

A history of organized persecution and conservation of wildlife: species categorizations in Finnish legislation from medieval times to 1923

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Appendix

The development of animal categorizations in the 1898 Imperial Hunting Decree derived from the documentation that preceded the enactment. Proposals of 1881, 1888 and 1894 did not gain enough support in the Parliament. In 1896 the Senate invited an expert committee to prepare legislative reform on hunting, and based on its report (Committee Report, 1896) a new hunting law was formulated in 1896–1897, which took effect in 1898.

Legislative proposal, 1881 The 1868 law was deemed insufficient, and the Finnish Hunting Association submitted a private bill to the four estates. Proposal adds ‘snipes’ to useful game, and otter, hobby, buzzard, raven, hooded crow, magpie, and jay, to pests of 1868 Decree.

Committee report, 1882 Report contains improvements made by the Law and Economy Committee to the proposal above. The Committee put eggs and nestlings of ‘song birds’ under protection, and extends the pest list with Siberian jay. Vagueness of the term ‘song birds’ was criticized in a written protest supplemented in the report.

Legislative proposal, 1888 Similar process as in 1881–82. Initiative for the proposal came from hunters, and the proposal itself was made by the nobility. Additions to 1868 species lists as in the 1881–82 process, plus females of goldeneye and mergansers to useful species, and shrikes to pests. Golden plover and woodcock were deleted from useful species as they were considered to be only marginal game.

Committee report, 1888 The Law and Economy Committee made and reported improvements to the 1888 proposal. Changes in animal classifications: females of eider added to useful game, and skuas and great black-backed gull to the pest list. Buzzard was known to prey mostly on rodents and was thus considered to be beneficial rather than a pest and was therefore removed from the pest category.

Legislative proposal, 1894 Proposal was given by all four Estates. It dealt particularly with extensions of the closed season for certain game. Regarding animal categorization, the proposal included all ‘snipes’ as useful species, similarly to the 1881 proposal.

Legislative petition, 1894 The petition pleaded for appointment of a committee to prepare legislative reform on hunting. In addition to the species or groups mentioned in the 1868 Decree, it recommended inclusion of ermine, hawk owl, raven and hooded crow on the pest list.

Committee report, 1896 The report given by an expert committee was a thorough inspection of hunting and game management conditions in late 19th century Finland. The report also included a proposal for a new decree. The Committee rejected the 1868 categorization of animal species, because the categories (other than pests) lacked any legal consequences, and were thus pointless. The term ‘useful creatures’ was replaced with ‘protected creatures’. In its report the Committee also described the logic behind species categorizations; in addition to the fact that game species with nutritional value have always had a self-evident position in the useful/protected category, they listed ‘small birds’ worth protecting as a group because of their ‘important role in nature’s household’. The protection did not apply to the house sparrow as it was considered to be an agricultural pest. Otherwise the pest category included all species that were considered to have a net detrimental effect (damage greater than positive ecological effects) on game populations or fisheries. In terms of the same principle the Committee also removed pest status from many rodent predators (ermine, kestrel, buzzard, hawk owl, snowy owl) as their net effect was judged to be positive even though they sometimes harassed useful game. In the report the list of species with seasonal or year-round protection was almost identical to the final inventory in the 1898 Decree, and the extensive list of pests was a close match to the final text of the law text. The report criticized the 1868 protection of eggs and nestlings of all species of seabirds and waterfowl, because this also protected the nests of certain pest bird such as gulls and skuas.

Legislative proposal, 1897a The Government's proposal echoed the 1896 Committee's categorizations without any substantial modifications. Year-round protection for woodpecker species and cuckoo was suggested for the first time in this document, but without justification. Total protection for all species of thrushes except fieldfare was proposed.

Committee report, 1897 From the pest list formulated in 1896 and updated in 1897 the Law and Economy Committee removed herring gull *Larus argentatus*, red-backed shrike *Lanius collurio* and great grey shrike *Lanius excubitor* because they were assumed to cause only minor harm. On the other hand, the two previous documents had listed seven raptor species (goshawk, sparrowhawk, hen harrier *Circus cyaneus*, gyrfalcon *Falco rusticolus*, peregrine falcon *Falco peregrinus*, hobby, merlin *Falco columbarius*), but this report again took a conservative stance by condemning 'all hawks and falcons'. The logic was that there was too great a danger that a harmful raptor could often escape from its persecutor if it was misidentified as a less harmful species. The justification to revoke the protection of thrushes was that it was too difficult to distinguish between species. Protection during the breeding season was, however, suggested. Shooting waxwings for food had been fairly common, but here the species was included in the totally protected 'small birds' category. Corncrake was listed among game birds.

Legislative proposal, 1897b After an intense parliamentary debate over the 1897 report the Law and Economy Committee proposed improvements on the draft. In terms of animal categorizations the protection status of ermine, badger *Meles meles*, kestrel, herring gull, shrikes and waxwing was subject to continuous controversy.

Response of the Four Estates, 1897 In their response the Four Estates brought the debate to an end and put out a proposal, from which the animal categorizations became the 1898 Imperial Hunting Decree.