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The Finnish Minority Situation in Norway

In the 1990s, heated ethnopolitical debates have been going on, especially in the regional newspapers of Northern Norway. The ethnopolitical perspective is not new. A continuous debate on Sami issues has also been taking place, especially in northern and central Norwegian newspapers, nowadays from an indigenous rather than a minority perspective.

The new aspect is that the Finnish situation is being publicly debated on a regional and even on a national level — and in a rather open atmosphere, sometimes quite polemically. In 1990 a regional and national media debate took place amongst academics on the situation of the Finnish-speaking minority in Norway. This concerned the question of ethical attitudes towards minority matters in research and especially in linguistic research. In 1991 the issue was the legal status of those whose ancestors were Finnish-speaking emigrants from Sweden and Finland. Public participants were persons affiliated to the Finnish minority. During 1992 and 1993 the government has come on the arena (Nordlys, March 1993).

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In 1991 a major question which seemed to be hanging in the air was: **When do immigrants cease to be immigrants, and when do they become a minority?** Is it when they get Norwegian citizenship? Is it when the descendants stop speaking the language of the immigrants? Another major issue was: **What rights do minorities in fact have in relation to the rest of the population of the country?** (Olsen 1992.)

An international declaration of minorities is in the making. Already in 1984, a Sami Rights Committee, set up by the Norwegian government, made known the preliminary work in the United Nations on a declaration on minority rights (NOU 1984:18, p. 238). The General Assembly of the UN decided at its 45th session on 18th December 1990 to encourage the Commission on Human Rights to complete the final text of the draft Declaration on the rights of persons belonging to national, ethnic, religious and linguistic minorities.¹⁾

This article is an attempt to look more deeply into issues concerning the Finnish minority culture, which are now mature enough to be lifted to a more formal legal level in national social policy in Norway. These issues concern a general discussion about the situation of all ethnocultural minorities in the state, not only the Finns. It is in fact an aspect of the international discourse on Universal Human Rights,

and a forthcoming declaration of collective minority rights. However, in this article I shall concentrate on the Finnish situation in Norway, and especially the North Norwegian Finnish minority. Finally I point out various fields of jurisdiction which are relevant for the discussion about immigrants and minorities and the protection of basic human rights.

The Newspaper Debate in 1991

In Norwegian ethnic tradition one term for the North Norwegian Finn is the ancient term *kven* (sometimes anglicized to Quain). *Finne* is the term most often used for an inhabitant of the old Finnish settlement area in South Eastern Norway, though these, also called 'Forest Finns', have also been officially named *kvenser* in Norway. The term *finlander* (Finlander) in Northern Norway has also been common in the 19th and the 20th century, meaning both a Finnish-speaking immigrant or a descendant of Finnish-speaking immigrants from Finland or Sweden (the Swedish Torne valley). In the early 18th century, the Finnish speaking settlers were termed "Lapplandish peasants of the Finlandic nation".

In the 18th century, Finland was just a province within the Swedish realm. The ethnic label *finlander* did not have the same geopolitical connotations as in the 19th century. From 1809 Finland was no longer part of Sweden's territorial jurisdiction, but under the jurisdiction of the Russian Tzar as a Grand Duchy. In Norway the term *finlander* has kept its ethnosocial meaning until today in northern local tradition. During the 19th and 20th centuries, the etymological meaning of *finlander*, in the ethnoterritorial sense, has been transformed from a provincial and regional definition to a ethnonational and a state definition. A finn in Norwegian

ethnic and national tradition is, on the other hand, a Sami (cf. the difference from *finne*). A Sami is also a *lapp* in Norwegian as in the Swedish ethnic tradition, while *lappalainen* is the Finnish ethnic term for Sami.

The discussion in North Norwegian newspapers about the rights of Finnish-speakers and others of Finnish descent in North Norway started with an interview in the Sami paper *Ságat* in April 1991. In May 1991, this was also published in *Met Ruijassa*, the paper for members of the organization *Norske Kvensers Forbund* (NKF). The Saga-journalist interviewed Einar Niemi, professor in history, about the folkname (ethnonym) of *kven*. The professor was engaged by the NKF to elucidate this concept, which has been the focus of interest for researchers since 18th century (Olsen 1985, Julku 1986).

Professor Niemi emphasized in the interview that *kven* was suitable for him as a descendant of Finnish immigrants with Finnish as their mother tongue. He could not find any other term to replace it. "For one who has lost the mother tongue and who is not a personal carrier of tradition and culture, the concept *finlander* is hardly satisfactory. The term *kven* covers this exactly," he stated. (*Ságat*, *Met Ruijassa*).

Olav Beddari, a school headmaster, argued point by point against central assertions in the interview about the use of the *kven*-name amongst people of Finnish descent. In his opinion people had no problem calling themselves *suomalainen* (Finn) or *norjansuomalainen* (Norwegian-Finn/Norwegian-Finnish).

Thereafter the media debate left the main track. Though heated, the ongoing newspaper debate was important, whether one agrees or not with the viewpoints.

A Need for a "Kven Act"?

Have *kvenner* rights? Must Finnish-speakers and descendants of Finnish-speaking immigrants have their own law for their specific Finnish situation in Norway, as the Samis have legal rules about Sami conditions in Norway? At a Nordic cultural conference in Tromsø in August 1992, the NKF-leader Bjørnar Seppola took up the question directly with Norway's Prime Minister. The Prime Minister agreed that the *kven*-question needed an answer (Nordlys, 30.08.1992).

The opinion of the earlier mentioned headmaster Olav Beddari was that the Finnish-speakers are protected by laws which already exist for Norwegian citizens, and also by the mutual Nordic legal rules which are valid for other Nordic citizens who move to Norway. We ought to remember that minority languages in Norway, Sweden and Finland are majority languages in the neighbouring countries.

In the NKF leader Seppola's opinion, *kvenner* seen as a national minority have certain rights which NKF wants to clarify. However, representatives of NKF have also communicated through the media that they wish the status of an indigenous population for the Finnish minority.

At NKF's first national assembly in Tromsø 22nd–23rd September 1990 a member of the NKF committee (a former NFK-leader) was quoted in *Met Ruijassa*, May 1991: "Our country has to take responsibility for the UN resolution on the rights of minorities and the ILO conventions. Borders between countries ought to be uninteresting because the *kvenner* are an indigenous population in the Northern Calotte (Nordkalotten)."

The Concept of Indigenous Population

The concept 'indigenous people' in international law was interpreted in Norway in 1984 in connection with the legal rights of Samis. Then it was stated that an indigenous population need not necessarily have stayed in an area since "the dawn of time"; neither need the population have been the very first inhabitants of the area.

The important issue in international law in 1984 was that an indigenous population had to have a historical continuity from before the area was placed under the jurisdiction of the state. Thus they ought to have lived there continuously through time in that area. Further, an indigenous population ought to have their own culture, and this culture should still be connected to a traditional primary livelihood (NOU 1984:18, p. 346).

In 1984 there existed an ILO Convention from 1957 concerning the protection and integration of indigenous and other tribal and semi-tribal populations in independant countries. This convention was never ratified by Norway (NOU 1980:53, p. 7, 69 and 80). A new ILO Convention (No. 169) concerning indigenous populations and tribes in independant states was accepted in 1989 and ratified by Norway in 1990. This convention became effective in 1991. In connection with the Norwegian ratification, it was decided in Norway that the ILO Convention 169 was to be valid for the Sami population.

A Coming Minority Declaration

A major problem is that the international legal protection of human rights does not provide a clear foundation for the protection of **minorities as groups**, in other words it does not represent collective

minority rights. It is taken for granted that individuals belonging to minorities are protected by the universal protection of human rights (NOU 1984:18, e.g. p. 243–45 and 340–41).

The United Nations Universal Declaration of Human Rights from 1948 (UNDHR 1948) was consultative for later rules. The declaration was not legally binding for the member countries of the UN which accepted it. However, the European Convention for the Protection of Human Rights and Fundamental Freedoms, signed in Rome on 4th November 1950 (ECHR 1950), was legally binding for those members of the Council of Europe which accepted the convention (see paragraph 30).

The UN is now in the process of finishing a text for a declaration on non-discrimination and protection of persons belonging to national, ethnic, religious and linguistic minorities. Internationally there are no clear rules or specific documents which can be of guidance in minority matters.

A clarification of the North Norwegian Finnish situation ought to deal with the question of Finnish language and culture within the total geographical area of Norway, not only amongst Finnish-speaking new immigrants and descendants of earlier immigrants in the northern region (Norsk Kulturråd 1976, Olsen 1982). North Norway is language-wise different from South Eastern Norway (*Østlandet*), where Finnish disappeared after World War II. However, from the early 17th century, the Forest Finns (*skogfinner*) or 'Finn foresters' (*finnskoginger*) made their impact on the south-eastern Norwegian regional culture and contributed many typical characteristics which most people today are not aware are of Finnish origin. We have a little knowledge, however, of the interchange

between the old Forest Finnish culture and new Finnish-speaking immigrants in southern Norway (Olsen 1971).

Geopolitical Relations through History

Whether the Finnish-speaking new settlers in Karasjok, Polmak and Tana in 1751 lived in Norway or Sweden-Finland was a matter of debate in the media (Sågat 1.06.1991; Nordlys 28.08.1991 and 9.01.1992). In other words — were they new settlers in Torne Lapp district (*Torne lappmark*) or in Finnmark county?

Cultural-historically and constitutionally there should be a basis for the following argument: before the frontier demarcation in 1751 between Sweden-Finland and Denmark-Norway, the Finnish speakers who came to the coast directly from the Kautokeino-Masi area and the Karasjok-Tana valley came from Lapplands (*lappmarker*), i.e. districts with a Sami population. The Lapplands had an economic and administrative connection with the Torne Valley villages (*bygder*). In the early 18th century, the western boundary of the Finnish language followed a line roughly drawn from Kalix towards Kiruna. Politically one could say that Torne Valley Finnish was not more 'foreign' in the Swedish State in the 18th century than Finland-Swedish was in Finland.

In 1809, another significant frontier demarcation for Finnish minority matters took place when Finland, which had never been an independent state, became an autonomous country. In the Torne Valley an old and naturally integrated part of the Swedish empire was suddenly divided into two. Five years later, in 1814, Norway declared itself independent of Denmark after more than four hundred years of Danish sovereignty. Later the same year Nor-

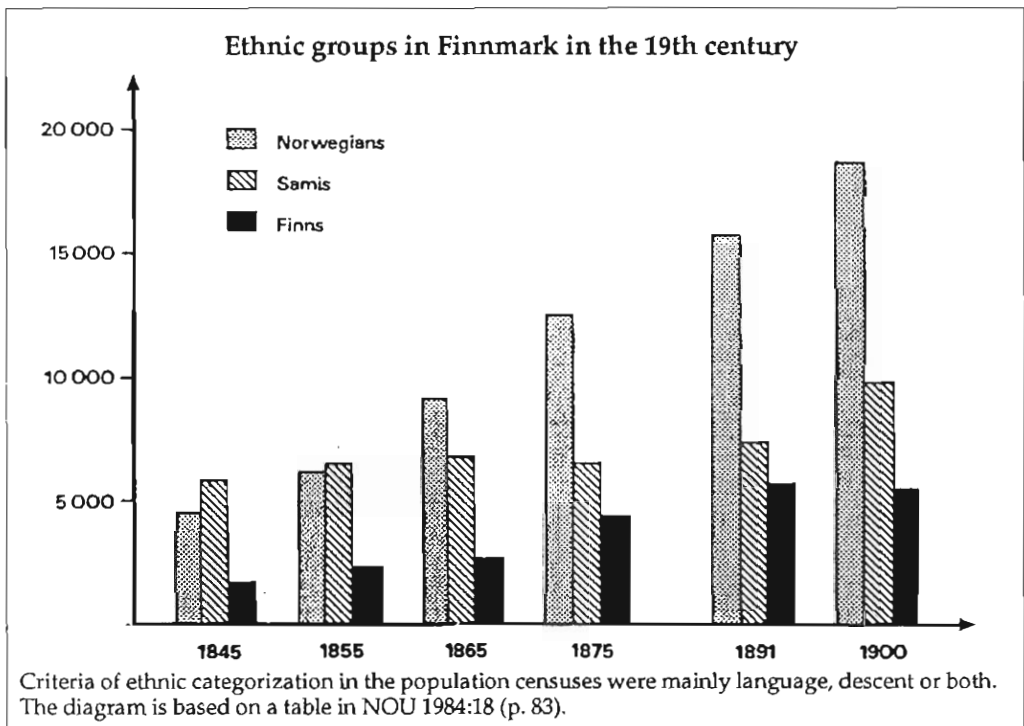
way entered into a union with Sweden which lasted till 1905. Before the union with Denmark, Norway was a sovereign kingdom from around 900, when Harald Fairhair had unified smaller chieftains into one central territory. At the beginning of the 14th century, Norway's easternmost fortress of defence was at Vardø in Finnmark, still the easternmost cape of Norway. Finland was not a well defined entity before the Swedish era which started with the crusades in 12th century.

For indigenous Sami matters in Norway and in Sweden, 1751 is a more significant year than 1809. Although the frontier demarcation in 1751 was not an entirely new state boundary, it provided a clear demarcation line in an old grey zone, where two competing neighbour states had claimed sovereignty. Another relevant date in the history of indigenous

and minority matters is 17th May 1814, when Norway's constitution was promulgated. However, the declaration of independence and the constitution of 1814 do not alter my main perspective on the Finnish minority as a non-indigenous population in Norway.

The Finnish Element in Norwegian Culture

Especially after 1700, Finnish immigrants have had an impact on the cultural landscape of Northern Norway through settlement patterns and use of resources. Influences through house-building traditions, working life, primary livelihood, trading economy, language use, health conditions, religious life, songs and poetry are part of the historical immigration process which is still going on. The Finnish-speakers in the river valleys of



inner Finnmark had a strong influence on dairy farming and salmon fisheries. The Samis on their side had a strong influence on language and other aspects of culture. Many Finns changed to a Sami cultural pattern through marriage. Until World War II the trade contact between coast and inland was a contact not only between the coastal people and Samis, but also between the coastal people and Finns.

Finnish in North Norway and the Torne Valley

Cultural-historical research indicates that the existence of a permanently settled population of Finnish-speakers in the Torne Valley is older than the sovereignty of the Swedish State in this territory. The ancient *kven*-name has its background here, and some people claim that all Finnish-speakers in North Norway, North Sweden and North Finland are descendants of these *kvener* from the past. This is used as an argument for making a distinction between recent immigrants from Finland, called "the new immigrants" (*nyinnvandrerne*), who began to come in greater numbers from around 1960, and the old-established North Norwegian Finnish population which existed before 1960.

Many people see the situation of the Finnish language and culture in Norway as equal with Finnish in Sweden. Both countries have Finnish minorities — and also Sami minorities. However, the concept of indigenous population is more relevant for Torne Valley Finns in Sweden than for North Norwegian Finns. One basic historical difference between the two countries is the fact that the Finnish-speakers in Norway came from Sweden — and from Finland; they were emigrants from both

these countries. The Finnish-speakers in Sweden had not emigrated. Or rather, we know very little about Finnish-speakers who possibly have returned from Norway after the migration of the first and second generations — did they ever return in large numbers?

We know that many Finnish-speakers in Norway travelled after 1860 further to America, where Finnish-speakers from Norway, Sweden and Finland settled together in Finnish and Nordic settlements and established new local societies. It should not be necessary to mention that the Finnish language is central for the contact between these people. Language in a wide meaning includes linguistic traces, such as the names of persons and places and specific ways of expression when Norwegian everyday speech is mixed with Finnish words or idiomatic meanings.

However, the dialect and language discussion in the Torne Valley is not as simple as the impression held by many in Norway. Nonetheless, the comparative perspective is relevant. In Sweden as in Norway, one great internal issue is whether the written Finnish should be based on the official written standard of Finland or on the regional oral tradition in Sweden and Norway. The latter in both countries is called *meänkieli* (our language), while in the written standard of Finland it is *meidän kieli*. Another problem is which dialect should be the basis for the regional written standard in Sweden, the western Gällivare-Finnish or the eastern Torne River dialect in Norrbotten county. A similar question in Norway is whether a written standard should be based on the western, central or the eastern Finnish dialects in Troms and Finnmark counties.

The Comprehension of Minority in 1962

I would denote the North Norwegian Finns as an immigrant minority, because they have immigrated from other states and have come to Norway as foreign citizens. Immigrant minority thus tells us something about the historical background of an ethnic minority. Family histories about immigration to North Norway and emigration from the Torne Valley and Finland are among the most important common traditions in this minority group. The tradition of migration (emigration and immigration) is the specific history of the group.

The argument that the North Norwegian Finns are nevertheless not a national minority in legal terms may possibly be traced back to 1962 (Ságat, 1.06.1991; Nordlys, 28.08.1991). Terje Wold, who at the time was Chief Justice, presented the following viewpoint at the 4th Nordic Sami Conference: *"As already mentioned I would believe that the Samis in Norway constitute a minority in international law. This, however, is not the case with that part of the population in Finnmark that is of Finnish descent. They, especially the older people, have their own language and to a high degree their characteristic culture. They are a very valuable part of the Norwegian population, and have to a high degree taken part in cultivating and building up the region. But the Finns have themselves chosen to leave Finland and become Norwegian. They are therefore in the same position as all other emigrants — thus for example all Norwegians who have emigrated to USA. They do not constitute a national minority as understood in international law, and neither have they any legal claim internationally to specific rights as a minority group."* (NOU 1984:18, p. 386.)

The Chief Justice's²⁾ statement in 1962 must be considered in relation to the in-

ternational legal understanding of minorities. Between the two world wars, the League of Nations had agreed to a comprehensive protection of minority groups, i.e. a collective protection of minorities, through a series of separate negotiations (NOU 1984:18, p. 229–34).

The effect of the Chief Justice's statement later gained great force. In emphasizing that the Samis had specific rights as an indigenous population, the Finns were used as a contrasting group. As mentioned above, Norway did not sign ILO Convention No. 107 from 1957 concerning indigenous populations; however, the arguments were well known. Amongst the old-established minorities such as the Samis, the Jews, the Gypsies and the Travellers, only the Samis and the Finns had relatively clearly defined areas of settlement in specific regions.

New Immigrants from Finland

During the period of economic expansion after World War II, Norway needed labour power. Immigrants were welcome, both economic immigrants as well as political refugees. In 1975 an amendment to the Aliens Act of 1956 came. The amendment was called the Immigration Stop. Legally it represented a restriction on the employment of people who were not Nordic citizens. In practice the amendment became a means of restricting immigration, especially from non-European countries.

For new immigrants from Finland the positive attitude of the politicians towards immigrants in Norway was naturally an encouragement to demand mothertongue teaching for their bilingual children. The old-established Finnish immigrant minority did not have an official right to learn Finnish at school.

Another factor was the knowledge these Finlanders had of bilinguality as a positive resource for children in multilingual families. This was knowledge from their own home country, and especially from the practical experience of Finland-Swedes and accompanying research on minorities and language (Olsen 1986, p. 60).

In the Nordic labour market, places of employment in the fishing industry in the north of Norway provided an important magnet for seasonal workers and immigrants from Finland. Later women with higher education became an important asset in the regional development of the north. They filled functions in which knowledge of the Finnish language was either necessary or desirable.

The foundation of the University of Tromsø in the 1970s and of the Finnmark

Regional Polytechnic in Alta in the 1980s was also important for the adaptation of the new immigrants to North Norwegian society. They could go straight into teaching and research positions in Finnish language.

The Agony of Choice

Several new immigrants from Finland married into old-established Finnish-speaking families. Eventually they gained the right to be taught Norwegian. Their children were given mother-tongue teaching in Finnish, because they were foreigners. However, descendants of the earlier Finnish-speaking immigrants could not get their Finnish improved, nor could their children, because they were Norwegian citizens. The situation is better in 1993, though the newspaper debate

Foreign citizens in Norway by citizenship, 1st January 1991

	Norway	Oslo	Troms	Finnmark
Total population	4,249,830	461,644	146,816	74,590
	100 %	10.86 %	3.45 %	1.76 %
Foreign citizens	143,304	45,427	2,396	1,809
	3.37 %	9.84 %	1.63 %	2.43 %
Denmark	17,198	3,605	345	194
	0.40 %	0.78 %	0.23 %	0.26 %
Finland	3,051	696	162	629
	0.07 %	0.15 %	0.11 %	0.84 %
Iceland	2,202	526	78	12
	0.05 %	0.11 %	0.05 %	0.02 %
Sweden	11,672	3,086	376	168
	0.27 %	0.67 %	0.26 %	0.23 %
Other European countries	38,735	11,035	551	232
	0.91 %	2.39 %	0.38 %	0.31 %
Other countries	70,446	26,479	884	574
	1.66 %	5.74 %	0.60 %	0.77 %

The total population of Oslo, Troms and Finnmark (the two northern counties with old Finnish settlement) are respectively indicated as a percentage of the population of the whole country of Norway. Foreign citizens and selected groups according to country of origin are seen in relation to the total population within the country, the capital and the two counties. "Other countries" includes "Stateless" and "Unknown". (Source: NOS B 988, 1991, p. 30-33; NOS B 978, 1991, p. 136-137)

on language teaching still goes in the regional papers, now between NKF and the Ministry of Home Affairs and Employment (Nordlys, 13.03. and 23.03.1993).

The new immigrants who flowed into North Norway in the 1960s and later then had to make a choice. They could organize themselves as a new immigrant minority in line with other large groups of new immigrants in order to get the benefit of basic linguistic and cultural rights. Or they could organize themselves with earlier immigrants and their descendants. Then they would be able to cultivate their specific minority interests within a minority society which included both older and newer immigrants.

The Concept of Minority in Research about Ethnic Groups

National minorities are those who historically are connected to their country, but who speak one of the languages of their neighbouring countries. Examples are Finnish-speakers in North Norway, Torne Valley Finns in Sweden, Swedes in Finland, and the German-speaking population of South Jutland in Denmark. **Multinational minorities** are those who have historical roots in their country, but who are at the same time minorities in several countries. Examples are Samis, Jews and Gypsies. **Immigrants** are most frequent in Sweden. Examples are people who have come after World War II, and of whom many still have their foreign citizenship.

Minority areas with special status are the Faroe Islands, Greenland and Åland (Allardt & Starck 1981, p. 83–86). There is, however, an essential difference between these minority areas with special status and other regional minorities, such as the Finnish and Sami minorities in Norway and Sweden, the Swedish and

Sami minorities in main land Finland and the German minority in Denmark. These areas are all islands, spatially very clearly separated and defined in relation to the territory of their "motherlands" Denmark and Finland.

Minority or not?

The NKF-leader Seppola made a distinction between a Finnish minority and Finnish immigrants in the newspaper debate. I have already commented these two concepts. However, it is convenient to quote Seppola so we see the Finnish minority in the context of the international work for the protection of our human rights both as individuals and as social members sharing common cultural values: *"The reason for our definition of the Finnish culture in Norway as a minority culture and not as an immigrant culture is very simple. When the Norwegian state was founded in 1814, there were three groups of people within its boundaries: the Norwegians, the Samis and the Finns, who were called kvenske. The Norwegians were at that time the majority population in Norway and the Samis and the kvener a minority population because they are fewer individuals than the Norwegians"* (Nordlys 28.08.1991).

Seppola mentioned further that the International Covenant on Civil and Political Rights (UNCCPR 1966) and the ILO Convention No. 169 on the protection of indigenous and tribal populations are valid for national minorities and the right they have to cultivate their language and culture. However, it is not valid for immigrants, according to Seppola. It is not, if by "immigrants" is meant "foreign citizens" or "foreign born".

Norway has a field of jurisdiction for the rights of immigrants, which is connected with the immigration policy. The

specific law is the Immigration Act from 1988 (which replaced the Aliens' Act from 1956). We have a field of jurisdiction for indigenous rights because Samis are living in the State of Norway — and we also have a corresponding policy. As mentioned before, Norway signed ILO Convention No. 169 concerning indigenous peoples and tribes in independent states on 20th June 1990. It was effective in Norway from the autumn of 1991, and was an important matter in the Sami Parliament in December 1991.

Minority Jurisdiction

So far Norway has not a legal field which can be termed minority jurisdiction. A minority policy will at any time have an impact on the field of minority jurisdiction — and vice versa. Important issues for the field of minority jurisdiction would include a description of the content of legal rules which concerns minorities, explaining how they should be practised and giving a picture of how they are in fact practised.

In trying to make a distinction between immigrants and minorities, we are in the grey zone between the rights of foreigners and international law. The discussion of North Norway's Finnish minority culture is located in the overlap between the two legal fields. The Immigration Act deals with the legal status of foreign citizens. Foreign citizens are those without Norwegian citizenship who stay on Norwegian territory. It concerns everybody — from tourists and sailors in transit to immigrants with permanent permits of residence. All foreign citizens have a legal protection through the Immigration Act of 1988 (in force in 1991). This act also concerns other Nordic citizens, when they are not excepted by specific Nordic agreements. The Nordic countries have

constituted a common passport area from 1954. The Immigration Stop of 1975 did not affect Nordic citizens. From 1st July 1954 citizens of Denmark, Finland, Norway and Sweden did not need a passport when crossing the borders of another Nordic country, nor a special work permit. From 1982 Iceland was included (NOU 1983:47, p. 119–124).

The conventions on human rights and the ILO Convention No. 169 (1989) regarding indigenous peoples concerns international legal relations. From the 17th century, interstate legal relations have dominated in international law. Treaties are only binding when they are ratified by Norway. According to the Norwegian constitution, Parliament (*Stortinget*) has to agree to the most important ones.

The legal protection of minorities after World War II is based on international rights. The Universal Declaration of Human Rights was adopted and proclaimed by the United Nations General Assembly resolution of 10th December 1948 (UNDHR 1948). The declaration was not legally binding for the individual countries, only morally binding. The European Convention for the Protection of Human Rights and Fundamental Freedoms was signed by the Council of Europe on 4th November 1950 (ECHR 1950).

The basic principle in UNHR 1948 and ECHR 1950 is the protection of the individual and not the protection of the group (NOU 1984:18, p. 17). Article 14 of ECHR 1950 states: "*The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status*".

In later additions to ECHR 1950, it was decided that nobody could be denied the right to education. Also, the state should respect the right of the parents to secure teaching in accordance with their own religious and philosophical conviction (Protocol No.1, Article 2, signed in Paris on 20 March 1952). When pupils in the Norwegian compulsory school today are not obliged to attend religious teaching, it is in line with international law. When parents who are members of the *Laestadian* congregations can choose their own teaching scheme for their children, it is also on the basis of the same international protection of human rights.

The Strengthening of Minority Protection

After Chief Justice's statement in 1962, several UN conventions have entered into force, such as the International Covenant on Economic, Social and Cultural Rights (UNCESCR 1966) and the International Covenant on Civil and Political Rights (UNCCPR 1966). Both were adopted by the United Nations in 1966, but did not enter into force before 1976 (NOU 1984:18, p. 239). In 1965 came the International Convention on the Elimination of All Forms of Racial Discrimination (UNCERD 1965), which entered into force in 1969.

These conventions were central in 1984 in the question of the legal status of Samis. The Sami Rights Committee wanted to consider the minority situation of the Samis in relation to international law. This means that these documents should also be important for the Finnish minority (NOU 1984:18, p. 19–21, 236–37). Of special importance for the Sami Rights Committee was Article No. 27 in UNCCPR 1966, which ends as follows: "*In those states in which*

ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language." According to the committee the term "minority" had consciously been used in 1966 to strengthen the collective aspect of the human rights.

Clarification of Finnish in Norway

Can the Finnish minority in North Norway be classified as immigrants? The answer is in my opinion yes, both historically and in relation to the situation today. It is an old immigrant minority, which has continuously absorbed new immigrants, and continues to do so in 1992. It is also appropriate to denote it as an ethnic minority, a cultural minority, a linguistic minority and a national minority.

Those who belong to this minority have rights according to Norway's acceptance, ratification and practice of the international conventions on human rights. They also have specific rights derived from Nordic legal cooperation and other mutual agreements. There is a need, however, to coordinate efforts and to form more definite rules which do not diverge significantly from those relating to other groups with similar basic needs. This would be more effective for administration at the national level. With a new declaration on minorities, all minorities in Norway would get a firmer framework to relate to.

A declaration on minorities would thus concern other minorities in Norway in addition to the Finnish one. It would be a touchstone of the will of all Norwegian citizens to take seriously the universal human rights.

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Notes

1. Cf. Decision 45/434; Report A/45/838; Report A/46/100; see also MRG 1991. The Commission on Human Rights approved the Draft declaration at the 48th session (Resolution 1992/16 of 21 February 1992 (UN 1992).
2. Terje Wold worked 1922–36 as a solicitor in Vadsø, the administration centre of Finnmark county, and the largest Finnish-speaking community in the north; Wold was 1939–1945 Minister of Justice; in 1945–49 he represented Finnmark county in Parliament (Stortinget); in 1958 he became Chief Justice (Östlid 1988, p. 64).