

Negotiating the indigenous status in the Russian Federation

Anna Stammler-Gossmann
(University of Lapland, Rovaniemi, Finland)

Abstract

Vibrant claims of an indigenous status in Russia have dynamically entered the political and societal agenda since the end of the Soviet Union. A culminating point of this dynamic can be seen in the changing of the list of officially recognised indigenous groups, which has increased from 26 at the end of the USSR to 46 in the Russian Federation as of 2008. A reassessment of indigenesness* in the post-Soviet setting is carried out in the context of deeply rooted, old patterns of the nationality policy, and in the context of the new dimensions of the relations between the state and indigenous people. The national discourse is also challenged by the international understanding of indigeneity, regional manifestations and the interconnectedness of both perspectives. This paper analyses the construction of indigeneity as an interactive process of negotiation between the international, national and regional understandings. The contested meaning of the indigenous status is examined through a changing legal articulation of its constituents and variations in their localisation. The interplay between indigenous identities recognised on the federal Russian level and those of more regional relevance, is especially considered in the case of the north-eastern Republic of Sakha Yakutia. I argue that despite the importance of global connections, the

* There is no clear distinction between the terms indigenesness and indigeneity. Therefore, I prefer to think more in terms of 'indigenesness' referring to the indigenous status as a state regulated by the rules and norms in the Russian official context. Using the notion of 'indigeneity' I refer stronger to discourses, conceptualisation, and worldviews (for further information see Weaver 2000).

national classification continues to be the main power of political negotiation within, across and beyond the conceptual frame of the indigenous status. At the same time the powerful but contested frames for the indigenous status in their provisional and context related perspectives create game for potential breaks and alliances.

Keywords: Russia, indigenous peoples, Russian legislation, Republic of Sakha (Yakutia), indigenesness, indogeneity discourse, criteria of indigenous status

Introduction

The term indigenous is relatively new for Russia. It was not present in the legislation of the Soviet Union, although the protection of indigenous peoples and their traditional activities was not a new concept in Russia. The use of these definitions was considered appropriate only in a colonial context, which has been seen as not applicable for the Russian case. Referring to this aspect and according to the international legal understanding of that time, it was declared that the USSR had no indigenous peoples within its territory (Barsh 1986). The model of an indigenous status, given the demise of Soviet ideological constructs of the nationality policy in the post-Soviet setting, has been faced with new challenges that demand strong linking across trans-national, national and regional contexts.

The three pillars, upon which indigenesness is affirmed, are a national legal system, the contemporary world of trans-national units and the institutions of a local government. The national political scene is challenged by internationalised indogeneity, competing understandings of the indigenous status at the regional level and the complexity of ethnic, spatial and administrative structures of the country. The previously clear, legal

‘indigenous language’ is exposed to a shifting interpretation of the state’s definition of space, time, size and population stratum. For example, the entering of the ethnic group Kamchadals, descendants of Russian settlers in far eastern Kamchatka, into the official list of indigenous people, demonstrates changes of normative significance of these categories in official classifications and efforts to translate modes of measurements into contemporary understandings of ‘indigenous’. The growth of indigenous claims indicates not only the process of recovering the historical distinctiveness of marginalised groups, but also particular dimensions associated with the ambiguity of the indigenous status within the legal structure.

The modern legal, political and social interpretation of the notion ‘indigenous’ in Russia is a constant process which is highly dependent on the discourses in the relation between state and indigenous people, and the chosen perspective on indigenesness produced in a complex interaction of global, national and regional contexts. At the same time, a permanently changing and constantly revised legitimacy of the indigenous status is placed between the sharp focus of the legal targeting of indigenous groups and the vagueness of multilayered approaches in their construction. The trajectory of defining ‘indigenous’ is shaped by the changing dynamics of indigenous entitlement and modern state classificatory schemes, as well as by international affiliation.

Numerous publications deal with different components of this issue, referring to the situation and politics of the indigenous peoples in the Russian North as well as to particular case studies. Research has been directed towards studying various perspectives on the rights of indigenous peoples in the Russian Arctic and environmental issues. The question of defining indigenesness in Russia was also considered from the perspectives of state formation (Sokolovski 2000; Stammer-Gossmann 2009), evolution of indigenous policy (Øverland and Blakkisrud 2006) and components of legal codification of indigenity (Donahoe et al

2008). The significance of ethnicity for codifying the indigenous status in Russia and the situation of indigenous peoples particularly attracted the attention of Russian researchers after the Russian population census 2002 (Tishkov 2004; Bogoyavlenskiy and Murashko 2004; Sokolovski 2005). Many case studies focused on the indigenous perspective (Krupnik and Vakhtin 1997; Anderson 2000; Osherenko 2001; Stammmler 2005). The empirical richness of multilayered conceptualisations is represented by a large ‘coping and survival literature’, as Blakkisrud and Hønneland (2006) term it, on Northern Russian affairs ranging from indigenous rights to the autonomy of the Arctic peripheries.

However, the potential for comparing indigenousness across global, national and regional variations has not been sufficiently utilised. Little is known about the process of localisation of indigenous identities, resulting from the interplay of different scales, creating both misunderstandings and common ground. This paper analyses a specific Russian conceptualisation of the indigenous status as an interactive process of negotiations between international, national and regional meanings. The contested understanding of this status is examined through a changing legal articulation of its constituents and variations in their localisation. In doing so, the author examines indigenous issues in a national legal space as it is represented amongst definitions constituting the qualities of the indigenous status. The interplay between identities recognised on the federal Russian level and those of more regional relevance is considered using the example of the north eastern Republic of Sakha Yakutia. This article is based on the long-term research of the author in Sakha Yakutia and fieldworks conducted in other parts of the Russian North (Murmansk region, Nenets Autonomous Okrug, Kamchatka) in the period 2005-2009.

Rethinking 'indigenous'

Being labelled indigenous in the Soviet Union was not popular among those residents, who otherwise would perfectly fit into this category. It was commonly viewed as a state of backwardness, which was meant to be taken straight from the 'stone age to socialism' by those who were more advanced. In its spatial categorisation, the indigenous status was associated with the marginal peripheries around the circumpolar lines; of little relevance to the cultural mainstream. Therefore, in the Brezhnev era, indigenous people themselves preferred to be registered in their passports as part of a bigger, 'advanced' people. In mixed non-indigenous – indigenous families children were preferably registered as non-indigenous.

The notion 'indigenous' was established for the first time with the new Constitution of the Russian Federation in 1993 and the currency of the term 'indigenous people' as well as its functionality for certain interests increased gradually. A culminating point of this dynamic can be seen in the almost doubled number of officially recognised indigenous groups: from 26 at the end of the USSR to 46 groups in the Russian Federation as of 2008. Once a source of shame for some, it is now a source of pride for many of those who can claim it; a sign of resilience against assimilation pressure and embeddedness in a whole socio-environmental system. Conversely to the state of backwardness, nowadays, indigenoussness is perceived as a state of ecological wisdom, being in harmony with nature, intimacy and the spirituality of the human-nature relationship. The first of the Russian indigenous institutions, the Russian Association of Indigenous Peoples of the North (RAIPON) was established at the First Congress of Indigenous Peoples of the North in 1990*. RAIPON has since then developed into an active advocate for

* Since 1993 is registered as Association of indigenous peoples of the North, Siberia and Far East of Russian Federation.

Russia's indigenous peoples, with a focus on pushing relevant issues onto the general political agenda, and passing legislation for the protection of indigenous peoples.

The First Congress of the Indigenous peoples became a milestone in the history of northern indigenous residents. These days of the Congress, as described by the leader of the Association of the Kola Sami were marked by an unforgettable excitement: 'Could you imagine, I could appear in a Sami national dress in Moscow, in the Kremlin, and Gorbachev personally greeted the indigenous delegates' (personal communication 2007). For the first time ever, indigenous people got a chance to express their concerns and share their opinions on a Russia-wide event. Screened on TV, the sessions generated broad public attention to indigenous issues and made some of the indigenous leaders famous in the whole country. As Tishkov states, 'this was the time of such resounding statements as the one made by Vladimir Sanghi, a Nivkh writer, who said that 60 % of Russia's territory was traditional aboriginal land, the time when politicians with an aboriginal background, such as Evdokia Gayer, a Nanai, enjoyed extreme popularity that bordered on worshipping' (Tishkov 2004).

The post-Soviet development of indigenous identity has given the native residents a new source of pride and assertiveness. The usage of the indigenous designation in terms of corresponding rights and privileges (Federal Law on Guarantees 1999/2009, No.82-FZ) has become a new significant point in the context of ethnic and cultural revival, and the transition to a market economy in post-Soviet Russia. The popularity of the notion of indigenous peoples has been significantly increased, due to the trans-national networks that have created excitement about indigenous issues and that have provided a common platform for the articulation of indigenous issues. Indigenous peoples have taken a leading role in the setting of human rights standards, making their presence known in such international forums as the International Labour

Organisation, the Arctic Council, and the annual meetings of the United Nations Permanent Forum on Indigenous Issues.

Like other indigenous societies, indigenous peoples of Russia also make use of the internet for their sophisticated information-sharing infrastructure, self-expression and networking. Niezen provides an example of the use of communication technology by showing the dynamics of cultural activism through international lobbying networks and by pointing out that information can be distributed on advanced ways, while an indigenous ‘digital identity’ is expressed and affirmed (Niezen 2004). Through international cooperation and networking, Russian indigenous representatives position themselves in their transnational status in relation to their national situation. Such links reinforce national differences in the framing of indigeneity and expose Russian policy makers to increased activism amongst indigenous people. In economic terms, the grown attention to indigenous issues, especially in the last decade, was generated by the sharp increase of Russia’s dependence on the revenues from natural resource extraction. Many of these deposits are situated in the vast territories inhabited by indigenous peoples (Stammler & Wilson 2006), a pattern observable across the whole globe. The change in the political world order (e.g. the end of the Soviet Union) has brought decision-makers in politics and natural resource developments to consider the issues of the indigenous peoples of the Russian Federation more than ever before.

Indigenous issues have dynamically entered national legislation since the end of the Soviet Union. Certain difficulties arise when applying the term ‘indigenous people’ – as it is commonly understood in the definition by the ILO Convention 169* – to the

* An understanding of the concept of “indigenous and tribal peoples” is contained in article 1 of the 1989 Convention concerning Indigenous and Tribal Peoples in Independent Countries, No. 169, adopted by the International Labour Organization, but no such definition has ever been adopted by any UN system body. Contemporary scholars have avoided formal definitions in favour of devising relevant criteria, which can assist in the textual determination of indigenouness. One of the most

Russian legal system. The compatibility of national with international law is considered as one of the main obstacles hampering the ratifying process of conventions in contemporary Russia. Nevertheless, despite the importance of global connections, contested lines of indigeneity are drawn across cultural and political frames that are comprehensible within the nation. Also, in the Russian case, as Tsing states, ‘the form of indigeneity in a particular place cannot be divorced from these histories of national classification and management’ (Tsing 2007: 39). National variations in the legal and societal meaning of ‘indigenous’ are structured on the historical experience of the Soviet assimilation policy. The present construction of indigeneness in Russian legislation reflects a number of historically inherited elements and discourses in the relationship between the state and the indigenous peoples (Stammler-Gossmann 2009). Further, indigenous cultural identity, wherever it is asserted, is articulated within the compensatory apparatus of assimilation.

Representing the indigenous status by a nationally unified model puts other challenges onto the national agenda. The history of relations between the state and its native residents reveals that despite limited freedom, a certain level of agency was allocated to non-Russian peoples for their local versions of central policy. A strategy of evasion and different forms of retreats were a usual reaction of the indigenous society (Stammler 2005). Some authors also emphasize the different perception of the relations between indigenous people and the state, where for example paying tax in Tsarist Russia was perceived by indigenous people as part of general reciprocity or as a form of trade (Ssorin-Chaikov 2000). Even in periods of strong centralisation the indigenous identities became multilayered, which resulted in ‘identity switching’ (Elwert 1997) or – in other words - ‘situational identity’ (Kappeler 2003). ‘Specific mechanisms of adaptation’ (Stammler 2005), such as

cited attitude to define indigeneness was included in Martinez Cobo, J.R. *Study of the problem of discrimination against indigenous populations*. UN Doc. E/CN.4/Sub.2/1986/7Add.4, para.379.

among the Nenets during the Soviet time, incorporated new inventions from outside the identity-system as complementing rather than replacing already existing practices. Moreover, today the regional articulations of indigenous issues demonstrate the possibilities of local agency depending on the situation in centre-periphery relations.

Translating indigenusness from the international to the national framework

Russia currently recognises 46 groups as indigenous. It was in 2008, when the last group, the Vod', received the indigenous status. According to the International Work Group of Indigenous Affairs (IWGIA) there are between 41–60 indigenous groups in the Russian North, Siberia and the Far East, constituting about 250,000 people (IWGIA 2006: 51). On the waiting list to be recognised as indigenous are other groups like e.g. the Pomors and the Komi-Izhemts, subgroups of ethnic Russians and Komi respectively. The federal government has the primary role in the recognition of the indigenous status and the formation of policy towards indigenous peoples. At the same time the basic features of the post-Soviet legislation indicate a significant influence of international regulations.

The new 1993 Constitution states that the Russian Federation guarantees the rights of indigenous peoples 'in accordance with the commonly recognized principles and norms of international law and international treaties of the Russian Federation' (Article 69). Article 15 (4) declares that 'the commonly recognized principles and norms of international law and international treaties of the Russian Federation are a component of its own legal system. If an international treaty of the Russian Federation stipulates other rules than those stipulated by domestic law, the latter shall be adapted to the international treaty'. Although Russia has not yet ratified the ILO Convention 169,

many of its principles, especially that of self-identification, are reflected in Russian legislation.

According to the federal Law on 'Guarantees of the Rights of indigenous, numerically small peoples of the Russian Federation' (1999) the national legislation defines this group as peoples that reside on territories traditionally inhabited by their ancestors, maintain traditional ways of life and economic activity, number less than 50,000 people, and identify themselves as separate ethnic communities (Federal Law on Guarantees 1999/2009, No.82-FZ).

However, Valery Tishkov (2004: Introduction), Director of the Institute of Ethnology and Anthropology of the Russian Academy of Science and a former Minister for Nationalities in the Yeltsin government, points out that to some extent in the new conceptualisation of indigenesness, international notions of indigenesness were simply added to the old Soviet and Tsarist layers. Indeed, the concept follows the basic patterns of previous concepts but at the same time is influenced by modern legal, political and social interpretations. How this combination 'works', is particularly reflected in the legal terminology.

The problem of correspondence between the provisions and terminology of the ILO Convention 169 and basic Russian legislation was identified by the Federal Council in 2002 as a key point of accommodating the international legal vocabulary into the national one (Murashko 2002). International and Russian understandings of the definition of 'indigenous' were identified as one of the obstacles in the ratifying process of the ILO Convention 169 by the Russian Association of Indigenous Peoples of the North (RAIPON 2007), and during the debates in Parliament in 2007 on Russian and international aspects of legal regulations of the situation of indigenous peoples (Oleinik 2007). For example, some of the 'titular' groups (see 2 sections below) who have their own 'ethnic' republics in the Russian Federation would fit into the ILO's understanding of indigenous people, but are not recognized as indigenous by national law. This category of

ethnic groups is also distinguished in Russian legislation from the legal status of national minorities and it means that they have to be regulated by different laws (Abashidze and Ananidze 1997; Sokolovski 1999).

Some experts indicate a common confusion in using legal terminology on indigenous issues even in translating from one language to another (Sokolovski 2000; Dallmann and Goldman 2003). As mentioned above, for the first time the term ‘indigenous’ (*korennoi*) was established as a legal category with the adoption of the Constitution in 1993. Establishing a new word such as ‘indigenous’ in Russian terminology, has not eliminated its specific Russian meaning although it suggests a link to the international concept of indigeneity. The way of expansion of state power and Russia’s multiethnic population structure have caused more complex and sometimes contested understandings of the word ‘indigenous’ in the Russian language. The term *korennoi*, translated from Russian as ‘rooted’ also could be used for example in everyday life for the descendants of Russian speaking industrial newcomers in the North after a few generations. To apply an expression like ‘native American cultures’ to Russia does not make sense, because this would include the ethnic Russian culture, which in contrast to the situation in America, is a native one in a part of the country (Dallmann and Goldman 2003:4).

The international definition of the word ‘indigenous’ bases more accurately on the situation of native people in the New World, in which colonial expansion was clearly evident in the trans-oceanic arrival of representatives of European empire states. Siberia was not an overseas colony but geographically contiguous to the Russian homeland. This meant that ethnic Russians, particularly those millions who were permanently settled in the empire, came to regard it as an integral part of Russian territory. Different from America, the aspect of prior occupancy in Russian context is less demarcated.

Many Russian scholars and politicians point to the difference between a national and an international understanding of the definition of ‘indigenous’, referring to the colonial past, where the ‘Russian’ case seems to be more challenged and less clear-cut than the ‘New World’ cases. It was one of the arguments of Russia’s criticism of the UN-Draft Declaration on the Rights of Indigenous Peoples in the Russian Parliament in 2007 (Oleinik 2007). Indeed, the Russian empire was not a classical colonial state (Kappeler 2004). The century-long Russian penetration into territories with non-Russian populations and the process of their incorporation into the Russian Empire was not only a military struggle, but was also determined by the nature of the territories and peoples as well as by different circumstances, in which they came under Russian control. The legacy of these differences influenced and continues to influence the relation between non-Russians and the state (Stammler-Gossmann 2009).

The word ‘colonialism’ does not figure in educational books in Russia or as an official term regarding the integration of territories with non-Russian populations in the Early Modern period. Scholars have approached Russia’s expansion in a variety of ways, ranging from conquest, colonization (in terms of settlement), opening up (*osvoenie*), unification (*prisoedinenie*) to voluntary entry (*dobrovol’noe vkhozhdenie*) or peaceful unification (*mirnoe prisoedinenie*). Nowadays, the issue of Russia’s relations with frontier peoples remains one of the sensitive issues in the multinational country. The majority of current academic publications acknowledge the complexity of these processes, but at the same time there is a tendency to avoid a single definition for them (Zuev 1999: 135).

In Russian federal and regional legal acts as well as in political discourse, the term *korennoi* applies not only to officially recognised ‘indigenous small numbered peoples’ but also to a category not known in international law: So-called ‘titular nations’ or ‘titular nationalities’. To this category belong native peoples,

who in their own administrative units named after them - called 'republics', were originally thought to be the backbone of the society (e.g. Republic Sakha Yakutia, Komi Republic, Republic of Tyva). The historical background of this conceptualisation is served by the fact that in Tsarist Russia the larger settled non-Russian groups, classified today as 'titular', had rights and duties close to full Russian citizenship (Stammler-Gossmann 2009: 74).

The term 'titular nation' was introduced in the late Soviet/post socialist period during the establishment of new administrative units of the Russian Federation. This division among 'small' and 'large' (titular) indigenous groups is also a heritage of the hierarchic subordination of Soviet Union republics, autonomous republics and subdivisions within them in the Soviet Union (Stammler-Gossmann 2009: 78). Hereby, some ethnic groups received larger autonomy of one type; other groups got limited autonomy of another type, while some did not get any autonomy at all. Today 'titular nations' do not necessarily comprise the majority of a unit's population and some members of 'titular' groups have a subsistence economy similar to the neighbouring indigenous small numbered people. Even in the ethnic republics of the Russian Federation, where the share of the titular group increased significantly due to large-scaled out migration of ethnic Russians, the so-called 'Russian speaking groups', often perceived by locals as Russians, still constitute the majority of the population (e.g. Republic of Sakha Yakutia, Komi Republic, Republic of Buriatia, Republic of Tyva).

At the same time, some of the recognised indigenous groups could be considered in the category of 'titular nation' with their 'titular' administrative units as well (e.g. Nenets in Nenets Autonomous Okrug, Chukchis in Chukotka Autonomous Okrug). These units, autonomous *okrugs* (districts), have a relative concentration of the indigenous peoples which give them their name, but they are mostly located within other larger administrative formations (like Nenets Autonomous Okrug within

Arkhangelsk Oblast) or are being incorporated due the current merging process with the latter (like Koryak Autonomous Okrug with Kamchatka Oblast).

The importance of the North for being indigenous

The indigenous status is strongly related to a certain territory: out of forty-six indigenous peoples of the Russian Federation forty-one groups reside in the North, Siberia and in the Far East. Soviet legislation defined indigenous people as ‘small nationalities of the North’. In the post-socialist spatial categorisation, for the first time ever, indigenesness has been applied not only to population groups based exclusively in the North. According to the title of the official list of indigenous people, the new indigenous status is attributed not only to northern but to all indigenous groups of the Russian Federation (Unified List of Indigenous small-numbered peoples of the Russian Federation, hereafter Unified List). Certain ethnic groups of European Russia were officially denoted as ‘indigenous’, alongside the groups of the North Caucasus.

The Federal legislation reserved a special statement in the law for the North Caucasian Republic of Dagestan. Dagestan’s list of indigenous people is officially incorporated in the List of the Russian Federation, where ‘due to the unique ethnic composition of the Republic of Dagestan, the executive authorities of Dagestan establish quantitative and other criteria for their own indigenous peoples’ (Unified List 2000, Decree No. 255). The changes in geographical designation, applying to all indigenous people of the country and not to particular regions, bring the Russian concept more in line with Western usage.

However, although the Dagestan group are occasionally referred to as indigenous, most Federal legislation is focused heavily on the ‘northern’ group. From 1993 onwards, the notion ‘North’ in relation to indigenous issues was extended to the term

‘North, Siberia and the Far East’. In 2006 the Russian government established a separate ‘List of indigenous small-numbered people of the North, Siberia and Far East’ (List 2006, Decree No. 536-r). Accordingly, they all are included in the Federal Unified list and compose the dominant group among the indigenous groups of Russia. In comparison to the ‘Unified List’ of indigenous people of the Russian Federation, being included in this separate ‘northern’ list means greater federal support for a group.

Two of three main federal laws on the legal formation of local indigenous communities and territories of traditional use of nature (see Osherenko 2001; Kriazhkov 2004) as well as the elaborate federal program ‘Economic and social development of small-numbered indigenous peoples of the North until 2011’ or the ‘Concept of sustainable development of indigenous small-numbered peoples’ are specifically targeted towards the indigenous people recognized as people of the North, Siberia and the Far East. The priorities of the ‘Northern’ indigenous group are codified in different legal norms like the Tax Code, the Land Code, the Law on Land payment, the Law on Animal Resources and the Law on Protection of the Environment etc. Being ‘northern indigenous’ is associated to a set of legal and administrative provisions on the federal and regional level. Thus, the position of the indigenous peoples of the northern regions, together with Siberia and the Far East, remains exceptional in Russian legislation.

‘Indigenous small-numbered’

One of the main distinctions of the Russian legislation from the international discourse is that the indigenous status in Russia is not only codified according to qualitative but also to quantitative properties of a group. Therefore the official name for this part of the Russian population is ‘indigenous small-numbered peoples of the Russian Federation’. Those groups which number more than 50,000 are not eligible for this legal category. Thus,

although many international provisions found their way into Russian legislation, the term 'indigenous' with its quantitative restriction in the Russian legal system is not compatible with international understanding. The numerical criterion was established in the legal practice with the federal laws of the mid-1990s and the 'Unified List' mentioned above. In earlier drafts of laws on indigenous peoples, the threshold was even 35,000, as discussed in the early 1990s. It was the academic community of the Institute of Ethnology and Anthropology whose discussions played the crucial role in defining the limit at 50,000 in 1992 (Sokolovski 2005: 22; Donahoe et al 2008: 997-998). The main argument was a possible demographic growth of several groups within the legal indigenous group.

The reasons for introducing a numerical threshold are manifold. The traditional approach in previous legislation on '*inorodtsy*' ('of different kin' or 'clan', some kind of 'otherness', non-Russian 'aliens') in Tsarist Russia and on 'the small nationalities of the North' in the USSR, regarded them as separate from the rest of the population, both small in size and in the discourse of marginalised groups. The term 'small' disappeared in the Russian Federation, but the meaning of smallness in the sense of number and inferiority remains. This standardised image is reinforced through the discourse of 'extinction' or 'dying out', to which Russian ethnographers at the turn of the 19th/20th century contributed a lot. The same discourse was cultivated by the socialist evolutionist approach of the nationality policy in the Soviet Union and remains a powerful perception amongst officials, scientists and indigenous peoples themselves. Tishkov criticises this approach as a 'tragedisation of the indigenous situation, which contributes to maintaining 'the policy of 'assistance' and 'protection', – the paternalism' (Tishkov 2004:5).

The second reason contributing to the appearance of a 'numerical measurement' of indigenesness is related to the numerical strength of a group based on the territorial principle of

the administrative structure of the Russian state. Numerical strength has a potential to juxtapose territorial autonomy and ethnicity, titular nation and minority groups. It brings us to several ingredients of ethnic dominance: indigenouness and power within the Russian construct of ethnicity, territoriality, nationalism and statehood.

The number of Nenets, the best known and ‘most authentic’ indigenous group in the North, came in the 2002 census with 43500 quite close to the 50,000 limit for ‘true’ indigenouness. However, it is hard to imagine that in some years, when the threshold of 50,000 is passed, Nenets would not be counted as indigenous anymore. Nenets are so typical for an indigenous people that Russia might rather change its legislation in order to keep them in the list.

‘Legal’ space

On the regional level the legacy of the spatial characteristics has a significant meaning. The designated areas of indigenous residency do not necessarily and exactly comply with the existing definitions of geographical boundaries of ‘indigenous’ territories. For example, the ethnic group of the Vepsy resides in the Republic of Karelia and in the Leningrad Oblast and is included in the ‘List of indigenous small numbered people of the North, Siberia and the Far North’, whereas the Leningrad Oblast is outside of the legal category of the North. Being accepted as indigenous, but residing outside of the territory defined officially as the North can have implications in the form of being excluded from certain benefits associated with this spatial category. The term ‘North’ is a part of the Russian legislation and the decision, as to which regions belong to the North is made by the federal government. The government defines the notion of the ‘North’ as a legal category for the extent of the territorially bounded state

guarantees and compensations (Stammler-Gossmann 2007; Donahoe et al 2008).

The list of the 'northern' territories, based on geographical and economical indexation, was introduced in the Soviet Union and is still in use. It divides the North across Russia into the 'Far North and territories equivalent to the Far North' (List 1967/2007, Decree No. 245). After the fall of the Soviet Union the borders of the legal category 'North' considerably moved to the south and also nowadays in its legal categories the 'North' is not a 'stable space'. Its consistence was and is constantly changing, sometimes expanding and sometimes contracting through the process of including or excluding particular regions (Stammler-Gossmann 2007: 59-65). Thus, the question of who is indigenous is also connected to the question where the North in Russia is. This makes the concept of indigenoussness more sensitive to legal territorial categorisations.

Another uncertain aspect of indigenous spatiality is that only the 'North' has a specified status in Russian law, but not Siberia or the Far East. That is why in many legal cases the spatial characteristics of indigenoussness collide with economic-geographical definitions of space, especially concerning guarantees and the budgeting or funding of federal programs. Therefore, it is not surprising that during the revision of the 'List of territories inhabited by small-numbered peoples of the North' of 2000, not exactly 'authentic' Northern regions like the Republic of Khakasiya, Altai or Kemerovo region were added. At the same time, the indigenous group Teleuts of the Kemerovo region was included in the list of 'Northern' indigenous people. Neither Khakasia nor the Kemerovo regions are a part of the North in Russian legal terms. The 'List of indigenous peoples of the North, Siberia and Far East' from 2006 was a step in the struggle of Russian authorities to clarify the new 'indigenoussness'. Proposed changes in the legal definition of the regions and territories, where

indigenous groups reside can change the composition of the spatiality again.

Indigenoussness on the regional level

The new Russian state covers three-fourth of the territory and half of the population of the Soviet Union. Although the new Russia became ethnically more Russian after the disintegration of the Soviet Union, it is still remarkably characterised by ethnic diversity. Even with more than 80% ethnic Russians, the Russian Federation remains a multiethnic state. According to the last population census in 2002 the ethnic structure became even more diverse. While the 1989 census included 128 ethnic groups in Russia, the new list of ethnic groups counts 198. Among them 46 officially recognised indigenous groups comprise about 1, 5% of the total population.

On a regional level in Russia, the diversity in defining indigenous groups and in using the term 'indigenous' is even stronger. Considering the specifics of Russian legal vocabulary, we cannot ignore the fact that the legal chaos in the early 1990s resulted in a whole diversity of legal definitions in indigenous issues at the federal and regional level. The broad range of terms in regional legal documents differs from constitutional terminology and federal laws: Indigenous national minorities (*korennye natsional'nye men'shinstva*) (Republic of Buryatia), small numbered national communities (*malochislennye natsional'nye obshiny*) (Krasnoiarsk region), titular indigenous peoples (*titularnye korennye narody*) (Republic of Karelia), indigenous ethnos (*korennye etnosy*) (Republic of Chakasia), indigenous peoples and small numbered people of the North, small numbered ethnos (*korennye narody i malochislennye narody Severa, malochislennye etnosy*) (Republic of Sakha (Yakutia)), indigenous people and small-numbered ethnic collectives (*korennye narody i malochislennye etnicheskie obshnosti*) (Altai Republic). In some documents the definition of indigenous

peoples is used in both federal and regional legal understanding including the region's 'titular nation'.

The primary role in the formation of policy towards indigenous peoples is given to the federal government. At the same time, some administrative units of the Federation may adopt their own acts and protect the rights of indigenous peoples as long as their laws conform to the Constitution of the Russian Federation and do not conflict with federal laws protecting such rights. Areas of joint competence of the Federal State and regional administrative entities ('subjects of Federation') according to article 72 (1) of the Constitution of the Russian Federation include 'issues of possession, use and management of the land, mineral resources, water and other natural resources, protection of the original environment and the traditional way of life of small ethnic communities'. However, article 72 (1) regulates only the relations of the federal and the regional level in certain spheres, and does not touch upon indigenous peoples in general.

Many of the federal 'subjects' used the process of gaining sovereignty within the Russian Federation in the early 1990s for creating sub-national constitutional courts to legitimise their judicial reforms. Some regional constitutions have provisions on indigenous issues differing from the Federal Constitution. The Republic of Sakha (Yakutia) has widened the protection framework beyond the small-numbered indigenous groups. The regional Constitution guaranteed preservation and revival of native groups, as well as Russians and 'old settlers' (*starozhily*), Russian descendants who came to Siberia in several waves, as estimated, between the 17th and late 19th centuries. It has allowed to include into the regional system, the protection of this group as indigenous even though it is not recognized as such on the federal level (Law of the Republic Sakha (Yakutia). 3 No. 167-II, 11.04.2000). However, the Russian old settlers were excluded from the regional list in 2003 (Law of the Republic Sakha (Yakutia). 3 No. 121-III, 10.07.2003). One year later a new law recognised the indigenous

status of two groups of *starozhily* again but at this time under the framework of the Federal Law on Guarantees of the Rights of Indigenous Peoples (Law of the Republic Sakha (Yakutia). 133-3 No. 269-III, 15.04.2004).

The 'regional indigenesness' differs from region to region. The same ethnic group can be considered as indigenous in one region and non-indigenous in another. The Komi-Izhemts reindeer herders as a subgroup of the Komi titular nation with their own Komi Republic are not recognised as indigenous peoples of the Murmansk region, even though they work closely together with Sami reindeer herders. The same group, however, is recognised as indigenous in the Nenets Autonomous District. On the federal level the representatives of a titular nation such as Komi-Izhemts in general are not accepted as indigenous, but they have indigenous status within their own republic. A different case is the northern group of Sakha reindeer herders and cattle breeders, who live and work closely with recognised indigenous groups, but are not accepted as such in their own republic. Between the republics of Udmurtia, Tatarstan, Mordovia and Bashkortostan there are regional agreements for supporting the culture of titular groups living outside of their perspective autonomous units. For example, the Republic of Mordovia takes a responsibility to support on its territory of Tatar residents, and Tatarstan of its Mordva population.

The approach of Dagestan in defining indigenesness does not seem to fit the definitions of the federal legislation at all. According to the Millennium Development Goals country Report (MDG Reports 2008), the Republic of Dagestan in particular is home to 60 ethnic groups and indigenous peoples speaking over 30 languages. Dagestan's list of numerically-small indigenous peoples adopted in 2000 includes e.g. Avars, the biggest ethnic group (according to the census of 2002:758,438 people) and ethnic Russians (120,875 people), but excludes many smaller ethnic groups (Decree of the State Council of the Republic of Dagestan.

No. 191, 18.10.2000). Several factors contribute to differences in the concept of indigenesness on federal, regional and interregional level. This is due to the multilayered political and administrative structure of Russia as well as to dynamics of the relations between the centre and the regions.

However, the changes in the balance of power in centre-periphery relations and the strengthening of the Kremlin's control over regions have forced the regions to bring their legislation in line with the federal legal system. By 2002, various provisions, including those relating to indigenous peoples rights, such as regional jurisdiction over natural resources, of more than dozen regional constitutions were declared unconstitutional. Within the framework of the 1993 Federal Constitution, substantial changes have been made in the whole structure of the Russian state and in federal legislation. Nevertheless, the regions still keep the right to constitute their own indigenous 'List' and grant rights to their 'own' indigenous group, as for example the groups of Russians in Dagestan or Komi-Izhemts in Nenets Autonomous District. Federal as well as regional 'Lists' remain open and reflect the contradictory and ambivalent nature of current dynamics in the conceptualisation of indigenesness.

Self-identification criteria

Self identification as the key element in defining 'indigenous people', according to the ILO Convention 169, is not on the top of the list of criteria in Russian legislation. On the other hand, self-identification in contemporary Russia is determined mainly by ethnic affiliation. Ethnicity underpins several social classifications in Russia and the national legal system has categories like 'titular nation', 'indigenous people' or 'national minorities' heavily based on ethnicity. Until 1997 all citizens of Russia had a 'nationality' (ethnicity) line in their passports. Since new Russian identity documents do not determine an individual ethnic identity

anymore, the officials are dependent on individual self-identification. Several factors are especially important for classifying groups as indigenous, whose members claim and attain a special status and associated rights. In order to ensure these rights (including, for example, guaranteed quota of representatives in state, regional and local institutions, earlier retirement or exemption from the military service) the state administration needs information on the numbers of indigenous peoples (Sokolovski 2005: 1-3).

The precise list of the ethnic groups, which are recognised as indigenous makes the ethnicity marker most important. How can a person prove his/her ethnic belonging to a certain indigenous group? For example, the indigenous community of the Kola Sami in Murmansk region has introduced the registry of Sami (personal communication, fieldwork materials 2008). A filled-out questionnaire form for the Registry should be backed by different documents such as birth certificate, marriage certificate, certificate of name change or other documents where Saminess could be proved. Nowadays, after abolishing the nationality mark in the passports, the main document to verify the ethnic identification remains the birth certificate, where the nationality of the parents is recorded. For those indigenous representatives who registered themselves as Russians during the Soviet period it makes the procedure of registering as indigenous more complicated. This question is becoming important particularly for the young generation, who may not have enough evidence for documenting their indigenoussness. This problem was pointed out during my fieldwork in Kamchatka, Sakha (Yakutia) and the Murmansk region (personal communication, fieldwork materials 2007-2008).

The suggestion made by the head of the State Statistical Committee to exclude the question on 'nationality' (ethnic group affiliation) in the 2002 census did not find public support (Sokolovski 2005: 2-3). The same idea of Tishkov, the head of the census commission, published in a Moscow newspaper raised a

lively discussion in society about the importance of ethnic identification for Russia in the regions (Tishkov 2000). As in the case of abolishing ethnic affiliation information from internal passports, this suggestion was seen as a step towards the ethnic assimilation. The Soviet notion of ‘nationality’ is still seen as an indispensable attribute of any person and ethnic unit. It is related to the dominant Russian understanding of ‘nation’ in exclusively ethno-cultural terms (versus citizenship terms). In terms of ‘ethnic self-awareness’, this understanding of the nation has important implications for the interpretation of the concept of indigenesness.

‘More’ and ‘less’ Indigenous

The new concept of statistical records in the census differs from the previous one in that it allows to be indigenous not only for a separate ethnic group but also for its ‘sub-groups’. The sub-group is distinguishable within the larger ethnic group by their language, culture, and religion. While they possess a separate identity, they still see themselves as being a part of the ‘principal’ ethnic community. The number of indigenous peoples of the Russian Federation increased, first of all, due to the appearance of ten small-numbered ‘northern’ groups, which identified themselves separately from the group to which they were ascribed to during the ‘consolidation’ policy. So did for example, the Teleuts, Chelkans, Kereks, Chulyms.

Amongst the recognized indigenous peoples are groups like Kamchadals or Tuvins Todzhins who were not counted as separate ethnic groups before, but as part of the larger groups (Russians as ‘state nation’ or Tuvins as ‘titular nation’ accordingly). In theory, a separate status entitles e.g. the Tuvins Tozhins to certain rights, privileges and concessions denied to the rest of the Tyva population, who would also be considered indigenous by most definitions. The most difficult case was in

Dagestan. Avoiding the possibility of ethnic tension in the questions of access to power, the government of Dagestan demanded that groups of Dagestan residents must be counted as separate categories but then added to the overall Avar population. The working commission which prepares the census materials for publication at its meeting in March 2004 decided to meet Dagestan's demands. This means that the number of "first peoples" will be shortened by 14 names, while the number of "sub-groups" will increase (Tishkov and Stepanov 2004: 4).

However, the innovative methodology of dividing ethnic groups into sub-group remains contested. The category of Siberian Tatars alone, a sub-group of Tatars, counted nineteen sub-(sub)-groups. Siberian Tatars are registered in the census, but not as so-called statistically 'independent' category. None of them is recognised as indigenous. The heated discussion on this topic began before the census and continues to the present day. Adding a sub-groups layer to the indigenous idea, whilst also accepting some ethnic sub-groups even among ethnic Russians as indigenous, has caused new dynamics in the construction process.

One of the most prominent examples in the controversy on sub-group criteria in constructing indigenouness is the case of the Pomors. The Pomors are the ancestors of Russian dwellers, who settled on the coast of the White Sea in North West Russia within the 12th–18th centuries. Even though they are counted as ethnic Russians, the Pomors appeared for the first time in the official statistics of the 2002 census as a separate ethnic group (6,571 people). In the Arkhangelsk region, the Pomor Association (*obshina*) is registered as an organisation of indigenous small-numbered peoples. In 2005 the Pomors participated for the first time in the All-Russian Congress of indigenous peoples. The Pomors have applied several times to the Ministry for Regional Development for an inclusion into the 'Unified List of indigenous small-numbered peoples'. On having their application rejected, the Pomors responded by taking their case to the Supreme Russian

Federal Court referring to the definition of indigenous people in Federal Law (Esipov 2007). Reifying their indigenosity, Pomor leaders often refer to their genetic closeness to the Finno-Ugric indigenous group and instrumentalise genetic research, conducted amongst the Pomors (Evseeva et al. 2001)

Komi-Izhemts activists from Lovozero (Murmansk region) have displayed a similar agency in lobbying for indigenous recognition. Before the 2002 census they applied to be registered separately from the Komi titular nation of the Komi republic. They were accordingly registered in the census. The Association of Komi-Izhemts declared the obtaining of the indigenous status as its main political goal in 2003 (Shabaev 2007), but Komi-Izhemts can 'only' rely on their traditional way of life as the main argument for indigenosity. Requirements to get the indigenous status in a region vary from presenting bio-anthropological, linguistic, and archaeological data to other qualifications of the indigenous group such as being marginalised and endangered. Sami neighbours see a problem in recognising the Komi as indigenous, because they are a 'titular' nation with their own republic, and they have a comparably short presence in the Murmansk region (personal communication, fieldwork materials 2008).

On a regional level policies on indigenous issues are divided between different tendencies and the attempt to balance them. One side hopes for additional federal financial support, when the region recognises an additional group as indigenous. The other side fears to lose a part of their meagre regional budget because of the responsibility for their special needs. In some 'titular' republics like Altai or Tatarstan, the indigenous discourse is also related to fears of weakening their titular status and their regional power hierarchy in case of an acceptance of the sub-group as indigenous. The reason for this fear is that some of the sub-groups in these regions are relatively numerous and make a significant proportion of the whole region's population. This may affect the size of the

titular nation and play a role in the political composition of the region and in centre-periphery relations.

Becoming indigenous: Republic of Sakha Yakutia

The expression of an indigenous identity in terms of ‘rooted’ or even ‘aboriginal’ has been rather natural for the different peoples of the Sakha Republic. Both the Sakha titular nation and small-numbered indigenous groups are ‘indigenous’ in the sense of time and space, being inhabitants of the region at the time of arrival of Russian settlers in the 17th century. Ambiguous boundaries between indigenous and non-indigenous spheres are also a matter of history and politics. Being the northernmost Turkic speaking group with their subsistence patterns of cattle and horse pastoralism, the Sakha shared Soviet ideals and the reindeer symbolism with legally recognised ‘authentic’ indigenous peoples of the region (Stammler-Gossmann, forthcoming). The officially recognised small-numbered indigenous peoples (Evenk, Even, Yukagir, Dolgan, Chukchi) comprise around 3,5% of the regional population, whereas the Sakha constitute around 45,5% numbering 432,290 (Census 2002). The Sakha are one of the most numerous, native ethnic groups of Siberia with their own autonomous republic. During the Soviet time, the Sakha have shown a remarkable ambivalence to the shared ‘indigeneness’, being its ‘creators and users’ in ‘folkloric aesthetisation’ (Rethman 2004: 268) and ideological affiliation. On the other hand they have kept a proud ‘distance’ to non-Sakha indigenous people.

The spatiality, the sense of belonging to the North has been a prevailing ‘uniting’ feature of regional identity in the politics of performing indigenous identity in the Soviet Union. In difference to Russian speaking residents, constituting the majority of the republic’s population, who often identify themselves as ‘Siberians’ (*sibiriaki*), none of the Sakha and indigenous inhabitants use this association and clearly define themselves as Northerners

(*severiane*). On the other hand, the Sakha have not considered themselves to be indigenous in legal terms and in the sense of common stereotypes undergoing evolutionary viewpoints. The notion 'aboriginal' was not in use and was rejected as not appropriate in relation to Sakha (Sur 2007). The Sakha people often define all indigenous groups of the region as 'tungus' (*torustar*) or 'people of the North' (*kebotuu d'jonnoro*) and indigenous peoples, including the northern group of Sakha, who call their neighbours 'homeland Sakha' (*doiduu sakhalara*).

While the Sakha have viewed themselves as some kind of buffer in indigenous-Russian interactions, indigenous groups have often felt alienated by Sakha-controlled positions. However, the Sakha government went far ahead in formally institutionalising the rights of small-numbered indigenous peoples. The Republic moved more rapidly than other areas of the Russian North in order to implement the protection of indigenous rights, especially through establishing national 'indigenous' districts in 1989, giving a special 'national' status for the districts with compact indigenous populations. The Sakha Republic was also the first in Russia to adopt a Law on family-clan communities (*obschchiny*) in 1992 (Fondahl 2003; Belianskaia 2004; Sirina 2005).

Commonly accepted and flexibly expressed, indigenous identity of the Sakha titular nation became an intricate dynamic process at the beginning of the 1990s. In her widely discussed book, the prominent Sakha scholar and political activist Vinokurova introduced the new term 'small-numbered indigenous Turkic peoples' (Vinokurova 1994: 78-96). For the first time, this new expression of the indigenesness of the Sakha shifted attention from its mixed regional frame towards an ethnic agenda and global aboriginality in colonial and historical discourse. The author pointed out that international regulations on indigenous issues do not refer to strictly enumerated groups, nor are they spatially trapped. This explicit articulation of indigenesness was introduced on a wave of national enthusiasm after the Sakha

Republic had declared its sovereignty in 1990. However, it could not be taken further in the highly politicised atmosphere of that time and the changing balance of centre-periphery relations. Accusations of Sakha nationalism and a policy of discrimination against Russian residents were a very sensitive topic at that time and forced the search for another form of expression of ethnic identity.

The Republic of Sakha Yakutia was a region hardly even known by many inhabitants of the Soviet Union. In the post-socialist period it has become one of the most active actors in the process of regionalisation, frequently figured in the Russian media as a region with separatist tendencies. Sakha Yakutia adopted as the first amongst the ethnic republics of Russia its own Constitution (1992), one year before the Federal Constitution (1993). They built alliances through numerous international activities with the circumpolar world and the global community, which resulted in a new quality of international standing for the republic (Gossmann 1997: 27-30). The vast natural resources of the republic have been a main asset in the process of regionalisation. Moreover, the specific ethnic structure in the distribution of power in Sakha was another reason for considerable interest of Moscow in this remote northern region. While Russians constitute an economic elite of industrial mining, the Sakha dominate the regional political power structures (Gossmann 1996). Last but not least, the republic is significant for Russia as its territorially largest sub-division, having a size comparable to that of the Indian subcontinent. Keeping the balance between maintaining Sakha ethnic identity and interethnic viability is one of the big challenges on the political agenda, as the region has to consider sensitivities from the Russian federal structures as well as a diversity of regional interest groups.

Escaping from the national to the global arena

New political dynamics in Russia, with their growing centralisation tendency resulted in a drastic decrease of regional sovereignty in several steps. However, this could not suppress the resistance to marginalisation in the local policy and among the Sakha people, who had experienced a massive increase of self-awareness in the previous period, when they had suddenly acquired more political power than ever. The current trend in Sakha republican politics is marked by three general directions:

- a repeated emphasis of the tight ties between Russia and Sakha Yakutia
- the search for an unified regional identity, and simultaneously
- turning the main attention towards finding one's own of the Sakha inside of the Sakha territory (Stammler-Gossmann 2006).

In the new political situation even the term 'sovereignty' in the text of the Sakha republican constitution is questioned, although the constitution had been changed already several times to bring it in line with Russian federal requirements. Consequently, celebrating the Day of Sovereignty in the Republic is questioned as well. Such pressures from outside force the Sakha people to go beyond the exclusive notion of ethnic identity in their attempt to negotiate at least some regionally specific aspects of their political existence. Rethinking and framing a Sakha 'indigenoussness' is therefore seen as an option in their fear of being marginalised by the Russian federal centre.

In the last years local discourses of science, politics and cultural practices increasingly move between the international and the local context. The new interpretation of the indigenous status of the Sakha is considerably inspired by current international activities in the indigenous movement. The UN approach to identify rather than define indigenous peoples beyond the Russian

numerical threshold is perceived as a possibility of expressing and asserting identity for the Sakha people. Once rejected by Sakha politicians as 'inferior', the definition of 'aboriginal' is now increasingly used as a part of rediscovering the Sakha people as indigenous. The local variation of this articulation does not use the rhetoric of anti-colonialism and is interpreted under the banner of indigenous cultural references for both affective and profit-oriented reasons. The adoption of the UN Declaration on the Rights of Indigenous Peoples gave a new motivation towards indigenous issues.

The second Congress of Sakha peoples in 2007 proposed that the regional Parliament has to force the federal centre to accept the UN Declaration (Sur 2007). The appeal by the leader of the congress that every Sakha person has to have a Declaration text was commented as 'intuitive feeling of the possibility of real support outside and not within Russia' (Tatarinov 2007). Scholarly writings and opinions refer to the Declaration as a base for the protection of cultural rights, e.g. in legal regulations on Sakha sacred sites (Vinokurova and Dambaeva 2008). The acceptance of the Sakha heroic epos 'Olonkho' by UNESCO as a 'Masterpiece of Oral and Intangible Cultural Heritage' in 2005 became a supportive event for new discourse. Since 2005, Sakha peoples are taking part at the sessions of the United Nations Permanent Forum on Indigenous Issues. On the initiative of a Sakha activist in 2005 in Canada, the international indigenous organisation 'Yurta mira' (World Yurta of Peace) was established. It represents also Sakha interests on the UN permanent Forum (Rupasova 2008; Levochkin 2007) and is a registered Indigenous Peoples Organisation (UNPFII 2006: 36). The organisation stated its goal is to study the preservation and development of all aspects of the legacy of indigenous peoples all over the world (Yurta mira 2005).

It does not matter that the question of the indigenous status of the Sakha people remains complex and indeterminate on the regional as well as on a global level. It is not essential that articulating

the rediscovered indigenous identity for example in the language of global environmentalism is not yet matched by realities in the Sakha Republic as well as in Russia in general, where environmental awareness is rather weak. Although environmental projects are often perceived as potential depositories of foreign funds, as it is in common for indigenous claims in other Russian regions, intimate connections to nature are attached to the representation of Sakha indigenous identity. Sakha are increasingly guests of many international events of indigenous groups in various parts of the globe. Even within Russia, the photo of a Sakha couple made it to the cover page of the WWF publication 'Indigenous peoples and conservation: WWF statement of principles' (WWF 2008). Images thus become important elements for activists in their attempts to articulate Sakha indigenous identity in terms of globally circulated ideas. At the same time the dynamics of cultural activism through international networking are still rather a symbolic resource for a few activists than a common experience and interest shared by the people.

'Redoing the local'

The legitimacy of Sakha demands of being indigenous is dependent on matching categories that are regionally and nationally recognised in Russia. The most powerful frame of contemporary debates on the understanding of the Sakha as an indigenous group is the exciting issue of the historical origin of the Sakha people. Speaking a Turkic language while also having significant Mongolian and other cultural substrates, the ethnogenesis of Sakha has been one of the most interesting and contested in Siberian studies (Gogolev 1993; Somogotto 1995; Alekseev 1996; Petrov 2003). Publications on this question come from historians, linguists, folklorists and archaeologists, and in the post-socialist period also increasingly from natural science fields such as molecular-genetic, medical and molecular anthropological

studies (Fefelova 1990; Pakendorf 2006; Pakendorf 2007). In the early 1990s this previously purely academic debate became highly politicised.

During this time migration theory was dominant, assuming that Sakha had southern roots and migrated to the North in the wake of a territorial reorganisation in Asia caused by the Chingis Khan Empire. This Sakha connection to big events in world history fulfilled an important political goal for many ethnic entities in Russia: The evidence of historical continuity, formation of an own statehood and a distinctly developed culture before the arrival of the Russians. The new political situation that changed the power balance in centre-periphery relations towards Moscow has made the 'autochthonous' concept more relevant. One of the starting points was an idea circulated amongst Russian activists. It contested the previous consensus that the Sakha are indigenous in terms of a shared category with small-numbered indigenous peoples. The idea that Sakha are the same newcomers in their present land just like the Russians, or that Russians appeared on the territory even earlier than the Sakha, has been supported by some publications in mass media and internet (see Makhnach 2001; IA SakhaNews 2008).

Taking the Sakha as example, Sokolovski (2000) discusses the issue of continuity in occupation and continuity in position of power for acquiring an indigenous status. The status can only be obtained if a group can either claim first occupancy of the area or is marginalised by another more dominant group. Sokolovski points out that in the case of the Sakha the criteria of power and marginality becomes problematic: 'The power of Sakha nomadic cattle breeders who had arrived from the South and pushed out the indigenous population was interrupted by the Russian State that replaced the Sakha as the dominant population. If the power balance had not changed, Sakha people would have been regarded as newcomers' (Sokolovski 2000: 110).

However, the issue of first occupancy of the territory seems to be the most important aspect for negotiating indigenous identity. A currently prevailing perspective on the origin of Sakha among experts on 'migration' as well as 'autochthonous' theories is the view that the Sakha as an ethnic group evolved completely in the area of the middle Lena River (Gogolev 2005). Defenders of this local origin hypothesis emphasise the intensive mixture of a Turkic speaking group that migrated from the south with the local population. Connected to the ethnogenesis is also increasingly the question of the origin of Sakha pastoralism. Proponents of the local origin hypothesis claim historical evidence of pastoralism in the area, already present before the arrival of southern groups (Nikolaev-Somogotto 2007; Petrova 2008). In fieldwork conversations in 2008, the Sakha belonging to the place with their unique Sakha horse and cow that embody the symbolic and cultural essence of the Sakha was considered even more important than historical evidence. Sakha intellectuals proudly position their group as the world's northernmost cattle and horse breeders.

Demanding more autonomy or more cultural rights in a situation where the group is already supposed to have as much as it needs can lead to accusations of separatism (Vertiachikh 2003; Sokolov-Mitrich 2007). The new prestige of animals and their use as cultural symbols enable the Sakha to articulate cultural distinctiveness in a form where ethnicity is less visible and oriented towards defending subsistence-based economies. This attention towards economic practices emphasizes the creative nature of Sakha adaptation. Proponents of the Russian Eurasia movement in the Sakha Republic state that the agriculture cattle breeding of northern indigenous peoples, including the Sakha, should be regarded as a traditional economy and as such requires federal support (Egorov 2004). The focus on animal symbols avoids the hegemonic discourse about the Sakha as a politically dominant native majority. At the same time animal symbolism forms a supportive potential for preserving Sakha cultural practices. In the

current political climate of ever decreasing political and economic privileges and rights, the Sakha autonomy advocates badly need such supportive potential. At the moment this seems to be the most 'productive' tool in a situation where regional authorities are torn between promoting regional identity for all residents of Sakha Yakutia and growing sensitivities towards ethnic identity. It is not a permanent or unchangeable state of affairs as the previous developments show. The common ground is continually contested.

Conclusion

The question of 'who is indigenous in Russia' remains open. The present construction of indigenesness in Russian legislation reflects a number of historically inherited elements and discourses in the relations between the state and indigenous peoples. Different concepts in different Russian states all have left some space for an indigenous agency with this open conceptualisation of indigenesness. This is true for the tsarist policy between assimilation and tolerance to *inorodtsy* ('aliens'), for the Soviet approach to small nationalities of the North with its discontinuities, as well as for post-Soviet Russia, where the 'List' of indigenous people is still in the process of inclusion and exclusion.

The analysis shows significant variations in the process of localising (or rejecting) indigenous identities and diverging national and regional forms that they can assume. As it has always been, it is an interactive, dynamic process of shifting scales and affiliations, uprooting and re-rooting; intersection with notions of marginality, identity and power. An emerging understanding of indigenesness is an identity-formation process on constantly shifting theoretical ground, and not a fixed state of being. This makes the conceptualisation of the indigenous status vague and leaves much space open to its claimants. Indigenous performance in post-Soviet times showed the flexibility as well as the potential of local

and regional powers in the indigenous society, supported by international legal and institutional protection.

We observe a trend to liberalise and homogenise the traditional features of Russian and Soviet political culture with main international approaches in the conceptualisation of indigeneity. At the same time, demographic developments will soon bring Russia in a situation where it needs to revise its most distinct, the quantitative definition of numerically small indigenous peoples. This is a very challenging task for a multiethnic country with specific historical background on indigenous issues and an unstable political situation. Removing the quantitative criterion of under 50,000 would grant more protection to groups that are currently excluded. It would also pave the road to the ratification of international conventions such as ILO 169. Eliminating the quantitative restriction for indigenesness would also solve the problem of some groups with high growth rates since the last census, which are then in danger of leaving the category of 'numerically small' peoples, for example the Nenets. If this would be the case, such groups would lose privileges. A whole range of indigenous legislation would not be applicable to them anymore and would have a devastating effect on indigenous communities.

On the other hand, removing the numerical restriction of indigenesness is not likely to happen in Russia, for the following reasons: it would grant even more privileges to groups that already have too much autonomy in the eyes of Russian central politicians. For example, the Tatars, Bashkirs, Sakha, Chechens and other ethnic minority groups with their own titular regions where they hold solid political power. Thus, the ILO Convention 169 and UN Declaration are not likely to be adopted by Russia, since this would mean promoting self-determination and the removal of the 50,000 limit for indigenous ethnic groups.

On a regional level, the current indigenous discourses are developed and 'owned' in contexts particular to those regions and are negotiated within and outside of the national structure. The

natives of the Russian Federation are currently responsive to the global indigenous movement organised under the banner of cultural rights. Despite the importance of global connections, the national frame continues to be the locus of political negotiation in most places. Especially, in cases when western assistance clashes with Russian federal realities, native peoples must use cultural and political frames that are comprehensible within the nation state they are part of.

The dynamics of cultural activism through international connections have become one of the few outlets for the expression of identity across cultural boundaries. They are 'going transnational' with well shaped and narrowly defined local goals and strategies in mind. Globalised resources are utilised in the production of local particularism. On the other hand, centralism, a weakly developed legal awareness and the reluctance to risk conflict with more powerful state actors continues to have an effect even today. The indigenous discourse still relies mainly on the Soviet model of traditionalisation. In spite of the increased social and political activism among the residents of the Russian Federation in general and indigenous peoples in particular, the patterns of relation between a powerful state and its society still remain. This will influence the further process of the construction of indigenouness.

Acknowledgement

We acknowledge funding from the Finnish Academy IPY CAVIAR project (Community Adaptation and Vulnerability in Arctic Regions), decision number 114038

References

- Abashidze, A. and Ananidze, F. (1997): *Pravovoi status men'shinstv i korennykh narodov: mezhdunarodno-pravovoi analiz*. Moscow: Universitet druzhby narodov
- Barsh, R. L. (1986): "Indigenous peoples: An emerging object of international law". In: *American Journal of International Law*, Vol. 80, No. 2, pp. 369–385.
- Belianskaia, M.Kh. (2004): *Tradiciia i sovremennost'. Kul'tura vyzhivaniia severnykh tungusov v Severo-Vostochnoi Azii*. Sankt-Petersburg: Bel'veder.
- Dallmann, W. and Goldman, H. (2003): Indigenous – native – aboriginal: Confusion and translation problems. *ANISPRÁ Bulletin* 9.
- Decree 'On the temporary regulations about administration of native nationalities and tribes of northern peripheries of RSFSR' (Ob utverzhdenii vremennogo polozhenia ob upravlenii tuzemnykh narodnostei i plemen severnykh okrain RSFSR). Decree of VCIK and SNK, 25.10.1926 . (1992): *Nacional'naiá politika v Rossii. Zakonodatel'nye akty 1917-1992 gg. (social'no-ekonomicheskoe I kul'turnoe razvitiie narodov Severa)*. Moscow: Institute etnologii i antropologii, 2: 20
- Egorov, E.G., Krivoshepkin, A.I, Nikiforov M.M. (2004): *Vklad Iakutii v razvitiie severnoi civilizatsii evrazijskogo kontinenta: Agrarnyi aspekt*.
<http://evrazia.info/modules.php?name=News&file=article&sid=2113> accessed 17.05.2008
- Elwert, G. (1997): "Boundaries, cohesion and switching. On we-groups in ethnic, national and religious forms". In: Wicker, H.-R. (ed.): *Rethinking nationalism and ethnicity: The struggle for meaning and the order in Europe*. Oxford, New York: Berg, pp. 251–272
- Esipov, P. (2007): Nepriznannye pomory. *Tribuna* August 3

- Evseeva, I. et al. (2001): Geneticheskii polimorfizm grupp krovi i eritrocitarnykh fermentov v trekh etno-territorialnykh gruppakh Severa evropeiskoi chasti. *Genetika*. 37(11): 1571-1578
- Fefelova, V.V. (1990): Participation of Indo-European tribes in ethnogeny of the Mongoloid population of Siberia: Analysis of HLA antigen distribution in Mongoloids of Siberia. *American society of human genetics* 47: 294-307.
- Gogolev, A.I. (1993): *Iakuty: Problemy etnogeneza i formirovanie kul'tury*. Iakutsk: IaGU
- Gogolev, A.I. (2005): *Istoriia Iakutii*. Iakutsk: IaGU.
- Gossmann, A. (1996): „Mehrheit“ und „Minderheit“ in der Republik Sacha (Jakutien). In: Kappeler, A. (ed.): *Regionalismus und nationalismus in Rußland*. Baden-Baden: Nomos, pp. 191-198
- Gossmann, A. (1997): *Souveränität auf Jakutisch. Berichte des Bundesinstituts für ostwissenschaftliche und internationale Studien* 34. Koeln: Bundesinstitut fuer ostwissenschaftliche und internationale Studien
- IA SakhaNews (2008): *Russkie v Iakutii poiavilis' namnogo ran'she, chem priniato schitat'*, June 20 <http://1sn.ru/26741.html> accessed 09.02.2009
- International Work Group of Indigenous Affairs (IWGIA) (2006): *The indigenous world 2006*. Copenhagen: IWGIA.
- Kappeler, A. (2003): Mazepintsy, Malorossy, Khokhly: “Ukrainians in the ethnic hierarchy of the Russian empire”. In: Kappeler, A. et al. (eds.): *Culture, nation and identity: The Ukrainian-Russian encounter (1600–1945)*. Edmonton, Toronto: CIUS Press, pp. 162–181.
- Kappeler, A. (2004): “The ambiguities of russification”. In: *Kritika: Explorations in Russian and Eurasian history*, Vol. 5, No. 2, pp. 291-297.
- Kriazhkov, V. (2004): Pravovye osnovy razvitiia narodov Severa i Sibiri. In: Tishkov, V. (ed.): *Sovremennoe polozenie i*

- perspektivy razvitiia malochislennykh narodov Severa, Sibiri i Dal'nego Vostoka*. Moscow, Novosibirsk: Publishing house of the Institute of Archaeology and Ethnography, pp. 124–132.
- Law 'On Guarantees of the Rights of Indigenous numerically small peoples of Russian Federation' (O garantiyakh prav korennykh malochislennykh narodov Rossiiskoi Federacii). 30.04.1999 No.82-FZ (revised May 2009).
- Levochkin, V. (2007): "Khoziaika yurty mira i ee yaponka". In: *Yakutia* 178, September 21.
- List of indigenous small-numbered peoples of the North, Siberia and Far East' (Perechen' korennykh malochislennykh narodov Severa, Sibiri i Dal'nego Vostoka)*. Decree of the government of the Russian Federation ' 17.04.2006, No. 536-r
- List of the regions of the Far North and territories equivalent to the regions of the Far North' (Perechen' raionov Krainego Severa i mestnostei, priravnennykh k raionam Krainego Severa)*. Decree of Council of Ministers of SSSR No.1029, 10.11.1967, as of Decree of Government of Russian Federation 24.04.2007 No 245.
- Makhnach, V. (2001): "Dolgoe vozvrazhenie Rossii". In: *Rossiiskie vesti*, May 31, pp. 18.
- Martínez Cobo, J.R. (1986): *Study of the problem of discrimination against indigenous populations (Final report)*. UN Doc. E/CN.4/Sub.2/1986/7Add.4, para.379.
- MDG Reports and indigenous peoples: a desk review* (2008): No 3, February. The reports are available on the United Nations Development Group website at www.undg.org.
- Murashko, O. (2002): "Prospects of ILO Convention No. 169 concerning indigenous and tribal peoples in independent countries being ratified by the Russian Federation". In: *Mir korennykh narodov – Zhivaia Arktika* 11–12. English translation

http://www.npolar.no/ansipra/english/items/Prospects_ILO.html accessed 09.03.2008

- Niezen, R. (2004): *A world beyond difference: Cultural identity in the age of globalization*. Oxford: Blackwell.
- Nikolaev-Somogotto, S. I. (1995): *Proiskhozhdenie iakutskogo naroda*. Iakutsk: Sakhapoligrafizdat.
- Nikolaev-Somogotto, S.I. (2007): *Dva iazychestva naroda sakha*. Iakutsk: Iakutskii krai.
- Oleinik, G. D. (2007): *Russian and international aspects of legal regulation and situation of indigenous small-numbered peoples of the North, Siberia and the Far East*
www.council.gov.ru/files/parliament_attend/75.doc
accessed 09.02.200.
- Osherenko, G. and Golovnev, A. (1999): *Siberian survival: The Nenets and their story*. Ithaca, NY, and London: Cornell University Press.
- Osherenko, G. (2001): “Indigenous rights in Russia: Is title to land essential for cultural survival?” In: *Georgetown International Environmental Law Review*, Vol. 13, No. 3, pp. 695–734
- Øverland, I. and Blakkisrud, H. (2006): “The evolution of federal indigenous policy in the post-Soviet North”. In: Blakkisrud, H. and Hønneland, G. (eds.): *Tackling space. Federal politics and the Russian North*. Lanham, Maryland: University Press of America, pp. 163–192.
- Pakendorf, B. et al. (2006): “Investigating the effects of prehistoric migrations in Siberia: Genetic variation and the origins of Yakuts”. In: *Human genetics*, No. 110, pp. 198–200.
- Pakendorf, B. (2007): *Contact in the prehistory of the Sakha (Yakuts): Linguistic and genetic perspectives*. Netherlands Graduate School of Linguistics, (LOT). Utrecht: Centre for Linguistics, Faculty of Arts, Leiden University.
- Petrov, N.E. (2003): *Iz drevnei istorii naroda sakha*. Iakutsk: Bichik.

- Petrova, M. (2008): “Narod sakha. Korennoi ili ’prishlyi?” In: *Molodezh Yakutii*, No. 32, August 14.
- RAIPON’s *discussion on International Labour Organisation Convention 169* (2007).
<http://www.arcticpeoples.org/2006/12/01/raipons-discussions-on-international-labour-organization-convention-169/> accessed 18.05.2008
- Rethman, P. (2004): “A dream of democracy in the Russian Far East”. In: Blaser, M., Harvey, A., McRae, G (eds.): *In the way of development. Indigenous peoples, life and globalization*. London, New York: Zed Books, pp. 256-278.
- Rupasova, K. (2008): “Vneshtatnyi imidzhmeiker: ‘Yurta mira’ popularisiruet respubliku za rubezhom”. In: *Il Tumen*, No. 20, May 23
- Sirina, A. A. (2005): “Clan communities among the northern indigenous peoples of the Sakha (Yakutia) Republic: Step to self-determination?” In: Kasten E. (ed.): *Rebuilding identities. Pathways to reform in post-Soviet Siberia*. Berlin: Dietrich Reimer Verlag, pp. 197-216.
- Shabaev, Y. P. (2007): *Evropeiskii Sever Rossii: konfliktnyi region*. Syktyvkar State University.
www.syktsu.ru/files/a1d8493a892fd1f0da3ea9e7fcb04e8a.doc accessed 08.03.2008
- Ssorin-Chaikov, N. (2000): “Bear skins and macaroni: The social life of things at the margins of a Siberian state collective”. In: Seabright, P. (ed.): *The vanishing rouble. Barter networks and non-monetary transactions in post-Soviet Societies*. Cambridge: Cambridge University Press, pp. 345–161.
- Sokolov-Mitrich, D. (2007): Chingis Khan, otkroi lichiko. In: *Izvestiia*, May 18.
- Sokolovski, S. (1999): *Structures of Russian political discourse on nationality problems: Anthropological perspectives*. Kennan

- Institute occasional papers*. 272. Washington: Kennan Institute.
- Sokolovski, S. (2000): The construction of 'indigenoussness' in Russian science, politics and law. In: *Journal of legal pluralism*, Vol. 45, pp. 91–113
- Stammler, F. (2005): *Reindeer Nomads Meet the Market: Culture, Property and Globalisation at the End of the Land*. Vol. 6. Halle Studies in the Anthropology of Eurasia. Münster: Lit publishers.
- Stammler, F. and Wilson, E. (2006): "Dialogue for development: An exploration of relations between oil and gas companies, communities and the state". In: Wilson, E. & Stammler, F. (eds.): *Sibirica. Special issue on the oil and gas industry, local communities and the state*. Oxford: Berghahn journals, Vol. 5, No. 2, pp. 1-42.
- Stammler-Gossmann, A. (2006): "Top-down and bottom-up globalisation in the Russian North". In: Rantaniemi M., Kurtakko K., Norvapalo K. (eds.): *Pieces from peripheries and centres*. Rovaniemi: Lapland University, pp. 31-53.
- Stammler-Gossmann, A. (2007): "Reshaping the North of Russia: Towards a conception of space". In: *Arctic and Antarctic – International journal of sociocultural issues*, Vol. 1, No 1, pp. 53–97.
- Stammler-Gossmann, A. (2009): "Who is indigenous? Construction of 'indigenoussness' in Russian legislation". In: *International community law review*, Vol. 11, pp. 67-100.
- Stammler-Gossmann, A. (forthcoming): "Political animals of Sakha Yakutia". In: *Social significance of animals in nomadic pastoral societies of the Arctic, Africa & Central Asia*. Sendai: Center for Northeast Asian Studies.
- Sur, V. (2007): "Kongress Sakha: Raspisanie na zavtra". In: *Molodezh Yakutii*. October 4.

- Tatarinov, S. (2007): *Posle kongressa*.
<http://www.uhhan.ru/publ/44-1-0-90> accessed
 15.02.2008
- Tishkov, V. (2000): “Gotovy li my k perepisi naselenia?” In:
Nezavisimaia gazeta, October 10.
- Tishkov, V. (2004): “Introduction”. In: Tishkov, V. (ed.):
*Sovremennoe polozhenie i perspektivy razvitiia malochislennykh
 narodov Severa, Sibiri i Dal'nego Vostoka*. Moscow,
 Novosibirsk: Publishing house of the Institute of
 Archaeology and Ethnography, English version:
http://www.iea.ras.ru/news/01072004_report.pdf
 accessed 05.04.2008.
- Tishkov, V. and Stepanov, V. (2004): *Russian census 2002: The ethnic
 dimension. EAWARN (Network for Ethnic Monitoring and
 Early Warning)*.
[http://www.eawarn.ru/EN/pub/Projects/EthnoCen
 sus/tishkov-stepanov_win.htm](http://www.eawarn.ru/EN/pub/Projects/EthnoCensus/tishkov-stepanov_win.htm) accessed 07.03.2008
- Tsing, A. (2007): “Indigenous voice.” In: Cadena, M. de la, Starn,
 O. (eds.) *Indigenous experience today. (Wenner-Gren
 international symposium series)*. Oxford: Berg, pp. 33-69.
- UNPFII – United Nations Permanent Forum on Indigenous
 Issues (2006): *Report on the fifth session (15-26 May 2006).
 Economic and Social Council (Official records)*. New York:
 United Nations, supplement No.23: 36.
- Unified List of indigenous small-numbered people of Russian
 Federation’. (Edinyi perechen' korennykh
 malochislennykh narodov Rossiiskoi Federacii).
 Decree of government of Russian Federation
 24.03.2000, No. 255.
- United Nations Permanent Forum on Indigenous Issues (2006):
*Report on the fifth session (15-26 May 2006). Official records,
 supplement No.23*. New York: United Nations.

- Vertiachikh, A., Semenova, G., Goriainov, S., Egorov, A. (eds.) (2003): *Iakutia. Perspektivy razvitiia v XXI veke*. Moscow: Poliarnyi krug.
- Vinokurova, U. (1994): *Skaz o narode Sakha*. Yakutsk: Bichik.
- Vinokurova, U. and Dambaeva L. (2008): "Sacred sites of the Sakha people. Custom and law". In: *Anthropology & Archaeology of Eurasia*, Vol. 47, pp. 38-52.
- Weaver, J. (2000): "Indigenusness and indigeneity". In: Schwarz, H., Ray, S. (eds.): *A companion to postcolonial studies*. Oxford: Blackwell, pp. 221-235.
- WWF International (2008): *Indigenous peoples and conservation: WWF statement of principles*. Gland, Switzerland: WWF International.
- Zuev, A.S. (1999): "Kharakter prisoedineniia Sibiri v noveishei otechestvennoi istoriografii". In: *Evraz'ia: kul'turnoe nasledie drevnikh civilizatsii: Kul'turnyi kosmos Evraz'ii*, Vol. 1, pp. 124–136
- Yurta mira -world yurta of peace (2005): *UN fourth session of the Permanent Forum on Indigenous Issues 2005* www.sakhaopenworld.org/sd/yurta.doc accessed 25.02.2009

Received: March 12, 2009

Accepted: May 7, 2009