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## 14

### Suttesája

#### From a Sacred Sami Site and Natural Spring to a Water Bottling Plant? The Effects of Colonization in Northern Europe

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In northern Finland, homeland of the Sami people, the municipality of Ohcejohka/Utsjoki has started a project that involves a plan to bottle and sell drinking water on a substantial scale from Suttesája, a natural spring and an ancient Sami sacred site. There are several issues and concerns at play in this venture, started in 2001 by the municipality in collaboration with representatives from the Regional Environmental Centre of Lapland without prior informing of, or consultation with, local Sami people or other interest groups who might be affected by the project.

First, the water prospecting plan reflects one of the fastest growing trends of economic, corporate globalization, the commodification and privatization of the world's fresh water resources. As Maude Barlow and Tony Clarke point out in *Blue Gold: The Battle Against Corporate Theft of the World's Water* (2002), fresh water is quickly becoming a big global business. While water, the world's most fundamental and indispensable resource is quickly disappearing, transnational corporations are already claiming monopolies over the world's fresh water resources. As the authors suggest, a global shortage of water presents one of the most threatening ecological, economic, and political crises of the twenty-first century.

Second, Suttesája is about cultural rights of indigenous peoples which also are increasingly threatened by the global market forces and the predominant

profit ideology. Protecting cultural, spiritual, and intellectual heritage is among the most urgent concerns for indigenous peoples for whom globalization is not merely a question of marginalization but a multifaceted attack on the very foundation of their existence (Guissé 2003; Hall 2003; WGIIP 2003; Indigenous Peoples and Globalization Program 2003; Smith and Ward 2000). Third, the proposed venture poses considerable ecological concerns. It involves a daily extraction of 1300 cubic meters of water from the spring, bottling it on site and transporting the bottles to the world market of drinking water. Besides the boreholes, the onsite construction would include a 300-meter-long water pipe, industrial building, and roads for bottling and transportation (Hautala 2002: 5). The spring feeds the Deatnu (Tana) watershed, one of Europe's finest Atlantic salmon rivers.

Fourth, Suttesája is a precedence-setting case in Finland where immaterial cultural rights of the Sami have so far not been adequately addressed. As Marja K. Bulmer notes in her section below, the Sami cultural rights have not received much attention amongst the Finnish judiciary. Further, the official Sami representative bodies such as the Sami Parliament in Finland and the Sami Council (NGO) have also largely failed in demanding the recognition and protection of these rights. In fact, it was not until some local Sami called for the attention of these organizations with regard to the protection of the sacred site that these bodies considered the water prospecting plans of the Ohcejohka/Utsjoki municipality a concern involving several Sami rights. In their statements, however, they hesitate to take a unanimous stand for the protection of the sacred site. Considering the central role the Sami organizations play in the international indigenous movement, it is striking that these statements also fail to refer to and draw upon the internationally recognized documents and declarations of indigenous peoples' rights which include specific references pertaining to cultural and spiritual practices and sacred sites.

This chapter intends to focus on two main questions. First, it analyzes the planned commodification of Suttesája from a legal perspective, particularly in the light of Sami cultural rights. This section, written by Marja K. Bulmer, gives an overview of the currently pending legal case pertaining to Suttesája and how the Sami cultural rights are recognized in Finland. She discusses the uniqueness of the existing Finnish system in taking into account in decision-making the cultural rights of the Sami people particularly when they are not tied to a certain material aspect of culture, such as traditional livelihoods. This makes it even more necessary for government representatives and others to adopt a rigorous approach that ensures profound and meaningful consultation and assessment, both of which are missing in the Suttesája case. Secondly, the chapter considers the planned exploitation of the sacred site Suttesája through an analysis of colonization of the Sami people. Colonialism and its effects on indigenous peoples are sometimes discussed in

either too limited or too generalized terms. This may result in a hasty conclusion that the Sami people have not been colonized because the colonization process has been much longer and subtler than the colonization of indigenous peoples in the Americas, Australia, and New Zealand where the colonizers came from another continent. A narrow understanding of colonial processes and practices has led not only to false claims according to which the Sami have not been colonized (e.g., Váhtola 1991; see also Harle and Moisio 2000: 131ff) but also to the absence of critical analyses and assessments on the part of the Sami themselves.

In this chapter, I suggest that the various effects of the colonial processes that remain, by and large, unanalyzed with regard to the Sami, enable the municipality to proceed in an arrogant and ignorant fashion with regard to the Suttesája case, that is, without taking the concerns of local Sami or their rights as an indigenous people seriously, not to mention into consideration in their plans and decision making. I also contend that the general lack of analysis of colonialism by both Sami and others for its own part feeds to the prevailing circumstances of arrogance in public discourse and municipal decision making. First, however, it is necessary to give a brief overview of the Sami people and a look at some aspects of their historical colonization.

### THE SAMI PEOPLE

The Sami are the indigenous people of Sápmi (Samiland),<sup>2</sup> an area which spans from central Norway and Sweden through northern Finland to the Kola Peninsula of Russia. A rough estimate of the Sami population is between 75,000 to 100,000, the majority of which are in Norway. In Finland, the Sami population is approximately 7,000. There are several Sami languages of which the most widely spoken is the Northern Sami, the language also spoken in the region in question.

The Sami have experienced a long history of colonization that in some regards reflects the colonial processes elsewhere, but in other regards, is quite different from colonization of many other indigenous peoples. During the early Middle Ages, the surrounding kingdoms of Sweden-Finland, Denmark-Norway, and Novgorod became interested in the land and natural resources of Samiland. There was also strong competition between the kingdoms over the Sami territories. The kingdoms imposed taxation on the Sami and encouraged the settlement of the north by outsiders in order to claim rights to the land. This was also a way to make the Sami subjects of the surrounding kingdoms.

As in many other places in the world, Christianization was one of the central means of the early colonization of the Sami. The first churches in Samiland were built as early as the twelfth century but it was not until the 1700s

when Christianity started to seriously erode the nature-based Sami worldview or "religion" by outlawing shamanistic ceremonies, executing the *noaidis* (Sami shamans), burning and destroying the Sami drums and also banning yoiking, the Sami way of chanting and expressing oneself.

Moreover, the imposition of Christianity played an important role in the early educational attempts by the government and church representatives. The education of Sami children was organized through an ambulatory school system that was inaugurated in Norway in the seventeenth century and in Sweden-Finland in 1739. During the eighteenth century, the ambulatory school system covered all Sami villages in Scandinavia. The teachers were often local young Sami who were taught to read, write, and count by the church. The language of instruction was in some cases Sami but gradually it was prohibited. This system functioned until World War II (Lehtola 1996: 167-71).

In the nineteenth century, the influence of various governments increased in Samiland. All three Nordic states justified their assimilation policies in the name of education: the only way for the Sami to become equal with the other citizens of the state was to know the official language of the country. Laws that prohibited the use of Sami language both in schools and at home were passed, particularly in Norway and Sweden.

In Finland, which had become an autonomous region under the Russian Empire in 1809, the policies were not as harsh as in Norway or Sweden. At the end of the nineteenth century, the church was quite supportive of using Sami as the language of instruction in schools (Aikio 1992: 209-213). The active use and support of the Sami language by the church, however, was also an attempt to implement the principle of Protestantism by preaching gospel in the language of the people. While the churchmen indicated support of the Sami language, they were very clear on their intentions of overthrowing the Sami worldview or "religion." After the Second World War, the Finnish school system relinquished the policies that were intended to take the special situation of the North into account. Moreover, in 1946, changes in the education law made attending school compulsory even for children of the most remote regions, which led to the creation of boarding schools (Lehtola 1994: 217-218).

### SAMI CULTURAL RIGHTS AND CONSULTATION IN THE DECISION-MAKING PROCESS<sup>3</sup>

In November 2002, the municipality of Ohejohka/Utsjoki passed a resolution whereby it committed itself to a land lease with the Finnish government, which claims ownership to lands traditionally used and occupied by Sami in northern Finland. In January 2003, four local Sami women filed an applica-

tion for a judicial review of the municipality's decision. After a summary dismissal on a procedural point at the Administrative Court of Rovaniemi, the applicants gained a victory at the Supreme Administrative Court of Finland, which overturned the Administrative Court's decision and sent the application back to the Administrative Court to be determined on merits.

The application, presently pending at the Administrative Court, is based on procedural omissions in the municipality's decision-making process. Specifically, the applicants claim that the municipality failed to properly consult with the local Sami and that the environmental and cultural assessments carried out by the municipality were biased and inadequate.<sup>4</sup> Due to these deficiencies, the municipality did not have sufficient information to make an adequately informed decision, particularly with respect to the decision's potential impact on the constitutionally protected Sami cultural rights.

The Sami cultural rights are based on the Finnish Constitution Act, which provides that the Sami, as an indigenous people, have a right to maintain and develop their own culture (Section 17:3 of the Constitution Act). The Constitution further provides that in Samiland, the Sami enjoy self-government with respect to their culture (Section 121:4 of the Constitution Act). The right to self-government is further defined in the Sami Parliament Act, which provides, among other things, that the government has an obligation to negotiate with the Sami Parliament on all significant and extensive actions that may directly and specifically impact the position of the Sami as an indigenous people in certain specifically listed matters that include leasing of state land. The act states that it is sufficient to provide the Sami Parliament an opportunity to be heard and negotiate, and that failure by the Sami Parliament to do so does not prevent the decision maker from proceeding.<sup>5</sup>

As stated in the applicants' submissions, the central question of the application is the meaning of the Sami culture and how and to what extent a government decision maker has to consider and incorporate the Sami rights into its decision-making process. Legal rights serve to protect certain interests from unjustifiable interference (e.g., Pound 1928: 60). Property rights, for example, protect the owner's interest in the use and enjoyment of his or her property. Property rights (which are constitutionally protected in Finland), and the interests they serve, are often measurable in economic or other tangible terms. For example, it may be a matter of a relatively simple calculation to assess the infringement caused by a proposed power line to a landowner, whose timber has to be removed. The value of the timber can be compared to the proposed expropriation compensation to determine whether the compensation is adequate, thereby justifying the infringement.

Such simple calculations are not available in the Suttesája case. The case is further complicated by the fact that none of the "more tangible" aspects of the Sami culture—reindeer herding, hunting, or fishing, all of which have been recognized and affirmed as integral elements of section 17:3 cultural

rights—are at issue. Instead, the applicants' case is based on the impact of the proposed water bottling project on Sami spirituality, heritage, and identity. Specifically, the applicants argue that the municipality failed to consider the cumulative impact of the proposed project and the already existing activities and projects on the Suttésája area on Sami spirituality, heritage, and identity, thereby posing a risk of “death by thousand cuts” on the Sami culture.

Similar to many other social and cultural rights, section 17:3 of the Constitution Act is vague about the meaning of the cultural rights and obligations it mandates on the government decision makers. The law preparation documents do not shed much light on the meaning of the “Sami culture” and due to the novelty of the section, legal precedent is sparse.<sup>6</sup> However, lack of clarity and precision regarding the dimensions of these rights must not be held as a reason for their non-enforcement. The novelty of an interest at issue or lack of legislative or judicial precedent and guidance must not be used as an excuse for thinking that rights simply do not exist if precedent or legislation is silent on the matter. Lack of clarity and precision is a function of repeated application and enforcement. It also puts a particular burden on the decision maker to inform and educate him- or herself of those rights. The fact that the right is not “standard” or “tangible” requires the decision maker to go to further lengths to ensure that he or she has all the necessary facts to make a well-informed decision.

It is specifically because of the intangible and unique nature of the rights at issue that the courts need to adopt a stringent approach to the procedural requirements for consultation and assessment. The procedural requirements are, after all, in place to ensure that certain fundamental principles of fairness and justice are followed in the decision-making process. These principles, which are deeply entrenched in the Finnish administrative law, require, for example, that the parties whose rights may be affected by the purported decision be properly notified and provided with an adequate opportunity to be heard. A further significant principle is the decision-maker's obligation to properly inform himself or herself of all relevant matters so that he or she can make an informed decision that adequately addresses all relevant concerns.<sup>7</sup> These administrative law principles of fairness and justice are further heightened where the rights at issue enjoy constitutional protection. The Constitution Act itself obligates the government to ensure that constitutional and human rights are recognized and affirmed in the decision-making process (Section 22 of the Constitution Act).

While the notion of “culture” and even the interests of spirituality, heritage and identity provide a certain degree of common intelligibility, it is simply not possible for a person with a different set of cultural perspectives and interests to comprehend the many variances of another culture without a careful scrutiny and review of the rights in question. Determining the existence of an interest and the extent of possible infringement are extremely

complex tasks, and require thorough consultation with the right holders to ensure that the decision maker is aware of all necessary facts to make a well-informed decision. At the minimum, meaningful consultation requires Sami participation and perspective at various stages of cultural assessment. Firstly, input from the local Sami is critical for ensuring that the factual foundation for the assessment is accurate and complete. In this case, this requires determining which existing projects and activities on the Suttésája area are considered by the Sami to constitute a violation to their culture and interests. Secondly, Sami expertise is required in assessing the cumulative impact of these various projects and activities and the proposed water bottling project on the Sami culture. Thirdly, the assessment must be distributed and made available to a wide Sami audience to ensure that the assessment encompasses all relevant aspects and concerns.

### THE SIGNIFICANCE OF SUTTÉSÁJA FOR SAMI CULTURE AND IDENTITY

The natural spring of Suttésája belongs to a larger area considered sacred by generations of Sami. Suttésája is in the vicinity of the Áilegas Mountain, one of the three major sacred mountains in the region. The sacredness of the area is reflected, for instance, in Sami place names, many of which begin with the word “sacred.” The Suttésája area is also marked as a heritage site of cultural and historical significance in the registry of the Finnish National Board of Antiquities.

It has been noted that it is difficult to give a universal definition to the concept of sacred since its meaning varies from a religion, culture, and language to another. It can be said, however, that as a generalization, sacredness implies certain regulations and rules on human behavior. It has been noted that “if something is sacred then certain rules must be observed in relation to it, and this generally means that something is said to be sacred, whether it can be an object or site (or person), must be placed apart from everyday things or places, so that its special significance can be recognized, and rules regarding it obeyed” (Hubert 1994: 11).

Suttésája continues to be a site of spiritual, historical, and cultural significance for many local Sami. As the result of the imposition of Christianity, however, knowledge of the usage of the area has become more invisible. Many Sami today are reluctant to reveal oral tradition pertaining to the spiritual dimensions of Suttésája for fear of being stigmatized or ridiculed. Moreover, it is not uncommon to keep information about traditional sacred sites “secret” from outsiders for fear of exploiting or using the site for inappropriate purposes.

In general, sacred sites are of great significance in Sami culture and society.

They have a central role in the traditional Sami worldview which perceives the world as a living, interconnected entity in which human beings are one part of many. As for other indigenous peoples, the worldview and thereby also the identity of the Sami are inseparably linked to their intimate relationship and interaction with the surrounding environment, which differs from the worldview of modernity in which human beings are considered separate from and above the rest of the world. Therefore, there is a need for governments and their representatives in their decision making to pay special attention to this relationship which differs from dominant society, as pointed out by the UN Special Rapporteur Erika-Irene Daes (2002: 6–7).

Sami scholar of religion and folklore Jelena Porsanger points out: “On an individual and collective level, the relationship to the internal and external world is maintained through rituals. This also keeps the order of life in balance, and this is very important in terms of the survival of the community” (2004: 151). Another central characteristic of this worldview is the understanding that ancestors and other living creatures are present in certain locations which therefore are considered sacred. These places, which particularly traditionally have been the focal points of various ceremonies, can be found all across Samiland, especially in locations that are important for traditional Sami livelihoods such as in the vicinity of migrating routes, settlements, hunting grounds and fishing sites. One of the features of Sami sacred sites “is their location on outstanding formations in the landscape,” thus being “naturally demarcated from the surrounding landscape” (Mullk 1994: 125).

One of the many reasons that make Suttésája a special place is that it is a natural spring which, unlike other waterways, does not freeze even in the coldest winter (hence the name which would translate as ‘unfrozen stream’). It is located along the old migrating route traditionally used by reindeer herding families but also by other local people for purposes of getting drinking water and also healing (Pentikäinen 1995: 145).<sup>8</sup> At one end of the spring, there is an old sieidi site. In the Sami land-based worldview, sieidi is a sacred place usually consisting of a stone or wood of a special shape to which various gifts are given to thank certain spirits for the abundance of the land but also to ensure fishing, hunting, and reindeer luck in the future. The common location for sieidis are in the vicinity of sacred places, camp grounds, or fishing and hunting sites. Although Christianity has severely eroded the Sami sieidi practices of thanking and sharing with the land by banning it as a pagan form of devil worshipping, there is a relatively large body of evidence that the practice of sieidi gifting is still practiced (Kjellström 1987; see also Juuso 1998: 137).<sup>9</sup>

The conversion to Christianity resulted in outlawing the Sami worldview and its expressions even at the cost of a death penalty. The Christian religion was made the official religion of the Sami, which does not mean, however, that the traditional Sami worldview would have disappeared completely.

Many of its elements still exist and are reflected in thinking and certain practices. As Inga-Maria Mulk emphasizes, Sami sacred sites continue to have a strong emotional significance for many Sami both individually and collectively. This knowledge is transmitted from one generation to another through oral tradition and thus many Sami are aware of the sacred sites of their ancestors (Mulk 1994: 130).

### RAMIFICATIONS OF COLONIALISM IN THE SUTTÉSÁJA CASE

The centuries-long colonial process in Samiland has resulted in the erasure of the Sami land-based value system and worldview which Suttésája is also part of. This kind of cultural displacement of the Sami is evident in the commonplace lack of knowledge about sacred sites and their significance, or the traditional Sami land-based worldview and the accompanying system of values. In the case of older Sami, many of whom are strongly Christian, the cultural displacement is reflected in their reluctance to discuss and share the knowledge that they still may have. For them, the traditional Sami worldview or “religion” is considered a “sin” and thus a taboo. The long-term erasure of the cultural memory of the Sami by the imposition of Christianity and other assimilative, coercive measures has also led to circumstances where internal divisions and tensions in the municipality do not always follow the Sami/non-Sami divide. For example, while Ohcejohka/Utsjoki is the only municipality in Finland where the Sami form the numerical majority (69.9%), some of the municipality representatives actively involved in the water prospecting project are Sami themselves. Also, some other local Sami have indicated their support for the project either directly or by expressing dismissive comments of those who have raised concerns about the venture (e.g., Kojo 2002).

One of the several problems of cultural displacement relates to the question of consultation, a central issue and point of tension in the Suttésája water prospecting project. As discussed above, there are certain general principles that illuminate what consists of appropriate consultation. It could be, however, challenging to implement them in a situation where people in general do not know much about their cultural practices, considering that consultation requires that people recognize and are familiar with their cultural and social practices, values, and beliefs. If the colonization process has already reached a point where a large part of the cultural foundation has been eradicated by various official and more subtle, covert, and ad-hoc measures of the state institutions but also the general attitudes and views of dominant society, how is it possible—and is it even appropriate—to expect individuals and groups of people to participate in a meaningful consultation

process? The Suttésája case painfully illustrates the obscene nature of colonialism: after all the eradication attempts of a culture and identity over several generations, it is now required that in order to have finally protected what is left from the prolonged and still continuing attack, one must have knowledge and a viable connection to that culture and identity. In short, the problem is how to counter the effects of the colonialism and even more so, implement the principles aiming at protecting the rights of indigenous peoples when some Sami might be already so assimilated and manipulated into the mainstream society and its values that they do not appreciate and see the importance of intangible aspects of their own heritage such as values and a worldview?

The cultural displacement results in the internalization of colonialism (or some aspects of it). This internalization explains the tendency of some Sami to turn their backs to their cultural and spiritual heritage and side with mainstream views and perspectives that only see the commercial value of the spring.

The concept of hegemony is helpful in analyzing and understanding the internalized colonization of the Sami. Hegemony or domination by consent exercises power not by force or even laws and policies, but by far more subtle and clandestine mechanisms. These mechanisms, such as the education system, media, and public discourse ensure that the interests of dominant society (or the dominant group) appear as the interest of everybody and ultimately, is taken for granted also by those who remain marginalized or colonized. Consent is usually achieved by the imposition of colonial discourse “so that Euro-centric values, assumptions, beliefs, and attitudes are accepted as a matter course as the most natural or valuable” (Ashcroft, Griffiths and Tiffin 2000: 117). The hegemonic control is further enabled “through control of the dominant modes of public and private representation” (ibid.: 78). These representations become manifested, for example, in internalized views about indigenous peoples and their cultures as inherently inferior.

The internalization of inferior status is a process of conditioning through national legislation, education, religion, and socialization. Particularly in the postwar period, the Finnish educational system has played a crucial role in the assimilation and appropriation of the Sami consciousness. Sami children were taught rules and customs of Finnish society which applied not only to behavior and clothing but also values and worldviews. Some children internalized the dominant society’s way of thinking and worldview and thus started to despise their own culture (Lehtola 1994: 219–20). Many Sami have described their boarding school experiences and the way by which the internalization of dominant society’s foreign values destroyed their self-esteem to the extent that some Sami wanted “to be more Finnish than the Finnish themselves” (Sara 1984: 43). The reason for such behavior was that the formerly direct, open colonialism had become more insidious and invisible. It

had settled down in the Sami society and thus the danger of assimilation did not come from outside any longer as the Sami themselves had acquired the views of colonialism which lived within the society (Lehtola 1995: 44). Combined with the strong Christian influence in many Sami regions, including the Deatnu Valley of which the Suttésája area is part, this has resulted in some Sami arguing dominant views according to which Sami spirituality, linked with living in a respectful and reciprocal relationship with the land, is insignificant and even shameful.

In other words, the psychological force of the construction of the modern worldview and its values has been so forceful yet insidious and concealed that without recognizing, some Sami have adopted the notion of the other of themselves. This process could be called “self-othering” by which “the Sami other” is produced by Sami themselves.<sup>10</sup> Ultimately, “self-othering” leads to a situation where the Sami may become their own colonizers by inscribing colonial discourse upon themselves without necessarily being aware of it. This can take place in subtle ways such as adopting assumptions about culture, history, progress, and tradition characterized by modernity and initially generated by the colonizers.<sup>11</sup> In other words, many Sami—at least so it seems with regard to Suttésája case—have come to see themselves and their culture through the eyes of the modern, western worldview, and therefore, participate in mechanisms of control inscribed and employed by dominant, colonial discourses. The Sami participation in the dominant discourse by ridiculing their own culture and calls for its protection can be also understood through theories of power, where the dominant system and its representatives ‘reward’ more readily those Sami who side with the views of the mainstream society than those who do not (cf. Kailo 2002).

Trivializing and ridiculing are effective mechanisms of control which suppress other perspectives and make opposing arguments invisible (cf. Ås n.d.). These techniques have been commonly employed by those supporting the commodification of Suttésája. At an event organized by the municipality and intended to inform the local people about the water prospecting venture, some local Sami attempted to initiate an in-depth discussion on the collective cultural significance of the sacred site. Some others, however, turned the discussion into jokes about what they considered a “sacred” or a proper object of worship, such as a good-looking woman or the television (Kangas 2001: 15). A comment that equates a manifestation of the Sami worldview with worshipping women is not only trivializing and defamatory but also blatantly sexist and it demonstrates how colonialism and patriarchy intersect: the remark, which is intended as a joke, amalgamates the oppression of women and the denigration of Sami culture. Trivializing one’s culture in this way also reflects the loss of cultural memory and displacement caused by various insidious colonial processes now linked with pressures of economic globalization. What is more, it assists and reinforces the arrogance and igno-

rance of the authorities and representatives of dominant society, including the municipality.

For the project coordinators, the venture represents a goldmine that will remedy the dire economics of the northernmost municipality of Finland (e.g., Vakkuri 2002, Ohejohka/Utsjoki municipality 2002a). Pitting the economy of the municipality against the cultural and spiritual Sami values is inherently a questionable strategy that shows the unwillingness of the municipality to adequately address or deal with issues related to the rights of the Sami as an indigenous people. Instead, the municipality has repeatedly sought to cast any criticism of the project in a negative light as unheeded obstruction of selfish, irresponsible individuals who do not understand or care about the well-being or employment of local people (e.g., Väinänen 2001, Ohejohka/Utsjoki municipality 2002b). The same attitude is reflected in the environmental and cultural impact surveys and assessments of the project, all conducted by individuals who either are involved in the project or who have in public expressed their support for water prospecting. Besides being partial, these surveys are also very limited and deficient (Kuokkanen 2002, Sergejeva 2002).

The blatant, sanctioned ignorance (cf. Spivak 1988, 1999) about cultural, historical, and political issues pertaining to Suttesája is also poignantly illustrated by the chair of the municipal council who is also a member of the coordinating committee of the project. A Finnish man, he is quoted as telling the audience of the briefing session that although he also has a personal sacred site in the Deatnu river, it would never cross his mind to demand that nobody is allowed to fish in the vicinity of his 'site' (Kangas 2001: 14). Comparing the concern of a collective heritage of an indigenous people to his own individual preference represents arrogance at its worst. It also demonstrates the prevailing lack of knowledge and understanding of the collective dimensions of indigenous issues and rights by representatives of dominant society, including those who are expected to be better informed in their roles as government authorities and decision makers. It is alarming to bear witness that the future of Suttesája, a sacred site for the Sami people and one of the largest natural springs in Europe, is in the hands of individuals who are not able to discern between somebody's individual ownership or access to a certain area and the collective rights of a people to culture that defines them and on which their survival is directly dependent.

The sanctioned ignorance of the decision makers, government authorities, and the general public is a result of the continuing colonial processes and practices. Colonialism or the critique of colonial discourses is and cannot, therefore, be an issue pertaining to only those who remain colonized. Particularly in the current situation, where the colonial processes and practices pave the way for economic globalization—which in the Suttesája case takes the form of commodification of fresh water—they are a concern that affects

everybody and everything and to what we cannot really afford to close our eyes.

## NOTES

1. Marja K. Bulmer is the author of the section "Sami Cultural Rights and Consultation in the Decision-Making Process."
2. "Samiland" or the so-called Sami home region has been defined in the Sami Parliament Act as including the three northernmost municipalities in Finland: Anár/Inari, Eanodat/Enontekiö, and Ohejohka/Utsjoki as well as the northernmost reindeer herding district of Soaegilli/Sodankylä municipality.
3. This section is by Marja K. Bulmer.
4. The environmental impact assessment does not investigate the long-term effects of extracting water to the surrounding ecosystems, watersheds, or marshlands in spite of the fact that the Suttesája belongs to the marsh protection area. Similarly, the validity of the cultural and social impact assessment has been called into question as it does not consider the cultural significance of Suttesája in a balanced fashion but only presents information that supports the commercial exploitation of the sacred site. The complete lack of inclusion of oral tradition and history of the local Sami also comes as a surprise to many (e.g., Sergejeva [Porsanger] 2002).
5. Apart from the Constitution, the applicants rely on various international conventions ratified by Finland, including article 27 of the International Covenant on Civil and Political Rights, which provides that persons belonging to ethnic or other minorities shall not be denied the right, in community with other members of their group, to enjoy their own culture, December 19, 1966, 99 U.N.T.S. 171. It should be noted that the applicants were not able to directly rely on the International Labour Organization's (ILO) Convention No. 169 Concerning Indigenous and Tribal Peoples in Independent Countries (June 27, 1990) as Finland has so far refused to ratify the Convention.
6. The Sami cultural rights have not received much attention amongst the Finnish judiciary. The few cases that have addressed section 17:3 or article 27 have focused on the impact of logging and mining projects on reindeer herding, which has been determined to constitute an integral aspect of the Sami culture.
7. These principles of "good governance" are now codified in a new Administration Act that came into force after the municipality's decision was made.
8. Due to the border closures, reindeer pastoralism characterized by reindeer herding families migrating between their designated summer and winter grazing lands is no longer possible in Finland.
9. The Sami "religion" has drawn the attention of outsiders for centuries and it has been the subject of innumerable ethnographic, anthropological, and religious studies around the world. See, for instance, Ahlbäck (1987), Louise Bäckman and Åke Hultkrantz (1978), Holmberg (1987), Karsten (1952), Manker (1938, 1950), Pentikäinen (1995), Scheffer (1975), Sommarström (1991), and Vorren (1962).
10. Coined by Spivak (1985), othering refers to the various processes whereby imperial discourse produces its others. It is a dialectical process in which the coloniz-

ing Other is established simultaneously with its colonized others. Of all considerations of the concept of "race," Frantz Fanon (1961) was the first to analyze the objective psychological fact of "race" as a central part of the process of constructing individuals' perceptions of self.

11. This is also reflected in the Sami movement of the 1960s and 1970s which did not emphasize the significance of Sami values and worldview as a foundation in reclaiming and decolonizing Sami society and culture as many other indigenous peoples have done. Rather, the Sami political and cultural elite have focused on creating modern symbols of nation-building such as the flag and national anthem as well as establishing of institutions that are direct copies of their Nordic counterparts, demonstrating the thoroughness of the adoption of the values of dominant societies and their modern emblems of selfhood and identity.

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## 15

# What Lies Beneath? Cultural Excavation in Neocolonial Martinique

Renée Gosson

'The politics of ecology has implications for populations that are decimated or threatened with disappearance as a people.'

## INTRODUCTION

In more ways than one, the official departmentalization in 1946 of the island of Martinique *cemented* an already oppressive relationship between this former colony and France. Not only did it solidify the centuries-old dynamic of economic exploitation, it also initiated a whole new set of assimilationist practices on environmental and cultural levels. The French politics of assimilation introduced onto Martinican soil a series of standardizing effects that would attempt to reconfigure the Martinican political, economic, and cultural landscape in its own image:

The assimilationist ideology operates within a negation of space. Martinicans are so fascinated by France, and they so desperately want to be French, that they take all their models of social and urban development and *graft* them onto the French West Indian landscape, without any consideration for the geographical and ecological realities of the French Caribbean. And this creates an incredible devastation to nature.<sup>1</sup>

This study examines the various ways in which one culture grafts itself upon another. Those most concerned with resisting the *francisation*<sup>2</sup> of the Creole landscape and founding a Martinican national identity independent of

