deepest differences’ (Garton Ash, 2016:98).

Epistemicide – a term coined by Santos (2007) – refers to the impact of colonialism on indigenous epistemologies i.e., theories of knowledge that give an account of what counts as knowledge and how we know what we know (Whitt, 2009:31). Historically, the existence and value of indigenous knowledge systems have been systematically denied (Whitt, 2009:31). Oppressive relations of power still continue to shape diverse knowledge systems (Whitt, 2009:31). In recent years, literature has emerged to call for epistemic decolonisation (Smith, 2002; Grosfoguel, 2007; Santos, 2007; Mignolo, 2011; Dutta, 2015).

The basis of colonialism of the Sámi land was also an ethnocentric notion of the superiority of “our” society, which entailed and included the idea of cultural hierarchies (Lehtola, 2015b:26).

### *Ways that Epistemicide is Manifested in*

Based in the interviews, as a result of the Sámi epistemicide, the Finnish society is built on the Finnish worldview and the Sámi are invisible in the structures of the society from education to media. First, the knowledge of the dominant population about the Sámi is thin. For many, the old stereotypes spread by TV and the tourism industry are still their main sources of knowledge about the Sámi.

There is no knowledge about the Sámi. Given that, it’s not even possible that people would know. And why don’t they know? Well, Sámi issues don’t appear anywhere, nothing is told about the Sámi in schools, Sámi matters aren’t visible.

First of all, you always have to start explaining from A. Always from A.

The picture about the Sámi, then it’s, how it’s built in the heads of the Finnish people, it’s not, it’s not the picture that the Sámi have of themselves.

Second, according to the interviews, Finnish people lack the understanding that the indigenous people Sámi are a distinct people with a distinct way of thinking, their own worldview – a civilisation of their own. The Sámi, having been educated in the Finnish school system, are of course well aware of the differences.

Finns seem to think that Sáminess is somehow part of Finnishness.

In our Sámi bubble, we share an understanding of how things are, what our history has been, what the present is, how things should be organised in the future and especially our concept of justice. But the dominant population just doesn’t understand our way of thinking. There is no readiness to accept that it is a separate way to think and live.

It has taken a really long time for myself to understand, to be able to verbalise it, that we have two different civilisations.



Interviewees express their disappointment of some journalists' lack of knowledge about the Sámi. The time and energy spent explaining the basics to journalists frustrates many. You have to work hard to make sure that journalists understand what you say.

Due to the lack of knowledge, the dominant population is far from even beginning to appreciate the fact that there is a separate Sámi epistemology. The interviews reveal, that in reality there is a huge gap between the Sámi and the Finnish civilisations even in the North of Finland, where the two peoples live side by side.

[X<sup>7</sup>] kilometres apart, [two villages<sup>8</sup>], and even in there there are misunderstandings...I mean we live in completely different worlds. Understanding and knowledge, is like, there is none.

We are at completely different levels in terms of many things. We talk about this, they talk about that. And at no stage they meet with each other.

### *Significance of Epistemicide*

The epistemicide causes tensions in the Finnish public sphere. To start with, social media has made it easier for the Sámi to express their opinions. That simply might provoke some Finns.

Well, as the only contact is via ads or sketch characters, then it might be confusing, when a real world, contemporary Sámi tells about their views.

Second, social media exposes the epistemicide, and the gap between the Sámi and the Finnish worldviews. Lack of knowledge makes it hard for the Finns to appreciate Sámi concerns.

As the level of knowledge about the Sámi is so weak, the majority population fails to see how vulnerable the Sámi are.

They interpret it based on what fits into their world. What fits their preconceptions, prejudices.

Third, when the Sámi speak, worldviews suddenly clash. Reactions of the dominant population vary from bewilderment and anger to plain ignorance. Without any basic knowledge, the Sámi way of thinking sounds foreign, even wrong and scary. Conscious or unconscious, part of what the Sámi say is not understood at all.

They often ask, why can't I. Why don't I have a right to do this or that. And namely that how come you as a Sámi have a right to tell me that I can't.

---

<sup>7</sup> Anonymised.

<sup>8</sup> Anonymised.

Their power is based on their own preconceptions. They want to view us from a higher level and we are on the lower level. And they get angry, if for example I...I probably make them really angry, because I'm not content with that.

They don't want to hear a sound behind the wall. All that we do, everything that we explain, they see it as a threat. They are afraid of it.

Fourth, in an epistemological environment like this, the debates never lead anywhere and time spent with journalists bears fruit only very slowly.

So the discussion never gets to the point, to the actual question, because you are stuck on discussing on a really general level. And as long as we stay on the general level, we have a status quo and people don't know anything about anything.

Finally, based on the interviews, epistemicide is also felt in formal contexts. When Sámi write formal statements, argumentation based on Sámi traditional knowledge does not suffice.

If you don't have scientific justifications, then you are not able to have an impact so easily. Although it is completely clear to reindeer-herders, that this is the impact, these cultural justifications don't work.

## ***Conclusions***

It might sound outrageous to suggest that freedom of speech could be threatened in a Nordic country in the top ten of the EIU democracy index. However, the results of this qualitative interview research suggest otherwise. No generalisations can be made based on a qualitative interview research, but my results suggest that there are grounds for concern about the freedom of speech of the indigenous people Sámi in Finland.

To answer the research question, this dissertation argues that silencing, subordination, delegitimisation, disinformation and epistemicide threaten the freedom of speech of the indigenous people Sámi in Finland. Linking back to the philosophical justifications for free speech, these threats undermine the democracy, truth, self-fulfilment and diversity arguments for free speech. The threats also violate underlying values of freedom of speech, such as equality and right to non-discrimination. Each of the five themes identified constitute a distinct threat, but they are also interrelated.

Once the subordinated culture has been oppressed by the speech of the dominant culture, the first step in silencing is achieved, and the dominant culture is alleviated from the burden of listening to that culture. (Levin, 2010:88)

In the Finnish context, the significance of the five threats identified is that they limit the possibility of the Sámi people to get their voice heard in the public discussion. This is especially worrying because the development of Sámi rights in Finland has come to a halt and because Finland does not actually apply her legal obligation to negotiate with the Sámi. I argue that this context elevates the importance of Sámi freedom of speech as important means for the indigenous people Sámi to get their voice heard in the political decision-making in Finland.

This MSc Dissertation has argued that freedom of speech is not a priority in the literature on the rights of indigenous peoples and that self-determination and land rights have overshadowed indigenous freedom of speech as an academic topic. To fill this research gap that I identified in the literature review, I explored threats to the freedom of speech of the indigenous people Sámi in Finland. I interviewed fifteen Sámi activists, artists and politicians in Finland to provide colour on the lived experiences of persons belonging to an indigenous people in a Nordic democracy.

The most important theoretical contribution of this MSc Dissertation is to establish a connection between freedom of speech and the rights of indigenous peoples through equality. Every people, also the indigenous people Sámi, have an equal right to enjoy freedom of speech. Also the Sámi need not suffer from eg. hate speech, silencing or subordination.

The most important empirical contribution of this dissertation is to raise awareness about the deep foundational and epistemological differences between the indigenous people Sámi and the dominant Finnish population. The literature review predicted that silencing, subordination and delegitimation could constitute threats to the freedom of speech of a minority but my findings concerning disinformation and epistemicide provide new perspectives to the discussion.

Additional research is required to understand how the threats to Sámi freedom of speech in Finland could be addressed by educational and communicational measures, among others. Future research should also test the results of this qualitative study quantitatively. In addition, Nordic research about the topic is necessary.

To conclude, the results of this MSc Dissertation suggest that although the constitution of Finland and international law formally grant the Sámi freedom of speech, the Finnish state has not paid enough attention to ensure that the freedom of the speech of the indigenous people Sámi is fully realised in Finland.

## *Acknowledgements*

The author would like to extend sincere gratitude to the C.V. Åkerlund Foundation and the Finnish Cultural Foundation for providing financial support for the author's MSc Media and Communications studies at the London School of Economics and for the writing of this MSc Dissertation.

## *Notes*

The author has represented the key findings of this MSc Dissertation in four events targeted at members of the indigenous people Sámi and anyone interested in the Sámi people:

10 Jan 2018: History Dialogue Night by the Arts Promotion Centre Finland in Helsinki, Finland (in Finnish)

27 Jan 2018: Free Speech Panel at the Indigenous Peoples' Film Festival *Skábmagovat* (Reflections of the Endless Night) in Inari, Finland (in English)

28 Jan 2018: Lecture on the findings of the MSc Dissertation at the Sámi Musem Siida in Inari, Finland (in Sámi)

11 Feb 2018: Lecture on the findings of the MSc Dissertation at the Rikhardinkatu Library in Helsinki, Finland (in Sámi)

A summary of the findings and an electronic copy of the MSc Dissertation have been published in *Fáktalávvu* (Fact Sámi Teepee), a blog providing factual information about the Sámi people (<https://faktalavvu.net>).

## ***Bibliography***

- Aikio, A. and Åhrén, M. (2014) 'A reply to calls for an extension of the definition of Sámi in Finland', *Arctic Review on Law and Politics*, 5(1) pp. 125–145.
- Allen, S. and Xanthaki, A. (eds.) (2011) *Reflections on the UN Declaration on the Rights of Indigenous Peoples*. Oxford and Portland: Hart Publishing.
- Anaya, S. J. (1996) *Indigenous Peoples in International Law*. Oxford and New York: Oxford University Press.
- Anaya, S. J. (2009) *International Human Rights and Indigenous Peoples*. New York: Aspen Publishers.
- Ball, J. (2017) *Post-Truth: How Bullshit Conquered the World*. London: Biteback Publishing.
- Barendt, E. (2007) *Freedom of Speech*. 2<sup>nd</sup> ed., Oxford and New York: Oxford University Press.
- Berger, A. A. (1998) 'Chapter 6: Depth interviews' In Berger, A. A. *Media research techniques*. 2<sup>nd</sup> ed., Thousand Oaks, California and London: SAGE Publications, pp. 55–62.
- Bladini, M. (2017) *Hat och hot på nätet [Hate and Threats Online]*. Göteborg: NIKK, Nordisk information för kunskap om kön. [Online] [Accessed on 7<sup>th</sup> August 2017] [http://www.nikk.no/wp-content/uploads/Hat-och-hot-p%C3%A5-n%C3%A4tet\\_170627.pdf](http://www.nikk.no/wp-content/uploads/Hat-och-hot-p%C3%A5-n%C3%A4tet_170627.pdf)
- Burger, J. (2011) 'The UN Declaration on the Rights of Indigenous Peoples: From Advocacy to Implementation'. In Allen, S. and Xanthaki, A. (eds.) *Reflections on the UN Declaration on the Rights of Indigenous Peoples*. Oxford and Portland: Hart Publishing, pp. 41–59.
- Council of Europe (2015) *The Sámi: The People, Their Culture and Languages*. Strasbourg: Council of Europe. [Online] [Accessed on 7<sup>th</sup> August 2017] <https://rm.coe.int/1680302f64>
- Council of Europe (2016) *Fourth Opinion on Finland*. [Online] [Accessed on 7<sup>th</sup> August 2017] <https://rm.coe.int/16806ae11a>
- Dahlberg, L. (2014) 'The Habermasian Public Sphere and Exclusion: An Engagement with Poststructuralist-Influenced Critics'. *Communication Theory*, 24(1) pp. 21–41.
- Dutta, M. J. (2015) 'Decolonizing Communication for Social Change: A Culture-Centered Approach'. *Communication Theory*, 25(2) pp. 123–143.
- Economist Intelligence Unit (EIU) (2016) *Democracy Index 2016*. [Online] [Accessed on 18<sup>th</sup> August 2017] <https://www.eiu.com/topic/democracy-index>
- Ezzy, D. (2002) *Qualitative Analysis: Practice and innovation*. London and New York: Routledge.
- Finlex (2017a) *Act on the Sámi Parliament* [Online] [Accessed on 21<sup>st</sup> February 2017] <http://www.finlex.fi/fi/laki/kaannokset/1995/en19950974.pdf>
- Finlex (2017b) *The Constitution of Finland*. [Online] [Accessed on 14<sup>th</sup> April 2017] <http://www.finlex.fi/fi/laki/kaannokset/1999/en19990731.pdf>
- Fitzmaurice, M. (2011) 'The UN Declaration on the Rights of Indigenous Peoples: Recent Development regarding the Saami People of the North' In Allen, S. and Xanthaki, A. (eds.) *Reflections on the UN Declaration on the Rights of Indigenous Peoples*. Oxford and Portland: Hart Publishing, pp. 535–560.
- Garton Ash, T. (2016) *Free Speech: Ten Principles for a Connected World*. New Haven and London: Yale University Press.
- Gilbert, J. (2014) *Nomadic Peoples and Human Rights*. Abingdon and New York: Routledge.
- Golash, D. (ed.) (2010) *Freedom of Expression in a Diverse World*. Heidelberg, London and New York: Springer.

- Graber, C. B., Kuprecht, K. and Lai, J. C. (eds.) (2012) *International Trade in Indigenous Cultural Heritage: Legal and Policy Issues*. Cheltenham and Northampton: Edward Elgar Publishing Limited.
- Grosfoguel, R. (2007) 'The Epistemic Decolonial Turn'. *Cultural Studies*, 21(2–3) pp. 211– 223.
- Guest, G., MacQueen, K. M. and Namey, E. E. (2012) *Applied Thematic Analysis*. Los Angeles, London, New Delhi, Singapore and Washington DC: SAGE Publications.
- Hammersley, M. (2013) *What is Qualitative Research?* London, New Delhi, New York and Sydney: Bloomsbury Academic.
- Heinämäki, L., Allard, C., Kirchner, S., Xanthaki, A., Valkonen, S., Mörkenstam, U., Bankes, N., Ruru, J., Gilbert, J., Selle, P., Simpson A. and Olsén L. (2017) *Actualizing Sámi Rights: International Comparative Research*. Helsinki: Prime Minister's Office. [Online] [Accessed on 8<sup>th</sup> August 2017]  
[http://tietokaytoon.fi/documents/10616/3866814/4\\_Saamelaisten+oikeuksien+toteutuminen+kansainv%C3%A4linen+oikeusvertaileva+tutkimus/e765f819-d90c-4318-9ff0-cf4375e00688?version=1.0](http://tietokaytoon.fi/documents/10616/3866814/4_Saamelaisten+oikeuksien+toteutuminen+kansainv%C3%A4linen+oikeusvertaileva+tutkimus/e765f819-d90c-4318-9ff0-cf4375e00688?version=1.0)
- Heinämäki, L. (2017) 'Saamelaisten oikeudet Suomessa' ['Sámi Rights in Finland'] In Heinämäki, L., Allard, C., Kirchner, S., Xanthaki, A., Valkonen, S., Mörkenstam, U., Bankes, N., Ruru, J., Gilbert, J., Selle, P., Simpson A. and Olsén L. (2017) *Actualizing Sámi Rights: International Comparative Research*. Helsinki: Prime Minister's Office, pp. 22–85. [Online] [Accessed on 8<sup>th</sup> August 2017]  
[http://tietokaytoon.fi/documents/10616/3866814/4\\_Saamelaisten+oikeuksien+toteutuminen+kansainv%C3%A4linen+oikeusvertaileva+tutkimus/e765f819-d90c-4318-9ff0-cf4375e00688?version=1.0](http://tietokaytoon.fi/documents/10616/3866814/4_Saamelaisten+oikeuksien+toteutuminen+kansainv%C3%A4linen+oikeusvertaileva+tutkimus/e765f819-d90c-4318-9ff0-cf4375e00688?version=1.0)
- Iverson, D., Patton P. and Sanders, W. (eds.) (2002) *Political Theory and the Rights of Indigenous Peoples*. Cambridge: Cambridge University Press.
- Junka-Aikio, L. (2014) 'Can the Sámi speak Now?'. *Cultural Studies*, 30:2 pp. 205–233.
- Junka-Aikio, L. [Forthcoming] 'Indigenous Culture Jamming: Suohpanterror and the art of articulating a Sámi political community'. *Journal of Aesthetics and Culture*. Email to the author of this dissertation, 17<sup>th</sup> August 2017.
- Koltay, A. (2013) *Freedom of Speech: The Unreachable Mirage*. Budapest: Complex Publisher Ltd.
- Korhonen, N., Jauhola, L., Oosi, O. and Huttunen, H. (2016) "I often find myself thinking how I should be or where I shouldn't go" – Survey on hate speech and harassment and their influence on different minority groups. Helsinki: Ministry of Justice. [Online] [Accessed on 8<sup>th</sup> August] [https://yhdenvertaisuus-fi-bin.directo.fi/@Bin/97dd8a694a589a9c7e099b37fdbe3e4f/1502197717/application/pdf/439427/OMSO%207%202016\\_VIPU-raportti%20158s.pdf](https://yhdenvertaisuus-fi-bin.directo.fi/@Bin/97dd8a694a589a9c7e099b37fdbe3e4f/1502197717/application/pdf/439427/OMSO%207%202016_VIPU-raportti%20158s.pdf)
- Korpilähde, O. (2015) *Kun pohjoisen matkasta tuli elämän mittainen. Suomalaisvaimot saamelaisyhteisössä. [When a northern journey became life-long. Finnish wives in Sámi communities]*. Rovaniemi: University of Lapland.
- Kortelainen, T. and Länsman, A.-S. (2015) 'Challenging the status and constructing the culture of an indigenous group: Attention paid to YLE Sápmi radio digital news in Finland'. *European Journal of Cultural Studies*, 18(6) pp. 690–708.
- Kvale, S. (2007) *Doing Interviews*. Los Angeles, London, New Delhi and Singapore: SAGE Publications.
- Kymlicka, W. (2001) *Politics in the Vernacular: Nationalism, Multiculturalism and Citizenship*. Oxford and New York: Oxford University Press.
- Lâm, M. C. (2000) *At the Edge of the State: Indigenous Peoples and Self-Determination*. Ardsley and New York: Transnational Publishers.



- Lawrence, C. R. (1993) 'If He Hollers Let Him Go: Regulating Racist Speech on Campus.' In Matsuda, M. J., Lawrence, C. R., Delgado, R. and Williams Crenshaw, K. *Words that Wound: Critical Race Theory, Assaultive Speech, and the First Amendment*. Boulder, San Francisco and Oxford: Westview Press, pp. 53–88.
- Lee, S. P. (2010) 'Hate Speech in the Marketplace of Ideas.' In Golash, D. (ed.) *Freedom of Expression in a Diverse World*. Heidelberg, London and New York: Springer, pp. 13–25.
- Lehtola, V.-P. (2015a) *Saamelaiskiista: Sortaako Suomi alkuperäiskansaansa? [Sámi Controversy: Does Finland Discriminate Her Indigenous People?]* Helsinki: Into Kustannus.
- Lehtola, V.-P. (2015b) 'Sámi Histories, Colonialism, and Finland.' *Arctic Anthropology*, 52(2) pp. 22–36.
- Levin, A. (2010) *The Cost of Free Speech: Pornography, Hate Speech, and Their Challenge to Liberalism*. Basingstoke and New York: Palgrave Macmillan.
- MacKinnon, C.A. (2003) *Toward a Feminist Theory of the State*. 8<sup>th</sup> ed., Cambridge and London: Harvard University Press.
- Macleod A. M. (2010) 'Free Speech, Equal Opportunity, and Justice.' In Golash, D. (ed.) *Freedom of Expression in a Diverse World*. Heidelberg, London and New York: Springer, pp. 57–71.
- Markelin, L. and Husband, C. (2013) 'Contemporary Dynamics of Sámi Media in the Nordic States.' *Media International Australia*, 149(1) pp. 70–81.
- Metsähallitus (2017) *The Metsähallitus Website*. [Online] [Accessed on 19<sup>th</sup> August 2017]  
<http://www.metsa.fi/web/en>
- Mignolo, W. D. (2011) *The Darker Side of Western Modernity: Global Futures, Decolonial Options*. Durham and London: Duke University Press.
- NRK Sápmi (2017) *Nissonat jodihit sámi servodaga. [Women lead the Sámi society.]* [Online] [Accessed on 1<sup>st</sup> August 2017] [https://www.nrk.no/sapmi/nissonat-jo\\_ihit-sami-servodaga-1.13415228](https://www.nrk.no/sapmi/nissonat-jo_ihit-sami-servodaga-1.13415228)
- Oetheimer, M. (ed.) (2007) *Freedom of expression in Europe: Case-law concerning Article 10 of the European Convention on Human Rights*. Strasbourg Cedex: Council of Europe Publishing. [Online] [Accessed on 1<sup>st</sup> August 2017] [http://www.echr.coe.int/LibraryDocs/DG2/HRFILES/DG2-EN-HRFILES-18\(2007\).pdf](http://www.echr.coe.int/LibraryDocs/DG2/HRFILES/DG2-EN-HRFILES-18(2007).pdf)
- Plaut, S. (2017) 'Reshaping the Borders of Journalism.' *Journalism Practice*, 11(1) pp. 1–32.
- Pulitano, E. (ed.) (2012) *Indigenous Rights in the Age of the UN Declaration*. Cambridge, New York, Melbourne, Madrid, Cape Town, Singapore, São Paulo, Delhi and Mexico City: Cambridge University Press.
- Rapley, T. (2011) 'Some Pragmatics of Data Analysis' In Silverman, D. (ed.) *Qualitative Research. Issues of Theory, Method and Practice*. 3<sup>rd</sup> ed., Los Angeles, London, New Delhi, Singapore and Washington DC: SAGE, pp. 273–290.
- Richards, D. A. J. (1999) *Free Speech and the Politics of Identity*. Oxford: Oxford University Press.
- Robinson, O. C. (2014) 'Sampling in Interview-Based Qualitative Research: A Theoretical and Practical Guide.' *Qualitative Research in Psychology*, 11(1) pp. 25–41.
- Robson, C. and McCartan, K. (2016) *Real World Research: A Resource for Users of Social Research Methods in Applied Settings*. 4<sup>th</sup> ed., Chichester: John Wiley & Sons Ltd.
- Santos, B. d. S. (ed.) (2007) *Another Knowledge is Possible: Beyond Northern Epistemologies*. London and New York: Verso.
- Santos, B. D. S., Nunes, J. A. and Meneses, M. P. (2007) 'Introduction: Opening Up the Canon of Knowledge and Recognition of Difference.' In Santos, B. d. S. (ed.) *Another Knowledge is Possible: Beyond Northern Epistemologies*. London and New York: Verso, pp. xix–lxiii.

- Sara, I.-A. (2007) *Sámi Radion toimittajien käsityksiä saamelaisen median tehtävistä [Perceptions of Sámi Radio journalists about the mission of the Sámi media]*. Kautokeino: Sámi Instituutta. [Online] [Accessed on 8<sup>th</sup> August 2017] <https://brage.bibsys.no/xmlui/handle/11250/177119>
- Saunders, K. W. (2017) *Free Expression and Democracy: A Comparative Analysis*. Cambridge, New York, Melbourne, Delhi and Singapore: Cambridge University Press.
- Schonsheck, J. (2010) 'The "Marketplace of Ideas": A Siren Song for Freedom of Speech Theorists.' In Golash, D. (ed.) *Freedom of Expression in a Diverse World*. Heidelberg, London and New York: Springer, pp. 27–37.
- Silverstone, R. (2007) *Media and Morality: on the Rise of the Mediapolis*. Cambridge: Polity Press.
- Smith, L. T. (2002) *Decolonizing Methodologies: Research and Indigenous Peoples*. 5<sup>th</sup> ed., London and New York: Zed Books; Dunedin: University of Otago Press.
- Steel, J. (2012) *Journalism and Free Speech*. Abingdon and New York: Routledge.
- Sweepston, L. (2009) 'The ILO Indigenous and Tribal Peoples' Convention (No. 169): Eight Years After Adoption.' In Anaya, S. J. *International Human Rights and Indigenous Peoples*. New York: Aspen Publishers, pp. 134–145.
- Tobin, B. (2014) *Indigenous Peoples, Customary Law and Human Rights*. Abington and New York: Routledge.
- Tully, J. (2002) 'The Struggles of Indigenous Peoples for and of Freedom.' In Ivison, D., Patton P. and Sanders, W. (eds.) *Political Theory and the Rights of Indigenous Peoples*. Cambridge: Cambridge University Press, pp. 36–59.
- United Nations (UN) (2008) *United Nations Declaration on the Rights of Indigenous Peoples*. [Online] [Accessed on 7<sup>th</sup> August 2017] [http://www.un.org/esa/socdev/unpfii/documents/DRIPS\\_en.pdf](http://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf)
- United Nations (UN) (2010) *Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Mr. Frank La Rue*. [Online] [Accessed on 7<sup>th</sup> August 2017] <http://www2.ohchr.org/english/bodies/hrcouncil/docs/14session/A.HRC.14.23.pdf>
- United Nations (UN) (2014) *Statement by David Kaye, Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression*. [Online] [Accessed on 7<sup>th</sup> August 2017] [http://freemuse.org/wp-content/uploads/2014/12/Statement-GA69\\_David-Kaye.pdf](http://freemuse.org/wp-content/uploads/2014/12/Statement-GA69_David-Kaye.pdf)
- United Nations (UN) (2017) *International Covenant on Civil and Political Rights*. [Online] [Accessed 14<sup>th</sup> April 2017] <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CCPR.aspx>
- Varsi, M. O. (1983) *Samisk yrings- og pressefrihet under den norske støvel. [Sámi freedom of expression and press freedom under the Norwegian boot]*. Oslo: Norsk journalisthoegskole.
- Warren, C. (2002) 'Qualitative Interviewing.' In Gubrium, J. F. and Holstein, J. A. *Handbook of interviewing research: context and method*. 2<sup>nd</sup> ed., Thousand Oaks, California and London: SAGE Publications, pp. 83–101.
- Weihe, L. (2017) 'Den sorte vorevagn.' ['The black van']. In Lundgren, P, Blicher Bjerregård, M. and Rode Jensen, O. (eds.) *Den svåra yttrandefriheten – Nordiska roster. [The Difficult Freedom of Speech – Nordic Voices]*. Kopenhagen: Nordic Council of Ministers, pp. 8–15.
- Whitt, L. (2009) *Science, Colonialism, and Indigenous Peoples: The Cultural Politics of Law and Knowledge*. Cambridge, New York, Melbourne, Madrid, Cape Town, Singapore, Sao Paulo, Delhi, Dubai and Tokyo: Cambridge University Press.
- Åhrén, M. (2016) *Indigenous peoples' status in the international legal system*. Oxford: Oxford University Press.

## ***Appendix 1: Consent Form***

|                            |   |
|----------------------------|---|
| Consent form for the study | Sámi Freedom of Speech in Finland   |
| Interviewer                | N.N., MSc Student at the London School of Economics (LSE), Department of Media and Communications, <a href="mailto:n.n@lse.ac.uk">n.n@lse.ac.uk</a> |
| Interviewee                | N.N.  |

### **CONSENT**

**I agree to participate in an interview via Skype or Facebook Messenger for an academic research project. The project is an LSE MSc Dissertation on freedom of speech of the indigenous Sámi people in Finland.**

**I have been informed about the details and the nature of the research project in English and in Northern Sámi. I agree to share my experiences and views. I consent to the use of the audio recording and the transcripts in Sámi or Finnish and in English by N.N. and the Dissertation supervisors.**

### **INTERVIEW PROCESS**

The interview is about my experiences on speaking in public (mass media, social media) in Finland about issues related to the indigenous people Sámi and about the feedback, reactions and comments I have received for doing so.

Some of the questions may be personal and sensitive. I am allowed to see the interview questions in advance, if I wish. I am aware that I can refuse to answer any of the questions if I do not feel comfortable answering them. I can also withdraw from the project at any stage if I wish. In that case my interview will not be used at all and all the materials will be destroyed.

### **INTERVIEW MATERIALS**

I am aware that this interview will be recorded, transcribed in Sámi or Finnish and translated to English. The materials are kept confidential according to the LSE Dissertation guidelines. Only N.N. and the Dissertation supervisors at LSE will have access to the materials. My personal data will be protected and any information about me as an informant will be anonymised in the final reports.

### **FINDINGS**

I know that the findings of this study will be reported in N.N.'s MSc Dissertation. I might be cited but anonymously. I am also aware that N.N. is planning to share the results of the study with the indigenous people Sámi. I welcome that.

### **INFORMATION IN SÁMI**

Page two of this consent form contains this same information in the Northern Sámi language.

**I hereby (or via e-mail) give my consent for this study as explained above.**

**Date:**

**Participant:**

**Signature:**

|                           |  |
|---------------------------|--|
| Miehtánskovvi dutkamuššii | Sámi sátnefriijavuohhta Suomas   |
| Jearahalli                | N.N., magisttarstudeanta, London School of Economics (LSE), Media- ja gulahallandieđágoddi, <a href="mailto:n.n.@lse.ac.uk">n.n.@lse.ac.uk</a> |
| Jearahallojuvvon olmmoš   | N.N.   |

## MIEHTAN

**Mun searvvan jearahallamii Skype dahje Facebook Messengera bokte. Jearahallan lea oassi akademalaš dutkanprošeavtta, nappo magisttarbarggu London School of Economicsas. Magisttarbargu gieđahallá eamiálbmot sámiid sátnefriijavuoda Suomas. Mun lean ožžon dieđuid dutkanprošeavtta birra ja das makkár dat bohtá leat. Diehtu lea juogáduvvon muinna eaŋgasgillii ja davvisámegillii. Mun searvvan prošeaktii mitalit iežan vásáhusain ja oainnuin. Mun mieđán dasa, ahte N.N. ja su magisttarbarggu bagadallit geavahit jearahallama jietnabáttiid ja littererema davvisámegillii ja/dahje suomagillii ja eaŋgasgillii.**

## JEARAHALLANPROSEASSA

Jearahallan gieđahalla mu vásáhusaid dan birra, go lean hállan sámeáššiid birra almmolašvuodas (media, sosiála media) Suomas, ja makkár máhcahaga, reakšuvnnaid ja kommeantaid lean ožžon.

Muhtin gažaldagat soitet leat persovnnalaččat ja soitet gieđahallat váttes áššiid. Mus lea lohpi bivdit gažaldagaid oaidninláhkai ovddalgihtii, jos hálidan. Mun dieđán, ahte mun sáhtán biehttalit vástideames gažaldagaide, jos in hálidit vástidit daidda. Sáhtán maid geassádit prošeavttas man beare muttus. Dalle mu jearahallan ii geavahuvvo ollenge ja buot materiálat duššaduvvojit.

## JEARAHALLANMATERIÁLAT

Mun dieđán, ahte jearahallan báddejuvvu, littererejuvvu davvisámegillii dahje suomagillii ja jorgaluvvo eaŋgasgillii. Materiálat dollojuvvot luhtolažžan LSE magisttarbargonjuolggadusaid mielde. Dušše N.N. ja su magisttarbarggu bagadallit besset oaidnit jearahallanmateriálaid. Mu persovnnalaš dieđut suddjejuvvot. Mu dieđut anonymiserejuvvot magisttarbarggus.

## BOHTOSAT

Dieđán, ahte jearahallama bohtosat almmustuvvet N.N. magisttarbarggus. Jos mu sitáhtat geavahuvvojit, nu dat almmustahttojuvvot anonyman. Mun dieđán maid, ahte N.N. lea plánemin mitalit magisttarbarggu bohtosiid birra sámi servošii. Mun anan dan buorre áššin.

## DIEĐUT EADGASGILLII

Dán miehtanskovi vuosttas siiddus leat eaŋgasgillii seamma dieđut go dán siiddus. Mun attan iežan miehtáma skovi vuosttas siiddus dahje šleađgapoasta bokte.

## Appendix 2: Interview Guide

| a) Researcher questions  | b) Interviewer questions   |
|--|--|
| <p><i>Introduction</i><br/>Introducing myself and ensuring that the interviewee feels comfortable.<br/>Ensuring that the interviewee has understood the consent form. Answering questions and clarifying any confusions.<br/>Posing standard questions common for all:<br/>Occupation, age, home municipality, knowledge of Sámi language(s).</p> <p><i>Warm-up</i><br/>Which media in Finland have interviewed you about Sámi issues during the last 2 years? How many times? How about outside Finland?<br/>Understanding the different roles that the person has when speaking in public about Sámi issues and the propensity to give interviews.<br/>Understanding the typical process of appearing in media. Potential differences in indigenous and mainstream media.</p> <p>In which social media do you have accounts?<br/>What is your general level of activity in each from 1 to 5?<br/>Understanding the typical process of getting involved in social media discussions and the propensity to expose oneself to public debates in social media.<br/>Motivations to start discussions proactively or comment – to not.<br/>Motivation to choose the channel for the communication.</p> | <p><i>Introduction</i><br/>-Introductions<br/>-Highlight the most important points of the consent form. [Make notes about any questions or concerns expressed.]<br/>-Explain structure: standard questions, experiences as an individual and as a representative of the Sámi<br/>-Standard questions: Occupation, age, home municipality, knowledge of Sámi language(s).</p> <p><i>Warm-up</i><br/>-How often are you interviewed about Sámi issues?<br/>-How many interviews in the last 2 years?<br/>-In what roles do you speak about Sámi issues in media?<br/>-How do you end up appearing in media talking about Sámi issues?<br/>-Do you <i>willingly</i> give interviews about Sámi issues?</p> <p>-Which social media are you active on?<br/>-Assess your activity level in terms of Sámi issues in each on a scale from 1 to 5, 5 being highest.<br/>-Do you proactively participate in social media discussions about Sámi issues?<br/>-How do you choose the social media channels or arenas for the discussions you join about Sámi issues?<br/>-If you do not participate, then do you follow social media discussions about Sámi issues actively? Why? How do they make you feel?</p> |

|   |   |
|---|---|
| <p><i>Main body of interview</i></p> <p><u>Freedom of speech on individual level</u><br/> Understanding the nature of feedback that the interviewee has received as a private person when speaking about Sámi issues in public.<br/> Understanding whether a person can ever only represent themselves as a private person when discussing Sámi issues in public (in media and social media) and the differences between the public spheres.<br/> Understanding the experience on an individual level.</p> <p><u>Freedom of speech collectively</u><br/> Understanding the experience of clearly speaking as a representative of Sámi people in public.<br/> Understanding the types of feedback received: positive, negative, hate speech, issues of understanding. [Probe epistemological considerations: what happens, what kind of conversations, how interviewee reacts, how the representative of the mainstream population reacts, reasons for the misunderstandings.]<br/> Understanding the feelings related to the feedback.<br/> Has the interviewee self-censored themselves due to negative feedback or epistemological issues?<br/> Understand differences between the ability of Sámi people to speak in public based on where they live, gender, age, other considerations.</p> <p><u>Own assessment</u><br/> The assessment of the interviewee in terms of their level of freedom of speech in Finland.<br/> The main reasons for the potential experience of having their freedom of speech threatened.<br/> Does the interviewee actively think about freedom of speech issues? What is their biggest concern at the moment? [Make sure to mention hate speech if not brought up proactively.]</p> | <p><i>Main body of interview</i></p> <p><u>Individual level [no mentioning freedom of speech]</u><br/> -Do you speak as an individual/private person in media about Sámi issues? How about social media?<br/> -Do you get feedback, reactions or comments when you speak in public about Sámi issues? Where? By whom?<br/> -How has/have this feedback/reactions/comments (positive/negative) influenced you as a person?<br/> -Is it possible for you to speak as a private person about Sámi issues in media in Finland?</p> <p><u>Collective level</u><br/> -Do you speak as a representative of the Sámi media about Sámi issues? How about social media?<br/> -When you speak as a representative of the Sámi in public, do you get feedback/reactions/comments? Where? By whom?<br/> -What does typically happen?<br/> -How does/do the feedback/reactions/comments make you feel?<br/> -How has this influenced you? [Probe self-censorship considerations]<br/> -Do you feel understood? If not, why? [Probe epistemological considerations]</p> <p><u>Own assessment</u><br/> -How would you describe the discussion climate about Sámi issues in Finland?<br/> -Based on what we discussed, what do you think about Sámi freedom of speech in Finland? [Probe both individual and collective level. How could the situation be improved?]<br/> -Do you often ponder freedom of speech? Why?<br/> -Do you think that the freedom of speech of the Sámi is threatened in Finland? How? [Probe hate speech</p> |
|---|---|

|  |  |
|--|--|
| <p><i>Cool-off</i><br/> Questions designed to ease any tensions created by the interview and to end on a high note.</p> <p><i>Closure</i><br/> Making sure that the interviewee has had an opportunity to say everything they wanted to say.<br/> Making sure that the interviewee feels happy about their experience.<br/> Explaining next steps.</p> | <p>and epistemological aspects. Probe legal ground in the Finnish constitution.]</p> <p><i>Cool-off</i><br/> How do you see the role of social media in the Sámi society at the moment? <i>or</i><br/> What are the good aspects about the current discussion climate in Finland (media, social media)?</p> <p><i>Closure</i><br/> -Ask whether the interviewee has anything to add.<br/> -Ask if the interviewee has any questions.<br/> -Explain next steps.</p> |
|--|--|

### ***Appendix 3: One Full Interview Transcript***

The MSc Dissertation submitted had to include one full interview transcript. However, the transcript was omitted from the public version in order to protect the interviewee in question.



[This page is intentionally left blank]