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Sámi Children's Right to Learn Their Language

Indigenous Experiences and Law in the Russian School Context

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Abstract

This thesis is about the right to language (RtL), particularly about Sámi children's right to learn their language in school in Russia. The thesis consists of overarching research questions, methodology, and six studies. It summarizes the studies and starts with describing the legal and educational contexts in which the RtL resides. This is followed by the description of how I deduced the elements of the RtL. Finally, the thesis describes the process of exploring the lived experiences related to the RtL in the Russian Sámi educational context.

This is interdisciplinary research within the field of the Sámi studies. The research combines approaches of law, sociology of law, and language sociology. In the thesis, I describe the overall methodology that obliged me to use several data gathering methods, as well as different analytical approaches. In the studies, I employed the legal method, interviews, thematic interview analysis, and document analysis according to themes. The theoretical framework of the thesis is based on two theoretical pillars: Pound's 'Law in Books' and Ehrlich's 'Living Law'.

One of the key findings of the research is five core elements of the RtL that were deduced as a result of the analysis of international law. These elements are: Legal recognition, Non-discrimination, Participation, Appropriate education, and High-quality education. The analysis of the Russian law demonstrates that these five elements are present in the Russian legal provisions. However, the contents of some of these elements in the Russian legislation vary from the contents of the respective elements found in the relevant international and regional legal acts.

Another key finding of this research indicates that the extent, the content, and the organisation of the current Sámi extracurricular language activity refer to a marginalized form of language education of the Sámi learners in Russia. The potential power of the legal framework of the RtL is not utilized for strengthening teaching and learning opportunities of the Sámi language in school. The research demonstrates that the contents of the elements of the RtL are reduced in the interview data collected in the Sámi community. Consequently, the RtL loses its potential power in practice. Also, the interview analysis further suggests that the language community does not openly advocate for a more efficient form of the Sámi language teaching and learning in school. Alternatively, many other issues arising from the peculiarities of the local social context are of more urgent concern for participants than the actual language learning models in school and the legal guarantees of the RtL.

Оанькхэсь кыррьй

Диссертация Диссертация лӣ кырьйха сӑмь пӑррнэе вуэййму́ж баяс ӧ́ххпнуввэ йжесь кӣл школасьт Рӯшш ёммьнесьт. Диссертациясьт лёв югке-налшэм пӑйх: кӣххчем кэ̄жьнэг, методология я кудт кӣххчмуж. Диссертация оанькхэнне вуэзхалл кӣххчмужэтъ. Авьтмуссе сӧнэсьт лӣ кырьйха вуэйймушш я ӧ́ххпнуввмушш контекстэ баяс, касьт лыххк сӑмь кӣлл вуэйймушш. Маӈӈа вуайй лӧгкэ тэнн баяс, кӧ́ххт воӑлша лӣйень сӑмь кӣлл вуэййму́ж пӑйхк. Кӑджя, диссертация вӯзьхувв кӧ́ххт мэ̄нэ ёллем шуэрьт кӣххчмушш, кӯ лӣ кӧ́ррма кӣлл вуэйймужэнь сӑмь ӧ́ххпнуввэм контекстэсьт Рӯшш ёммьнесьт.

Диссертация лӣ кырьйха югке-налшэм дисциплинэ я сӑмь тёдэ кӣххчмужэ сыссень я э̄ххтай вуэййму́ж, вуэййму́ж социология я кӣл социология.

Метод я теория Диссертация аннътмуж лёв кӧ́ппчма югке-налшэм методэ мӣлльтэ, ныдтъшэ ӧ́ннъюввэв югке-налшэм аналитика-нӑль: вуэйймушш метод, интервью, интервью тематическэ анализ я документэ анализ поӑйхкэ мӣлльтэ. Документэ анализ поӑйхкэ мӣлльтэ лӑйй ӧ́ннъюввма кӣххчмужэнь, кӧ́йт баяс лӣ кырьйха I я II кырьень. Вуэйймушш метод лӑйй ӧ́ннъюввма кӣххчмужэнь, кӧ́йт баяс лӣ кырьйха III, IV я V кырьень. Аннътмуж кӣххчмужэ гуэйкэ лӣйень кӧ́ппчма пэ̄йель интервью, кӯгк вӯзьхуввэв VI. кырьесьт. Интервью анализ лӣ лыххкма поӑйхкэ мӣлльтэ. Тэгка пӑйхк лёв вӑллтма сӑмь кӣлл вуэййму́ж элементэ анализэсьт, кӧ́йт баяс лӣ кырьйха V. кырьесьт.

Паунд теория 'Вуэйймушш кырьень' (1910 ыгкь) я Эрлих теория 'Ёллей вуэйймушш' (2002 ыгкь) аннътэв диссертацийе теория моанntкэ.

Результат Диссертация вуэзхалл, кӣлл вуэййму́ж контекст лӣ тӯ́ййша кӯ́ххт вуэйймушш поӑйхкэ э̄л. Авьтмусс вуэйймушш пӑйххк – тэгк лёв норма, кӯгк вӯ́ййксэллэв Рӯшш ёммьне вуанntас ӧ́ллмэе вуэййму́жэтъ, сӣнэ кэскэсьт э кӣлл вуэййму́ж. Ныммьп вуэйймушш пӑйххк – тэгк лёв норма, кӯгк вӯ́ййксэллэв Рӯшш ёммьне ӧ́ххпэм система. Тэдта кӣххчмушш вуэзхалл, норма, кӯгк лыххкэв вуанntас ӧ́ллмэе вуэйймушш пӑйхк, евла шӣххтма. Окромя тэннэ югке-налшэм фактор ёкхэллэв йӣллькъе вуанntас ӧ́ллмэе вуэййму́жэтъ Рӯшш ёммьнесьт. Диссертация кӣххчму́ж вуэзхэллэв, лёв рэ̄з, кӯгк ев анът йӣллькъе школа ӧ́ххпнуввэм система вӯ́ййксэллэй вуэйймушш норматъ Рӯшш ёммьнесьт. Тэйт рэ̄зэнь лёв вуэйймушш я эйй-вуэйймушш вырьк. Эйй-вуэйймушш рэ̄з лёв мугка: ев вуал профессиональнэ сӑмь кӣлл ӧ́ххпъетъ мӑтъхэм вуэййму́ж, ённэ Рӯшш ёммьне субъектэнь вӑнас мӑкьсэтъ ӧ́ххпъетъ я сыййт поӑйхкэнь школа кӑ́ххтъюввэв. Лёв э юридическэ рэ̄з: лӧ́ссэ лӣ оӑнтшэ законэтъ, я сыйй пай вуайхуввэв.

Луэшштма закон вӯййксэллэв школа ӧххпнуввмуж, тэннгуэйкэ диссертация кйххчмуж лёв лыххкма официальнэ школа ӧххпнуввмуж сыссень. Югке йжесь ӧллмэ кэска сӑмь кйлл ӧххпэм инициатива евла кйххчьюввма. Рӯшш ёммьнесьт мӑтъхэтъ лышшэ эфт сӑмь кйл – кйллт сӑмь кйл, а моӑххтсэллэ соннэ вуайй лышшэ эфт школасьт. Ӧххпнуввмушш выгкъювв пэйель рӯшш кйл. Сӑмь кйл мӑтъхэтъ гу кружок авьтмусс классэсьт выдт класс райя. Кружок нэмм вуайхувэньт эйй эфт вуэр. Адтъ сӧнн нэммдувв ‘Ённь кйлл’. Кйххчмужэ анализ вуэзхалл, Рӯшш ёммьнесьт сӑмь кйлэсьт элля шӯрр сайй школа ӧххпнуввэм системасьт. Сӑмь кйл мӑтъхэтъ лышшэ го кружок, кӯ элля чофта чабсэнне лыххкма. Вуэйймушш гарантия потенциал эйй ӧннъюв лыххкэм гуэйкэ роавас сӑмь кйл школа мӑтъхэмуж я ӧххпнуввмуж. Интервью анализ ныдтъшэ вуэзхалл, сӑмь ӧллмэ ев рэссэдь вӑйймлэнне пыйем гуэйкэ пэрямп сӑмь кйл ӧххпэм я ӧххпнуввэм форматъ школасьт. Интервью кӯскнэй ёнамп пя̄дцлушшэв югке-налшэм социальнэ рэ̄зэ баяс, мэ̄нн школа кйл ӧххпнуввэм моделе я юридическэ кйлл вуэйймушш гарантие баяс. Нарэдэкэскса вуэйймӯж анализ мйллльтэ вуайй ра̄ттькэ выдт кйлл вуэйймушш элемент, тэгк лёв: тёдт вуэйймӯж баяс, эйй-дискриминация, кӯскнэмушш, быдтэй ӧххпнуввмушш я чаб ӧххпнуввмушш.

Кёжьмусс юрт Диссертация вуэзхалл, Рӯшш ёммьне законаннътмужэсьт элля эфт-налшэм кйлл вуэйймушш тӧлӆькъемушш, кӯ лыгкаххч нарэдэкэскса стандартэ мйллльтэ. Тэнн гуэйкэ вуэйев ыдтӭ рэ̄з, кӯгк ёкхэллэв пынне я пайнэ сӑмь кйлэтъ Рӯшш ёммьнесьт. Рёшшъем гуэйкэ тэйт рэ̄зэтъ кйлл вуэйймушш тӧлӆькъемуж Рӯшш ёммьне законаннътмужэсьт быдт выгкэ нарэдэкэскса вуэйймушш стандартэ мйллльтэ. Окромя тэннэ лёв кйлл вуэйймушш имплементация рэ̄з: мудта вуэйймушш норма лёв декларативнэ, евла механизм, кӯгк йллькъеххченьь вуэйймушш норматъ, югке ёллем поӑйхкэнь рӯшш кйлл лй̄ тоаввсамусс кйлл, вуэйймушш актэнь лёв норма, кӯгк вуэсстлэв кӑннъц кӑннцась я законаннътмужэсьт лёв луэштнэг. Вуэйймушш нормань ӧххпнуввмушш система баяс тоӑййв вуайй коӑввнэ пыйймӯж ’ӧххпнуввэм системань ӑннтма вуэйймужэ’ баяс. Мугка пыйймӯж вуайй оаннӭ вӯййктушшэм гуэйкэ эйй-йллькъя вуэйймушш норматъ. Диссертациясьт лй̄ пыййма юрт, го тэйт рэ̄зэтъ быдт рёшшъе. Тэннгуэйкэ, го сӑмь ӧллмэе социальнэ контекст выгк кйлл вуэйймӯж тӧлӆькъемушше, тэнна надта тӯй баяс быдт юррьтэ, йллькъемэньь лыххкэй законаннътмуж я лыххкмэньь ӧдт законэтъ сӑмь сёбрэсьт Рӯшш ёммьнесьт.

(Рӯшш кйлэсьт сӑмь кйлле пые Шеллер Э., ёарркэ вёкьхэньь Шаршина С.Н., Хомюк М.Т., Пауль К.О., Лукин П.Г.)

Резюме диссертации на русском

Диссертация Эта диссертация посвящена праву на язык (далее – право в фокусе), а именно праву детей саами на изучение своего языка в школе в России. Диссертация представляет собой единое целое, состоящее из исследовательских вопросов, методологии и шести исследований. Диссертация резюмирует исследования и начинается с описания правовых и образовательных контекстов, в которых функционирует право в фокусе. Затем представлено описание того, каким образом были выделены элементы права в фокусе. Наконец, диссертация описывает процесс того, как проводилось исследование жизненного опыта, связанного с функционированием права в фокусе в саамском образовательном контексте в России.

Данная диссертация является междисциплинарной и написана в области саамских исследований. Диссертация сочетает подходы права, социологии права и социологии языка.

Методы и теории В данной диссертации применяется методология с использованием нескольких методов сбора данных, а также различных аналитических подходов. Использованы правовой метод, интервью, тематический анализ интервью и анализ документов по темам. Анализ документов по темам был применен в исследованиях, описанных в статьях I и II. Правовой метод, состоящий из определения соответствующих юридических источников и их интерпретации, был использован в исследованиях, описанных в статьях III, IV и V. Интервью были проведены как метод сбора данных в исследовании, описанном в статье VI. Анализ интервью осуществлялся по темам. Данные темы были выделены из анализа элементов права на язык, описанных в статье V.

Теория Паунда ‘Право в книгах’ и ‘Живое право’ Эрлиха сформировали теоретический каркас данной диссертации.

Результаты Диссертация демонстрирует, что правовой контекст права на язык основан на двух правовых полях. Первое правовое поле охватывает нормы, регулирующие права коренных народов России, в частности право на язык. Второе правовое поле охватывает нормы, регулирующие образовательную систему России. Данное исследование демонстрирует, что нормы, составляющие правовое поле прав коренных народов, не согласованы. Более того, существуют препятствия в реализации прав коренных народов в России. Исследования данной диссертации показывают, что существуют проблемы с имплементацией правовых норм, входящих в правовое поле норм, регулирующих систему школьного образования в России. Эти проблемы имеют как правовой, так и не правовой характер. К проблемам неправового характера относятся следующие проблемы: ограниченность возможностей профессиональной

подготовки учителей родного языка, низкие зарплаты учителей во многих субъектах РФ и сокращение числа школ в сельских районах. К проблемам юридического характера относятся сложность законодательства и постоянные изменения российского законодательства.

Исследование для данной диссертации проводилось в рамках официального школьного образования. Данный выбор был обусловлен тем, что школьное образование законодательно регулируется. В связи с этим любые инициативы по обучению языку, происходящие в частном секторе, не были включены в данное исследование. Саамский язык преподаётся только в одной школе в России. Преподавание саамского языка в основном ведётся на русском языке. Единственный саамский язык, который преподается в школе, - это кильдинский саамский. Саамский язык преподаётся в рамках кружка с первого по пятый класс. Название кружка неоднократно менялось. В настоящее время кружок называется 'Еннь кӣлл/Родной язык'. Одним из основных результатов данной диссертации является то, что степень преподавания саамского, содержание и организация кружка саамского языка указывают на периферийную форму языкового образования для изучающих саамский язык в России. Потенциал правовых гарантий права на язык не используется для укрепления возможностей преподавания и изучения саамского языка в школе. Кроме того, анализ интервью указывает на то, что языковое сообщество не выступает открыто за более эффективные формы преподавания и изучения саамского языка в школе. Напротив, множество других проблем, вытекающих из особенностей местного социального контекста, вызывают бóльшую озабоченность у участников интервью, чем модели изучения языка в школе и юридические гарантии права на язык.

Анализ международного права позволил выделить пять элементов права на язык. Этими элементами являются правовое признание, недискриминация, участие, надлежащее образование и качественное образование.

Выводы Результаты исследования, проведенного в рамках данной диссертации, демонстрируют, что отсутствие единого подхода к пониманию права на язык в российском законодательстве в соответствии с международными стандартами может создавать препятствия для укрепления и поддержки саамских языков в России. Для преодоления данной проблемы подход к пониманию права на язык в российском законодательстве должен быть приведен в соответствие со стандартами международного права. Кроме того, существуют проблемы, связанные с имплементацией права на язык. К этим проблемам относятся декларативность некоторых правовых норм, отсутствие механизмов имплементации данных норм, преобладание русского языка во всех сферах жизнедеятельности, а также внутренние несоответствия и пробелы в законодательстве. Также правовые нормы, касающиеся образовательной

системы, часто содержат положение о ‘возможностях, предоставленных образовательной системой’. Данное положение может использоваться как оправдание для неимплементации некоторых правовых норм. В диссертации делается вывод о необходимости решения этих проблем. Наконец, данное исследование демонстрирует, что поскольку местный социальный контекст саамского населения оказывает основное влияние в понимании права на язык, эту особенность следует учитывать при реализации действующего законодательства в саамском сообществе в России.

Enkel sammanfattning på svenska

Avhandlingen Denna avhandling handlar om rätten till språk (the Right to Language, RtL), i synnerhet vad beträffar samiska barns rätt att lära sig sitt språk i skolan i Ryssland. Avhandlingen består av de övergripande forskningsfrågorna, metodologi och sex forskningsartiklar. I avhandlingen sammanfattas artiklarna vilka inleder med att beskriva de juridiska och utbildningsmässiga kontexter där rätten till språk återfinns. Därefter följer en beskrivning av processen vars syfte är att definiera de element som utgör rätten till språk. Slutligen beskrivs processen av utforskandet av hur rätten till språk upplevs i samiska utbildningssammanhang i Ryssland.

Detta är en tvärvetenskaplig avhandling i forskningsområdet samiska studier. Forskningen inbegriper tillvägagångssätt från juridik, rättssociologi och språksociologi.

Metod och teori I avhandlingen har jag använt en övergripande metodologi som förpliktat mig att använda flera olika metoder för datainsamling, samt olika analytiska tillvägagångssätt. Jag har tillämpat juridisk metod, intervjuer, tematisk intervjuanalys och dokumentanalys, med hänsyn till relevanta teman. Dokumentanalys tillämpades i de studier som rapporteras i artikel I och II. Den juridiska metoden, vilken går ut på att identifiera och tolka relevanta juridiska källor, användes i artikel III, IV och V. Datainsamling i form av intervjuer tillämpades i den studie som rapporteras i artikel VI. Intervjuerna analyserades med hänsyn till de teman som framkom i artikel V. I artikel V definierades de element som utgör rätten till språk.

Det teoretiska ramverket för avhandlingen utgörs av Pounds 'Law in books', och Ehrlichs 'Living law'.

Resultat Avhandlingen visar att den juridiska kontexten för rätten till språk består av två juridiska ramverk, nämligen urfolksrätt och skollagstiftning. Min forskning visar att det finns inkoherenser i de förordningar som utgör det urfolksrättsliga ramverket i Ryssland. Därutöver finns det också aspekter som försvårar tillämpningen av urfolksrätten. Min forskning påvisar också att det finns implementeringsutmaningar för de juridiska stadgar som utgör ramverket för den ryska skollagstiftningen. Utmaningarna är av både juridisk och icke-juridisk natur. De icke-juridiska utmaningarna består bland annat av brist på fortbildningsmöjligheter för modersmålslärare, överlag låga löner, samt kontinuerligt minskande antal skolor på landsbygden. Bland de juridiska utmaningarna återfinns lagarnas komplexitet och ständiga lagförändringar.

Forskningens primära fokus har varit undervisning i samiska i det formella ryska skolsystemet, eftersom det endast är denna undervisningsform som är juridiskt reglerad. Av denna anledning är all eventuell språkundervisning i privat eller annan regi exkluderad. Samiska undervisas endast i en skola i Ryssland, och undervisningsspråket är till övervägande del ryska. Det samiska

språk som avses är kildinsamiska. Språkaktiviteten i skolan går under benämningen 'Еннь кӣлл/modersmål' och erbjuds som extra aktivitet utanför ordinarie läroplan för barn från årskurs 1 till 5. Ett viktigt resultat i min forskning är att språkaktiviteten i samiska avser en marginaliserad undervisningsform, förlagd utanför ordinarie skoltid, vilket innebär att undervisningens omfång och innehåll är begränsade. Därmed utnyttjas inte den potentiella kraften i det juridiska ramverk som omgärdar rätten till språk fullt ut för att stärka undervisningen i samiska i de aktuella årskurserna. Därutöver antyder intervjuanalysen att det lokala språksamfundet inte öppet förespråkar effektivare undervisningsformer i samiska. Alternativt kan andra aspekter som härrör från den lokala social kontexten ha högre prioritet än den juridiska rätten till språket och språkinlärningsmodellerna i skolan.

Analysen av internationell rätt visar att rätten till språk består av fem element, nämligen följande: juridiskt erkännande, icke-diskriminering, deltagande, lämplig utbildning och slutligen utbildning med hög kvalitet.

Implikationer I avhandlingen hävdar jag att den ryska lagstiftningen saknar ett enhetligt förhållningssätt när det gäller rätten till språk. Jag argumenterar att detta eventuellt kan motverka de åtgärder och insatser som skulle kunna stödja och berika användning av samiska språk i Ryssland. För att åtgärda detta, vore det lämpligt om Ryssland justerade sitt förhållningssätt till förståelsen av rätten till språk, så att den är i linje med internationell rätt. Utmaningarna avser sättet på vilket vissa juridiska påbud är formulerade, avsaknad av verktyg för juridisk implementering, det allmänna bruket av ryska i samtliga livssammanhang, samt förekomsten av inkoherens och luckor i lagstiftningen. Därutöver innehåller skollagstiftningen ofta klausuler rörande "möjligheter som erbjuds av utbildningssystemet", vilket kan innebära att påbud inte behöver implementeras. I avhandlingen argumenterar jag att dessa utmaningar måste åtgärdas. Slutligen, eftersom den lokala samiska kontexten i Ryssland är avgörande för rätten till språk, föreslår jag i avhandlingen att den ska tas i beaktning när existerande lag implementeras.

List of papers

This thesis is based on the following papers:

I. Zmyvalova, E, & Outakoski, H. (2019). The Development of Sámi Children's Right to Learn Sámi in the Russian School Context. In O. Kortekangas, P. Keskitalo, J. Nyyssönen, A. Kotljarchuk, M. Paksuniemi, & D. Sjögren (Eds.), *Sámi educational history in a comparative international perspective* (pp. 105-123). Palgrave Macmillan. https://doi.org/10.1007/978-3-030-24112-4_7

II. Belancic, K., Zmyvalova, E., Kroik, D., Helander, H., & Olsen, T. A. Institutionalised Sámi education in Norway, Sweden, Finland, and Russia. (Accepted). In P. Keskitalo, T. Olsen, A-L. Drugge and R. Rahko-Ravantti (Eds.), *Girjjohallat girjáivuođa – Embracing diversity: Saami education theory, practice and research*.

III. Zmyvalova, E. (2020). Human Rights of Indigenous Small-Numbered Peoples in Russia: Recent Developments. *Arctic Review on Law and Politics*, *11*, 334-359. https://doi.org/10.23865/arctic.v11.2336

IV. Zmyvalova, E. (2019). The Place of Indigenous Languages in the Russian System of School Education: A Legal Analysis. *The Yearbook of Polar Law*, *10*(1), 75-101. https://doi.org/10.1163/22116427_010010006

V. Zmyvalova, E. (2024). The right to language in school: Russian Sámi. *International Journal on Minority and Group Rights*, 1-41. https://doi.org/10.1163/15718115-bja10145

VI. Zmyvalova, E., & Outakoski, H. (Manuscript). Lived experiences of the right to Sámi language in school.

Other papers by the author mentioned in this thesis:

- Zmyvalova, E. (2015). Indigenous Children's Right to Learn Their Mother Tongue at School: Implementation and Realization in Russia. *Arctic Review on Law and Politics*, *6*(2), 151-174. https://doi.org/10.17585/arctic.v6.117

This paper is important for the thesis because it was the starting point when I began to elaborate the elements of the language rights of Indigenous peoples. In this paper, I singled out the first set of elements based on the analysis of international law. This set of elements was then further developed in the subsequent papers included into this dissertation. Especially the set of the elements was developed in Papers I, V and VI.

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Figures, tables, and other illustrations

Abbreviations

CESCR	the UN Committee on Economic, Social and Cultural Rights
CRC	the Convention on the Rights of the Child
ECRML	the European Charter for Regional Minority Languages
FCNM	the Framework Convention for the Protection of National Minorities
FL	Federal Law
FL 'On Education'	FL N 273-ФЗ of December 29, 2012 'On Education in the Russian Federation'
FL 'On Guarantees'	FL N 82-ФЗ of 30 April 1999 'On Guarantees of the Rights of Indigenous Small-Numbered Peoples of the Russian Federation'
FL 'On NCA'	FL N 74-ФЗ of 17 June 1996 'On National-Cultural Autonomy'
ICCPR	the International Covenant on Civil and Political Rights
ICERD	the International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	the International Covenant on Economic, Social and Cultural Rights
ICJ	International Court of Justice
ILO N 169	Convention N 169 Concerning Indigenous and Tribal Peoples in Independent Countries

ISNPs	Indigenous Small-Numbered Peoples
Law 'On Languages'	Law of the RF N 1807-1 of 25 October 1991 'On the Languages of the Peoples of the Russian Federation'
Law 'On State Support of the ISNPs of the MO'	Law of the MO N 984-01-3MO of 30 June 2008 'On State Support of the Indigenous Small-Numbered Peoples of the North of the MO Carrying out Traditional Economic Activities'
MO	Murmansk Oblast
RF	Russian Federation
UNDM	the UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities
UNDRIP	the United Nations Declaration on the Rights of Indigenous Peoples
UNESCO	the United Nations Educational, Scientific and Cultural Organization

1 Introduction

The decline in the use of Indigenous languages has become an issue for discussions both in academia and beyond (Department of Economic and Social Affairs Indigenous Peoples; Grenoble & Whaley, 2006; Permanent Forum on Indigenous Issues, 2019; UNESCO, 2021). According to the United Nations Human Rights Council (henceforth HRC), "[t]he loss of linguistic diversity is a loss for humanity's heritage" (Human Rights Council, 2019, p. 2). United Nations Permanent Forum on Indigenous Issues emphasizes the significance of Indigenous languages as "extensive and complex systems of knowledge" and not merely as "methods of communication" (United Nations Permanent Forum on Indigenous Issues, 2018). Indigenous languages are the core of the Indigenous peoples' identity and are central for the "preservation of their cultures, worldviews and visions and an expression of self-determination" (United Nations Permanent Forum on Indigenous Issues, 2018). The Forum asserts that Indigenous peoples are under threat if their languages are under extinction (United Nations Permanent Forum on Indigenous Issues, 2018). The language situation of the Russian Sámi, as well as of many other Indigenous peoples in the world, is largely dependent on the recognition of the language rights of minorities (Department of Economic and Social Affairs Indigenous Peoples; Thornberry & Estébanez, 2004, pp. 7-10). Legal recognition of the language rights of Indigenous peoples is one of the ways to empower Indigenous peoples in their efforts to preserve their languages (Varennes & Kuzborska, 2016). Therefore, "[s]tates should ratify, accede to and adhere to all international and regional human rights instruments that protect and promote the rights of minorities, including those pertaining to the rights of minorities to education in, and the teaching of, their languages" (Human Rights Council, 2020, para. 8).

The thesis is about the right to language (henceforth RtL), specifically, about the Sámi[1] children's right to learn their language in school in Russia. In this research, school was chosen as the context of investigation as it is the main educational platform for formal learning that is steered and shaped through legal frameworks and documents, and, thus, exemplifies the realisation of the RtL. To this end and by focusing on the Sámi community in Russia, exploring connections between the RtL and the lived experience of this right contributes to a better understanding of the necessary measures to be undertaken to effectively implement Indigenous language rights in schools in Russia.

The thesis describes the legal and educational contexts in which the RtL of Indigenous children resides. Following the description of the contexts, the core elements of the RtL are deduced from the relevant provisions of international and regional instruments. Further, the research identifies to what extent the elements

[1] The spelling of the term 'Sámi' varies in different publications. The Kildin Sámi spelling for the language is Сӑмь [sa:mj]. The Northern Sámi spelling of the term, Sámi, is used in this thesis.

of the RtL that are found in the international law are also present in the Russian legislation. The deduction of the elements of the RtL is followed by the analysis of how the RtL interacts with the social context of the Sámi community in Russia. To understand the social context, an examination of the views and experiences of social agents who are involved in the educational processes where the RtL manifests itself, is carried out. A special focus is put on the analysis of the views and experiences of the officials, the practitioners, and the receivers who are engaged in the Sámi education in Russia. Their voices contribute to the understanding of how the local Sámi context in Russia shapes social agents' perception of the RtL.

To understand Indigenous experiences and legal dimensions of the RtL in the Sámi school context in Russia, I conducted an interdisciplinary research in the Sámi studies. The research combines approaches of law, sociology of law, and language sociology. This thesis looks at the past and the present of the Sámi schooling in Russia, and it does so by offering a synthesis of six studies (papers) that form a comprehensive whole. Each of the studies casts light on some particular issues of the RtL in Russia.

This thesis provides an insight into the legal context in which the RtL resides. This legal context comprises the legal framework of the rights of Indigenous peoples in Russia, and the legal framework of the system of school education in Russia. Also, the thesis describes the educational context in which the RtL resides. To this matter, it describes the milestones of the historic development of the Sámi language teaching in school in Russia. It also provides an analysis of the current situation with the Sámi language teaching in school both in Russia and in the other three states that the land of the Sámi, Sápmi, reaches over. Furthermore, the thesis reveals the essence of the RtL and conceptualizes the RtL in terms of two theoretical pillars such as the 'Law in books' and the 'Living law'.

Finally, this research is carried out during the time of global instability, including the COVID-19 pandemic and the war initiated by Russia in Ukraine, and other military conflicts. Some of these events affect Indigenous peoples, including their language rights (Hatzikidi, Lennox & Xanthaki, 2021; Zmyvalova, 2023). Furthermore, inside Russia, a social and political storm is emerging. This thesis appears to be located in the 'eye of this storm'.

1.1 Aim and research questions

The research aim for the thesis is to study how the RtL is stipulated in legal provisions and how the RtL is connected to the lived experiences in the school context in Russia. Accordingly, the following research questions are asked:

1. What are the educational and legal contexts in which the RtL resides?
2. How do international law and the Russian law enshrine the right of Indigenous children, and when applicable Sámi children, to learn their language in school?
3. How is the RtL viewed and experienced by social agents in the Russian school context?

The first research question on educational and legal contexts in which the RtL resides is explored in all the six studies reported in the papers. Paper I describes the history of the Sámi language teaching in school in Russia and the current situation with the Sámi language teaching in Russia. Paper II describes the status of the Sámi language teaching in school and in higher educational institutions in the four states of Sápmi. It includes a description of the educational systems in Russia in addition to the systems in Norway, Sweden, and Finland. The study reported in Paper III investigated the legal framework of the rights of Indigenous peoples in Russia and discussed the current situation with human rights in the Indigenous context in Russia. The study reported in Paper IV investigated the legal framework of the educational system in Russian schools and how Indigenous languages fit in within this educational system. Paper V includes the analysis of the legal provisions on the RtL. The analysed legal acts are also included into the legal framework of the rights of Indigenous peoples in Russia and the legal framework of the educational system in Russian schools (See Appendix 1). Paper VI contains the analysis of the lived experiences of the RtL inter alia in school.

To answer the second research question, I investigated the content of the RtL in the studies reported in Papers III, IV, V, and VI. The study reported in Paper V deduced core elements of the RtL from international and regional instruments in order to identify to what extent these elements are present in the Russian legal acts. The studies reported in Papers III and IV also shed light on the RtL because the legal regulations which partly cover the RtL were investigated in these studies. The study reported in Paper VI analysed the content of the RtL and its lived experience in the Sámi community.

The third research question is answered in Paper VI. The study reported in this paper explored how officials, practitioners, and receivers viewed and experienced the RtL, and how their voiced experiences were impacted by the local Sámi context in Russia. This paper describes the discrepancies between the legal framework of the RtL and the lived experiences of the RtL in the Sámi school context in Russia.

1.2 Outline of the thesis

This introductory section is followed by Chapter 2 on methodology, materials, and previous research. Chapter 2 also shows how the research makes use of

different data gathering and data analysis methods. The individual studies use different methodologies. This is because the studies were conducted within different research fields and the methods adopted reflect the specific procedures used in these fields. Chapter 2 also addresses ethical issues, assesses the limitations of the research, discusses the author's role in the studies, gives the overview of the previous research, and presents the key terms relevant to this thesis.

Chapter 3 presents the educational context in which the RtL resides. First, the historical background of the Sámi in Russia is described. Then, a summary of Paper I on the history of the Sámi language teaching in Russia is given. Also, the chapter provides a summary of Paper II. In this study, the current situation which applies to the Sámi language teaching in school and in higher educational institutions in Russia, Sweden, Norway, and Finland is described.

Chapter 4 is devoted to the legal regulation of Indigenous rights and the system of school education in Russia. In this chapter, the legal context in which the RtL resides in Russia is presented. This chapter contains the summaries of Papers III and IV. Paper III takes up the legal regulation of rights of Indigenous peoples in Russia and presents some current challenges with the implementation of the rights in the Russian context. In the study reported in Paper IV, the legal framework for teaching Indigenous languages within the current school system in Russia is described.

The work conducted in Papers I-IV provides a necessary foundation for a comprehensive analysis in Papers V and VI. This analysis resulted in a detailed review of the elements of the RtL in relation to the lived experiences of the RtL in the Russian Sámi context. The results of the analysis were presented in Chapter 5 in this thesis.

In Chapter 5, the theoretical framework of the thesis is described. Also, the RtL taken up in the study reported in Paper V is summarized in this chapter. In this study, the core elements of the RtL were deduced from international and regional instruments. This study showed to what extent the elements were present in the Russian legislation. The themes deduced from the descriptions of the core elements of the RtL are then used as the basis for the thematic analysis in the study reported in Paper VI. Paper VI presents the analysis of the lived experiences of the RtL in the Sámi context in Russia. The study reported in this paper demonstrated how the social agents who were involved in Sámi education, experienced the connection between the RtL and the current practices of the Sámi language teaching in the school context. Furthermore, the study reported in Paper VI demonstrated how social agents' voiced experiences and views on the RtL were impacted by the local Sámi context in Russia.

Chapter 6 consists of the summary of the research done in the thesis. It includes the discussion of the findings and provides implications for the future research. The overall design of the thesis is given in Figure 1. Table 1 demonstrates the location of the summaries of the studies included in this thesis.

Figure 1

Organisation of the thesis

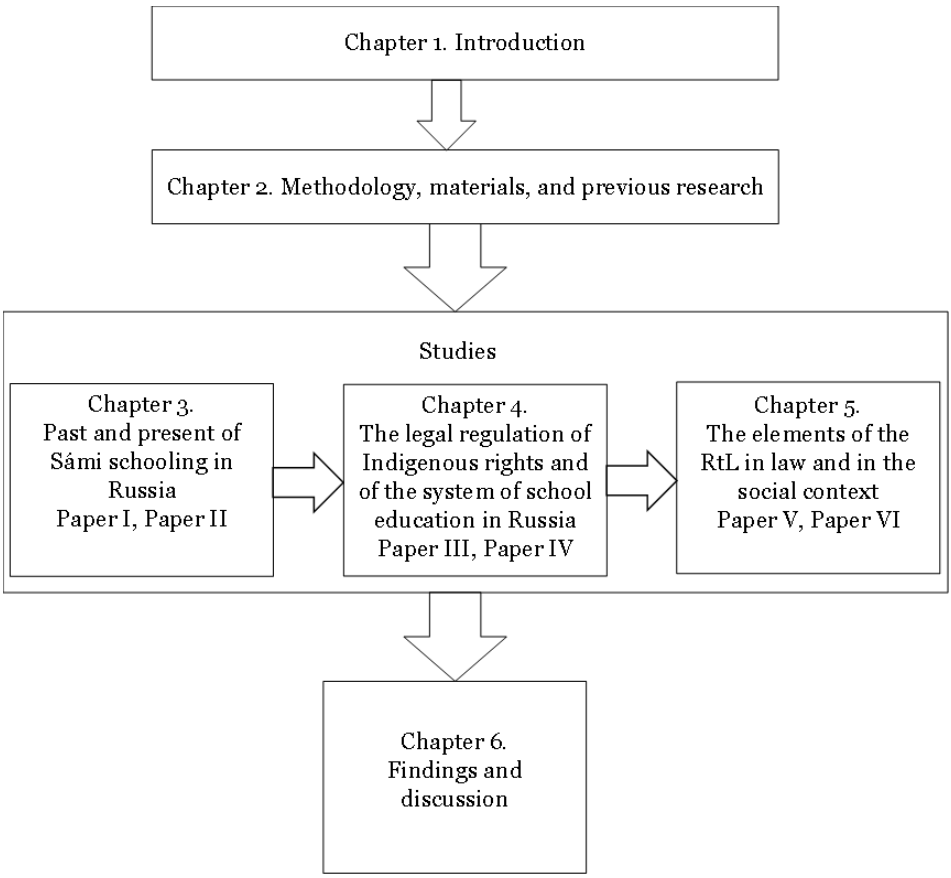


Table 1

Studies of the thesis

Study	Section	Pages
I Zmyvalova, E, & Outakoski, H. (2019). The Development of Sámi Children's Right to Learn Sámi in the Russian School Context	3.2	29-30
II Belancic, K., Zmyvalova, E., Kroik, D., Helander, H., & Olsen, T. A. Institutionalised Sámi education in Norway, Sweden, Finland, and Russia.	3.3	30-31
III Zmyvalova, E. (2020). Human Rights of Indigenous Small-Numbered Peoples in Russia: Recent Developments	4.1	35-36
IV Zmyvalova, E. (2019). The Place of Indigenous Languages in the Russian System of School Education: A Legal Analysis	4.2	37-39
V Zmyvalova, E. (2024). The right to language in school: Russian Sámi	5.3.1	45-48
VI Zmyvalova, E., & Outakoski, H. (Manuscript). Lived experiences of the right to Sámi language in school	5.3.2	48-50

2 Methodology, materials, and previous research

This chapter describes the methods applied in different studies of the present research. The methods used in the studies comprised the legal method, interviews, thematic interview analysis, and the document analysis according to themes. Sections 2.1, 2.2, and 2.3 are devoted to the description of these methods. Section 2.4 includes the description of ethical considerations. Section 2.5 assesses the possible limitations of the research. Section 2.6 gives a short overview of the previous research on the relevant issues and a list of the core terms used in the thesis. In Section 2.7, the author's contribution and role in the studies is taken up. Besides, Section 2.7 includes the note on reflexivity.

Table 2 shows the correlation between the nature of the papers, the methods used, and the research questions answered in these papers.

Table 2

Correlation between papers, methods, and research questions

Paper	The nature of the paper	Analysis method	The main points	Research Questions
I	Descriptive	Document analysis	-Historical development of Sámi education in Russia -Current situation	1
II	Descriptive	Document analysis	-Current situation with the Sámi language teaching in school and in higher educational institutions in Russia, Sweden, Norway, and Finland	1
III	Analytical	Legal method	- The status of the Indigenous Peoples (henceforth IPs) in the Russian Law -Challenges in the legal regulation	1,2

IV	Analytical	Legal method	-The system of school education in Russia -Challenges in implementation of the legal provisions -Examples of teaching of Indigenous languages in schools	1,2
V	Analytical	Legal method	-Core elements of the RtL - Legal challenges that hinder the realization of the RtL	1,2
VI	Analytical	Interview analysis	- The lived experience of the RtL	1,2,3

Note. The term 'descriptive' (the second column in Table 2) refers to a situation in which the methods of analysis focus on describing and narrating a situation or a context that has not been investigated previously. The term 'analytical' is used to refer to a study where a specific method of analysis is used to describe emerging knowledge about a subject, and discuss theoretical concepts, to explain theoretical connections to the research questions in a manner that follows the steps of thought specific for the method of analysis in use.

2.1 Legal method

The legal method was employed to scrutinize the legal contexts of the Russian law in which the RtL resides. Besides, international and Russian legal sources were analysed to understand the way international law and the Russian law enshrine the right of Indigenous children, and when applicable Sámi children, to learn their language in school. The analysis of the relevant legal provisions was carried out in Papers III, IV, and V (See Appendix 1).

By legal sources, McFadzean and Ryan (2014) refer to "sources which give authority to the rules and principles within any given system" (p. 3). According to Peczenik and Pattaro (2005), the legal method consists in "the systematic, analytically evaluative exposition of the substance" (p. 1) of the relevant legal sources. With this idea in mind, I determined the legal sources for the analysis. Then, I interpreted relevant provisions of these legal sources.

In the study reported in Paper III, I analysed the sources of the Russian law regulating rights of Indigenous peoples in Russia. In the study reported in Paper VI, I examined the sources of the Russian law regulating the system of school education in Russia. In the study reported in Paper V, I addressed

international and regional legal sources and sources of the Russian law regulating the RtL. The selection of legal sources was guided by three thematic domains: Russian legal sources concerning Indigenous peoples' rights; Russian legal sources related to the school educational system; and pertinent international, regional, and Russian legal sources addressing the language rights of Indigenous peoples, with a specific focus on the Sámi when applicable.

2.1.1 Sources of international law

When exploring the sources of international law for the analysis of the RtL, I relied on the renowned legal scholars in the fields of Indigenous peoples' rights in international law (Thornberry, 2002), Indigenous cultural rights (Xanthaki, 2007) and educational rights of Indigenous peoples and minorities (Bloch, 2007). Of all the sources delineated in the existing research, I chose legal sources which contain the legal provisions on the language rights of Indigenous peoples.

Having examined the previous research on Indigenous rights, I employed the legal method to identify the sources for the analysis. To this matter, I used Article 38 of the Statute of the International Court of Justice (henceforth ICJ). According to Shaw (2017), Article 38 of the Statute of the ICJ is "widely recognized as the most authoritative and complete statement as to the sources of international law" (p. 52). Thirlway (2010) expresses a similar opinion and observes that "[o]ther sources, or alternative conceptions of how law comes into being, have from time to time been suggested, but the traditional analysis continues to be used in practice, in particular by the international Court" (pp. 96-97).

I chose international conventions (Article 38. 1.a of the Statute of the ICJ) as the main source for my legal analysis. My choice is contingent on my assessment that international conventions are a prevailing legal source where the RtL is enshrined. Also, according to Shaw (2017, p. 585), conventions are the main international legal source. I analysed the following conventions: the UNESCO Convention Against Discrimination in Education; the International Convention on the Elimination of All Forms of Racial Discrimination; the International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; the Convention on the Rights of the Child; the Indigenous and Tribal Peoples Convention; the European Charter for Regional or Minority Languages (henceforth ECRML), and the Framework Convention for the Protection of National Minorities (henceforth FCNM).

Article 38 of the ICJ Statute lists other sources of international law in addition to international conventions. These are international custom and general principles of law recognized by civilized nations. Besides, there exist subsidiary means such as judicial decisions, and "teachings of the most highly qualified publicists of the various nations" (ICJ, 1945, Article 38).

General principles of international law are among the sources stipulated in Article 38 of the ICJ Statute. By general principles of international law, Shaw (2017) refers to "the general principles that guide the legal system, whether they be referred to as emanating from justice, equity or considerations of public policy" (p. 73). When explaining the nature of the general principles of the international law, Crawford (2012) observes that these general principles of law "are primarily abstractions and have been accepted for so long and so generally as no longer to be directly connected to the state practice" (p. 37). According to Thirlway (2010), "this particular source of law is of less practical importance in determining the rights" (p. 109). Although general principles of international law are stipulated in Article 38 of the Statue ICJ, they are not used in my thesis because they do not contribute to my understanding of the content of the RtL due to their general and abstract nature.

International custom is also listed among the sources of international law in Article 38 of the Statute ICJ. The ICJ Judge Read describes customary international law as "the generalization of the practice of States" (ICJ, 1951). I did not use international custom as a source for the analysis, except for the provisions of the UN Declaration on the Rights of Indigenous Peoples (henceforth UNDRIP) that are claimed customary international law (Baldwin & Morel, 2011, pp. 122-123; International Law Association, 2012; Jakubowski, 2016, p.4; Stavenhagen, 2007, para. 79). Thus, customary law embodied in the provisions of the UNDRIP is the subject for the analysis in the present thesis.

There are sources that are not listed in Article 38 of the Statute of the ICJ but were used for the analysis in my thesis. These sources are considered as soft law because of their non-binding legal character. According to Boyle (2010):

> [f]rom a law-making perspective the term 'soft law' is simply a convenient description for a variety of non-legally binding instruments used in contemporary international relations by States and international organizations. Soft law in this sence can be contrasted with hard law, which is always binding. Non-binding soft law instruments are not law per se, but they may be evidence of existing law, or formative of the opinion juris or State practice that generates new customary law. (p. 122)

Both binding and non-binding sources enshrine the RtL, and they are complementary in understanding the content of the RtL. The non-binding sources of relevance for the RtL, such as the UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (henceforth UNDM) and the above mentioned UNDRIP shed light on the content of the RtL.

The nature of some declarations is disputed. For example, the UNDM is categorized as soft law (Holt et al., 2016, p.296). As it is stated above, the

provisions of the UNDRIP are claimed to be international custom. The objective of this thesis is not to discuss whether the UNDRIP's provisions are international custom, but rather to analyse those legal sources that regulate the RtL. Regardless of whether these declarations are considered international custom or soft law, and although they are not included into Article 38 of the Statute of the ICJ, they both are significant for the analysis because they form the basis of the modern international Indigenous law (Xanthaki, 2017, p.10). Moreover, they are considered guiding the development of subsequent international law (Hillgenberg, 1999, pp. 499-515; Shaw, 2017, p. 87).

2.1.2 Sources of Russian law

In this thesis, I also analysed Russian legal sources. According to Butler (2009), in the Russian context, 'sources of law' are "rules or norms created, sanctioned, or recognized by the State or its agencies in a duly established manner" (p. 89). These rules and norms are included into legal acts prescribing general rules of conduct (Butler, 2009, p.89). According to Rasskazov (2015, p. 247), these legal acts are formal official documents that enshrine legal norms. They are the result of law-making activities of the state bodies (Rasskazov, 2015, p.247).

When exploring the sources of the Russian law for the analysis in this thesis, I relied on the opinions of the renowned Russian legal scholars in the fields of cultural rights (Kryazhkov, 2010) and language rights (Garipov, 2012) of Indigenous peoples of Russia. Among the legal sources outlined in the existing research, I opted for the legal sources that encompass legal provisions concerning the language rights of Indigenous peoples, with a specific focus on the Sámi when relevant. Having examined the previous research, I used the electronic search database for the Russian legal sources 'Consultant Plus' (Consultant Plus) to find out more legal sources on the same issue and then I examined these sources.

The final lists of the legal sources for the studies in this thesis were outlined on the basis of the doctrine on the Russian legal sources presented by one of the most renowned legal scholars Marchenko (2008). According to Marchenko (2008, pp. 115-173), there are the following sources of the Russian law: Constitution of the Russian Federation (henceforth RF) of 1993; international treaties of the RF and universally recognized norms and principles of international law;[2] Federal Constitutional Laws and Federal Laws; legal acts of

[2] According to Article 15 (4) of the Constitution of the RF, these sources are part of the legal system of the RF. According to paras. 1 and 2 of the Plenum of the Constitutional Court of the RF N 5 of 10 October 2003 (Plenum N 5), the universally recognized principles of international law should be understood as basic imperative norms of international law adopted and acknowledged by the international community of states, and the deviation from which is not allowed. According to the Plenum, the universally recognized norms of international law should be understood as rules of conduct adopted and acknowledged by the international community of States as legally binding. Besides international treaties of the RF, the international treaties of the USSR are also part of the Russian legal system. Only those international treaties of the USSR are part of the Russian legal system, where the RF continues to carry out rights and obligations of the USSR as a successor state.

federal bodies (Acts of President, the Government, etc.); legal treaties;[3] laws of the subunits of the RF; legal acts of bodies of the subunits of the RF; municipal acts; judiciary law (or case law). The hierarchy of the legal sources suggested by Marchenko clearly reflects that the Russian law falls within the civil law tradition (Butler, 2009, p. 90; Waggoner, 1997). This means that the priority in the hierarchy of the legal sources is given to statutory law, that is laws written and enacted by the legislative bodies. This means that other sources of law typical of other legal systems are not given priority. For example, case law does not prevail among the sources in Russia. Preparatory works are not regarded as a source of law at all.

In the study reported in Paper III, federal laws and legal acts of the federal bodies were analysed. Paper VI analyses the RF Constitution, the Federal Law 'On Education in the Russian Federation' (henceforth FL 'On Education') (FL N 273-ФЗ, 2012) and legal acts of the federal bodies establishing educational standards for the respective stages of school education in Russia. The central federal body whose legal acts are analysed is the Ministry, which is the supreme body of executive power in charge of school education in the RF (*Ministerstvo Prosveshcheniya*).[4] The study reported in Paper V analyses the RF Constitution, the relevant federal laws, and the relevant legislation of the federal subunit where the Russian Sámi reside - the Murmansk Oblast (henceforth MO). The relevant federal laws are as follows: the Federal Law 'On Guarantees of the Rights of Indigenous Small-Numbered Peoples of the Russian Federation' (henceforth FL 'On Guarantees') (FL N 82-ФЗ, 1999), the FL 'On National-Cultural Autonomy' (henceforth FL 'On NCA') (FL N 74-ФЗ, 1996), the Law 'On the Languages of the Peoples of the RF' (henceforth Law 'On Languages') (Law N 1807-1, 1991), and the FL 'On Education'. The relevant legislation of the MO is as follows: the Law 'On State Support of the Indigenous Small-Numbered Peoples of the North of the MO Carrying out Traditional Economic Activities' (henceforth Law 'On State Support of the ISNPs of the MO') (Law of the MO N 984-01-ЗМО, 2008) and the Law 'On Education in the MO' (Law of the MO N 1649-01-ЗМО, 2013).

2.1.3 Interpretation of the selected sources

Having determined the sources for the analysis, I turned to interpretation of their relevant provisions. Interpretation is establishing the meaning of the legal provisions that regulate the issues in question. According to Pollock (1896), law without interpretation is "a skeleton without life and interpretation makes it a living body" (p. 226). According to Dörr and Schmalenbach (2012),

[3] Legal treaties are the federal treaties between federal subunits of the RF.

[4] When Paper III was written, the legal acts which I analysed were the acts issued by the Ministry of Education (*Ministerstvo Obrazovania*), which was later reorganized to the Ministry of Education and Science (*Ministaerstvo Obrazovania I Nauki*), and even later to the Ministry of Enlightenment (*Ministerstvo Prosveshcheniya*).

"[i]nterpretation is the process of establishing true meaning" (p. 522) of a legal provision.

2.1.3.1 Interpretation of relevant provisions of international legal sources

To establish the true meaning of the relevant legal provisions of international legal sources, I relied on Articles 31 and 32 of the Vienna Convention on the Law of Treaties. Articles 31 and 32 of the Vienna Convention on the Law of Treaties provide the basic rules of treaty interpretation. Article 31 (1) provides the most fundamental rule. It stipulates that: "[a] treaty shall be interpreted in good faith in accordance with the ordinary meaning to be given to the terms of the treaty in their context and in the light of its object and purpose". Article 32 provides for supplementary means of interpretation like, for example, preparatory works. Articles 31 and 32 provide for different approaches to treaty interpretation which give rise to different schools of interpretation. Each school relies to a different extent on one or the other type of consideration discernible in Articles 31 and 32. There are three acknowledged schools of treaty interpretation: textual, historical, and teleological.[5]

The textual approach takes the wording of the provision as a point of departure, that is, the way the provision is commonly understood. The textual approach aims at demonstrating the meaning of the text (Klabbers, 2010, p. 29). According to Shaw (2017), it "centres on actual text of the agreement and emphasises the analysis of the words used" (p. 707). According to Article 31, the "ordinary meaning" (Vienna Convention, 1969) of the words in the provision is to be examined. Dörr and Schmalenbach (2012, p. 523) state that the wording of a treaty has a primary role in the textual interpretation.

Another approach is called historical approach or originalism. According to Klabbers (2010), it aims "to retrieve the intentions of the drafters" (p. 29). Intention of the drafters is usually reflected in the preparatory works. However, preparatory works are used only when the wording is "ambiguous or obscure" (Vienna Convention, 1969) or when the meaning of the text leads to a "manifestly absurd or unreasonable" (Vienna Convention, 1969) result. When clarifying this approach, Shaw (2017) states that originalism "looks to the intention of the parties adopting the agreement as the solution to ambiguous provisions" (p. 707).

Still another approach is called a teleological approach. It seeks for the purpose of a treaty rather than follows the wording. According to Klabbers (2010), it "aspires first and foremost to do justice to the goals underlying the treaty" (p. 29). It follows from Article 31 (1) that treaties are to be interpreted "in the light of its object and purpose" (Vienna Convention, 1969). According to Shaw (2017), this approach "adopts a wider perspective than the other two and

[5] Morse (1960, p. 39) calls these three approaches the intention of the parties' school, the textual school, the teleological school.

emphasizes the object and purpose of the treaty as the most important backcloth against which the meaning of any particular treaty provisions should be measured" (p. 707).

When using the legal research method in the present research, I mainly used textualism, that is, I interpreted ordinary meaning of the wording of the provisions on the language rights of Indigenous peoples in the selected legal sources. To complement the textual approach, I employed the interpretations found in the documents of the authorized bodies and suggested by legal scholars. Interpretations of such treaty bodies as the UN Committee on Economic, Social and Cultural Rights, the Human Rights Committee, the Committee on the Elimination of Racial Discrimination, and the Committee on the Rights of the Child were employed. These interpretations are not binding. Commenting on the non-binding nature of the documents of these bodies, Boyle and Chinkin (2007) observe that "[t]hrough range of activities [...] these human rights treaty bodies have articulated their understanding of the requirements in the respective treaties" (p. 155). Connors (2019) supports the idea that the documents of these treaty bodies are not binding, and they are the tools used by the treaty bodies "to encourage states parties to implement their treaty obligations fully" (p. 378). When interpreting such regional acts as the ECRML and the FCNM, I used the documents of the Council of Europe that issued these acts. The main documents I relied on were the Explanatory Report to the ECRML and the Explanatory Report to the FCNM. These Reports have no binding force. Thornberry and Estébanez (2004) claim that although these documents are non-binding, they are still important for the understanding of the contents of the ECRML and the FCNM. For example, commenting on the applied significance of the Explanatory Report of the ECRML, they state that "[t]he explanatory report provides an illuminating discussion of the basic orientations of the Language Charter" (p.138). In my thesis, the significance of the documents of the authorized bodies consists in their clarification power.

2.1.3.2 Interpretation of the relevant provisions of the Russian legal sources

According to Boshno (2013), interpretation process in the Russian legal tradition consists of two stages: understanding legal provisions and clarifying these legal provisions (p. 17). Boshno further clarifies that understanding consists in an inner process of cognizing a legal provision and cognition is limited to the consciousness of an interpreter. According to Boshno (p. 17), clarification is an activity which consists in revealing the essence of law.

Interpretation uses special tools, rules, and techniques of cognizing the meaning of legal provisions. They are used by an interpreter consciously or intuitively to clarify legal phenomena. The prevailing approach in the Russian legal theory is the so-called systemic approach to interpretation (Tolstik et al.,

2010, p. 25). The systemic approach consists in understanding of a legal provision by comparing it to other legal provisions and clarifying its links in the general system of legal regulations or law system (Boshno, 2013, pp. 17-25). The main method of interpretation of the Russian law used in the studies of this thesis is systemic interpretation. To be precise, I interpreted the wording of the selected legal provisions on the rights of Indigenous peoples, the system of school education in Russian, and language rights of Indigenous peoples in the light of the whole legal document and in a broader context of the system of the legal documents of the Russian law.

To summarize, the studies reported in Papers III, VI, and V employ the legal method. Thus, I applied the legal method both in the analysis of the Russian law (Papers III, VI, and V) and in the analysis of the international law (Paper V).

2.2 Interviews and interview analysis

The study reported in Paper VI analyses how the RtL was viewed and experienced by social agents in the Russian school context. The analysis was based on the interview data. The data gave an insight to the lived experiences of the RtL. The interview data was gathered solely by the author of this thesis. The analysis of the interview data was carried out in collaboration with Outakoski.

2.2.1 Data gathering through interviews

In the fields of Humanities and Social sciences, interviews can be considered "as the principal means of gathering information to serve the research objectives, acquiring information on what a person is thinking, knows, likes, values and believes" (Cohen et al., 2018, p. 508). In my research, interviews were used to collect data about the participants' experiences of, and in relation to, the RtL.

Before the data collection started, I arranged a trip in 2017 to meet representatives of the Sámi community to discuss the research, its aim, and objectives. The purpose of the trip was also to find out about the needs of the community and when possible, consider these needs in my research. I also contacted and informed potential participants about the research. During my trip, it was also possible to collect data on the educational program for the Sámi language educational activity and some relevant school statistics. The field notes from this trip comprised 16 pages.

I started to carry out interviews two years after my trip of 2017. I carried out semi-structured interviews, that is, interviews "with a given agenda and open-ended questions" (Cohen et al., 2018, p. 199). The summaries of the questions for the interview participants are given in Appendices 2, 3, and 4. Semi-structured interviews allow a flexibility in interviews and make interviews conversation-like and create a more open and friendlier atmosphere. It was possible for the

participants to select the focus of the conversation and bring on details they found important for the researcher to get to know.

The interviews were conducted individually and in two different rounds; together they consisted of 17 meeting hours. The first round of interviews took place in April and May 2019, and it was done face-to-face. The second interview round was done online in May and September 2020. None of the interviews were recorded and thereby not transcribed. However, extensive field notes were written and gathered during these interview meetings. After the interviews, the participants were given the field notes from their interviews and given the opportunity to check and verify the notes. It was also possible for the participants to complete or correct the written notes, or to add information if needed.

The interview participants were divided into three groups: officials, practitioners, and receivers. Each group has its own role in the educational process. Officials participate in decision-making regarding the Sámi language teaching in school or Sámi language teaching in higher educational institutions. Practitioners teach the Sámi language in a formal setting, either in school or in higher educational institutions which provide the Sámi language classes. Receivers are parents of the children who learn the Sámi language in school or students of higher educational institutions in the relevant programs where the Sámi language is taught. They all have their agency in the Sámi educational school setting in Russia and are the central social agents in the matter. All the participants were asked similar questions. In addition, all the participants were also asked questions that were relevant for the group they represented (see Appendices 2, 3 and 4).

2.2.2 Thematic analysis of the interview data

Thematic analysis was chosen as the main interview analysis method because it made it possible to identify, analyse, and report patterns (themes) within the data set (Braun and Clarke, 2006, p.79). The aim with the interview analysis was to bring the lived experiences of the RtL to the surface of the study. The analysis aimed to identify the core elements of the RtL that were brought up by the participants and whether they differed among the participant groups or in relation to the legal analysis of the RtL.

The analysis of the interview materials was carried out in several stages. The sequence of the stages in the interview analysis followed the choice of the theoretical pillars. The theoretical pillars of the research were taken from Pound's 'Law in books' (1910) and Ehrlich's 'Living law' (2002). Prior to conducting the interview analysis, the indexing themes were deduced from the descriptions of the core elements of the RtL in Paper V. These indexing themes describe the main contents of each element of the RtL, which represents the 'Law in books' in the present research. The indexing themes were further used as the base for coding and interpretation of the interview data in Paper VI.

The design of the thematic analysis was inspired by Alexiadou's (2001) and Lättman et al.'s (2023) research. The thematic analysis was conducted in the following way. The interview data were first read and reread several times in iterative cycles of analysis. Then, the individual interview notes were deconstructed to uncover the main discourses in the interview materials. The discourses were then investigated to find out how they corresponded to the elements of the RtL. Further, the themes common for the individual interview notes were deduced. These themes regarded participants' perceptions and experiences of the RtL based on the coded contents of the RtL given in Paper V. Lastly, themes from individual interviews that were part of the themes common for the groups of participants were grouped together. These thematic groups correlated to the five elements of the RtL. In addition, a sixth theme, that is, 'The social context' was discovered (See Subsection 5.3.2).

2.3 Document analysis

To understand the genesis and the evolution of the Sámi language teaching in Russia and the current situation with the Sámi language teaching in school in Russia, I conducted a document analysis in the studies reported in Papers I and II. These studies addressed the educational context in which the RtL resides.

Three themes were guiding in the choice of the documents for the analysis. The first theme regarded the history of the Sámi language teaching in or of the Sámi language in school in Russia. The second theme was the current situation with the Sámi language teaching in the MO. The third theme concerned studying of the Sámi language in higher educational institutions in Russia.

The study reported in Paper I contains the analysis of historical and educational documents. When it comes to historical documents, the analysis focused on the Sámi language teaching in Russia back in time. When it comes to the analysis of the educational documents, the current situation with the Sámi language teaching in Russia was in focus. The historical documents included primary and secondary sources (Martin, 2018, p. 325). The historical documents were obtained from the archives of the Arkhangelsk Regional Scientific Library named after Dobrolyubov, the Murmansk State Regional Universal Scientific Library, and the local library in the village of Lovozero in the MO. Not all educational documents could be found online. The educational documents not accessible online, were enquired about and received from the officials in the MO. Such sources were, for example, documents describing educational programs of the Sámi language school activity.

The study reported in Paper II also sheds light on the educational context in which the RtL resides. This paper includes the analysis of the educational program for the school educational activity "Еннь кӣлл/Mother tongue", the

curriculum of the Bachelor programs in the Institute of the Peoples of the North of the Herzen University, and the curriculum of the Master program 'Technologies of the Sámi language teaching' in the Murmansk Arctic State University. These educational documents were received from the officials in the MO, and in Saint Petersburg.

2.4 Ethical considerations

According to Olsen (2016), "[r]esearch ethics is about responsibility". He further explains that ethics is "about choices and about what lies behind as well as follows the choices you make. It is about right and wrong, and about what is the foundation of good deeds" (p. 28).

In my research, I followed formal ethical rules provided in official regulations and recommendations; specific considerations relevant to Indigenous contexts, and, in cases where the formal rules and specific recommendations did not give me firm guidelines, I applied the given ethical considerations as closely as possible.

The formal ethical rules provided in regulations and recommendations apply to research involving human participants, especially ethnic minorities. Accordingly, the researcher becomes responsible for the people and communities that one conducts research with, for, and about. Affecting people's lives may happen at different stages of the research process. For example, it may happen during the fieldwork or due to the publication of the results of the research (Olsen, 2016, p.28). To comply with the formal ethical rules, one must follow formal rules and regulations of the countries where the research is conducted and their national guidelines to research ethics. For example, because my research was conducted at a university in Sweden, application for an ethical approval was submitted to the local ethical board (Etikprövningsnämnden). A similar body does not exist in Russia. Therefore, my research followed general requirements and ethical rules for the studies carried out in Sweden (Lag (2003:460)).

In Sweden, there exist no formal requirements regarding research conducted in such Indigenous context as the Sámi context. Therefore, experts' recommendations in Indigenous methodologies have become an important part of my ethical considerations. I followed the recommendations by Chilisa (2020), Smith (2021), Kuokkanen (2007), and Kovach (2009). Another scholar whose research on ethical considerations contributed to my research was Outakoski (2021). In her research on the literacy in Sápmi, she chose ten principles that reflect the current foundational ideas of the Indigenous research for her work (p. 97). Her choice of ethical principles was guided by the principles from the First Nations Information Governance Centre (FNIGC, 2014, p. 5) and research by Snow et al. (2015, pp. 362-368). Outakoski added the eleventh principle because it is commonly debated in discussions on ethics within academia.

In line with research by Chilisa (2020), Smith (2021), Kuokkanen (2007), Kovach (2009), and Outakoski (2021), the principle of establishing open relationships with the Indigenous community I worked with became the most prominent principle of my research. One of the prerequisites for the establishment of open relationships with the Indigenous community is to inform them about the planned research to a degree sufficient for them to understand the research. To this matter, I informed the participants about, inter alia, the goals of the research, its focus, and the consequences of their participation in the research. I also informed them about the security measures that were undertaken to ensure their safety. Also, to establish open relationships during my first research trip in 2017, I provided the participants of the research with the opportunity to make their own contribution to the research. They were given an opportunity to discuss the issues which they thought were relevant and important for the research. They were also able to suggest changes for the research design.

The ethical considerations that I followed in cases where there were no existing firm guidelines reflected the situation of the Indigenous people in the present Russian context. Not causing harm to Indigenous peoples became a particularly important matter. The reason for this was that Indigenous peoples in Russia are often prosecuted for expressing their opinions regarding the situation in their communities (Aleksandrov, 2017; Prokopieva, 2019). I used the strategy that allowed me both to highlight voices from different groups relevant for my research and to conceal the identity of the participants for their own safety. Generalizing the interview responses from group participants made it possible to register individual answers without explicitly attributing them to a specific source by using either a name or pseudonym. The collective opinion of a group rather than individual opinions of the participants was presented as a result of the interview analysis.

2.5 Limitations

My research came across several limitations. These limitations can be divided into two categories: limitations in methodological choices and limitations that depended on special circumstances in which that research took place.

There were a few methodological choices that constituted the first category of the limitations. The first methodological choice concerned the sequence of the stages in the research. The interview guides were designed prior to finalizing the analysis of international, regional, and the Russian law which resulted in deducing the elements of the RtL. The elements of the RtL were presented in the interview guides to a different degree. Consequently, the design of the interview guides could potentially impact the content of the information collected via the interviews weighing some of the RtL elements and leaving others with less attention. A better coherence between the interview guides and the RtL

might, perhaps, have led to a more precise discussion on the elements of the RtL. However, since the interviews were semi-structured, they allowed the participants to raise the issues relevant for the elements of the RtL that were not as protruding in the interview guides as some of the others. On the other hand, it was also important to see whether the suggested elements of the RtL still surfaced in the data although they did not have a protruding role in the interview guides. I have considered the potential impact of this methodological choice in my research concluding that the design of the interview guide had less impact on the results than could have been expected, and that the surfacing of the RtL elements in the data was more connected to the social order of the local Sámi social context than to the details of the interview guide.

Another methodological choice concerned the involvement of those parents whose children did not attend the Sámi language class. I excluded them from this research because their children were not recipients of the legally regulated language education. These parents' perspectives on the RtL might have offered a more nuanced picture of the lived experience of the RtL in the Russian school context.

The third methodological choice was that the interviews were conducted to inquire about participants' views and lived experiences of the RtL. These must be kept separate from real life situations that can be observed by conducting observations that put the researcher out into the field. For the purposes of this research, it was most important that the elements of the RtL could be investigated through the interviews. The purpose was not to investigate or judge the accuracy and truthfulness of the experiences, but to understand how the experiences were described in relation to the RtL.

Now I turn to the discussion of the limitations of the second category. The first limitation in this category was the composition of the participant groups, including the size of the group, different interests of the group participants, and the intentions of the interview participants. Due to the small size of the community, challenges occurred regarding, among other things, the relations, and connections between the participants, combined social roles of the interview participants, and confidentiality issues. These were dealt with as much care and discretion as possible considering each individual and their roles and positions in the community.

The second limitation was the world-wide COVID-19 pandemic and the war in Ukraine. Both these circumstances stopped me from doing the field work in place in Russia. I had to cancel the planned face-to-face second round of interviews and to conduct the interviews online using Zoom. Collecting the data via Zoom brought on potential constraints to data gathering. Indigenous issues are a sensitive topic in Russia. Discussing this sensitive topic via Zoom could have potentially resulted in participants distancing themselves from the interviewer and, thus, leaving out relevant information for the project. However, when the interviews with participants took place in Zoom, I had already collected

information in the MO, and I was already familiar with the situation with the Sámi language teaching in Russia. I had also already established relations with the people that I had met during my earlier field trips. The potentially negative consequences that could have resulted from the lack of face-to-face communication turned out to be so marginal that they are not considered a major limitation in this research. The analysis of the data gathered through the Zoom interviews did not indicate any major loss of information.

2.6 Previous research and two core terms of the thesis

Education of Indigenous children has become a popular research topic during the recent couple of decades (Belancic & Lindgren, 2020; Huss, 2008; Keskitalo et al., 2011; Keskitalo et al., 2014). However, among studies across multiple contexts, the legal method combined with insights from sociology and education is currently missing. This is especially the case when it comes to the language rights of the Russian Sámi children. My research aims at filling in this gap.

The previous research has inspired my work in different ways. Some research has shaped my understanding of the RtL, whereas some other research has given me useful insights on the language situation and history of the Sámi, and the Sámi language teaching in Russia. Since my research was carried out in different fields of study, the literature from the fields of history, language sociology, sociology of law, and law has become useful. The literature review has shaped my work and helped me in defining the two core terms (*Indigenous small-numbered peoples* (henceforth ISNPs) and *own language*) that I employ in my work.

2.6.1 Previous research

When reading previous research, my focus was mainly on five issues, namely on (1) historical development of the Sámi and the Sámi language teaching in school in Russia, (2) the Sámi language situation in Russia, (3) Indigenous language rights, (4) legal research on Indigenous peoples' rights in Russia, and (5) work of others and their theoretical pillars that influenced my theoretical framework.

When reviewing historical development of the Sámi**,** I used the following sources: research by Arefiev (2014), by Sergejeva (2000), and by Ushakov (1998). Arefiev analyses the trends in teaching of languages of ISNPs of the North, Siberia, and the Far East in Russian educational institutions. Sergejeva explores the historic milestones in the development of the Eastern Sámi. Ushakov's research on the Sámi history in Russia became useful for the understanding of the historical factors impacting the Sámi language education in Russia.

Further on, when reviewing the Sámi language teaching in school in Russia, studies by Afanasyeva (2019) and by Allemann (2018, 2019) were useful. Afanasyeva's research reveals historical accounts and experiences of residential schooling among three generations of the Sámi people in Russia. Allemann's research examines the history of boarding schools for Indigenous and quasi-Indigenous, tundra-connected children in the Soviet part of Lapland. Allemann also makes the analysis of the historical tendencies which impacted the situation with the Sámi language learning in Russia today.

Several researchers have published on the Sámi language situation in Russia. Among these researchers are Scheller (2011, 2012, 2013), Rießler (2020), Rießler and Wilbur (Rießler & Wilbur, 2007), Blokland and Rießler (2011), Rießler and Karvovskaya (2013), Ivanisheva (2016), and Bakula (2013). These studies focus on the issues of language revitalization, also in the school context. Scheller's research deserves special attention. Being a language sociologist and a linguist, she connects the Sámi language revitalization in Russia to societal processes. Scheller's research is indicative of the connections between the legal regulation of the language rights and the lived experience of the language rights in the Sámi community.

The study by Overland and Berg-Nordlie (2012) illuminates both historical developments and the recent developments with the Sámi language teaching in Russia. The authors describe the decades of ethno-political isolation of the Russian Sámi under the Soviet regime and how this isolation impacted, inter alia, the present Sámi language situation. Their research was useful in the analysis of the interview data in the study reported in Paper VI when the social context in which the RtL functions was analysed.

The research by Thornberry (2002), Thornberry and Estébanez (2004), Eide (2009), and Dunbar (2009) on language rights of minorities, including Indigenous peoples, has formed an important platform for the analysis of the RtL in the study reported in Paper V.

The previous research on Indigenous peoples' rights in Russia was found in the works of such legal scholars as Kryazhkov (2010, 2021), Garipov (2012), and Andrichenko (2019). The focus of their research is not on the RtL per se but rather on the general issues of the legal regulation of Indigenous peoples' rights in Russia and the challenges with implementation thereof.

Original works by Pound (1910) and Ehrlich (2002) shaped my theoretical line of thinking in this thesis. In addition, research on these theories by Banakar (2012), Deflem (2008), Hertogh (2009a; 2009b), Nelken (1984), and Nimaga (2009) was scrutinized to better understand Pound's and Ehrlich's theoretical constructs.

2.6.2 Two core terms of the thesis

The Russian legal system makes use of the term 'ISNPs' unlike international law which uses the term 'Indigenous peoples'. There is no legally binding source of international law which is recognized by every country, and which includes a definition of 'Indigenous peoples'. However, I use the definition of 'Indigenous peoples', provided in Convention N 169 Concerning Indigenous and Tribal Peoples in Independent Countries (henceforth ILO N 169). This is currently the only international legally binding source on Indigenous peoples in effect and this fact motivated my choice of definition.

According to Article 1 (1.b) of the ILO N 169 (ILO, 1989), Indigenous peoples are defined as

> peoples in independent countries who are regarded as indigenous on account of their descent from the populations which inhabited the country, or a geographical region to which the country belongs, at the time of conquest or colonisation or the establishment of present state boundaries and who, irrespective of their legal status, retain some or all of their own social, economic, cultural and political institutions.

'ISNPs' in the Russian legislation uses numeric criterion. In particular, the FL 'On Guarantees' in its Article 1 (FL N 82-ФЗ, 1999) specifies that ISNPs of the RF are "peoples who live in the territories traditionally inhabited by their ancestors; (who) maintain their traditional way of life and economic activity; are fewer than 50 000 in number; and identify themselves as separate ethnic communities". The Sámi in Russia is one of 47 legally recognized ISNPs (Regulation N 255, 2000). Moreover, the Sámi is legally recognized as one of 40 Indigenous peoples of the North, Siberia, and the Far East of the RF (Decree N 536-p, 2006).

Thereby, the Sámi as a group fits in both the ILO N 169 and the Russian definition of ISNPs.

The other core term that I use is 'own language'. This term is used in a number of relevant legal sources on the RtL, for example in Article 14 (3) of the UNDRIP and Article 28 (1) of ILO N 169. The use of the term 'own language' is ambiguous and can be disputed in many ways. Russian Sámi children in their everyday life seldom have opportunities to hear, use, and learn the Sámi language. Still, they may feel that they have cultural and ancestral ties to the Sámi language. It does not mean that they preserve their Sámi language as their own. That is why the use of the term 'own language' in the Russian Sámi context can be disputed. When using the term in my thesis, it's content best features the term 'heritage language'. Based on the analysis of works by Cummins (1991) and Fishman (2001), Outakoski (2015) states that, "[i]n the Sámi context, Sámi language is the ancestral heritage language of many Sámi learners, but not always

their home language due to far advanced language shift processes among the Sámi" (p. 10).

2.7 The author's role in the studies

As an author of the thesis, I was solely responsible for the design, the aim, and the research questions in the thesis. Similarly, I was responsible for establishing contacts with the participants. I also collected the data for the work, made the field notes, and had a central role in the analysis of the data.

I am solely responsible for Papers III, IV, and V. Papers I and VI were written in collaboration with Outakoski. Paper II was written in collaboration with Belancic, Kroik, Olsen, and Helander.

2.7.1 Note on reflexivity and collaboration with the community

Because I am not Sámi, I brought an outsider perspective into the research I conducted. However, as a Russian speaker, I could communicate in Russian with the participating Sámi who are all competent Russian speakers. As a representative of Western academia without personal experience of assimilation and displacement, I acknowledge that I am not personally impacted by the issues explored in this thesis. However, I am responsible for how the research findings were interpreted in this research, and, therefore, I needed to ensure that my work does not exacerbate pressure on the Russian Sámi community.

Because of my outsider perspective, additional efforts were required from me to establish relations of trust with the participants of this research. I addressed this issue in Section 2.4.

As I hold a law degree from a Russian university, my approach to understanding the Russian law is influenced by the approaches of legal scholars within Russian legal research and legal tradition. The Russian legal tradition predefines my understanding and interpretation of Russian legal sources but that does not necessarily coincide with the established legal doctrine beyond Russia.

3 Past and present of Sámi schooling in Russia

This chapter provides information about historical facts on the Sámi in Russia, as well as about the history and the current situation with the Sámi language teaching in Russia. Section 3.1 is about the history of the Sámi in Russia. Section 3.2 is devoted to the history of the Sámi language teaching in school in Russia. This section is a summary of the study reported in Paper I. Section 3.3 sheds light on the current situation with the Sámi language teaching in school and in higher educational institutions in Sweden, Norway, Finland, and Russia. This section is a summary of the study reported in Paper II. Section 3.4 contains some clarifications regarding the changes that have taken place since the publication of Paper I and the acceptance for publication of Paper II.

The studies reported in Papers I and II created the basis for crystallizing the elements of the RtL in the study reported in Paper V. The results of the analysis conducted in Papers I and II also created the possibility to explain how the RtL was experienced by social agents in the Russian school context in Paper VI.

3.1 Sámi in Russia: an ethnic minority with the experience of enforced resettlements and oppression

The Sámi people is an Indigenous people residing in four countries, namely Norway, Sweden, Finland, and Russia. The territory of traditional Sámi residence in these four countries is called Sápmi. The Russian part of Sápmi is located in the Kola Peninsula (Allemann, 2020) (See Map 1).

The history of the Sámi people in the Russian part of Sápmi goes back to the time when there was no governmental authority in the territories of their traditional residence in the Kola Peninsula (e.g., Sergejeva, 2000; Ushakov, 1998).

Map 1

The map of the Russian part of Sápmi

Note. The map was first presented in Paper I. The permission to publish the map in the present thesis was obtained from the author of the map. The original source of publication: Zmyvalova & Outakoski, 2019, p. 108.

The earliest numerical information about the Sámi population in the Kola Peninsula dates back to the beginning of the 1600s when the Census of 1608-1611 was carried out. According to the Census, there were 140 Sámi villages where there lived 392 male individuals obliged to pay taxes to the state and monasteries. The total of the Sámi population was approximately 1000 persons (Ushakov, 1997, p. 217). According to the Census of 1782, there lived 1359 Sámi individuals in the Kola Peninsula. By the middle of the 19th century, their number approached 1695 individuals (Ushakov, 1997, p. 212). By the year of 1915, there lived 1923

Sámi persons in the territory of the MO who constituted 14 per cent of the local population (Ushakov, 1997, p. 212).

According to Bogoyavlenskiy (2008, p. 68), in the beginning of the 1900s, the Sámi lived all over the Kola Peninsula, except for the Southern coast. From the Soviet Revolution in 1917, the situation began to change. In the period between 1930s and 1970s, the Indigenous population of the Kola Peninsula was affected by enforced resettlements imposed by the Soviet Government. According to Allemann (2020, p. 92), 70-80 per cent of all Russian Sámi in the 20th century were affected by displacements. Different sources call this phenomenon differently. Scheller (2013, p. 392) makes use of the term 'enforced resettlements'. Allemann (2020, p. 93) uses 'displacement'. Allemann suggests explanations for such a phenomenon. According to him (2020), these were the measures "aiming directly at the concerned communities (collectivization, sedentarisation and economic rationalization), as well as outer constraints (the needs of industry, infrastructure development and the military)" (p. 93). Displacements in the MO were not different from other displacements of Indigenous peoples in Russia. Yet, according to Allemann (2020), these displacements in the MO were rather "an extreme" (p. 102) example.

As a result of these displacements, Lovozero became the place of Sámi residence where most of the Russian Sámi still live today. Even though Lovozero is the main place of residence of the Russian Sámi, Sámi are still a minority among the local population in Lovozero (Chestnov, 2021; Zmyvalova & Outakoski, 2019).

The enforced resettlement policy impacted the Sámi languages in the Russian part of Sápmi. According to Scheller (2013, p. 394), the Kola Sámi languages were traditionally divided into Kildin, Ter, Skolt, and Akkala Sámi. All the four Sámi languages were spoken in the Kola Peninsula. All the settlements where the Sámi languages prevailed were liquidated (Chestnov, 2021, p. 288). Moreover, after having been resettled, those Sámi who could speak different Sámi languages were strongly recommended not to use Sámi in daily communication (Chestnov, 2021, p. 288). The enforced resettlements led to an increased number of interethnic marriages, which resulted in the replacement of the Sámi language by the Russian language as the main medium of communication at home (Chestnov, 2021, p. 288). In addition to the 'loss of language', Allemann (2022, p. 250) points out 'education obstacles' as a consequence of displacements. The aim of the educational policy in the Lovozero school for a long period of time was to substitute the Sámi language teaching in school with Russian. This policy also aimed at shifting the focus in the language use in Sámi families (Chestnov, 2021, p. 288).

Overland and Berg-Nordlie (2012, pp. 59-60) point at three historical and political tendencies which impacted the present situation with the Sámi language in school in Russia. These are the policy of Russification, the demographic tendency, and collectivization. Commenting on the impact of the policy of

Russification, Overland and Berg-Nordlie state that from the end of the World War II in 1945 until 1976, the Sámi language was gradually ousted by the Russian language in all spheres of life. The policy of Russification began in 1950s. The Sámi language was not taught in school. Sámi children were forbidden to speak their Indigenous language. Parents were advised against speaking the Sámi language with their children. The 'low status' of the Sámi language discouraged parents to pass the Sámi language over to their children and to speak this language with each other. According to Overland and Berg-Nordlie (2012, pp. 59-60), the North Sámi population in Sápmi was still large whereas Akkala, Kildin, Skolt, and Ter Sámi in Sápmi were small groups. Therefore, the languages of these small groups were more difficult to preserve. Collectivization resulted in Sámi reindeer herders being forced to join collective farms called kolkhozes. The non-Sámi speakers were also members of these kolkhozes. Consequently, the common language of their communication became Russian, and the use of the Sámi languages diminished.

Importantly, the 20th century's policy towards Indigenous peoples in Russia differed significantly from Indigenous contexts elsewhere in the world (Afanasyeva, 2018; Agalarkhanova, 2013; Allemann, 2019; Endovitsky, 2003; Gorodenko, 2009). After the Soviet revolution in 1917, the policy of the Soviet state towards Indigenous peoples changed significantly. Arefiev (2014, p.34) distinguishes three stages in the state policy on the languages of the peoples of the North: 1) the period of active support and development of these languages (1920-1930ss); 2) the period of active assimilation and Russification (1950-middle of 1980ss); 3) the return to the policy of support of ISNPs of the North and their languages (middle of 1980- demise of the USSR in 1991).

Sámi people is one of 47 legally recognized ISNPs of the RF. Some minority groups who fit within the definition of Indigenous under International law "are denied legal support because their population exceeds 50 000, and, thus, they are not recognized as Indigenous peoples according to the Russian legislation" (Zmyvalova, 2023, p. 3). These groups include the Sakha-Yakuts, the Komi, the Tuvans, the Altay, the Khakas, the Buryats, and the Karelians.

To conclude, both Sámi and the Sámi languages were exposed to the state's pressure under assimilation. Nevertheless, the Sámi language is still being taught in school in Russia. However, the Sámi languages are not used at home any longer (Laihiala-Kankainen & Pietikäinen, 2010, pp. 65-71; Zmyvalova & Outakoski, 2019, pp. 115-117). The historical hallmarks and the current situation with the Sámi languages teaching are presented in Papers I and II. The summary of these papers is presented in Sections 3.2 and 3.3.

3.2 Paper I: the history of the Sámi language education in Lovozero

The study reported in Paper I investigated how the opportunities to learn the Sámi language in school in Russia have developed legally and historically. This was done by analysing legal and non-legal documents. The selection of the documents relied on the following themes: the history of the Sámi language teaching in and of the Sámi language in Russia, and schooling in the MO.

The study was carried out in collaboration with Outakoski. In the paper, we reviewed the evolution of the Sámi language teaching and learning in the Russian Sámi context from the end of 1800's to the 2000's. In addition, we traced the developmental pathways of the Sámi language subject in the Russian school context. We also presented the correlation between the legal regulation of the Sámi language teaching in school and the practice of its implementation.

The paper has two parts. In the first part, based on the analysis of Zmyvalova (2015), we established the set of elements of the RtL. This paper demonstrates one of the steps in progression of the element analysis that is presented in the thesis. This set of core elements was then further developed in Paper V. In Paper V, I took up similarities and differences in the elements of the RtL deduced by me in 2015 and in 2024. The first set of the core elements arose from the earlier research of Zmyvalova (2015) and was presented in Paper I is as follows:

> 1. The right of Indigenous children to learn their native language in school must be guaranteed by the state,
> 2. The state should create the necessary basis for children to realize this right at all levels and forms of education,
> 3. The realization of this right must be carried out without discrimination,
> 4. This right must be realized in an effective way, and
> 5. The establishment and realization of this right must be carried out in such a way so that the opinion of Indigenous peoples is taken into consideration. (p. 110)

The necessity to analyse the elements of the RtL was conditioned by the importance "to look at whether the national legislation has created the relevant framework for the realization of the right in focus" (Zmyvalova & Outakoski, 2019, p. 110). The presence of these elements in the Russian legislation is explained by the fact that they are the "prerequisite for the effective realization of the right" (p. 112).

However, in the Russian Sámi school context, despite the presence of the elements in the Russian legislation, we identified several potential obstacles for

the effective realization of the RtL. The obstacles described in this paper were further analysed in Papers II and VI. Paper II contains an analysis of, inter alia, teaching and learning of the Sámi language in the Russian school system and in higher educational institutions. Paper VI, in turn, gives a detailed analysis of the elements of RtL in relation to the experiences of the RtL's realization.

The second part of Paper I focuses on the Sámi language teaching in one municipal school in the MO. The second part of the paper goes through 1) the phases and events of the Sámi education in Lovozero, 2) the most recent developments of Sámi education between 2010 and 2017, and the numbers of students including pupil numbers, and 3) the changes in the content of the Sámi educational activity from 2014 onwards.

The main finding of the paper is that there seems to be a discrepancy between the potentially supportive aspects of the legal framework for teaching of the Sámi language and the reality of the language teaching and learning situation in the Sámi context. The evolution of the Sámi education in Russia reveals a heavily marginalized position of an isolated extracurricular Sámi language activity that seems sensitive to curricular changes, lack of resources, and other effects that emerge from realities of the Russian Sámi school context. The study also reveals indications of the lacking governmental support and community initiatives. The study reported in Paper VI then extends the investigation of the noted gap between the legal regulation and the reality of the Sámi language schooling and connects the legal analysis of the elements of the RtL with the experiences of the social agents who are involved in Sámi education in Russia.

3.3 Paper II: the Sámi language teaching in school in Russia today

The study reported in Paper II describes the current situation with the Sámi language teaching in school and Sámi language teaching in higher educational institutions in Norway, Sweden, Finland, and Russia. In the study, legal and non-legal documents were analysed. The documents that were analysed dealt with the following themes: Sámi education, Sámi language teaching in school, Sámi language in higher education, Norway, Sweden, Finland, Russia, North Sámi, Ume Sámi, Pite Sámi, South Sámi, Lule Sámi, and Kildin Sámi.

The study was done in collaboration with Belancic, Olsen, Kroik, and Helander. The paper has two parts. In the first part, the situation with the Sámi language teaching in school and the opportunities for the Sámi language learning provided by the higher educational institutions in Norway, Sweden, and Finland are described. In the first part of the paper, I focused on the Russian school context and the Sámi language teaching in higher educational institutions in Russia. In the second part, we identified and described similarities, differences, successes, and challenges, in how the Sámi language education in schools and the

Sámi language teaching in higher educational institutions are organized and practiced.

The study shows that the Sámi language is taught in the only one school in Russia. The main language of instruction is Russian for all pupils, including the Sámi pupils. The name of the Sámi language educational activity is 'Еннь кӣлл/Mother tongue' (referred to as 'Еннь килл' in the official document that only uses Russian letters). The educational program of the Sámi language activity has changed names and contents several times over the years. The Sámi language teaching is offered as an extracurricular activity for pupils from the first up to fifth grades.

From the academic year of 2022-2023, the Murmansk Arctic State University offers a Master program in philology called 'Technologies of the Sámi language teaching'. The Institute of the Peoples of the North at the Herzen University in Saint Petersburg offers pedagogical education at the Bachelor level with three specializations. All Bachelor programmes include Sámi language courses for those students who have chosen the Sámi language as their educational focus.

The analysis conducted in the study shows that the Sámi education is offered to various degrees in Norway, Sweden, Finland, and Russia and gives varying opportunities for students to pursue their studies. Russia is the only country where teaching of the Sámi language is not included in the school curriculum. There are also no Sámi language teacher training programs in Russia. What is common for the Sámi language teaching in the four countries is the lack of qualified Sámi language teachers. In Paper VI, the Sámi language teaching in Russia is addressed in more detail.

3.4 Recent developments

There have occurred some changes in the statistics and the situation with the Sámi language teaching in Russia since Paper I was published, and Paper II was accepted for publication. These changes regard the numbers of Sámi population in Russia, Sámi language speakers in Russia, and the numbers of school children learning the Sámi language. In addition, recent changes related to the Sámi language teaching in higher educational institutions in Russia have led to the need to specify the term 'Sámi teacher training programs'.

Since the publication of Paper II, there have been updates in statistics with regard to the Sámi population in Russia. According to the 2021 Population Census, 1550 Sámi people live in Russia (Rosstat, 2021). More than 80 percent of them, specifically 1370 people, live in the MO (Rosstat, 2021).

According to Scheller (2013, p. 396), approximately 700 individuals had some knowledge of the Kildin Sámi language in 2013. Of these 700 individuals, 100 were active Kildin Sámi speakers. In my personal communication with

Scheller in 2018, she informed me that the situation had changed dramatically from 2013. Several active speakers of the elder generation had passed away which resulted in the decreased possibilities for the remaining speakers to practice their language skills. According to Scheller's recent estimate (2023), there were only 20 to 30 active Kildin Sámi speakers alive in 2023, and about 200 might be characterized as passive language users. The decrease in the number of active Kildin Sámi language speakers and passive language users is alarming because of the reduced chances to pass the language over to the next generations.

According to the data that I obtained in spring 2023, there were 35 children formally enrolled in the Sámi language educational activity who learned the Kildin Sámi language in Russia. Four children learned the Kildin Sámi language in the first grade, 14 - in the second grade, 11 - in the third grade, and 8 - in the mixed class of the fourth and the fifth grades. The Sámi learners comprise 25 percent of 140 children in school where the Sámi language is taught as an extracurricular school activity. In comparison to the numbers of the enrolled pupils reported in Paper I in 2019, there has been a clear increase in the numbers of the enrolled children from around 20 up to 35-40 children since 2017. This was the year when no first graders started in the Sámi language educational activity. Thus, the trend of the declining numbers of children seems to have reversed. In turn, this seems to coincide with another shift in the content of the Sámi language educational activity towards a more language-oriented content. Currently, the activity is titled 'Еннь кӣлл/Mother tongue'.

The study reported in Paper II demonstrates that there are no specific Sámi teacher training programs in Russia that could be comparable to the comprehensive educational models such as the one in Norway. The educational model in Norway provides holistic curricula centred on the Sámi language and serves the needs of Sámi schools. The pedagogical degree program at the Herzen University is similar to the program offered at the Umeå University in Sweden. When students study pedagogy, they take courses in the Sámi language. The Master program in philology titled 'Technologies of the Sámi Language Teaching' at the Murmansk Arctic State University cannot be categorized as Sámi teacher training program. Bakula observes that "[a]t present, training Sami language teachers at the bachelor level is not possible due to the lack of teaching and learning materials, and the absence of teachers with the required qualifications" (Bakula, Koreneva, & Savateeva, 2023, p. 420).

Some clarifications are required with regard to the content of the program carried out at the Murmansk Arctic State University. In the academic year 2022-2023, this university started a two-year philological Master programme called 'Technologies of the Sámi language teaching' (45.04.01, 2022). This program is offered for students who have a command of the Sámi language. According to the program's leader, the objective of the program is "to train qualified experts in the areas of language studies, translation and interpretation, and techniques to pass the language over" (Bakula, Koreneva, & Savateeva, 2023, p. 420). The Master

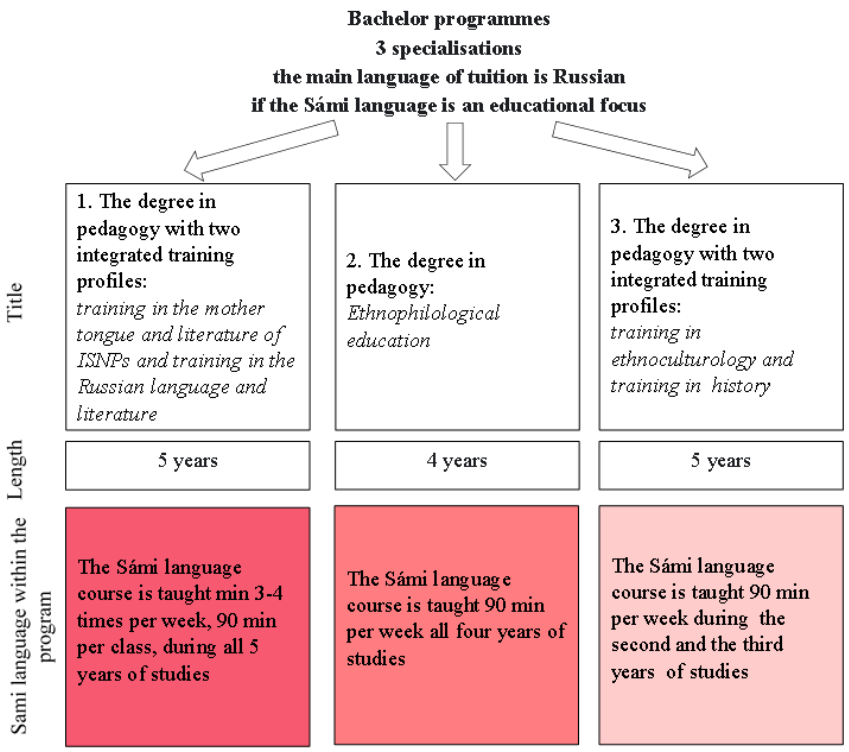
program comprises the subjects with different focuses. These include theoretical, socio-linguistic, and didactic focuses. Besides teaching in the subjects, the program has five internships (Bakula, Koreneva, & Savateeva, 2023, pp. 421-423; Curriculum). Until now, one cohort of the students has been admitted to the program. Launching this Master program is a positive and promising initiative that can contribute to the Sámi language revitalization in Russia.

Some clarifications are also required with regard to the contents of the programmes carried out at the Institute of the Peoples of the North. It should be noted that at this Institute, the Sámi language courses may encompass a broad range of topics beyond language, such as culture, history, and various aspects of Sámi lifestyle. The Bachelor programs have three specializations (Electronic Atlas). Chart 1 shows the nature and duration of education, as well as the number of hours offered at the Sámi language courses within each specialization. From the academic year 2024-2025, the Ethnophilological education will be replaced by a five-year degree in pedagogy with two integrated training profiles titled 'The Mother Tongue and Literature of the Indigenous Peoples of the North, Siberia and the Far East, and the Chinese Language' (44.03.05, 2022). At the Master level, there exists two specializations titled 'Ethnoculturology and Ethnophilology in the Northern Studies' (44.04.01, 2022) and 'Speechwriting and imageology' (Bogdanovskaya & Nazmutdinova, 2023). These programmes do not include Sámi language classes.

Additionally, some information shall be provided about the Sámi language teaching in the Northern National College in Lovozero. There, students receive secondary professional education after the 9th or 11th grades. There are two specializations which include obligatory classes of the Sámi language at this College. These specializations are 'Reindeer Herding and Agricultural Machinery Operation' or 'Housing Management in Reindeer Herding'.

Chart 1

Sámi language teaching at the Herzen University in the academic year 2023-2024



Note. ISNPs is the abbreviation for Indigenous Small-Numbered peoples of the North, Siberia, and the Far East.

The Chart is designed based on the data of the curricula of each specialization. The data was confirmed by a Sámi language teacher at the Institute of the Peoples of the North.

The intensity of the pink colour represents the volume of the Sámi language teaching within each specialization.

4 The legal regulation of Indigenous rights and of the system of school education in Russia

This chapter explores the legal context where the RtL resides. This legal context encompasses the legal framework of the rights of Indigenous peoples in Russia and the legal framework of the school educational system in Russia. Paper III examines the legal framework of the rights of Indigenous peoples in Russia and is summarized in Section 4.1. Paper VI addresses the legal regulation of the system of school education in Russia and is summarized in Section 4.2.

Papers III and IV provide an overview of the Russian legal system and its peculiarities, human rights situation in Russia, the school education system in Russia, and the place of Indigenous languages in this system. This overview provides a necessary background for a comprehensive analysis given in Papers V and VI.

4.1 Paper III: the rights of Indigenous peoples in Russia

In the study reported in Paper III, I investigated the legal framework of the rights of Indigenous peoples in Russia and the challenges related to the implementation of these rights. The main method of analysis applied in the study was the legal method. The federal legislation of Russia on the status of Indigenous peoples, as well as the legal regulations of the federal subunits where Indigenous peoples reside, were subjects for the analysis.

The paper consists of two parts. The first part is about the legal framework of the rights of Indigenous peoples in Russia. It describes the range of the legal acts regulating the rights of Indigenous peoples of Russia. It also provides information about how the federal structure of Russia and the use of the legal term 'ISNPs' impact the rights of Indigenous peoples. To illustrate how the federal structure of the RF impacts the rights of Indigenous peoples of Russia, the following example was given in the paper. There are regulations at the federal level and at the level of the federal subunits on the status of Indigenous peoples. Due to contradictions of the regulations at these two levels, there are inconsistencies in implementation of some rights of the ISNPs. To illustrate how the term ISNPs impacts the rights of Indigenous peoples, the following example was given in the paper. Those Indigenous groups who satisfy the criteria of indigeneity but do not meet the numeric criterion, are denied the support of the state. The review of the legal acts on the rights of Indigenous peoples in the study

reported in Paper III provided the context for the analysis of the specific legal provisions on the RtL in the relevant legal acts listed in Paper V.

The second part of the paper presents four specific obstacles in realization of the rights of Indigenous peoples in Russia. These obstacles were emphasized on the international level by such bodies as the UN Human Rights Committee and the Special Rapporteur on the Rights of Indigenous Peoples. The first specific obstacle is the absence of a unified approach to determine the ethnic identity of the ISNPs. The absence of such an approach resulted in a situation where Indigenous individuals are rejected the state's support because their Indigenous identity is not registered officially. The absence of a unified procedure for determining the ethnic identity of Indigenous individuals has resulted in a situation where the Supreme Court of the RF had to consider the identification procedure at the request of one of the Sámi activists. Furthermore, to overcome the obstacle of the absence of the unified criteria for determination of the ethnic identity of ISNPs of Russia in the federal legislation, the Russian state bodies initiated unification processes which resulted in the amendments to the FL 'On Guarantees'. These amendments established the unified procedure for determining the ethnic identity of Indigenous peoples at the federal level.

The second obstacle concerns the introduction of the term 'a foreign agent' into the Russian law. In 2012, when the term was introduced, it applied to non-commercial organizations who cooperated with foreign entities. This concerned those Indigenous peoples whose organizations cooperated with foreign partners. Since these non-commercial organizations got financing from their foreign partners, the activity of these organizations fell within the definition of a foreign agent. Those organizations who are labelled foreign agents fell under a strict state control. The introduction of the term led to violations of human rights, including the rights of Indigenous peoples. One of the most extensively violated rights is the right to associations. Since 2019, both organizations and individuals can be recognized foreign agents. The third specific obstacle is the state's pressure on Indigenous organizations with deviating opinions. The paper presents examples of those Indigenous organizations who experienced such a pressure. The fourth specific obstacle concerns the amendments to the Constitution in 2020. The amendments affecting Indigenous peoples were made to Articles 68 (1), 79, and 69. One of the core amendments, also affecting the RtL, consisted in giving priority to the Russian language in Russia as it is the language of the state-forming people of Russia (See Amendment to Article 68 (1)). The last three specific obstacles are not overcome and have become more pronounced after the war in Ukraine started (Zmyvalova, 2023).

The study reported in Paper III made me aware of the necessity to undertake steps to safeguard the participants' identity. This awareness affected the methodological choices I had to make considering the data collection and the analysis of the interviews.

4.2 Paper IV: the legal framework for teaching Indigenous languages within the current state school system in Russia

Paper IV takes up the legal framework of the system of school education and addresses the status of Indigenous languages teaching in school in Russia. The main method applied in the study reported in this paper was the legal method. The main sources for the analysis were the RF Constitution, the FL 'On Education' and legal acts of the federal bodies establishing educational standards for the respective stages of school education in Russia.

The paper consists of two parts. The first part describes the legal regulation of the Russian system of school education. The particular focus is on the place of Indigenous languages in the system of school education. The second part of the paper addresses the practice of implementation of the relevant legal regulations.

The first part of the paper explains three spheres of jurisdiction of the bodies of state power in the RF. These spheres of jurisdiction are as follows: the exclusive jurisdiction of the RF, the joint jurisdiction of the RF and the subunits of the RF, and the full jurisdiction of the subunits of the RF. The educational sphere falls within the joint jurisdiction of the RF and the subunits of the RF. This means, inter alia, that the federal subunits may issue legislation which regulates Indigenous peoples' education. The legislation of the federal subunits must not contradict the federal legislation. The study showed (p. 80) that the legislative practice of the federal subunits varies. If there is no federal legislation on some aspects of Indigenous education, the federal subunits adopt their own legislation.

The analysis of the legal sources reveals that the Russian educational system establishes two options of instruction (see Figure 2). They are:

1) instruction in Russian, encompassing the following alternatives:
   1.1) instruction in Russian and no teaching in the subject 'Mother tongue (non-Russian language) and literature' and
   1.2) instruction in Russian alongside teaching in the subject 'Mother tongue (non-Russian language) and literature)'

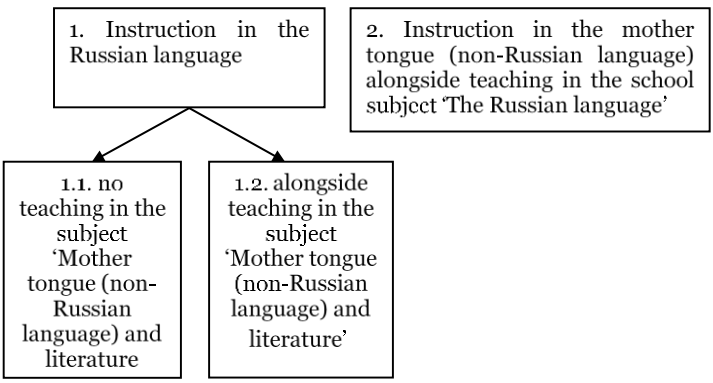
or

2) instruction in the mother tongue (non-Russian language) alongside teaching in the school subject 'The Russian language'.

Figure 2 shows the two options of instruction in the Russian school system provided for in the Russian legislation.

Figure 2

Two options of instruction in the Russian school system set forth in the Russian legislation



Note. The figure was first presented in Paper IV (the original source of publication: Zmyvalova, 2018, p. 85).

The clarification of the term 'mother tongue' is necessary in this context. When using the term 'mother tongue', I relied on the relevant provisions of the FL 'On Education'. The analysis shows that when reference is made to the 'instruction in the mother tongue' and the 'instruction in Russian alongside teaching in the subject 'Mother tongue'' in the FL 'On Education', it implies also Indigenous languages teaching.

The study indicates that Indigenous languages are not used as languages of tuition in the current school practice in the RF. In some federal subunits, Indigenous languages are taught as an obligatory school subject which is part of the school curricula (option 1.2 in Figure 2). The analysis shows that the Sámi language teaching in Russia falls within option 1.1. (Figure 2), that is, instruction in Russian and no teaching in the subject 'Mother tongue (non-Russian language) and literature'. Notably, the Sámi language class does not have a status of the official school subject because it is an extracurricular activity ('kruzhok'). According to Article 75 (4) of the FL 'On Education', the contents and length of extracurricular activities in school are determined by a curriculum elaborated and approved by school but not provided by the federal legislation. It is voluntary to attend the extracurricular activity. That is why the activity of the Sámi language class falls within option 1.1.

Challenges concerning Indigenous language teaching in school in Russia were identified on the basis of the literature survey. These challenges are of both

legal and non-legal character. Some challenges of non-legal character concern the lack professional training for mother tongue teachers, low monthly wages of teachers in many subunits of the RF, and the decreasing number of schools in rural areas. The challenges of legal character concern the complexity of legislation and constant changes of the Russian legislation.

The description of educational system in Russia given in Paper IV is based on the analysis of the relevant legal provisions. Some of these legal provisions are also analysed in Paper V.

5 The elements of the RtL in law and in the social context

The studies reported in Papers I, II, III, and IV form a ground for a more detailed investigation of the elements of the RtL in law and in the Russian Sámi context. A more detailed investigation is then conducted in the studies reported in Papers V and VI.

In this chapter, the theoretical background and analytical methodology in the studies reported in Papers V and VI are presented. In Sections 5.1 and 5.2, I clarify how the theoretical pillars of Pound's 'Law in Books' and Ehrlich's 'Living law' are employed to create a theoretical framework to explore the legal nature of the RtL and its lived experiences in the Russian Sámi social context. Sections 5.1 and 5.2 address the issue how the selection of the methods in Papers V and VI was influenced by the choice of the theoretical pillars. Section 5.3 then addresses the relationship between the main contents and the findings in the studies reported in Papers V and VI.

The chosen theoretical framework influences both the structure and the stages of the research. The application of the two theoretical pillars in combination reveals the interaction between law and society when it comes to the Sámi language teaching in school.

When applying the 'Law in books' by Pound (1910), I operationalized the legal method in order to define the RtL. When applying the 'Living law' by Ehrlich (2002), I operationalized the method of interview analysis in order to understand the lived experience of the RtL that the interviews revealed. Following Banakar (2019, p. 3), I view the RtL as an indispensable part of societal processes at large. The choice of the theories and the methods is conditioned by the fact that the study occurs at the intersection of law, sociology of law, and language sociology.

5.1 The 'Law in books'

The founder of the theory of the 'Law in books' is Pound (1910). Pound's work has been reviewed by several researchers. In my research, I have used the works by Banakar (2012, 2015), Nelken (1984), Nimaga (2009), Rabban (2012), and Trevino (2013).

The key idea of Pound's theory was first revealed in his article 'Law in Books and Law in Action' published in 1910 in the Harvard Law Review. According to Pound, there is a contradiction between law and social practice; law does not consider social conditions in which it functions.

Pound maintained that law could not be regarded in separation from social practice (Rabban, 2012, p. 2). According to Banakar (2012, p. 2), Pound claimed that the legal analysis is impacted not only by logic but also by a human

factor. Trevino argues that Pound's jurisprudence does not focus on law only and is rather sociological. By this Trevino means that according to Pound, law functions within a larger societal context with the aim to protect interests of the society (Trevino, 2013, p. 40).

In his article, Pound (1910) analyses "the causes of divergence between the law in the books and the law in action" (p. 22). Commenting on Pound's analysis, Banakar (2015, p.12) observed that Pound's theory is about one of the fundamental issues of the sociology of law which was, after Pound's death, called the 'gap problem'. According to Banakar (2015, p.12), the gap problem consists in the discrepancy between the intentions of the legislature and the impact thereof on social behaviour. When Pound separated the 'Law in books' from the 'Law in action', he interpreted the 'Law in books' as written legal rules authorized by the state. These written legal rules are "the rules that purport to govern the relations of man and man" (Pound, 1910, p. 15). The 'Law in books' is created by lawmakers (legislator). The 'Law in action' is legal rules that "in fact govern the relations between man and man" (p. 15). Law in action is understood as actions of judges and law executors. Interpreting Pound, Nimaga (2009, p.169) explained that only the activity of judicial and executive bodies could put the law in action.

For Pound (1910), the 'Law in books' consists of legal norms in the dogmatical sense. According to him (1910, p. 23), the Law in books consists of legal norms. The state is the only source of legal norms. For Pound (1910, p. 23), the state is represented by state agencies. Commenting on Pound's definition of legal norms, Nelken (1984, p. 160) explains that Pound defines law as the regulations authorized by state agencies in a politically designed society. Thus, other norms like social customs in family and public opinion that regulate social relations, cannot be considered as law. Interpreting Pound's theory, Banakar (2012, p. 3) explains that the notion of law acknowledges state law (or official law) as the law per se, and in this way it is in line with legal positivism. I take this interpretation of law as a point of departure for my understanding of the 'Law in books' as a guiding theory for my analysis when I describe the RtL. By this I mean that the choice of Pound's 'Law in books' is determined by the factor that law is understood "strictly in terms of official state law" and does not "include norms of social organization" (Banakar, 2015, p. 53).

In my research, I sequentially analyse provisions of the international and the Russian legal sources on the RtL ('Law in books') and how the RtL interacts with the social order and social context of Sámi in Russia ('Living law'). The presentation of the range of legal sources for the present research is given in Section 2.1. I concur with Pound that law is indispensable from society. I chose the 'Law in books' in Pound's theory as one of the main theoretical pillars because the purpose of my research was not to analyse the 'Law in action', that is, judicial, and executive practice. Moreover, there is no court practice directly regarding the right of the Sámi children to learn their language in school in Russia. However, the 'Law in action' is not fully disregarded. I analysed the relevant court practice

in Paper V to aid the understanding of the meaning of the RtL and its elements. I also analysed legal documents of executive bodies in Paper IV to understand the system of school education in Russia and the place of Indigenous languages in this system. Thus, although the 'Law in action' is not a theoretical pillar, judicial and executive practice is analysed in my research to a certain extent.

5.2 The 'Living law'

Pound's theory alone is not sufficient for my research. The living law perspective gives me interpretative tools to explore and understand how people experience the RtL. For this purpose, Ehrlich's theory of the 'Living law' (2002) becomes useful. According to Deflem (2008), Ehrlich's theory of the 'Living law' focuses on "social reality of law" (p. 90). Understanding of social reality of law in this thesis is understood as providing access to lived experiences of the 'Law in books'.

Ehrlich used the concept of the Living law in his earlier writings. His seminar, that took place at the University of Czernowitz 1909, was given the same name (Nimaga, 2009, p. 166). In his book 'Fundamental Principles of the Sociology of Law', Ehrlich "introduces his approach to differentiate between legal order and social norms" (Hertogh, 2009b, p. 2). It is noteworthy that Ehrlich's original work was published in German in 1913. In 1936, his book was translated and published in English. When I refer to Ehrlich's book 'Fundamental Principles of the Sociology of Law' in this thesis, I refer to the reprint of the translation, published in 2002.

Both Pound's 'Law in books' and 'Law in action', and Ehrlich's 'Living law' govern people's lives. However, Pound's theory regards the legal rules sanctioned by the state, and the gap problem between these legal rules and the 'Law in action', while Ehrlich's living law regulations are generated by people. According to Nimaga (2009), "[f]or Ehrlich, the normal condition of any social association is by definition one of order and peace. Legal norms or the living law reflect this condition and therefore adequately show what actually happens" (p. 174). The theoretical pillar of the 'Living law' complements the theoretical pillar of the 'Law in books' in my research.

Ehrlich was a lawyer, and not a sociologist. Nevertheless, he argued for the use of sociology in legal studies because he considered it to be "a fruitful method, no more and no less, with which to comfort the unavoidable question as to the scientific nature of jurisprudence" (Ziegert, 2002, p. XIIV). According to Ziegert (2002, p. XIIV), Ehrlich claimed that using sociology could lead to a better understanding of the living law. The Living law concept in the law studies could help in "producing better lawyers and better legal doctrine to arrive at better decisions in finding the law" (Ziegert, 2002, p. XIIV). A better legal doctrine involves aspects of sociology in the doctrine of law which makes the legal doctrine "more realistic and less self-deluding in its assumptions" (Ziegert, 2002, p. XIIV).

According to Ziegert (2002), Ehrlich distinguishes between the 'Norms for decision' and the 'Living law', in contrast to Pound's subdivision between the 'Law in books' and the 'Law in action'. The 'Norms for decision' include not only norms and legal rules but also patterns of behaviour of legislators and judiciary (Ehrlich, 2002, 121). According to Nelken (1984, p. 163), the term 'Norms for decision' does not fall within either Pound's 'Law in books' or 'Law in action'. In short, the "term 'norms for decision' …encompasses most of what Pound was getting at in his discussions of 'law in books' and 'law in action'" (p. 163).

The following definition of the 'Living law' is included into Ehrlich's book (2002): "the law which dominates life itself even though it has not been posited in legal propositions" (p. 493). He continues,

> [t]he source of our knowledge of this law is, first, the modern legal document; secondly, direct observation of life, of commerce, of customs and usages, and of all associations, not only of those that the law has recognized but also of those that it has overlooked or passed by, indeed of those that it has disapproved. (p. 493)

According to Nelken's (1984, p. 162) interpretation of Ehrlich, the driving forces for the living law are social forces and developments and not merely legislative and judicial enactments. Commenting on the 'Living law', Nelken states that "[i]ndeed, from the point of view of the members of a group, 'living law' represents their 'law in books' as compared to what actually happens in practice when the norms are breached, avoided or transformed" (p. 165).

Since the 'Norms for decision' do not fall within the 'Law in books', they are not considered as a theoretical pillar in my study. The 'Law in books' is relevant for the legal analysis of the meaning of the RtL. Also, Ehrlich does not give a clear definition of the law, while in Pound's theory such a definition is given. When it comes to a missing definition of law in Ehrlich's theory, I mean that the margins of such terms as law, juristic law, state law, living law, and social law are not clearly defined. The absence of a clear definition of law has been widely criticized by a several scholars (Cotterrell, 2009; Hertogh, 2009a, Nelken, 1984; Nimaga, 2009; Van Klink, 2009; Webber, 2009). One of Ehrlich's contemporaries was the legal scholar Kelsen. Describing law as a hierarchy of binding norms, Kelsen opposed Ehrlich's sociological approach to law. According to Banakar (2015, p. 139), one of the reasons of Kelsen's critique of Ehrlich's theory was that Ehrlich's theory contained contradictions in interpretation of the concept of law. Nelken (1984, p. 161) observes that Kelsen criticized Ehrlich for confusing normative and descriptive analysis. He noted that according to Kelsen, "sociologist might want to distinguish several types of law, <…> legal theory was necessarily monist" (p. 161). Nelken (1984, p. 163) also observes that in Ehrlich's theory, a clear distinction between the norms of the 'Living law' and other norms is missing. Ehrlich's 'Living law' is nevertheless complementary to Pound's 'Law

in books' in my research because it helped me to analyse social experiences regarding the RtL.

5.2.1 Interviews as a source for understanding the 'Living law'

Another important aspect of Ehrlich's 'Living law' is his approach to empirical research. Ehrlich (2002) claims that a legal document does not always embody all aspects of the Living law. To approach that part of the Living law that has not been embodied in the legal document, but which is still important part thereof, Ehrlich recommends "to open one's eyes, to inform oneself by observing life attentively, to ask people, and note down their replies" (p. 498). As a result, the Living law is often linked to social relations and, thus, it can be understood via empirical research.

Interviews opened up for the understanding of the lived experience of the RtL in my research. When analysing interviews, I examined how the RtL interacts with the social order and social context of the Sámi in Russia. After having analysed the legal sources, I presented the analysis of the interviews revealing the lived practice of the RtL (see the design of the study in Figure 3).

5.2.2 Understanding minority/Indigenous context

According to Banakar (2015, p. 137), Ehrlich elaborated the concept of the 'Living law' in response to cultural diversity of Czernowitz in Bukowina. It was the place where he lived and worked for most of his life. There, Ehrlich made observations of the neighbouring groups: Armenians, Germans, Jews, Romanians, Russians (Lipowanians), Ruthenians, Slovaks (often taken as Poles), Hungarians, and Romanie. According to Banakar, Ehrlich, being a lawyer, enquired how the culturally diverse environment coexisted with the legal order of the Austro-Hungarian Empire in this territory. Also, Ehrlich's background as a roman Catholic of Jewish decent contributed to his understanding of the interactions of the cultures, religious beliefs, and ethnic values of the members of these groups.

According to Banakar, Ehrlich's sociology of law is in line with the idea of the legal anthropology about the relations of the colonial state and the colonized Indigenous communities (Banakar, 2015, p.137).

The 'Living law' is applicable to the analysis of the Sámi social context in Russia. The Russian state has a long history of colonizing Indigenous peoples within its state borders. Sámi is not an exception. The school system was used by the state as one of the main tools of colonization (see Chapter 3). Thus, the state is one of the core institutions impacting the current living practices of the RtL in the Sámi context. However, other social institutions, such as family and the Sámi community are significant regulators of relations too. The social context to which

I apply the 'Living law' theory corresponds to similar contexts to which this theory was applied in previous research.

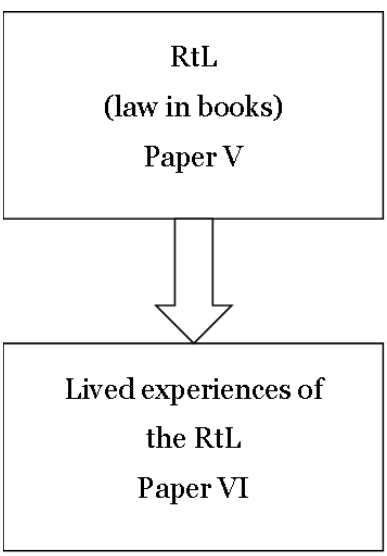
5.3 The elements and the context of the RtL

In the next subsections, I will explain how I combined the two theoretical pillars in my research and how I applied them in my work. In Subsection 5.3.1, I will demonstrate how I applied the 'Law in books' to define the RtL (Paper V). In Subsection 5.3.2, I will demonstrate the 'Living law' of the RtL (Paper VI) (See Figure 3).

Figure 3 shows the sequence of application of the 'Law in books' and the 'Living law' in Papers V and VI.

Figure 3

The design of the study on 'Law in context'



5.3.1 Paper V: The right to language in school: Russian Sámi

Paper V reports an investigation of the essence of the RtL. In the study, I analysed international and Russian legal sources to understand how the RtL is stipulated in these legal sources. When carrying out analysis in in the study, I mainly employed the legal method. As a result of the analysis, I deduced five elements of the RtL. These five elements are interconnected and characterize the RtL as a

multilateral phenomenon. Furthermore, I identified to what extent these elements are present in the Russian legal acts. When analysing the Russian legal acts, I also described the legal challenges that hinder the realization of the RtL.

Paper V consists of two parts. The first part presents the analysis of the international and regional law. The second part is the analysis of the relevant Russian legal acts.

In the first part, eight binding sources and two non-binding sources of international and regional law were analysed. As a result of the analysis of these legal sources, the following five elements of the RtL were deduced:

1. Legal recognition,
2. Non-discrimination,
3. Participation,
4. Appropriate education, and
5. High-quality education.

Legal recognition implies that state parties recognize Indigenous children's right to learn their language and to get instruction in their language in school. The extent of the recognition of the RtL, adequacy and quantity of education depend on various factors. The example of such factors is the limits of the educational policies of states. Legal recognition also implies that states undertake the necessary measures to implement the RtL.

Non-discrimination implies that different cases require different treatment. Different treatment can include application of special measures to avoid possible discrimination. Non-discrimination is to be granted de jure and de facto and applies to all aspects of education when Indigenous children are involved.

Participation implies the engagement of Indigenous communities and, if possible, Indigenous children in educational processes in an effective way. Participation concerns Indigenous matters. Consultations with Indigenous communities and children shall reflect "their special needs, and shall incorporate their histories, their knowledge and technologies, their value systems and their further social, economic and cultural aspirations" (ILO, 1989, Article 27) in education. The best interests of Indigenous children are the core focus in these consultations. The competent authorities shall provide for training of Indigenous individuals so that they can participate in consultations.

Appropriate education implies that education should be culturally appropriate. For education to be culturally appropriate, educational programs for Indigenous peoples shall include Indigenous histories, Indigenous knowledge and technologies, Indigenous value systems and further social, economic, and cultural aspirations. Indigenous children shall, whenever possible, "be taught to read and write in their own indigenous language or in the language most commonly used by the group to which they belong" (ILO, 1989, Article 28). The

general compulsory curriculum for the majority children shall also include learning about Indigenous cultures and languages. Also, educational programs for Indigenous children shall include the language and the culture of the majority population.

High-quality education implies that teaching is carried out by qualified teachers, that teachers receive basic and in-service training, that teaching involves teaching aids in Indigenous languages, and that education is allocated sufficient financial resources to sustain the manageability of the RtL's realization.

In the second part of the paper, the relevant provisions of the Constitution, four acts of the federal legislation, and two laws of the MO were analysed. The analysis in the second part of Paper V demonstrates that the five deduced elements of the RtL are present in the relevant Russian legislation. However, one of the findings of the analysis in this paper is that the contents of some of these elements in the Russian legislation are different from the contents of the corresponding elements deduced from the international and regional legal instruments. The most vivid example of different interpretations of the elements concerns Participation. The interpretation of the Russian legal provisions does not suggest that Indigenous communities and, if possible, Indigenous children participate in decision-making processes regarding their education effectively as it is stipulated in the international and regional law. In contrast to the interpretation of the international and regional law, the interpretation of the Russian legislation, suggested mostly by Kryazhkov, shows that it does not provide for consultations with Indigenous communities and children regarding educational processes on their matters. The Russian legislation does not subdivide between de jure and de facto non-discrimination in the way the international and regional law does. Compared to the international and regional law, the Russian legislation does not include the criterion on the qualified teachers in the element of High-quality education.

The second part of the paper also describes the legal challenges that hinder the realization of the RtL. Among the legal challenges of the RtL's realization, I identify the declarative charter of some legal provisions, the lack of legal implementation mechanisms, the prevalence of the Russian language in all spheres of life, and internal incoherence and gaps in the legal regulations. Also, the legal regulations concerning the educational system often contain the clause on the 'opportunities provided by educational system', thus, allowing the non-implementation of these provisions.

Despite the legal challenges raised in in the study reported in Paper V, I conclude that the legal framework of the RtL in Russia could be sufficient for the maintenance and preservation of the Sámi languages. However, the absence of a single approach to the RtL can create obstacles in maintenance and preservation of the Sámi languages in Russia. I argue that it would be useful for Russia to adjust its approach to the content of the RtL in accordance with the international and regional law. I also argue for addressing the legal challenges described in this

paper. Finally, taking into consideration that there is no Law on the Sámi languages in the MO, the study suggests that the MO should adopt such a Law.

5.3.2 Paper VI: Lived experiences of the right to Sámi language in school in Russia

The study reported in Paper VI investigated experiences and views of officials, receivers, and practitioners on the RtL. The study was done in collaboration with Outakoski. We conducted a thematic analysis of the interview data in relation to the indexing themes deduced from the descriptions of the core elements of the RtL in Paper V.

When investigating the experiences and views of officials, receivers, and practitioners in relation to the RtL, we relied on two theoretical pillars. These were the 'Law in books' and the 'Living law'. The 'Law in books' includes legal provisions regulating five core elements of the RtL (see Section 5.3.1). These core elements were deduced as a result of the analysis of these provisions. The Living law is reflected in the views and the experiences of the officials, the practitioners, and the receivers of the RtL engaged in the Sámi education in Russia.

As a result of the interview analysis, we arrived at the conclusion that the elements of the RtL are traceable in the answers of the study's participants to a different extent. Only one of the five elements, that is High-quality education, is reflected to a greater detail in the interview answers of all the participant groups. The participants' answers relevant to only this element coincide to a greater degree with the legal content of this element. The other four elements, i.e. Legal recognition, Non-discrimination, Participation, and Appropriate education were not apparent in the interview data. Our analysis also witnessed the emergence of the sixth element that was not deducible from the 'Law in books'. This element is firmly connected to the social order of the specific Sámi social context in Russia and is called 'The social context'.

When analysing the interview data on the first element of the RtL, that is, Legal recognition, we observed that more detailed answers concerning the content of the Legal recognition were given by the officials. The discussion of this element with the receivers and the practitioners did not give any indication of their interest to this element. Only a few indexing themes were discussed by the interview participants. When discussing the Legal recognition, the participants interpreted legal provisions as stipulating their obligations rather than providing them with opportunities to, for example, preserve and revitalize their language. The interview data revealed that the interview participants were rather focused on the challenges related to the systemic complexities of the school system and the local social order than the potential of the Sámi language teaching.

When analysing the interview data on Non-discrimination, we arrived at the conclusion that the interview participants' views on Non-discrimination

varied depending not only on their belonging to the particular group, but also whether the participants were insiders or outsiders to the Sámi community. The interview analysis demonstrated that none of the participants discussed the content of Non-discrimination the way it is stipulated in the legal provisions. The officials often rejected the view that the Sámi individuals were discriminated in realization of their RtL. On the contrary, the members of the Sámi community did acknowledge such a discrimination. The discrimination was often described in anecdotes based on their experiences.

When it comes to Participation, interpretation of this element was impacted by the fact that the Russian law and international law differ. The extent of participation provided by the Russian legislation is more limited than the extent of participation provided by the international and regional law. When the participants discussed their participation in education, they discussed their participation in the upbringing of children rather than being active stakeholders in decision-making regarding the Sámi language teaching in school.

The analysis of the interview data on Appropriate education informed us that the participants' knowledge of the educational programs depended on the extent of their involvement in realization of these programs. Those participants who were directly involved in realization of the educational programs in school, knew about the contents of the respective programs. Those interview participants who were not directly connected to school, had only a generalized knowledge about the educational programs of the Sámi language or had no knowledge at all. The participants' discussion of the educational programs was the only indication of how well they understood the element of Appropriate education. The interview analysis revealed that the participants were rather inclined to discuss the ineffectiveness of the Sámi language teaching and associated challenges, and did not come with any proposal to resolve these challenges.

When analysing the interview data on the element of High-quality education, we concluded that the participants' views and experiences reflected the legal content of this element most closely of all the five elements. All the three groups of participants repeatedly raised the issue of the shortage of educational materials and the lack of qualified Sámi language teachers.

The local Sámi social context was the most prominent topic in all the discussions. Therefore, 'The social context' was brought in as the sixth element of the RtL. The issues given by participants on this topic were the past and present use of the language, interests and motivation, and disagreements.

The analysis demonstrated that the interview participants seldom recognized and perceived the legal instruments that provide for the RtL in the Russian Sámi context as a means for the language revival. The content of the RtL originating from the international law often changed shape when entering into the Russian legislation and were further heavily reduced when entering the lived law experiences of the participants. The analysis of the interview data showed that the Social context shaped participants' understanding of the RtL. This Social

context should be taken into consideration when the legal provisions on the RtL are implemented in the Russian Sámi community. The idea behind this argument is that it is important to take into account the social realities of the community where the legal norms function, which goes in line with Ehrlich's idea of the 'Living law'. Taking the social context into account allows the law to be more realistic and less detached from the living practices where this law resides.

6 Findings and discussion

This thesis consists of six studies (papers) which together answer the three research questions (see Section 1.1). Each study contributes to the understanding of the RtL and its lived experience of the Sámi community in Russia. All the studies shed light on various challenges associated with implementation of the RtL in the Russian Sámi context.

First of all, I will highlight the significance of the findings of the research and then, I will turn to the relationship between the research questions and the findings. Sections 6.1, 6.2, and 6.3 are devoted to the answers to the research questions. Section 6.1. takes up the first research question that concerns the educational and the legal contexts in which the RtL resides and the answers given to it in the conducted studies. Section 6.2 takes up the second research question that concerns the way international law and the Russian law enshrine the right of Indigenous children and when applicable Sámi children, to learn their language in school and the answers found in the reported studies. Section 6.3 addresses the third research question about the views and experiences of the social agents on the RtL in the Russian school context and the answers given in the study reported in Paper VI. Section 6.4 outlines implications for future research.

The study reported Paper I investigated the history and the status of the Sámi language teaching in Russia. Paper II presents the present situation with the Sámi language teaching in school and higher educational institutions in Norway, Sweden, Finland, and Russia. The papers have a descriptive character and have the aim to provide the background knowledge about the issues in focus, that is, to inform the reader about the educational contexts in which the RtL resides. In both papers, challenges related to the Sámi language teaching are identified. Identifying these challenges is a precondition for the improvement of the situation with the Sámi language teaching in Russia.

The study reported in Paper III examined the legal framework of the rights of Indigenous peoples in Russia and discussed the current situation with their rights. Paper IV presents the legal framework of the educational system in Russia and Indigenous languages' role in this system. These papers address the existing situation and contribute to the literature on the rights of Indigenous peoples in Russia. The analysis conducted in Papers III and IV also reveals the challenges related to the rights of Indigenous peoples in Russia and the challenges concerning Indigenous languages teaching in school in Russia. These challenges are of both legal and non-legal character. Addressing the challenges can pave the way to improvements in implementing the rights of Indigenous peoples in Russia as well as the Indigenous languages teaching in school in Russia.

Papers V and VI contribute to the understanding of the essence of the RtL and conceptualize the RtL in the light of two theoretical pillars, namely the 'Law

in books' and the 'Living law'. Examining the RtL and its lived experience in the Russian Sámi context reveals inconsistences between the legal provisions and the practice of their implementation. Revealing these inconsistencies can contribute to the understanding of how the implementation practice can be improved. Notably, the overarching model of the analysis of the RtL employed in Papers V and VI can be applied to similar studies in other Indigenous contexts.

In line with Banakar's research (2015), my research does not attempt to find a solution for a gap between the 'Law in books' and the 'Living law' and how to fill this gap. Banakar (2015) claimed that "[t]he "gap" is thus part of the reality of modern law-part of its definition" (p. 54). Banakar suggested that it is important not to close the "gap" but rather to focus on the "interplay between law as a system of legal rules, practices, doctrines and decisions, on the one hand, and as a form of experience, a specific sphere of social action and an institutionally-based form of socio-cultural practice, on the other" (p. 54). The research here highlights the interaction between the RtL and lived experience of the RtL in the Russian Sámi community, opening up to a better understanding of the necessary measures that can be undertaken to effectively implement Indigenous language rights in schools in Russia.

6.1 Legal and educational contexts of the RtL

The legal context of the RtL comprises two legal frameworks. The first legal framework is the legal framework of the rights of Indigenous peoples in Russia, and the RtL in particular. The second legal framework is the legal framework of the system of school education in Russia. The educational context of the RtL is the school setting in which Russian Sámi children learn their language.

6.1.1 Legal context of the RtL

As shown in Paper III, the legal framework of the rights of Indigenous peoples in Russia consists of the following main legal acts: the Constitution, FL 'On Guarantees', FL 'On General Principles', and FL 'On Territories'. Additionally, the rights of ISNPs are enshrined, inter alia, in the Land Code of the RF, the Water Code of the RF, the Tax Code of the RF, the Forest Code of the RF, other federal laws, and several decrees of the Government of the RF. Besides these legal acts, there exist legal acts of the federal subunits which regulate the legal status of Indigenous peoples in these federal subunits.

The legal framework of the RtL in Russia, and the right of the Sámi children to learn their language in school consists of the following legal acts: the Constitution of the RF, FL 'On Guarantees', FL 'On NCA', Law 'On Languages',

FL 'On Education', Law 'On State Support of the ISNPs of the MO', and Law 'On Education in the MO'.

The thesis reveals that the acts of the existing legal framework are incoherent. Moreover, there are obstacles in realization of the rights of Indigenous peoples in Russia. The examples of such obstacles are the lack of a unified approach to identification of the ethnic identity of the ISNPs, infringement of the rights of Indigenous organizations and Indigenous individuals as a result of their recognition as foreign agents as well as infringements of their rights as a result of the amendments to the Constitution in 2020. While the first obstacle was resolved by the federal authorities, the rest of the obstacles are still topical. Moreover, they have worsened since the start of the war in Ukraine.

The legal framework of the system of school education in Russia consists of the federal legal acts and of the legal acts of the federal subunits. The federal legal acts are as follows: the Constitution, FL 'On Education ', FL 'On Guarantees', FL N 124-ФЗ of 24 July 1998 'On Basic Guarantees of the Rights of the Child in the RF', Law 'On the Languages', FL 'On NCA', and acts of the Ministry of Prosveshcheniya. Each federal subunit adopts its own regional acts on educational issues.

When it comes to the language of tuition, the Russian system of school education provides for two options. The first option is tuition in Russian. The second option is tuition in the mother tongue (non-Russian language) alongside teaching the school subject 'The Russian language'. The first option which implies tuition in Russian encompasses two alternatives. The first alternative consists in tuition in Russian and no teaching the subject 'Mother tongue (non-Russian language) and literature'. The second alternative consists in tuition in Russian alongside teaching the subject 'Mother tongue (non-Russian language) and literature'.

This research reveals that Indigenous languages are currently not used as the main medium of instruction in schools in Russia. Instead, Indigenous languages are taught either as an obligatory school subject or as an extracurricular activity.

The thesis demonstrates that there are challenges in implementation of the legal provisions comprising the legal framework of the system of school education in Russia. These challenges are of both legal and non-legal character. Among the challenges of non-legal character are lacking opportunities for the professional training for mother tongue teachers. Also, the monthly wages of teachers are very low in many subunits of the RF and the number of schools in rural areas is in decrease. Among the challenges of legal character are constant changes and the complexity of the Russian legislation.

6.1.2 Educational context of the RtL

The educational context of the RtL encompasses the school environment where the Sámi language is taught. This thesis shows that despite a long-term assimilation policy, the Sámi language as a school subject has survived in Russia. But the Sámi language is taught only in one school in Russia and teaching of the Sámi language is carried out mostly in Russian. The only Sámi language which is taught in school is Kildin Sámi. At present, the name of the language class is 'Еннь кӣлл/Mother tongue'. It is taught in the first to the fifth grades and has a status of an extracurricular school activity.

Importantly, the Sámi language is also taught in other settings (outside of school). For example, the Sámi language has a status of an obligatory class in the Northern National College (see Section 3.4). Obligatory teaching of the Sámi language is carried out for the students of two specializations: 'Reindeer Herding and Agricultural Machinery Operation' and 'Housing Management in Reindeer Herding'. A new Master-Apprentice initiative was recently launched in Lovozero as we reported in Paper VI.

An important prerequisite for the Sámi language teaching in school is that there are enough qualified Sámi language teachers who have got an opportunity to study this language at higher educational institutions in Russia. It is worth noting that there are no Sámi language teacher training programs in Russia. Currently, the Murmansk Arctic State University provides a Master program called 'Technologies of the Sámi language teaching'. So far, only one group of students has been admitted to this program. The Institute of the Peoples of the North at the Herzen University in Saint Petersburg offers pedagogical education at the Bachelor level (three specializations). Bachelor students learn the Sámi language to a varying degree depending on their specializations.

The present thesis discusses some factors that have impacted the present status of the Sámi language in the system of school education in Russia. The historical events and the social context of the Sámi community are among these factors.

The findings in the thesis reveal that the Sámi language extracurricular school activity is marginalized. This thesis reveals that there is a lack of resources, a lack of qualified teachers, and updated teaching materials. This thesis informs about lacking governmental support and lacking community initiatives. Also, the number of both active and passive Sámi language speakers is in decrease which has led to reduced opportunities to speak the language and to pass it over to the next generations.

6.2 The essence of the RtL

One of the key findings of this thesis is the set of five core elements of the RtL that were deduced as a result of the analysis of international law. These elements are Legal recognition, Non-discrimination, Participation, Appropriate education, and High-quality education.

Another important finding of the thesis is that the five elements are present in the Russian legislation. However, the contents of some of these elements in the Russian legislation differ from the contents of the corresponding elements deduced from the international and regional legal acts.

I argue that the lack of the same approach to the RtL in the Russian law as compared to the international law may hinder efforts to enhance and support the Sámi languages in Russia. I suggest that in order to resonate with international law, Russia needs to adjust its approach to the understanding of the content of the RtL in accordance with the understanding thereof in international and regional law. Adjusting the understating of the RtL in the Russian legal acts so that it meets the international law, is a huge challenge for Russia because, as shown in the study reported in Paper III, Indigenous peoples' rights in Russia are systematically violated. Moreover, the situation with the rights of Indigenous peoples of Russia has become worse since the start of the war in Ukraine in 2022. This can be illustrated by Russia's denouncement of the FCNM in October 2023.

Furthermore, there occur challenges related to the implementation of the RtL. These challenges concern declarative character of some legal provisions, the lack of legal implementational mechanisms, the prevalence of the Russian language in all spheres of life, and internal incoherence and gaps in the legal regulations. Also, the legal regulations concerning the educational system often contain the clause on the 'opportunities provided by the educational system', thus, allowing the non-implementation of these provisions.

The deduced five elements of the RtL define its content. The presence of these elements could be evaluated in other legislations of other countries, as it was done in the Russian context in the study reported in Paper V.

6.3 Lived experience of the RtL

Prior to the discussion of the research findings that concern the lived experience of the RtL, it is important to emphasise that the aim of the research here was not to seek objective data about the social experience of the RtL in the Russian Sámi context. Instead, the focus was on investigating the views and lived experiences of the RtL as they were perceived by the participants in the Sámi community.

The analysis of the lived experiences of the RtL shows that the elements of the RtL are traceable in the answers of the participants to a different extent. The most traceable element is High-quality education. The elements of Legal

recognition, Non-discrimination, Participation, and Appropriate education are not apparent in the interview data.

One of the main findings in the research on the lived experience of the RtL is the emergence of the sixth element of the RtL. We named the element 'The social context' and it is interchangeably used with 'The local Sámi social context'. The local Sámi social context shapes practitioners', receivers', and officials' understandings of the RtL. The research reveals that the local Sámi social context is the prevailing element of the RtL in the interview data and it seems to affect the understanding of the RtL to a greater extent than the other elements. This finding is in line with Ehrlich's account of the Living law. According to Ehrlich (2002), the society is the "center of gravity of legal development" (p. 313). The importance of the Social context is apparent in the interview data; the participants referred to the experiences relevant to this element more often than to the experiences on the other elements of the RtL. The Social context is central in the discussions of all legal issues related to the RtL. When the participants were asked about their views and experiences of the RtL, their answers were based on the Social context in which the RtL resides. The participants rarely discussed the legal nature of the right (which I define as the 'Law in books') when they were asked about the elements of the RtL.

The research shows that although the RtL is enshrined in law, participants do not comprehend its legal nature and the guarantees that the RtL entitles them with. When asked about the RtL, the participants rather focused on the Social context than brought up the nature of the elements provided in law. Their understanding of the RtL is reduced to the Social context and the legal dimensions of the RtL were overlooked. The interview data shows that the RtL is perceived as non-instrumental for language preservation, and it is not relevant in empowering Russian Sámi community members. Thus, this research demonstrates that that the contents of the elements of the RtL are reduced in the interview data collected in the Sámi community. Consequently, the RtL loses its potential power in practice.

Another key finding of the research is that the interview participants are inclined to discuss the issues associated with implementation of the RtL rather than discuss the elements of the RtL. When discussing implementation of the RtL, participants rarely suggested solutions to potential issues. For example, when discussing the Sámi educational activity which was taught for 45 minutes per week to children from the first to the fifth grade on the non-obligatory basis, participants tended to focus on the limitations of such an arrangement than the potentials of such a learning arena. None of the participants took up the potential freedom and flexibility of the extracurricular activity or acknowledged the freedom that teachers had in defining the content of the activity in the absence of a formal curriculum. Another example is the unresolved situation concerning the Kildin Sámi alphabet. For many participants that seemed to serve as an excuse for the difficulties in implementing the RtL. One way to interpret the unresolved

issue of the alphabet is that this topic represents a concrete problem known to everyone in the Russian Sámi community and it was easier for them to discuss the alphabet than talk about implementing the RtL. Another way to interpret the willingness to discuss the alphabet is that the 'alphabet conflict' has become an issue that the local language community faces daily and this stops all the possible constructive efforts of language workers. For the understanding of the elements of the RtL, these discussions may not always seem so relevant, but they are clearly of great importance for the participants of the interview study.

The research and its findings suggest that the local Sámi social context is of vital importance for understanding the RtL, and it should be taken into account when implementing the current legislation. This research finding is in line with Ehrlich's account of the Living law presented in Section 5.2. According to Deflem (2008), Ehrlich claimed that legal provisions "have to be consistent with the codes of living law to be effective" (p. 91).

6.4 Implications for future research

In this section I go through my thoughts about dissemination of the results from my work and how these could be communicated to the Sámi community. I also present ideas and suggestions for future research.

My intention is to share the results from the research with the Sámi community where I collected the data. It is also my intention to translate the thesis into Russian and write a booklet in which I inform the community about their language rights.

One of the proposals for future research, suggested in Paper V, is that I can participate in drafting the MO Law 'On the Sámi languages'. When drafting such a Law, a few issues should be taken into consideration to ensure its effective implementation and to exclude its symbolic meaning (Zamyatin, 2013). This work requires first and foremost an analysis of the existing regional legislation on the protection of Indigenous languages in Russia. The work on such a law should involve effective participation of the Russian Sámi community. Effective participation means that minorities should have a meaningful influence on the decisions that affect them and, that they should have as "far as possible, 'a shared ownership of the decisions taken'" (Advisory Committee, 2008, para. 19). Because the statuses of the four traditional Sámi languages in Russia vary, it is important to take into consideration the opinion of the experts working with these languages when it comes to the legal recognition of the status of these languages and the obligations of the regional authorities on the preservation of these languages. My research on the RtL conducted in Paper V can be useful in the development of the legal provisions of this Law regarding teaching of the Sámi languages in school. The local Sámi social context should be taken into consideration when the MO Law 'On the Sámi languages' is drafted.

Another proposal for the future research is to analyse the RtL in light of the theory of the 'Law in action'. For this purpose, it can be useful to analyse executive and judicial practices of the RtL. The analysis of the intermediate level between the 'Law in books' and the 'Living law', that is, the 'Law in action' can contribute to the understanding of the possible ways to improve implementation of the RtL.

Still another proposal for the future research is to carry out a comparative study on living practices of the RtL in the Sámi educational contexts. Such a comparative study could involve positive experiences of the living practices of the RtL in the countries where Sámi people live. Potentially, such research can reveal the ways to use the RtL as a tool for the Sámi language revitalization. Paper V provides the example of the template for the analysis of the legal provisions on the RtL that could be used in this comparative study. Also, the analysis reported in Paper VI could be used as a template for the analysis of the living practices of the RtL in this study.

The final proposal for the future research is to examine the RtL and its living practices in other Indigenous contexts existing in other legal traditions. This kind of work would expand the framework of this thesis to global issues on the RtL among Indigenous peoples. This could be especially interesting in the light of Ehrlich favouring British common law over European continental civil law. This common law tradition allows judges and lawyers to "bring elements of living law, while the latter system is highly codified and rigid" (Deflem, 2008, p. 91).

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Appendices

Appendix 1. Legal sources analysed in Papers III, IV, and V

International / Russian		Paper III	Paper IV	Paper V
International law	1. The UNESCO Convention Against Discrimination in Education			X
	2.The International Convention on the Elimination of All Forms of Racial Discrimination			X
	3.The International Covenant on Economic, Social and Cultural Rights			X
	4.The International Covenant on Civil and Political Rights			X
	5.The Convention on the Rights of the Child			X
	6. Convention N 169 Concerning Indigenous			X

	and Tribal Peoples in Independent Countries			
	7.The European Charter for Regional or Minority Languages			X
	8.The Framework Convention for the Protection of National Minorities			X
	9.The UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities			X
	10.The UN Declarations on the Rights of Indigenous Peoples			X
Russian law	1.Constitution of the RF	X	X	X
	2. FL of 30 April 1999 N 82-FL 'On Guarantees of the Rights of ISNPs of the RF'	X		X
	3. FL of 20 July 2000 N 104-FL 'On General Principles of Organization of ISNPs' Communities of the North, Siberia and the Far East of the RF'	X		
	4. FL of 7 May 2001 N 49-FL 'On Territories of Traditional Use of the Natural Habitat of	X		

	ISNPs of the North, Siberia and the Far East'			
	5. FL of 12 January 1996 N 7-FL 'Non-Commercial Organizations'	X		
	6. FL of 29 December 2012 N 273-FL 'On Education in the Russian Federation'		X	X
	7.Order of the Ministry of Education and Science of the RF N 373 of 6 October 2009 'On the Approval and Introducing into Legal Force of the Federal State Educational Standard for the Primary General Education'		X	
	8.Order of the Ministry of Education of the RF N 1312 of 9 March 2004 'On the Approval of the Federal Basic Curriculum and the Model for Educational Institutions in the RF'		X	
	9.Order of the Ministry of Education and Science of the RF N 1897 of 17 December 2010 'On the Enactment an Introduction into Legal Force of the Federal State Educational		X	

	Standard on the Basic General Education'			
	10.Order of the Ministry of Education and Science of the RF N 413 of 17 May 2012 'On the Approval and Introducing into Legal Force of the Federal State Educational Standard for the Secondary General Education'		X	
	11. FL 'On National-Cultural Autonomy'			X
	12. Law 'On the Languages of the Peoples of the RF'			X
	13. MO Law 'On State Support of the ISNPs of the North of the MO Carrying out Traditional Economic Activities'			X
	14. MO Law 'On Education in the MO'			X

FL is the abbreviation for Federal Law.

ISNPs is the abbreviation for Indigenous Small-Numbered Peoples.

MO is the abbreviation for the Murmansk Oblast.

RF is the abbreviation for the Russian Federation.

Appendix 2. Summary of the questions to the officials

1. a. Are you in a political, educational, or administrative position that is directly or indirectly connected to the Sámi language teaching in Russia?

b. Can you give a short description of how you are involved in such teaching (e.g. involved in the creation of steering documents or assessment tools, involved in planning the content of the curriculum, etc.)?

2. a. Do you know what rights Indigenous children have regarding their Indigenous language learning in school in Russia?

b. What legal documents do these rights are stipulated in?

3. Are these rights realized effectively? If not – why?

4. Are you aware of any challenges with the realization of the right of Sámi children to learn their language in school in Russia? If yes - please specify.

5. What is the current situation with the Sámi language teaching in Russia (i.e., is it taught as an obligatory/non-obligatory school subject? how many hours per week is it taught? are there any other aspects of the Sámi culture taught in school?)

6. Are you aware of any challenges regarding the teacher education and teacher training programs that train teachers of the Sámi languages in schools? If yes - please specify.

7. Are you aware of any challenges regarding teaching materials for the Sámi language classes?

8. How do you envisage the future of the Sámi language teaching in the Murmansk Oblast?

9. Do Sámi parents participate in decision-making processes regarding the Sámi language teaching?

10. Do you believe that the current situation with the Sámi language teaching in Russia creates conditions for the effective implementation of the rights of Sámi children to learn their language in school?

11. a. Do you feel that changes in the legislation and/or in the practice are necessary to improve the effectiveness of the implementation of the right of the Sámi children to learn their language in school?

b. If yes, what are the most urgent measures, in your opinion?

12. Are there any other factors (not related to law) that impact the implementation of the right of Sámi children to learn their language in school?

12. And finally, some questions about languages in school. Choose the option with which you agree the most.

	Yes	No	I don't know
1. It is important that Sámi children learn Sámi in school?	☐	☐	☐
2. It is important that Sámi children learn Russian in school?	☐	☐	☐
3. Russian is more important than Sámi.	☐	☐	☐
4. Sámi is more important than Russian.	☐	☐	☐
5. It is important that children become bilingual and can use both of their languages?	☐	☐	☐
6. In the areas where Sámi live, school instruction should be mainly given in Sámi?	☐	☐	☐
7. In the areas where Sámi live, school instruction should be mainly given in Russian?	☐	☐	☐
8. Sámi language classes/lessons are enough for Sámi children to learn their heritage language.	☐	☐	☐
9. Every Sámi child's right to the heritage language is protected and implemented in Russia.	☐	☐	☐

13. Other comments - here you can freely reflect on any issue having to do with the interview questions or any other issue related to the Sámi children's right to learn their language in school in Russia.

Examples of the additional questions to some politicians

1. Can you, please, inform about the program (programs) that provide(s) training for the future Sámi languages teachers at your university?

2. Can you, please, share the documentation regarding this program (these programs)?
3. What are the grounds for admission to this (these) program(s) (are there any quotas)?
4. How many scholarships are allocated for this program (these programs)?
5. What is the curriculum of this program (these programs)?
6. Do you experience any challenges related to this program (these programs)?
7. Is this program allocated enough resources for its effective implementation?
8. Does the program receive sufficient support from the state authorities? If not- what do you think is lacking?
9. Does this program exemplify effective implementation of the right of Sámi to learn their language?
10. What do you think are the future perspectives for this program?
11. Do you have any comments or feedback otherwise?

Appendix 3. Summary of the questions to practitioners

1. What Sámi language do you teach?
2. What grades do you teach the Sámi language in?
3. What grades have classes in the Sámi language (either obligatory or non-obligatory, or both)? What are the names of these classes?
4. How many hours per week are allocated to the Sámi language activity in different grades?
5. What is the language of instruction in the Sámi language activity where you teach?
6. Is the Sámi language activity accessible or (and) available for all applicants?
7. Is it manageable to attain educational outcomes (language competence) within the number of hours allocated for the Sámi language activity?
8. How do you assess the effectiveness of the legal regulations on the Sámi language teaching? Can you elaborate?
9. In your experience, is it possible to comply with all the legal requirements when it comes to the Sámi language teaching? If not- why?
10. Do you receive any support from the State authorities regarding the Sámi language teaching? Specify.
11. Do you receive any support from parents regarding the Sámi language teaching? Specify.
12. Do you think that children need to learn the Sámi language at school? Specify.
13. Do you think that all educational needs of children are met when it comes to the Sámi language teaching? Specify.
14. Do you need more support when it comes to the Sámi langue teaching (from parents, children, school administration, officials). If so- what kind of support?
15. What are the challenges in the Sámi language teaching in your school that hinder effective teaching?
16. Other comments - here you can freely reflect on any issue having to do with the interview questions or any other issue related to the Sámi children's right to learn their language in school in Russia.

Examples of some additional questions to practitioners

1. Can you, please, inform me about the program (programs) providing Sámi languages teaching at your University?
2. Can you, please, share the documentation regarding the program (programs)?

3. Do you have any knowledge on the legal framework for this program (these programs)? Can you elaborate?
4. What is your opinion on the effectiveness of this program (these programs)?
5. How many students are admitted to this program (in these programs)?
6. In your opinion, what motivates students to apply for this program (these programs)?
7. What do you know about job opportunities for the graduates of the program (programs)?
8. In your opinion , is (are) the program(s) allocated enough resources to function effectively?
9. In your opinion, what are advantages and disadvantages of the content of the current program (programs)?
10. What are the admission requirements to the program (programs)?
11. Other comments - here you can freely reflect on any issue having to do with the interview questions or any other issue related to the Sámi children's right to learn their language in school in Russia.

Appendix 4. Summary of the questions to receivers

1. How old is your child?
2. What grade does he (she) attend?
3. Did the child learn the Sámi language before starting at school?
4. Did the child speak Sámi before starting at school?
5. Did the child speak other (non-Russian) languages before school?
6. Is Sámi the main language of instruction in your child's school? If not, then what is the main language of instruction?
7. What Sámi language does the child learn?
8. Is the Sámi language an obligatory subject in school? How many times (and hours) per week is it taught?
9. What is the name of the subject?
10. Are there any other school subjects where the child gets knowledge of the Sámi language?
11. In what grade did your child start attending the Sámi language educational activity (es) in school?
12. Did your child face any challenges to be admitted to the Sámi educational activity (es) in school?
13. Have you always supported the idea of your child attending the Sámi language educational activity (es)? If not- why?
14. Has your child always wanted to learn the Sámi language? If not- why?
15. How would you evaluate the competence of your child in the Sámi language? (from 0 to 5 where 0 is the absence of competence and 5 is the highest competence, or you can describe the child's language skills in your own words).
16. Does your child wish to learn the Sámi language now and in the future? If not-why?
17. Would you prefer your child to continue learning the Sámi language once the child completes the Sámi language educational activity?
18. Do you believe that the amount of the Sámi language teaching in school is sufficient for the child's proper Sámi language competence?
19. Do teachers, the school principal or representatives of school administration ask for your support regarding the Sámi language teaching?
20. Are you aware what rights your child is entitled with by law regarding the Sámi language learning? Can you specify?
21. Are the rights of your child regarding Sámi language learning effectuated in the child's school?
22. Do you see any need to improve the Sámi language teaching in the child's school? If yes- specify.
23. Do you feel that Sámi classes sustain the realization of the right to own language?

24. Do you feel that the Sámi language learning in school has a positive effect on your child's language development? If not, explain why.

25. Other comments - here you can freely reflect on any issue having to do with the interview questions or any other issue related to the Sámi children's right to learn their language in school in Russia.

26. To sum up, I would like to suggest you some statements for your evaluation based on your experience.

The statement	I agree	I disagree	No opinion
Sámi language is important for me.	☐	☐	☐
Russian/Swedish is more important than Sámi.	☐	☐	☐
Sámi language is useful.	☐	☐	☐
I use Sámi language in my everyday life.	☐	☐	☐
I use Sámi more often than Russian.	☐	☐	☐
I use Russian in my everyday life.	☐	☐	☐
Russian is more useful than Sámi.	☐	☐	☐
I use Russian more often than Sámi.	☐	☐	☐
I would like to learn more Sámi myself.	☐	☐	☐
I encourage my child to learn Sámi.	☐	☐	☐
I can speak Sámi.	☐	☐	☐
I can read Sámi.	☐	☐	☐

I can write Sámi.	☐	☐	☐
I understand spoken Sámi.	☐	☐	☐
I feel connected to Sámi language and culture.	☐	☐	☐
Learning Sámi in school is important.	☐	☐	☐
I believe that my child will be able to pass Sámi over to the next generation.	☐	☐	☐

Examples of additional questions to receivers

1. Please, tell about yourself.
2. What are you studying?
3. Did you learn Sámi before the admission to the university? (kindergarten with Sámi language learning, Sámi language at home)
4. Did you speak Sámi before starting at the university?
5. Did you speak other (non-Russian) languages before starting at the university?
6. Please inform me about your university program.
7. Is Sámi the main language of instruction in your program? If not, what is the main language of instruction?
8. What Sámi language do you study?
9. Is the Sámi language an obligatory subject in your program? How many times (hours per week) in total are allocated for the subject?
10. What is the name of the subject?
11. Are there any other university subjects where you study the Sámi language?
12. What was your motivation to choose this program?
13. What were the admission criteria to this program?
14. Do you know the requirements to receive quota to your program? If so- what are the requirements?
15. What are your plans after graduation?
16. Are you aware of any challenges to be admitted to your program?
17. Can everybody be admitted to this program (on competitive grounds)?
18. Have you always had a positive attitude towards the Sámi language learning? If not- why?

19. How would you evaluate your competence in the Sámi language? (from 0 to 5 where 0 is the absence of competence and 5 is the highest competence).
20. Do you think that the amount of Sámi teaching in your program is sufficient for your proper Sámi language skills?
21. Do teachers seek your help when teaching the Sámi language?
22. Do you plan your teaching internship in the Murmansk Oblast?
23. Are you aware of your legally enshrined rights for the Sámi language learning? Can you specify?
24. How would you estimate implementation of your Sámi language learning rights at your university?
25. In your opinion, is there any room for improvement when it comes to the Sámi language teaching at your university? If yes- specify.
26. Do you experience that the Sámi language classes contribute to the implementation of your right to your own language?
27. Do you experience that the Sámi language education impacts your progress in language learning positively? Can you elaborate?
28. Do you have other comments or feedback? Other comments - here you can freely reflect on any issue having to do with the interview questions or any other issue related to Sámi children's right to learn their language in school in Russia.

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