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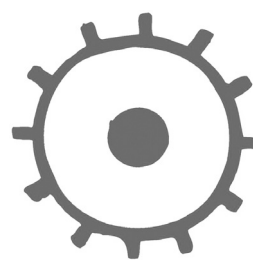
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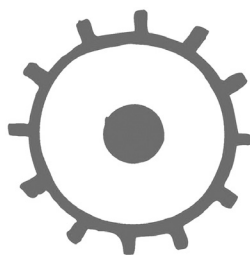
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About JASS

The Journal of Autonomy and Security Studies (JASS) is a peer-reviewed, open access e-journal published by the Åland Islands Peace Institute (AIPI), Mariehamn, Åland, Finland. The journal addresses its overarching theme of peace and security from the perspectives of autonomy, demilitarisation, and minority protection.

Each issue of JASS will include scholarly articles that in some way deal with the subjects mentioned above. Before being accepted, all articles have been subject to a double-blind peer-review process. JASS issues may also include other types of contributions such as research notes, book reviews, and information on pending conferences. JASS is normally published twice a year – in the late spring and late autumn. As of August 2020, JASS is included in the Directory of Open Access Journals (DOAJ), see www.doaj.org.

The editorial board invites articles and other contributions to JASS via the email address submissions@jass.ax and looks forward to proposals on articles, thematic issues, and other suggestions to make JASS a relevant and accessible scholarly journal in its field. It is appreciated if manuscripts sent to us have undergone language editing.



Foreword

As citizens, with different backgrounds and identities, and as members of anything from modern interest groups to historic communities, to what extent should we allow states, global networks, and international organisations to regulate, guide, and control our lives?

The question is classic, and without a fixed answer.

When some hitherto non-regulated aspects of life become regulated by some type of external forces it is often said that they become politicised – or securitised, monetised, or – maybe more recently – medicalised.

Autonomous regions sometimes experience such a development due to the autonomy-based capacity to regulate life in more detail than state-level decision-making or legislation normally allows. Obviously, this can – or maybe should – be seen as a mechanism of protection, and not necessarily of regulation for its own sake.

Be that as it may, in this issue of Journal of Autonomy and Security Studies (JASS) we will be acquainted with the politicisation of travel as an international activity, of the external and internal application of conditions for daily life in Ålandic communities, and of the application of different perspectives regarding autonomy within a national security policy. In all three cases the external imposes itself upon the individual and upon the local – i.e. the two levels of existence for which autonomy vs imposition is the most critical balancing act.

Besides the direct content of any one article, common links of the articles – such as those indicated above – give the JASS reading an extra dimension and add to our reflection of the global state of affairs. This seems of particular importance to note during 2020, which, in a sad way, has put the relation between the global and the local at the center of virtually any action and human initiative for a long time.

Autonomy and security will therefore also in the future be very relevant concepts for understanding global relations and local politics. JASS is one of only a few platforms dedicated to analysis and discussion centered around these concepts. You are most welcome to send your contributions – such as articles, comments, or research notes – to bring forward our common knowledge development process in these matters!

Kjell-Åke Nordquist
Editor-in-Chief

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and the Demilitarisation of the Åland Islands

Saila Heinikoski

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Abstract

This article analyses foreign and defence policy arguments in the Finnish parliamentary discourses after Finland's EU accession (2004–2017) related to the concepts of *military non-alliance*, *non-membership of a military alliance*, *as well as demilitarisation and neutralisation of the Åland Islands*. It examines how foreign policy and defence policy perspectives differ in the parliamentary debates and committee reports on the concepts. Finnish security policy has seen a gradual shift since the 1990s from *neutrality policy* through *military non-alliance* to the current *non-membership of a military alliance*. In contrast, the acknowledgement of the *demilitarised and neutralised* status of the Åland Islands appears to remain extensive despite some critical comments from defence policy actors. The foreign policy approach emphasises a positive instrumental approach and acknowledgement of the concepts, whilst the defence policy approach views the concepts with either acknowledgment or as negative instruments allegedly hampering defence preparation.

Keywords

European Union; Finland; foreign policy; non-alliance; Åland Islands; international law

About the author: Dr Saila Heinikoski works as a Senior Research Fellow in the European Union Research Programme at the Finnish Institute of International Affairs. The original version of the article was drafted when Heinikoski was working in the project “Demilitarisation in an increasingly militarised world”, funded by the Kone Foundation. In addition to numerous peer-reviewed articles on different aspects of European integration, Heinikoski has co-authored, with Sia Spilopoulou Åkermark and Pirjo Kleemola-Juntunen, the book *Demilitarization and International Law in Context* (Routledge, 2018)

Introduction

This article tests the previous claim that in contrast to norm-emphasising foreign policy actors, defence policy actors tend to focus on strategic culture, which pays little attention to international commitments (Dewitt 2015). Whilst David B. Dewitt analysed the approaches of foreign and defence policy ministries towards the concept of human security in Canada, this article reviews the approaches in the Finnish Parliament towards the Finnish post-neutrality policy and towards the demilitarisation regime concerning the Åland Islands, a group of islands located in the Finnish Archipelago Sea. The article differentiates between foreign policy and defence policy approaches on the basis of whether the ministers and parliamentary committees represent foreign affairs or defence policy.

The security concepts analysed in the article include military non-alliance, non-membership of a military alliance, as well as demilitarisation and neutralisation. The former concepts have been used to define the Finnish security policy stances after abandoning the Cold War neutrality policy. Indeed, from the 1990s Finland has reformulated the policy into looser stances referring to non-membership in NATO. The demilitarisation and neutralisation of the Åland Islands, in turn, refers to the ban originating from the multilateral 1856 and 1921 conventions not to have any military personnel or equipment in the islands during peacetime (demilitarisation) or using the islands for war purposes during wartime (neutralisation). What is common to all the analysed concepts is that certain politicians have proposed changing both the foreign policy stances and the demilitarisation regime. The calls to restrict demilitarisation seem to mainly come from the defence actors, such as from the Finnish Defence Minister in office in 2015–2019 (e.g. Ykkösaamu 2016). Such calls rely on the claim that the Åland Islands are strategically important and thus vulnerable to an attack by e.g. so-called “green men”. However, the Foreign Minister of the time representing the same Finns party as the Defence Minister defended the existence of the regime. This article analysed the questions to what extent can we observe differences in the defence and foreign policy approaches regarding arrangements restricting military activities, and what could explain them.

During the Cold War, Finland tried to remain out of the bipolar tensions by following a self-declared policy of neutrality, which meant that Finland did not officially take sides in the superpower rivalry (see e.g. Rainio-Niemi 2014). The end of the Cold War, in turn, was a “critical juncture” for Finland, whereby Finland sought to integrate into the European Union while simultaneously at least rhetorically giving up the Cold War period neutrality policy. Where the two have appeared controversial, it is neutrality that has had to adapt to the European environment: neutrality has been first formulated as military non-alliance and later as non-membership of a military alliance. In contrast, the case of the demilitarised and neutralised Åland Islands illustrates that the rhetoric is more stable when

the “institution” is based on multilateral legal agreements. However, instead of looking at the history of neutrality and non-alignment, this article aims at analysing still ongoing debates from the perspectives of foreign and defence policy approaches, which brings a new angle to the literature.

Another new aspect of the article is the comparison between the security policy concepts and the demilitarisation regime. The security policy concepts are important, since they reveal approaches towards foreign policy in issues such as restrictions on the use of military force as well as in transnational security arrangements, but it should be noted that Finnish security policy stances and the legal status of the Åland Islands are not directly related or dependent on each other. However, it is of interest to analyse security policy stances together with the demilitarisation regime, as both aim at restricting the use of military force, former with self-declared and the latter with multilaterally agreed arrangements. The analysed concepts are also relevant in the security policy debates in Finland. The security policy stances have been reformulated in the process of integrating into the EU. Although the demilitarisation of the Åland Islands is not a crucial part of security policy, it has also always been discussed while the government has presented its white papers on security and defence. The islands were demilitarised even before Finland became independent, which testifies to the permanence of the regime. In contrast to the self-imposed constraints in foreign policy, the international legal constraints are obviously much more binding. There are no similar comparative studies related to these security policy concepts relevant in the Finnish case, and this article aims to fill this gap while illustrating that there is no uniform view on the stances. A further justification for this study relates to the fact that the latest security policy stance introduced in 2007 and the impact of the deepening defence cooperation in the EU have not been analysed from a conceptual perspective, if barely at all.

It should be remembered that the demilitarisation and neutralisation of the Åland Islands stems from much further back than the Finnish policy of neutrality (or Finnish independence), which was only adopted as a pragmatic choice during the Cold War (see e.g. Palosaari, 2011). This may explain why it was relatively easy to give up neutrality in Finland when compared to other so-called post-neutral EU member states that can no longer be considered neutral in the traditional sense (Ojanen, 2003). Finland has never had any security policy stances stipulated in its constitution, making it different from e.g. Austria with its post-war neutrality provision in its constitution (Liebhart, 2003). As a clear deviation from previous neutrality, the Finnish Constitution that entered into force in 2000 reflects the Finnish commitment to the West European value community and positions Finland as part of the West.

For Finland, military non-alliance was a principle adopted around EU accession, but *liittoutumattomuus* (*alliansfrihet* in Swedish) is translated, depending on the context, as either non-alignment or non-alliance in English. Despite the deliberate strategy to choose a specific term in English and to frame it in a way that does not spur negative connotations, non-alignment and non-alliance can be interpreted to have, in the Finnish case, roughly the same meaning.

Previous academic studies on Finnish security policy concepts in the EU era mainly focus on narrative or loose discourse analytical methodology (e.g. Browning, 2008; Jokela, 2010; Palosaari, 2011), while here the focus is more on the actual concepts and different approaches to Finnish security policy. In his book, Christopher S. Browning (2008) was interested in the evolution of the Finnish identity of Finland in the context of historical narratives constructed in scholarly literature, whereas Teemu Palosaari (2011, 2013) has analysed the Europeanisation of Finnish foreign and security policies, arguing that Finland has both adapted to and actively influenced European foreign and security policies. The Europeanisation of Finnish security policy and related discourses have also been touched upon in other research, but without a particular focus on concepts (Rieker, 2006; Ojanen et al., 2000). The most similar approach to the one adopted in this study was in Juha Jokela's (2010) study on Finnish and British foreign policies from 1995 to 2001, wherein he was interested, *inter alia*, in the Finnish concepts of neutrality and non-alignment, arguing that it was the EU that facilitated the move into non-alignment.

In the following sections, I discuss the Finnish debates on the above-mentioned concepts. After outlining my methods and empirical material, I discuss foreign and defence policy debates on military non-alliance, non-membership of a military alliance as well as demilitarisation and neutralisation. Finally, I draw conclusions on how the security policy concepts are discussed in terms of foreign and defence policy approaches.

2. Methods and empirical material

While analysing the potential clash between foreign and defence policies (Dewitt, 2015), this article does not aim to describe “what happened” through the debates, but rather to analyse how the three security policy concepts (military non-alliance, non-membership of a military alliance, as well as demilitarisation and neutralisation) have been discussed once they have been adopted. I do subscribe to the views presented in the previous studies and consider that the Finnish foreign policy has become Europeanised to a large extent (e.g. Palosaari, 2011), the most obvious demonstrations of which are the reformulation of the neutrality policy into “non-membership of a military alliance”, as well as the commitment

to mutual assistance and Permanent Structured Cooperation. One of the explaining factors between the different foreign and defence policy approaches may originate from the different strategic cultures that the actors are socialised in. Previous studies have found, for example, differences in cosmopolitanism and defencism in the Danish strategic culture, cosmopolitanism emphasising international cooperation and defencism emphasising national defence (Rasmussen, 2005). Similar tendencies can be found between the cosmopolitan-oriented foreign policy approach and the defence-oriented defence policy approach outlined in the following sections.

The empirical material of the article consists of government reports and parliamentary documents and debates, as well as statements by the Defence and Foreign Ministers regarding the stances in the Finnish media. Since 1995, the government has issued Government Reports on Security and Defence Policy to the parliament. The empirical material of this article consists of all white papers during 1995–2017, varying from 45 to more than 100 pages, parliamentary debates related to the papers, as well as foreign affairs and defence committee reports on the white papers. The white papers are published roughly every four years and are prepared mainly by the Prime Minister's Office, the Ministry for Foreign Affairs, the Defence Ministry, the Ministry for Interior Affairs, and the President of the Republic, while consulting a parliamentary monitoring group (since 2004). In the parliamentary process of the white papers, the paper is sent to either defence or foreign affairs committee for report, and before submitting the report the other committee (and possibly also some other committees) provides a statement to the primary committee. The choice of the primary committee is also important to observe, as we are interested in the emphasis put on defence or foreign policy aspects.

In addition to the white papers and committee reports and statements, I also categorised how the three concepts were utilised in parliamentary debates, particularly by defence and foreign affairs ministers and by the representatives of the defence and foreign affairs committees. After locating the relevant concepts in the white papers, committee documents and plenary minutes, I intensively read the contexts in which they were used in order to gain a general picture on the debates. In my categorisation, the foreign policy approach was represented by speakers from the foreign ministry and the foreign affairs committee, whilst the defence policy approach originated from the defence ministry and the defence committee.

As shown in Table 1, I look at what sorts of claims have been made in order to change the neutrality policy, military non-alliance, and the demilitarisation of the Åland Islands. The concept of an external shock as a potential change agent has been borrowed from institutionalist literature, referring to changes occurring in the surrounding environment (e.g. Cini 2014). As a result of gathering the debates on the different concepts, two wide

categories emerged: I have categorised the approaches based on whether they acknowledge the concept in question or whether they view it as an instrument that can be used for certain purposes. Furthermore, both views were utilised in either negative or positive light; whether the acknowledgement of an issue views the issue as negative or positive, or whether an instrument is seen as a beneficial one or as producing negative effects by e.g. hampering defence preparation. Before outlining the results of the analysis in the next sections, the following table introduces the main concepts of the article and the observed approaches towards them.

Table 1. Finnish change of security policy concepts

Concept	External shock as a potential change agent	Government stance	Foreign policy approach	Defence policy approach
Military non-alliance	EU membership	Neutrality reformulated as military non-alliance	Positive instrument	Negative acknowledgement
Non-membership of a military alliance	Mutual assistance and solidarity clauses of the EU	Non-alliance reformulated as “not a member of a military alliance”	Positive acknowledgement	Positive acknowledgement
Demilitarisation and neutralisation	Deterioration of the security environment in the Baltic Sea	Assurance that Finland sticks to its commitments	Positive acknowledgement	Negative instrument

3. From neutrality to military non-alliance – foreign policy approach and positive instrumentality

Neutrality policy was a central and instrumental piece of Finnish foreign policy during the Cold War, but officially dismantled as Finland was about to join the European Union. As argued by Teemu Palosaari, neutrality was a way to show to the world that Finland was an independent state, although bound by the Friendship, Cooperation and Mutual Assistance (FCMA) Treaty with the Soviet Union (Palosaari, 2013b, p. 360). Neutrality was perceived as a way for Finland to economically align with the West during the Cold War, but had to be abandoned while becoming a full-fledged member of the European Union. Some sort of continuity was, however, maintained through replacing neutrality with military non-alliance.

In 1994, Finnish government politicians decided to define the stance as “militarily non-allied” in English. According to a former diplomat Hannu Himanen, choosing the English term “non-allied” related to the contaminated nature of “non-aligned” due to the Non-Aligned Movement (Himanen, 2003, pp. 25–26). Non-alliance was perceived as enabling Finnish participation in the European Union without emanating suspicions about the contents of the stance (Finnish Government, 1994).

In the 1990s, the defence policy approach seemed to consider non-alliance a constraint for defence preparation, whilst the foreign policy approach emphasised it as part of a foreign policy identity. The new military non-alliance stance was particularly discussed in the parliament in relation to the first Government Reports on Finnish Security and Defence Policy of 1995 and 1997. The common thread in the reports was that military non-alliance was not seen to place any restrictions on Finland in its EU policies. In the 1995 report, military non-alliance was argued *not* to constrain Finland from pursuing Finland’s EU membership aims, delivering on commitments, participating in Common Foreign and Security Policy, and in international crisis management (Prime Minister’s Office Finland, 1995). At this point, neutrality was still referred to in the debates, but most politicians had already acknowledged the new stance (Finnish Parliament, 1995). Most politicians discussed the Cold War policies in a positive tone but emphasised that the juxtaposition of the Cold War had ended, due to which new policies had to be adopted. Some politicians still referred to Finland as neutral, such as foreign minister Halonen (SDP): “neutral countries – I have already listed them here: Finland, Sweden, Austria, possibly Ireland. I think the possibility of these countries to demonstrate their significance also in the EU and Western Europe is rather good at the moment” (Finnish Parliament, 1995, pp. 2331–2332). The foreign minister thus assimilated Finland with other neutral countries. Defence minister Taina (National Coalition Party), in turn, stated that “we are a militarily non-allied country, which has been stated many times in the white paper” (Finnish Parliament,

1995, p. 2307). The report on the white paper had been discussed in the parliamentary committee for foreign affairs, which implies that the report was mainly seen as a foreign policy issue. The committee reports discussed, *inter alia*, how military non-alliance was compatible with crisis management operations, a field that became much more visible in the politics of the 1990s. The Defence Committee opposed the government proposal on rapid deployment forces, claiming that Finland may lose its leeway in traditional crisis management operations (Finnish Parliament Defence Committee 1995). The Foreign Affairs Committee, in turn, emphasised continuity with the role of a military non-allied state by stating that “the committee considers the use of civilian staff as a particularly suitable participation method for a military non-allied country” (Finnish Parliament Committee for Foreign Affairs 1995, p. 16). The foreign policy stance reflects military non-alliance as part of a positive instrument for foreign policy identity, whilst defence policy put more emphasis on negative acknowledgement of being incompatible with rapid deployment forces.

Similar approaches could be observed also in the debates concerning the subsequent 1997 report, where military non-alliance was seen as an either-or defence solution: “a defence solution may be based either on military alliance or non-alliance” (Prime Minister’s Office Finland, 1997, p. 47). In the debate on the report, the Finnish stance of military non-alliance appeared incompatible with certain choices (negative acknowledgement), as the Defence Minister Taina (Coalition Party) put it: “because our stance is military non-alliance, we cannot support the integration of WEU” (Finnish Parliament, 1997, p. 2392). Finland was thus officially against the integration of the Western European Union (WEU), a European military alliance, into the European Union. In this case, too, the Foreign Affairs Committee provided a report, which considered that military alliance and credible defence constitute the security policy line, presenting the concept as a positive instrument. The Defence Committee, in turn, stated that “military non-alliance puts high demands for Finnish defence ability” (Finnish Parliament Defence Committee, 1997).

The 2001 white paper, in contrast, received a report from the Defence Committee, with a statement from the Foreign Affairs Committee. It was Defence Minister Enestam (SP) who presented the report in the preliminary debate, declared that “credible national defence ability adapted to the security environment is also a prerequisite for Finnish military non-alliance” (Finnish Parliament, 2001). By the new millennium, the security and defence policy reports had become more defence-oriented and the foreign minister was not even present at the preliminary debate. The Defence Committee stated in its report that “the Defence Committee emphasises that acts related to the reception of assistance must be in compliance with military non-alliance” (Finnish Parliament Defence Committee, 2001), thus presenting a negative acknowledgement that may be incompatible with certain

choices. The Foreign Affairs Committee, in turn, proposed that the 2004 white paper should assess the significance of military non-alliance in a changing security environment, thus suggesting the instrumental nature of the stance that can be changed (Finnish Parliament Committee for Foreign Affairs, 2001).

From the foreign policy perspective, military non-alliance often appeared as a foreign policy instrument enabling leeway in external policies (see also Ojanen et al., 2000, p. 248). This was also stated in 1997 by the Finnish Foreign Minister of the time, Tarja Halonen (SDP), together with her Swedish counterpart: “non-alliance is an instrument, not a goal as such” (Hjelm-Wallén & Halonen, 1997). Finland and Sweden had joined the European Union two years earlier with Austria, and non-alliance was thus presented as something that is not a necessary element of Finnish security policy.

Finland in the country group opposing deeper European defence cooperation

In the European Union, neutrality and non-alliance were particularly discussed topics when the constitutional treaty and later the Lisbon Treaty, including the mutual assistance provision, were drafted. The Lisbon Treaty constituted, effectively, a merger of the EU and the military alliance WEU, which Finland opposed, as visible also in the comment of Defence Minister Taina above. In the EU’s treaty negotiations concerning the assistance clauses, the militarily non-aligned Member States (Finland, Sweden, Austria, Ireland) convened and proposed that the mutual assistance clause be reformulated in the form that Member States “may request” aid rather than states being obligated to provide aid (Ojanen, 2005, p. 410). They issued a letter to the President of the Council of the European Union stating that “formal binding” would not be compatible with the security policies of these countries (Conference of the Representatives of the Governments of the Member States 2003). Eventually, the mutual assistance clause (42(7)) of the Treaty on European Union was complemented with a provision that “[t]his shall not prejudice the specific character of the security and defence policy of certain Member States”. The problems with regard to the treaty were brought up particularly by the Irish politicians in their assurances of maintaining their policy of military neutrality (Devine, 2011, p. 354), and a Protocol on the concerns of the Irish people was also appended to the treaty. The Protocol stated that the CSDP “does not prejudice the security and defence policy of each Member State, including Ireland, or the obligations of any Member State” (Protocol on the concerns of the Irish people on the Treaty of Lisbon, 2013). Although these aspects illustrate that non-alliance concerns were taken into account, it has been important for Finnish politicians to assure that non-alliance does not constrain the Finnish leeway in the EU.

The Government Report of 2004 again described Finland developing “its defence capability as a militarily non-allied country”, whilst Sweden was mentioned as a non-

aligned country (Prime Minister's Office Finland, 2004). The debate did not draw parallels with Sweden, but focused on whether the role of NATO had become more positive as a crisis management organisation after the Cold War (Finnish Parliament, 2004). It was again the Defence Committee that drafted a report on the white paper, which regarded that military defence should be organised and developed from the perspective of Finland as a militarily non-allied country (Finnish Parliament Defence Committee, 2004). In contrast, the Foreign Affairs Committee criticised the fact that "the white paper does not specifically assess different interpretations of the dimension of [EU] security guarantees for militarily non-allied states" (Finnish Parliament Committee for Foreign Affairs, 2004, p. 11). The defence approach considered thus in the negative acknowledgement vein that defence should be organised in line with a military alliance, whereas the Foreign Affairs Committee suggested that potential EU security guarantees could have an impact on the stance, seeing it as an instrument that can be amended. In this first period we can see how the emphasis shifted from a foreign policy approach to the defence policy approach, and towards a negative acknowledgement of military non-alliance that should be adapted to defence needs.

4. From non-alliance to non-membership of a military alliance – defence approach assuming a larger role with positive acknowledgement

Since 2007, the foreign policy stance introduced by the Finnish Government is *sotilasliittoon kuulumaton* (*tillhör ingen militär allians*), that is, not a member of a military alliance. With the already formulated mutual assistance and solidarity clauses in the EU, the 2007 government in Finland wanted to further narrow down the concept of non-alliance, perhaps in order not to give the impression of having constraints in its European policies. Between 2007 and 2017, the National Coalition Party, with a rather positive approach towards NATO, has always been in the government (dominant party in 2011–2015), which may contribute to the discourse focusing more on possible NATO membership than on participation in EU defence. In their Government Programme, the 2007 government decided to describe Finland's position as *sotilasliittoon kuulumaton*, not belonging to any military alliance (Finnish Government, 2007, p. 9). However, not even the government of the time utilised the new concept consistently, but non-alliance was still present in the discussions. The non-membership stance has effectively no other connotations than not being a NATO member, and it also allows Finland's closer military cooperation in the EU. In line with seeing the stance as an instrument, the Finnish national stance was adapted to the changing environment by replacing military non-alliance with a description of the state of affairs, which poses no policy constraints and can thus be more easily abolished

altogether. This is probably the farthest that Finland can move while maintaining some continuity.

Even after the decision to reformulate the stance, military non-alliance appeared in government papers, and the 2007 Government Program itself called for an assessment of the effects of “military alliance and military non-alliance” (Finnish Government, 2007, p. 8). “Military non-alliance” thus seemed to be used in two different ways: one related to the Finnish foreign policy stance in general, and the other related to not being a member of NATO.

To gain an insight into the debates after introducing the stance of “not a member of a military alliance”, I went through references to neutrality, non-alliance and non-membership in the parliamentary debates in the 2007 Government Program and in the 2009–2017 Government Reports, that is, after the concept changed. As can be seen in the table below, both concepts seemed to have almost an identical role in the discourses, which implies that the politicians did not consider the foreign policy stance to have really changed, unlike when dismantling neutrality. Sometimes, neutrality appeared in the debates as a past policy, which some parties longed for and other parties considered a former policy with no real contents. The main concerns for the revised formulation came from the left-wing parties, particularly the Left Alliance, worrying about eventual closer relations with NATO. As the table below shows, members of the same parties utilise different terms, and there was little consistency inside the parties.

Table 2. Views related to military non-alliance or “not a member of a military alliance” in parliamentary debates on security and defence from 2007 to 2017.

Military non-alliance valid	Non-membership of an alliance valid
<ul style="list-style-type: none"> • increases security (Left Alliance) • not a precondition for stability (SFP) • complements national defence (Finns) • cannot rely on external aid (Centre) • ESDP narrows down, but exists (SDP) • to stay outside military contexts (SDP) • mediating capacity in the Arctic Council (Left Alliance) 	<ul style="list-style-type: none"> • has served our security well (Centre) • continuing non-membership (Christian Democrats) • improves possibility to stay outside military conflicts (Left Alliance) • requires security guarantees from the EU (National Coalition Party) • EU countries are allies (National Coalition Party)

Defence and security policy approaches seemed to positively acknowledge the new stance. Unlike in 2001 and 2004, the 2009 white paper was this time sent to the Foreign Affairs Committee for report. Both the Foreign Affairs and Defence Committees repeated the restrictions posed by the non-membership stance: “As a country that is not a member of a military alliance, Finland does not utilise external military assistance as the basis for military planning” (Finnish Parliament Committee for Foreign Affairs, 2009, p. 9; Finnish Parliament Defence Committee, 2009, p. 35). It seems that after the stance had changed politicians no longer considered that the stance had to be explained – Finland simply is not a member of any military alliances and thus cannot count on external aid.

The concept of non-alignment appeared in the translation of the 2012 report, although the Finnish-language non-membership term (*sotilasliittoon kuulumaton*) remained the same. It was also assured that no impediments should exist for possible alignment (Prime Minister’s Office Finland, 2013, p. 78). The 2012 white paper was again sent to the Foreign Affairs Committee for report, and both the Foreign and Defence Committees stated that “as a country that is not a member of a military alliance, Finland still sets high demands for military security of supply” (Finnish Parliament Foreign Affairs Committee, 2013, p. 20; Finnish Parliament Defence Committee, 2013, p. 11). The only difference was that the Foreign Affairs Committee had deleted the word “exceptionally” before “high demands” from the formulation of the Defence Committee. As in 2009, we see that the two stances appeared very consistent, reflecting a positive acknowledgement of the stance. It seems that the differences between foreign and defence policy approaches in terms of the security policy stance have become minor after 2007, perhaps also because the foreign policy approach dominated the debate, the Foreign Affairs Committee being the primary committee.

New government promotes EU defence cooperation and is more open towards NATO

Despite its non-membership stance, Finland became an active promoter of EU defence cooperation (especially Permanent Structured Cooperation) along with the 2015 centre-right government. The government also seemed to want to provide more emphasis on the defence policy part and decided to issue separate foreign and security as well as defence policy reports. The 2016 Government Report on Finnish Foreign and Security Policy unanimously stated that “Finland is a country which does not belong to any military alliance”, but “maintains the option to seek membership” (Prime Minister’s Office Finland, 2016, p. 17). Non-membership was thus presented as only the status of the time, and did not influence any future decisions taken by the government. As can be observed, Finland has defined its foreign policy stances as principles that can be dismantled and that do not prevent Finland from seeking NATO membership. However, military non-alliance and

non-membership stances seemed to be employed interchangeably. For example, in 2016 Prime Minister Juha Sipilä “correctly” described Finland as not a member of a military alliance (‘sotilasliittoon kuulumaton’, Finnish Parliament, 2016a, p. 26), but also stated that “military non-alliance (*sotilaallinen liittoutumattomuus*) and its continuity is the government’s stance” (Finnish Parliament, 2016a, p. 33). At least for former Prime Minister Sipilä, these concepts seemed to refer to the same issue. In fact, the same discrepancy can be observed in the documents of the parliamentary committees. The Defence Committee stated in its statement to the Foreign Affairs Committee that one of the strategic choices included in the Finnish defence solution is “military non-alliance” (Finnish Parliament Defence Committee, 2016, p. 7). In contrast, the Foreign Affairs Committee stated that the basic elements of the Finnish line of action include “non-membership of a military alliance” (Finnish Parliament Committee for Foreign Affairs, 2016, p. 7). Both thus acknowledged the stance that Finland is not a member of a military alliance, but whilst the Defence Committee considered it a part of the Finnish defence solution, the Foreign Affairs Committee attributed it as the Finnish line of action. The defence approach was thus more instrumental than that of the foreign policy approach.

The non-membership stance was thus positively acknowledged in both approaches with regard to the two latest white papers. In the Government Defence Report published in February 2017, it was deemed important that no impediments for eventually joining NATO exist: “Finland continues to take into account the prospects for defence cooperation and interoperability and ensures the elimination of any practical impediments to a possible membership in a military alliance” (Prime Minister’s Office, 2017, p. 17). It indeed seems that non-alliance and non-membership stances are used interchangeably. The previous stance of military non-alliance (*sotilaallinen liittoutumattomuus*) still appears in government discourses, perhaps due to the clumsy formulation of the current non-membership stance. The Defence Committee referred to Finland and Sweden as two militarily non-allied countries in its report (Finnish Parliament Defence Committee, 2017, p. 26), whilst the Foreign Affairs Committee only stated that “the Finnish defence is based on national defence solution and non-membership of a military alliance” (Finnish Parliament Committee for Foreign Affairs, 2017, p. 4). Whereas neutrality has been effectively dismantled from the debates, military non-alliance and non-membership stances did not seem to differ in contents. The new stance was no longer an instrument but positively acknowledged as a state of affairs, though the defence approach paid more attention to it being a choice rather than just the state of affairs.

5. Demilitarisation and neutralisation – defence approach reflects negative instrumentality, foreign policy approach reflects positive acknowledgement

While approaches towards security policy stances seem to become more consistent in defence and foreign policy actors relying mainly on positive acknowledgement of the stances (despite discrepancy in the use of the terms), the approaches towards the demilitarised and neutralised Åland Islands is different, as can be observed here. Demilitarisation and neutralisation refer to constraints on the conduct of military activities that can have both a political and a legal meaning. In this article, I deal with the legal meaning, as the focus is on the demilitarisation and neutralisation of the Åland Islands based on international law. In other words, these principles pertaining to the islands are stipulated in international agreements and the status of the islands can even be described as part of customary international law. It should be noted that the demilitarisation of the Åland Islands is not stipulated in the Finnish constitution, but it is a question of international and customary law. It seems that the inherent premise in the Finnish foreign policy is to comply with international law and to promote a rules-based order, which makes it natural to hold onto the obligations related to the Åland Islands. Although the agreements also involve questions of interpretation, their interpretation is limited due to their origin in several multilateral agreements. This did not prevent the Defence Minister from criticising the status of the islands in 2016.

The demilitarisation stems originally from the 1856 demilitarisation agreement between Russia, Great Britain and France, and neutralisation refers to the 1921 League of Nations Convention, which stipulates that the territory of the islands cannot be used for any military activities or war-like purposes during a war. A 1940 bilateral treaty with Russia on demilitarisation also binds Finland, but Russia is not party to the 1921 Convention. When Finland joined the European Union, a Protocol on the Åland Islands was appended to the Accession Treaty, “[t]aking into account the special status that the Åland islands enjoy under international law”. Moreover, in the Lisbon Treaty (2009) amending the basic treaties of the European Union, it was stated that the Åland Protocol would continue to apply.

The demilitarisation and neutralisation thus originate from binding agreements rather than from political decisions. Still, Finnish politicians have used discursive strategies to state what these concepts mean for the Finnish security policy. The table below reveals, however, that the Åland Islands do not feature prominently in the Finnish foreign policy debates. One reason for this may be that in the traditional political discussion the demilitarisation and neutralisation of the Åland Islands seem to constitute a recognised status where discursive strategies do not play a role. Another reason may be that politicians try to evade discussion on the matter in order to prevent the status being questioned, or

simply consider the issue rather irrelevant in the security policy debate. In other words, the Åland Islands seem not to have been successfully politicised by those criticising the status as those supporting the status claim that it is an issue that cannot be questioned. The MPs thus have not bought the argument that the status of the Åland Islands would be a matter of contingency, i.e. with room to manoeuvre politically (Palonen 1993, p. 13).

Table 3. Demilitarisation and neutralisation in the Finnish Government Reports on Security and Defence Policy¹ in committee reports and parliamentary debates on those reports.

Year	Pages	“Åland” or “Ahvenanmaa” in Government Reports on Security and Defence Policy	“Ahvenanmaa” in Committee Reports and Statements	“Åland” or “Ahvenanmaa” in debates
1995	45	0	0	13
1997	92	4	0	17
2001	102	1	0	3
2004	175	0	8	28
2009	142	1	11	12
2012	121	3	5	35
2016	34	1	3	7

¹ The numbers in this table are based on the Foreign and Security Policy Report published in June 2016. Åland was not mentioned in the Defence Report published in February 2017. The 2016 report is thus different from the others, since it only focused on foreign and security policy.

In the Finnish parliamentary debates, demilitarisation is usually connected to positive matters, such as enabling stability in the Baltic Sea and continuity with regard to Finnish compliance with international law. There have hardly been any attempts to discontinue demilitarisation in the parliamentary debates, but some critical comments have been presented. Most of the negative approaches to demilitarisation have taken place in the media rather than in the parliamentary context. That said, although the official government discourse has assured maintenance of the status, there have also been some threat-related entries in the Government Reports on Security and Defence Policy and committee documents. In the 1997 report, demilitarisation was seen from the defence policy approach as a constraint for defence preparation: “Defence of the Åland Islands is based, to a large extent, on the mining ability of the marine forces, since no defence preparation may take place in the demilitarised zone” (Prime Minister’s Office Finland, 1997, p. 57). The status was acknowledged in a negative manner (no defence preparation allowed), and the approach was more defence than foreign policy oriented.

Demilitarisation was not mentioned in the 1995, 2001 and 2004 reports, which could be interpreted to imply that the status was not considered to be relevant in Finnish security and defence policy decisions. The choice of avoidance was justified by Finnish politicians in the parliamentary debates with the claims that there were no changes in sight for the status. Although the 2004 report did not mention the Åland Islands, the sole Ålandic MP requested the committees to take a stand on the status in their discussions (Finnish Parliament, 2004). Indeed, the Foreign Affairs Committee did mention demilitarisation in their statement, stating in a positive instrumental vein that “Åland is a demilitarised and neutral [sic] area, which the Committee considers an arrangement contributing to increasing security and confidence in our region” (Finnish Parliament Committee for Foreign Affairs, 2004, p. 21). The Defence Committee acknowledged the status in a positive tone by mentioning two demilitarisation agreements, those from 1921 and 1940, and stating that both agreements bind all parties, including Finland (Finnish Parliament Defence Committee, 2004).

The 2009 report mentioned demilitarisation explicitly as not restricting Finnish defence cooperation, while it also emphasised that the status is “recognised”: “[t]he Province of Åland Islands has a recognised status under international law. The special status of the province does not prevent Finland from intensifying defence cooperation within the European Union and in international organisations” (Prime Minister’s Office Finland, 2009, p. 70). The same was reiterated in the 2012 and 2016 reports in a slightly different form, and it is relevant to question why demilitarisation needed to reappear in the reports. The answer probably relates to the assurance that demilitarisation poses no constraints for defence cooperation in the EU, which was intensified after the Lisbon Treaty came into force in 2009. This is similar to what was observed with regard to the changed security policy stances: Finland should have extensive leeway in defence cooperation.

Regarding the 2009 Government Report, the Foreign Affairs Committee also acknowledged the Åland demilitarisation, while mentioning that it was not discussed as a separate question in the white paper. Instead, the report of the committee stated in a positive instrumental vein that: “the arrangement concerning the Åland Islands’ position contributes to maintaining peace and stability in the Baltic Sea area”, again emphasising the nature of the status as a positive instrument (Finnish Parliament Committee for Foreign Affairs, 2009, p. 5). In contrast, the Defence Committee stated that “it is good to clarify how the special position should be taken into account in different kinds of future military crisis situations in order for the authorities to be adequately prepared” (Finnish Parliament Defence Committee, 2009, pp. 16–17). Both parliamentary committees thus emphasised that security risks must be addressed, but in the framework of the positively acknowledged demilitarisation obligations. This reflects the fact that demilitarisation has a dual nature, the diplomatic and the strategic military nature (see also Spiliopoulou Åkermark, 2017).

Despite demilitarisation mainly being discussed as not constraining defence cooperation, clear differences can be approached between the foreign and defence policy approaches. In October 2016, for example, the Finnish Defence Minister Niinistö announced being prepared to discuss changes in the status due to the constraints it poses on defence preparation within the unstable situation in the Baltic Sea (Ykkösaamu, 2016). He also reiterated in a parliamentary debate on the status that “it is very challenging to defend Åland as it is demilitarised” (Finnish Parliament, 2016b, p. 1). Other Government Ministers and the President of the Republic denied that any changes were foreseen, and the status was also confirmed in a Parliamentary Committee Statement in November 2016 (Finnish Parliament Committee for Foreign Affairs, 2016). As Foreign Minister Soini from the Finns Party stated in the same debate: “Finland’s line is the same that has existed for a very long time and I think it is a good one. We respect international agreements; we hold onto what has been agreed. This is a point of honour for Finland” (Finnish Parliament, 2016b, p. 3). As visible in the comment, holding onto old agreements was even seen as a question of honour. Whereas the Defence Minister considered the agreements a burden for defence preparation in the same debate, the Foreign Minister regarded them as a question of honour, and this division between defence and normative concerns is visible also in other debates on the status.

This much reported media debate was, however, not reflected in the debates on the 2016 white paper. The parliamentary Foreign Affairs Committee specified in its report that other states had not questioned the status and it was in the Finnish interest to guarantee the demilitarised status and respect international agreements, as well as also having responsibility for its defence (Finnish Parliament Committee for Foreign Affairs, 2016, pp. 8–9). Perhaps due to the vivid media debate, the committee thus confirmed demilitarisation as a positive instrument in Finnish foreign policy.

The Åland Islands did not appear in the 2017 defence report at all, but the statement of the Foreign Affairs Committee of the parliament considered it worth mentioning with a very similar formulation as that of the previous report. The Defence Committee, in turn, did not discuss demilitarisation in its report (Finnish Parliament Committee for Foreign Affairs, 2017, p. 4; Finnish Parliament Defence Committee, 2017). This also emphasises the nature of the demilitarisation as an issue of foreign policy, not of defence policy.

Interestingly enough, the Defence Minister Niinistö made the only negative instrumental statement regarding demilitarisation, but he remained in the opposition against the positive instrumental views of the foreign policy approach. Critical statements on demilitarisation are not new (Poullie, 2016), but it was new that the proposal on dismantling demilitarisation is based on the claim that tension has increased in the Baltic Sea, a claim not considered by others to be relevant for compromising international agreements. Unlike with regard to the security policy stances, the European Union can hardly be considered a reason to question the status. Indeed, even NATO countries include demilitarised areas, such as the Norwegian Svalbard archipelago (Koivurova & Holiencin, 2017). The demilitarisation of both archipelagos is regulated by a League of Nations Convention from 1921 and the obligations of Finland and Norway vis-à-vis the regions are similar, but the remoteness from mainland Norway and its sparse population seem to make the issue less sensitive in terms of national defence.

In contrast to the changing Finnish foreign policy stances, the demilitarisation and neutralisation of the Åland Islands appear to constitute stable concepts, whose form or contents are not seen as posing constraints for European cooperation. Demilitarisation is mostly considered not to constrain defence cooperation, though arguably challenging defence preparation. The risk of constraints posed by demilitarisation does not appear major, but holding onto obligations appears a question of honour from the foreign policy perspective, which seems to trump the defence approach focusing on the challenges in defence preparation. The upholding of demilitarisation also reflects the respect for international agreements and constitutes a part of Finnish foreign policy. It is arguably in the foreign and security policy interest of Finland that all countries comply with international agreements – an asset for a small country.

6. Conclusions

The debates on the reformulation of security policy stances reveal interesting differences between the foreign policy and defence policy approaches. The foreign policy approach was the only one to positively approach security policy stances from an instrumental perspective, whilst the defence policy approach merely acknowledged the stances either negatively or positively. However, since 2007, the foreign and defence policy approaches have come closer to each other, both acknowledging the status of non-membership in a military alliance, though the defence approach is more instrumental. In contrast, a difference was visible in the case of the Åland Islands, where defence policy and foreign policy approaches varied in the sense that the foreign policy approach considered demilitarisation a positive instrument contributing to stability, while the defence approach has recently reflected it as a negative instrument hindering defence preparation.

Security policy concepts are not easily removed from political debates, and even the politicians themselves have usually argued that the actual policy has not changed, which shows the importance of continuity. The security policy stances illustrated how the reformulated concepts were presented as instruments or factual states of affairs that form the basis of the Finnish defence solution. The fact that the stances have not been abolished in total suggests that non-change is considered a value and a consistent policy line is positively acknowledged.

Demilitarisation and neutralisation in the Ålandic case seemed the only concepts, which remained unchanged despite criticism from the defence policy approach. The foreign and defence policy continuity is remarkable in the case of the Åland islands – even though the world around has changed tremendously, the status remains the same. The Defence Minister tried to exploit the concern over the allegedly deteriorating security situation in the Baltic Sea while requiring changes in the status, but did not succeed. This illustrates that governing politicians may not try to push any politics by referring to ostensible security threats, but they do not necessarily reflect the collective view of political leaders.

Continuity seems to be strongest in the case of legal obligations, but demilitarisation also appeared as a positive instrument contributing to stability. Interestingly enough, the foreign minister simultaneously argued that it is an honour for Finland to hold onto the old agreements, but that the agreements do not prevent any future defence cooperation; old commitments are held onto, but they should not prevent future commitments. Joining the European Union seems not to have been a sufficiently great change to necessitate discussion on amending the status, although it did prompt changes in the security policy stances. Indeed, if the European Union (or NATO membership) do not put pressure towards revising the agreements concerning the demilitarised and neutralised status of the Åland Islands, the status is likely to remain as it is. Of course, one could also question

whether continuity stemming from the time of the Cold War can be maintained even if the old concepts were held onto; the world is constantly changing, and the understanding of concepts varies all the time.

As a final note, it is important to observe how the recent debate about changing the demilitarised status of the Åland Islands has capitalised on the perception of a more tense security situation, providing a justification to compromise international agreements. This attempt at “securitising” and thus politicising international agreements and commitments is a worldwide political tendency. However, the fact that the attempt did not succeed shows that such claims can be contested. Simultaneously, with regard to the security policy stance, the foreign and security policy approaches seem to have become more consistent, thus also strengthening the government’s message abroad. Consistent and continuing foreign and defence policy are obviously an asset for a country, especially for a small one.

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The implementation of an international Decision at the Local Level: The League of Nations and the Åland Islands 1920–1951

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Abstract

The Ålandic autonomy has evolved into a relatively well-functioning system over the last century. A scrutiny of the first three decades following the decisions by the Council of the League of Nations shows that this was not always the case. This article engages with the main political issues that Åland faced during this time, focusing on the problems that directly or indirectly involved the League. It is argued that from the point of view of the Ålandic population and its political representatives, the survival of the regime cannot be attributed to the design of the solution itself. Had Åland had a larger population and more political and economic muscles, the regime would not have remained intact for as long as it did. When the Åland Example is used in conflict resolution, mistakes made and possible alternative paths are essential elements to explore.

Keywords

Åland, the interwar years, the League of Nations, minority protection, autonomy

About the author: Ida Jansson is a PhD candidate in Human Rights Studies at Lund University. Her research focuses on the evolution of minority rights and minority protection during the 20th century, using the Åland Islands as a case study. In particular, she is interested in how the Ålandic politicians have interpreted and used concepts such as autonomy, self-determination, minority and linguistic protection.

1. Introduction

Within the League of Nations, a framework for the protection of minorities was created from 1919 onwards. Most of the minorities that profited from this system faced a tragic fate, and after 1945 it fell almost entirely into oblivion, also among academics who had shown an enormous interest during the interwar period.¹ The League of Nations in general was also missed by few when it was dissolved and replaced by the United Nations. The Åland Islands, a Swedish-speaking area belonging to Finland, is a case that stands out in two different ways. First of all, the Åland minority protection regime is the only element of the League system that survived the League itself. Second, serious concern and apprehension followed on Åland when the League was dissolved and it remained unclear whether the UN would take on the League's responsibilities regarding minority protection.

Åland is today often used as an example of successful conflict resolution.² The solution was definitely successful in the sense that it avoided war between Sweden and Finland. During the last century, the autonomy has also evolved into a relatively well-functioning system that few wish to replace. However, a scrutiny of the first three decades following the decision by the Council of the League of Nations shows that it was not always so appreciated. This article engages with the main political issues that Åland faced during these decades, focusing on the problems that directly or indirectly involved the League. What were the disputes about and how were they handled? How was the regime able to survive the disagreements? What role did the League play for Åland during its existence, and why was the League missed on Åland after its dissolution? I will argue that from the point of view of the Ålandic population and its political representatives, the survival of the regime cannot be attributed to the design of the solution itself. The answers are instead to be found in the international and national politics of the surrounding states.

The first part of this article gives an overview of the League's minority protection system, the background to the 1917–21 conflict over the sovereignty of the Åland Islands, and the solution presented by the Council of the League. These events have been described many times before, and the principal contributions of this article lie in its following sections. The second part investigates the period 1922–1944, when the League's decisions were implemented and the Ålandic regime at least theoretically enjoyed the League's protection. The third part explores the impact of the end of the war and the dissolution of the League.

1 See Peter Hilpold, "The League of Nations and the Protection of Minorities – Rediscovering a Great Experiment", *Max Planck Yearbook of United Nations Law*, 17 (2013): 87–124, 90.

2 See e.g. Mark Mazower, "Minorities and the League of Nations in Interwar Europe", *Daedalus*, 126, no. 2 (1997): 47–63, 54; Markku Suksi, "Explaining the Robustness and Longevity of the Åland Example in Comparison with Other Autonomy Solutions", *International Journal on Minority and Group Rights*, 20, no. 1 (2013): 51–66, 53.

2. The Åland Question and the League of Nations

2.1 The League of Nations and minority protection after World War I

During the 19th century, religious freedom and toleration had often been a requirement for the recognition of new states in Europe by the great powers. In 1919, “national” rights became a concern alongside religious rights.³ The higher moral ground behind the Entente’s involvement in World War I had been the aim of self-determination for European nations.⁴ After the fall of the Eastern European empires, it was agreed that the borders would be redrawn according to the will of the population in each district. This was considered to be in accordance with the principles of justice and humanity, but it was also seen as necessary in order to prevent war in the future. It quickly became clear that it was physically impossible to abide by the popular wish in every case, or to draw frontiers along ethnographic lines.⁵ It was therefore considered essential to award the new minorities protection for their languages, religions and cultures.

The Treaty signed between the Principal Allied and Associated Powers and Poland at the Paris Peace Conference on 28 June 1919 became the model for the minority treaties that followed: with the Serb-Croat-Slovene State, Czechoslovakia, Romania and Greece. For Austria, Bulgaria, Hungary and Turkey, minority obligations were instead inserted into the General Peace Treaties. For Upper Silesia and the Territory of Memel, obligations were accepted in special conventions, whereas Albania, Estonia, Finland (concerning Åland), Latvia, Lithuania and Iraq made unilateral declarations to the Council of the League of Nations. Iraq was the only case where the League’s minority protection system was imposed outside Europe. All these minority provisions were put under the surveillance of the League. Sixteen states were obligated at the peak of the system.⁶

In addition to the Åland solution, three other minority territorial autonomy arrangements were created after World War I: Ruthene Carpathia, a mainly ethnic Ukrainian region within Czechoslovakia; the Free City of Danzig, a mainly ethnic German area claimed by Poland; and the Memel Territory, a mainly ethnic German region within Lithuania. None of the other arrangements survived the League. Susan J. Henders argues that out of these four, “the one for Åland most strongly recognized the minority in question as

3 Mazower, “Minorities and the League ...”, 51.

4 Hilpold, “The League of Nations ...”, 91.

5 H. W. Temperley, ed., *A History of the Peace Conference of Paris – Vol. V: Economic Reconstruction and Protection of Minorities* (London: Oxford University Press, 1921): 121.

6 See e.g. Hilpold, “The League of Nations ...”, 92, 97.

a collectivity with territorialized, group-specific cultural rights, rights to self-rule, and regional citizenship”.⁷

International minority protection provisions were not invented after World War I, but the fact that an international organization was to supervise the implementation of these provisions was a new situation. This power had previously only been held by sovereign states. This international guarantee was called “The League of Nations’ Guarantee”.⁸ Peter Hilpold notes two potential advantages of the system: first, that unilateral interference by kin-states would be made redundant; and second, that an impartial institution would make the supervision and implementation of minority rights more effective as it could disregard political considerations that had mattered greatly when states were the ones deciding whether to criticize other states or not. In practice, these expectations were only partly fulfilled. Hilpold observes that the League had not emancipated itself enough from its member states. In addition, he claims that its officials were “caught [...] by a thinking which paid extreme tribute to the traditional concept of state sovereignty”, which “prompted the League to act overcautiously and even display bias towards state interests”.⁹

Compliance with the obligations differed greatly among the states from the beginning until the end.¹⁰ One of the main reasons for the resentment felt among the obligated states was that the system only applied to a limited number of states, all located in Central and Eastern Europe. Attempts to develop a system of general minority protection were made from the start. A demand for such a uniform international system was also what finally killed it, when the Polish Minister for Foreign Affairs in 1934 terminated Poland’s collaborations with the League in minority questions until such a system was in place.¹¹

Hilpold claims that the powers were more concerned with producing a settlement that would seriously damage the defeated states than with really trying to protect minority rights on a general level. He also argues that the greatest shortcoming of the system was that it was not tied to a general human rights system. The protected minorities were themselves accused of having overturned the system. Hilpold, calling the League system an “experiment”, argues that even if it ended tragically for many of the minorities, it was not in vain. First, he observes that human rights thinking after World War II was very much influenced by the experiences from the interwar period, even if it is not often recognized. Second, he claims that these experiences provide many insights into the complexities of minority and human rights protection that are relevant also today.¹²

7 Susan J Henders, “Internationalized Minority Territorial Autonomy in Early Post-WWI Europe”, *International Approaches to Governing Ethnic Diversity*, ed. Jane Boulden and Will Kymlicka (Oxford: Oxford University Press, 2015): 262–291, 279. Henders describes and compares the autonomy arrangements.

8 Hilpold, “The League of Nations ...”, 93.

9 Ibid., 94.

10 Ibid., 92; Mazower, “Minorities and the League ...”, 383.

11 Hilpold, “The League of Nations ...”, 94, 97.

12 Ibid., 90–91, 97.

Mark Mazower does not want to write off the League's minority system too quickly, and mentions the Åland dispute as one of the "few successes that offered valuable lessons for the future and showed what was possible with astute and far-sighted government". He continues: "If these today have been forgotten, it is perhaps only because they were too peaceful for the history book."¹³

Obviously, the Ålandic regime appears as a success if compared to the destiny of other minority solutions that were created during the interwar years. But more successful does not mean well-functioning or appreciated. As will be shown below, the first few decades of the Ålandic autonomy entailed various issues. Hilpold's claim that the League was not really trying to protect minorities on a general level probably explains the existence of flaws in the regime. But let us first go back to the origins of the conflict and its solution by the League of Nations.

2.2 Background to the 1917–21 conflict

Åland, consisting of 6,700 islands, is located in the Baltic Sea between Sweden and Finland and had a population of about 20,000 in 1920.¹⁴ Åland and Finland were part of the Swedish kingdom until 1809, when these territories were lost to Russia. Before the 1808–09 war, the Swedish-speaking islands formed a bridge between the two halves of the Swedish kingdom. After the Russian conquest, Åland became the westernmost point of the Russian Empire. A fortress was constructed in Bomarsund, a village located on the main island, but it was not even half finished when the Crimean War reached the Baltic Sea region in 1854. British and French forces attacked Bomarsund and almost immediately seized the fortress. When the peace treaty was signed on 30 March 1856, so was a convention on the demilitarization of the Åland Islands.¹⁵

The Grand Duchy of Finland enjoyed an autonomous status within the Russian Empire and was allowed to keep its Swedish laws and legal system. Swedish also remained the language of higher education and the administration. However, a nationalist movement that wanted to give the Finnish language this status appeared and was gradually successful. A countermovement that wanted to create a bilingual nation-state was also organized. In addition, the Russian authorities implemented Russification measures from 1899 onwards and tried to decrease Finland's autonomy.¹⁶

13 Mazower, "Minorities and the League ...", 54.

14 Statistics and Research Åland, "Befolkning efter kön, födelseort och språk 1920–2018", updated 29 April 2019.

15 Convention on the Demilitarization of the Åland Islands, 1856.

16 See e.g. Max Engman, *Språkfrågan: finlandssvenskhetens uppkomst 1812–1922* (Helsingfors: Svenska litteratursällskapet i Finland, 2016).

When the Russian Revolution broke out in February/March 1917 and independence for Finland seemed close, a group of people on Åland started discussing the future of the islands after the war and decided to work for reunification with Sweden. On 6 December 1917, the Finnish Diet declared independence for Finland. A list of more than 7,000 signatures supporting reunification with Sweden was gathered on Åland the same month.¹⁷ In January 1918, the Ålandic representatives brought this list to the Swedish King and Government, who gave their support. The question of sovereignty over Åland thereafter became an international issue. It was brought to the Paris Peace Conference once the war was finished, and from there it was referred to the newly-founded League of Nations.¹⁸ A new list of more than 9,000 signatures had also been gathered in June 1919.¹⁹ In May 1920, the Finnish Parliament passed a law on autonomy for the Åland Islands in an effort to satisfy the separatist movement. The Government bill declared that the autonomy would allow the Ålanders to arrange their existence as freely as a province which did not constitute a state could possibly do.²⁰ The Ålandic leaders refused, however, to apply it.

Finland was admitted to the League of Nations on 16 December 1920. The only prerequisite was that the sovereignty over the Åland Islands would be left open for the time being.²¹ Finland thus did not have to make any declaration concerning the protection of its minorities upon entering the League.²² Efforts were made, but the Finnish delegates refused.²³

The original motive for seeking reunification with Sweden for the Ålandic movement was probably security concerns: it seemed like a safer option to belong to an old, stable state like Sweden than the new Finland with communist Russia as its eastern neighbour. However, the Ålandic representatives adapted the language used internationally and started using the principle of self-determination as an argument in their struggle. They consistently

17 "Ålänningarnas första framställning till Sveriges konung och folk 31 december 1917", *Ålandsfrågan inför Nationernas Förbund* (Stockholm: Diplomatska aktstycken utgivna av Kungl. Utrikesdepartementet (the Swedish Ministry for Foreign Affairs), 1920): 48–51.

18 The whole process has been thoroughly investigated in James Barros, *The Åland Islands Question: Its Settlement by the League of Nations* (New Haven and London: Yale University Press, 1968).

19 "Tablå över resultatet av fullmakts-underskrifterna på Åland i juni månad 1919 rörande Ålands återförening med Sverige", *Ålandsfrågan inför Nationernas Förbund* (Stockholm: Diplomatska aktstycken utgivna av Kungl. Utrikesdepartementet (the Swedish Ministry for Foreign Affairs), 1920): 97.

20 Finlands regering (the Finnish Government), *Regeringens proposition till Riksdagen angående lag om självstyrelse för Åland*, 1919 års riksdag, N:o 73 (30 January 1920).

21 "Telegram from the Government of Finland", *League of Nations Official Journal*, 2nd year, no. 1, January–February (1921): 98.

22 Tore Modeen, *De folkrättsliga garantierna för bevarandet av Ålandsöarnas nationella karaktär* (Mariehamn: Skrifter utgivna av Ålands kulturstiftelse VII, 1973): 18, 25.

23 Carl Enckell, *Politiska minnen II* (Helsingfors: Söderströms, 1956): 239–263. Enckell, one of Finland's delegates in Geneva, states that one of the main reasons behind the Council's acceptance of Finland's refusal was that Finland was recognized as an old state, which had come into existence in 1809 through its autonomous status within the Russian empire. In summer 1921, Enckell presented a report on all legislation concerning minorities in Finland to the Secretariat. On 2 October, the Council approved this legislation, considering it satisfactory.

put forward demands for a referendum, which they were confident would show a massive support for reunification. The Ålandic population was said to have stronger bonds with Sweden than with Finland in all respects: their mother tongue, heritage, history, culture, traditions, economic ties and so on. Their language and culture were said to be under great threat if Åland was to remain under Finnish sovereignty.²⁴ The Swedish Government argued along the same lines.²⁵

The Finnish Government, on the other hand, argued that Åland's bonds to Finland had always been stronger than those to Sweden, and that the Ålandic population was not a people in itself, but part of the larger group of Swedish-speakers in Finland.²⁶ Consequently, the principle of self-determination could not apply. An extensive debate also took place between lawyers and historians from Sweden and Finland, who disagreed on Åland's historic status in the Swedish kingdom and the population's sense of national belonging before 1917.²⁷

2.3 The Åland Question at the League of Nations

The conflict around the sovereignty over the Åland Islands, often called the Åland Question, was the first issue of a more serious political character laid before the Council of the League of Nations.²⁸ The Council first appointed a Committee of Jurists, whose task was to determine whether the sovereignty over Åland was part of the League's jurisdiction or not. The Committee, which presented its report in September 1920, concluded that it was.²⁹ They argued that the principle of self-determination of peoples was not a positive rule of international law, but that it could come into play in situations where states were under formation, transformation or dissolution because of revolutions or wars. They furthermore claimed that Finland was not a definitely constituted sovereign state before May 1918, when the civil war had ended, foreign troops began to leave the country, and order and normal

24 See e.g. "Ålänningarnas första framställning ..."; "Memorandum från Ålandsdelegationen till Fredskonferensen den 31 januari 1919", *Ålandsfrågan inför Nationernas Förbund* (Stockholm: Diplomatiska aktstycken utgivna av Kungl. Utrikesdepartementet (the Swedish Ministry for Foreign Affairs), 1920): 56–59.

25 See e.g. "Inlägga avlämnad å svenska regeringens vägnar av svenske ministern i London till Nationernas Förbunds Råd (2 juli 1920)", *Ålandsfrågan inför Nationernas Förbund* (Stockholm: Diplomatiska aktstycken utgivna av Kungl. Utrikesdepartementet (the Swedish Ministry for Foreign Affairs), 1920): 2–165.

26 See e.g. "Exposé sommaire de la question des îles d'Åland", *La question des îles d'Åland (octobre 1920)* (Helsingfors: Documents diplomatiques publiés par le ministère des affaires étrangères, 1920): 4–7, 4–5.

27 See Dan Nordman, *Historiker kämpar om Åland. Om de svenska och finländska historikernas argumentering i Ålandsfrågan 1917–1921* (Fackuppsats i nordisk historia, Åbo Akademi, 1984).

28 F. P. Walters, *A History of the League of Nations. Volume I* (London: Oxford University Press, 1952), 102–105, 791.

29 "Report of the International Committee of Jurists entrusted by the Council of the League of Nations with the task of giving an advisory opinion upon the legal aspects of the Åland Islands Question", *League of Nations Official Journal*, October 1920, Special Supplement No. 3: 14.

political and social life could gradually be re-established. The population on Åland, on the other hand, had started working for reunification with Sweden already in August 1917.³⁰ Notably, the Committee claimed that the principle of self-determination had the same aim as the protection of minorities: “to assure to some national Group the maintenance and free development of its social, ethnical or religious characteristics”.³¹ The Committee also determined that the 1856 Convention on the demilitarization of the islands was still in force.³²

Next, the Council appointed a Commission of Rapporteurs, which was to propose possible solutions to the conflict. The three Rapporteurs visited Stockholm, Mariehamn and Helsinki, and presented their report in April 1921. In contrast to the Committee of Jurists, they concluded that Finland’s sovereignty over Åland was incontestable. They questioned the Ålanders’ alleged century-long wish for re-incorporation with Sweden.³³ They did not consider the Ålandic population to be a people on its own which could exert a right to self-determination: “The Aaland Archipelago is only a small part of the Finnish territory, and the Aaland population a small fraction of the Finnish nation.”³⁴ However, they also concluded that the Ålanders’ fear of “being little by little submerged by the Finnish invasion [had] good grounds” and that it was necessary to take effective measures. But preserving the Swedish language on Åland did not require incorporation with Sweden: the Rapporteurs trusted the Finnish state’s promises to grant the inhabitants satisfactory guarantees.³⁵ Consequently, their conclusion was that Åland should remain under Finnish sovereignty, but that Åland needed linguistic and cultural safeguards that should be added to the existing Autonomy Act. Åland should remain demilitarized and also be neutralized so that it could not be used as a military threat towards Sweden.³⁶

The Council largely followed the Rapporteurs’ recommendation in the decision made on 24 June 1921.³⁷ The Finnish and Swedish representatives would negotiate the details of the linguistic and cultural guarantees, which would

aim at the preservation of the Swedish language in the schools, at the maintenance of the landed property in the hands of the Islanders, at the restriction, within reasonable limits, of the exercise of the franchise by new comers, and at ensuring the appointment of a Governor who will possess the confidence of the population.³⁸

30 Ibid., 5–6, 9–10.

31 Ibid., 6.

32 Ibid., 19.

33 *The Aaland Islands Question: Report submitted to the Council of the League of Nations by the Commission of Rapporteurs*, League of Nations Council Doc. B7 21/68/106 (16 April 1921): 25.

34 Ibid., 27.

35 Ibid., 29.

36 Ibid., 32, 36–37.

37 “The Aaland Islands Question”, *League of Nations Official Journal*, (September 1921): 699.

38 Ibid., 699.

The Council of the League was to supervise the implementation of the guarantees. After negotiations, the guarantees were approved by the Council on 27 June,³⁹ a decision which is now called the Åland Agreement (*Ålandsöverenskommelsen*).⁴⁰ The non-fortification and neutralisation of the islands was established through a convention signed on 20 October 1921 by Germany, Denmark, Estonia, Finland, France, the United Kingdom, Italy, Latvia, Poland and Sweden.⁴¹

Sweden and Finland refrained from going to war with each other, and thereby the League's solution to the Åland Question was given the basic conditions to survive. With a population of only 20,000, it was difficult for the Ålanders to try to change the decision once it had been accepted by the two parties. In a draft letter in the archive of Carl Björkman, one of the Ålandic leaders, it is claimed that if Åland had only been "bigger and its population numerous enough", the population would have "taken its destiny into its own hands".⁴²

3. Åland and the League of Nations 1922–44

This time period is here treated in three sections. The first deals with the issues that appeared when the Finnish and Ålandic authorities were to implement the guarantees set out in the Åland Agreement. The Ålandic politicians were unhappy about several things: the details of the Agreement, its implementation into Finnish law, and the Autonomy Act. A law on the right of redemption that aimed at keeping Ålandic land in the islanders' possession was not passed until 1938. The second section describes the 1938–39 events that were called "the new Åland Question". Sweden and Finland agreed on a plan to remilitarize the islands but were stopped by the Soviet Union through the Council of the League. The third section outlines events on Åland during World War II. By then, the League was no longer operative, but these events have been included because of their significance for the developments after the war.

39 Ibid., 701–702.

40 For an analysis of the legal character of the Åland Agreement, see e.g. Lauri Hannikainen, "The International Legal Basis of the Autonomy and Swedish Character of the Åland Islands", *Autonomy and Demilitarisation in International Law: The Åland Islands in a Changing Europe*, ed. Lauri Hannikainen and Frank Horn (The Hague: Kluwer Law International, 1997): 57–83. For my purposes, it is enough to note that the Agreement was co-drafted by the representatives of Finland and Sweden, and approved by the League Council.

41 Convention relative à la non-fortification et à la neutralisation des Iles d'Åland, 1921.

42 "Skrivelser och inlagor från Ålands första landsting 1920–1922", *Carl Björkman's file*, Ålands landskapsarkiv. (Translation by the present author.)

3.1 Implementing the Åland Agreement and the Autonomy Act

The Ålandic population and its leaders had not wanted autonomy and were hugely disappointed. In the first political debates in the *landsting*, the new Parliamentary Assembly on Åland, the politicians showed little respect for the League's decisions, but were also committed to making the most out of the autonomy and the linguistic and cultural guarantees. However, Åland's smallness and both political and economic insignificance in Finnish domestic affairs meant that the Ålandic politicians had very limited possibilities to bring about any changes. Sweden held a low profile and Åland could not expect any support from there.

The Finnish Government presented a bill that would implement the Åland Agreement's linguistic and cultural guarantees already on 10 October 1921. The law, which in practice was called *Garantilagen*, the "Guarantee Law", was passed by the Finnish Parliament and the Ålandic Assembly the following summer and ratified by the Finnish President on 11 August 1922. The law consisted of seven sections: § 1 regulated the appointment of the Governor, § 2 the language of instruction in schools, § 3 the municipal and provincial franchise, § 4 the use of incomes from taxes, and § 5 the purchase of land. § 6 prescribed the Assembly's right to turn to the Council of the League in cases of dissatisfaction with the application of the guarantees. Finally, § 7 stipulated that the law could not be changed or repealed without the consent of both the Ålandic assembly and the Finnish Parliament. In the latter case, the legislative procedure had to follow the procedure prescribed for changes to the constitution.⁴³ The same requirements were, and still are, stipulated also in the Autonomy Act itself.⁴⁴

The bill was the first issue that was addressed when the Ålandic Assembly convened for the first time in June 1922. The debates held during the summer show that the Ålandic politicians had smaller or larger complaints regarding almost every aspect of the Finnish Government and Parliament's way of implementing the Åland Agreement, or the text of the Agreement itself. Four of these complaints are described below. Nevertheless, the Assembly eventually "felt compelled to adopt" the Guarantee Law despite its flaws.⁴⁵

43 Lag innehållande särskilda stadganden rörande landskapet Ålands befolkning (*Garantilagen*, the Guarantee Law), FFS 189/1922.

44 The current Autonomy Act that entered into force in 1993 additionally requires a two-thirds majority in the Ålandic Assembly. (*Självstyrelselag för Åland* (the third Autonomy Act), ÅFS 71/1991, § 69.) For an analysis of the significance of the constitutional and international entrenchment of the autonomy, see e.g. Suksi, "Explaining the Robustness and Longevity ...".

45 Lagutskottet (the Ålandic Law Committee), "Lagutskottets betänkande N:o 6 i anledning av Republikens Presidents skrivelse till Ålands Landsting av den 21 juli 1922", *Ålands landstings handlingar 1922*, 189, Ålands landskapsarkiv. (Translation by the present author.)

First of all was the fact that the bill suggested that the guarantees would be transformed into a separate law,⁴⁶ even though the two decisions made by the League Council stipulated that they should be inserted into the Autonomy Act.⁴⁷ The Finnish law-drafting board, where the law had been prepared, had come to the conclusion that several of the stipulations in question had “no connection with the autonomy granted to the population of Åland”, and their incorporation into the Autonomy Act would thereby imply an “irregularity”. The intention was to form guarantees against the “denationalization” of Åland, but according to the law-drafting board, this did not require their incorporation into the Autonomy Act.⁴⁸ The board therefore suggested a separate law that would complement the Autonomy Act and, like the Act, could not be amended without the consent of the Ålandic Assembly.⁴⁹

The Government bill followed the board’s recommendation, which was criticized by Carl Björkman in the Assembly debates. In Björkman’s view, the Council had meant for the entire Autonomy Act, supplemented with the guarantees, to be awarded the same protection as the guarantees. He considered this to have a large practical implication: by not consolidating the Autonomy Act and the guarantees in the same law, the Ålandic population had been “deprived of every opportunity to appeal to the Council of the League in cases of different interpretations of the stipulations of the Autonomy Act by the Assembly and the Government”.⁵⁰

It is doubtful whether Björkman was right, since the Council decisions only referred to the guarantees, not the Autonomy Act, in connection with the League’s supervisory functions. The minutes from 24 June state that “the Council of the League of Nations will see to the enforcement of these guarantees”, and from 27 June that it “shall watch over the application of these guarantees”.⁵¹ In addition, it would have been the guarantees as formulated in the Council’s decision and not the Guarantee Law that would have been the standard used in case the Ålandic Assembly had handed in an appeal. Lauri Hannikainen also notes that the League’s supervisory function indirectly extended to the provisions of

46 Finlands regering (the Finnish Government), *Regeringens proposition till Riksdagen med förslag till särskilda lagar rörande landskapet Åland*, 1921 års riksdag, N:o 42 (10 October 1921).

47 Council meeting on 24 June 1921: “The new guarantees to be inserted into the autonomy law [...]”, “Should their efforts fail, the Council would itself fix the guarantees, which, in its opinion, should be inserted, by means of an amendment, in the autonomy law of May, 7th, 1920.” (“The Aaland Islands Question”, 699.) Council meeting on 27 June 1921: “Finland [...] undertakes to introduce shortly into the Law of Autonomy of the Aaland Islands of May 7th, 1920, the following guarantees [...]” (ibid., 701.)

48 Lagberedningen (the Finnish Parliament’s Law-Drafting Board), “Förslag till särskilda lagar rörande landskapet Åland jämte motiv”, *Lagberedningens publikationer N:o 7* (1921): 118–129, 124. (Translation by author.)

49 Ibid., 124–125. The law-drafting board presented two options, one where the guarantees were incorporated into the Act, and one where they formed a separate law but recommended a separate law in their annexed explanation.

50 “Ålands Landstings förhandlingar. Från remissdebatten”, *Åland*, 14 June 1922. (Translation by the present author.)

51 “The Aaland Islands Question”, 699, 701.

the autonomy that were closely connected to the guarantees.⁵² The second Autonomy Act, passed in 1951, incorporated almost all sections of the Guarantee Law into the Act, so the arrangement intended by the Council was eventually realized.

Second, the debates show that the Ålandic representatives in Geneva had not been informed of changes made to the guarantees proposed by the Commission of Rapporteurs. § 1 of the Guarantee Law, corresponding to § 5 in the Åland Agreement, established that the President of the Republic would appoint the Governor after reaching an agreement with the president of the Ålandic Assembly (i.e., the Speaker). In case of disagreement, the President would choose a Governor among five people that the Assembly recommended.⁵³ The 1920 Autonomy Act attributed the task of nominating the Governor of Åland to the President of the Republic, but the Commission of Rapporteurs had argued that “the choice of a person sympathetic to the whole population and possessing a perfect knowledge of its mentality and its aspirations is of great importance for the maintenance of good relations between the Government and the province”. They therefore suggested that the Assembly would present a list of three candidates from which the Government should choose the Governor.⁵⁴ In the Åland Agreement, the number had been changed from three to five. Johannes Eriksson, one of the Ålandic representatives during the League’s proceedings in Geneva, noted during the Assembly debates that the number five did not correspond to the Rapporteurs’ suggestion. He claimed that he and the other representative had not been aware that this suggestion had not been followed. He said that this change could seem to make little difference, but that it was aimed at “making things more difficult”,⁵⁵ meaning making it more difficult for the Assembly to get a candidate that they approved of. Worth noting is that in such a small place as Åland there were very few people who could be considered for the position in the first place.

Third, when the guarantees were scrutinized, it was discovered that the Swedish and Finnish Government representatives in Geneva had used certain terms without knowing that they meant different things in the two countries. § 4 of the Guarantee Law, corresponding to § 6 in the Åland Agreement, stated that the Ålandic authorities had the right to use 50 % of the incomes of the *grundskatt*, “base tax”, in addition to the incomes already mentioned in the Autonomy Act. Base tax referred to the taxes that applied to land, but it was apparently not clear what was to be included in this category. The Governor, William Isaksson, explained during an Assembly debate on 6 July 1922 that, after investigations, he had discovered that base tax since 1885 meant different things in Finland and Sweden, and

52 Hannikainen, “The International Legal Basis ...”, 59.

53 Lag innehållande särskilda stadganden rörande landskapet Ålands befolkning (Garantilagen, the Guarantee Law), FFS 189/1922, § 1.

54 *The Aaland Islands Question: Report submitted to ... by the Commission of Rapporteurs*, 33.

55 Ålands landsting (the Ålandic Assembly), Landstingets plenum måndagen den 12 juni kl. 7 em, *Stenografiskt protokoll 1922*, 5, Ålands landskapsarkiv.

that their representatives in Geneva probably had used the term without knowing this. The Swedish version of base tax would have given the Ålandic authorities more money.⁵⁶ The Assembly ordered a more thorough investigation, which the *landskapsnämnd* (Provincial Government) presented in September 1922. Going back to the French original version of the Åland Agreement, which used *revenus de l'impôt foncier*, they argued for an interpretation that was more generous towards Åland than Finnish authorities had been.⁵⁷ However, the Finnish tax system changed during the course of the decade and the base tax was abolished. The funding of the autonomy continued to be a contentious issue in the relationship between Åland and Finland.⁵⁸

Regarding the Åland Agreement's § 3 (the Guarantee Law's § 5), the Swedish and Finnish representatives had also used certain words without knowing that they were talking about different things. The aim of § 3 was to realize "the maintenance of the landed property in the hands of the Islanders".⁵⁹ The Commission of Rapporteurs had suggested that "the communes and their inhabitants" should be given "the right of pre-emption [...] on every occasion that offers of purchase are made by a person or company foreign to the Islands".⁶⁰ The reason for this was that Åland was suitable for ship-building, and the Rapporteurs predicted that Finnish companies would try to acquire land for this purpose there: "This would involve the influx of Finnish workmen into the country, and with them all the consequences feared by the Åland Islanders."⁶¹ However, while a right of pre-emption suggests the right to purchase something before it can be offered to anyone else, the Åland Agreement instead describes what could be called a right of redemption in its § 3, i.e., a right to purchase property that has already been sold:

When landed estate situated in the Åland Islands is sold to a person who is not legally domiciled in the Islands, any person legally domiciled in the Islands, or the Council of the province, or the commune in which the estate is situated, has the right to buy the estate at a price which, failing agreement, shall be fixed by the court of first instance (Häradsrätt) having regard to current prices.

Detailed regulations will be drawn up in a special law concerning the act of purchase, and the priority to be observed between several offers.

This law may not be modified, interpreted, or repealed except under the same conditions as the Law of Autonomy.⁶²

56 Ålands landsting (the Ålandic Assembly), Plenum torsdagen den 6 juli kl. 6 em, *Stenografiskt protokoll 1922*, 112–114, Ålands landskapsarkiv.

57 Ålands landskapsnämnd (the Ålandic Government), N:o 39, 8 September 1922, *Ålands landstings handlingar 1922*, 328–334, Ålands landskapsarkiv.

58 See Erik Tudeer, *Det åländska folkets historia V:1 1920–1990* (Mariehamn: Ålands kulturstiftelse, 1993): 60–63.

59 "The Åland Islands Question", 699.

60 *The Åland Islands Question: Report submitted ... by the Commission of Rapporteurs*, 32.

61 *Ibid.*, 33.

62 "The Åland Islands Question", 701.

The Guarantee Law's version in its § 5 was almost a literal translation of the quote above. The reason the Ålandic politicians were not satisfied with this section was because five years of legal domicile was not made a requirement for buying land. § 4 in the Åland Agreement and its corresponding § 3 in the Guarantee Law had been formulated this way, so that five years of legal domicile was required to receive the franchise in municipal and provincial elections. Without a requirement of five years, "anyone, who is legally domiciled on Åland and has resided here maybe not even a year"⁶³ would be allowed to purchase land.

The source of the differing views on § 5 seems to have been that it was not clear what was meant by the Agreement's "legally domiciled" or *domicile légal* in the French version. This term has been translated differently in various Swedish-language editions.⁶⁴ Johannes Eriksson and Carl Björkman claimed that a five-year requirement had been intended by Baron (*friherre*) Marks von Würtemberg, who represented the Swedish Government at the negotiations in Geneva. Eriksson had been one of the Ålandic delegates and Björkman said that he had been in personal contact with von Würtemberg. Björkman explained that von Würtemberg had not been acquainted with Finnish legal terminology and had thus not been aware of what *domicile légal* would imply, but his intention had been to create a five-year residence requirement.⁶⁵ Eriksson said that the Ålandic delegates had not been consulted on the content of this section in Geneva, but that they had been convinced that it would receive a satisfying formulation. He further explained that the guarantees had been drafted in haste, and that von Würtemberg, "upset as he also was", had not been prepared when the issue was discussed.⁶⁶

The five-year residence requirement became a long-lasting issue between the Ålandic Assembly and the Finnish Parliament. The details of the right of redemption would, according to the Agreement and the Guarantee Law, be laid out in a separate law that could only be amended after approval by the Ålandic Assembly. Such a law was presented to the Assembly together with the Guarantee Law, but the Assembly did not pass it. When the Guarantee Law was adopted, it was also decided to send a petition to the Finnish Parliament to sort out the alleged misunderstanding concerning § 5, and if that did not work, to turn to the League of Nations.⁶⁷ The petition was sent on 16 September, but did not lead to any results.⁶⁸ The Assembly continued to send petitions on § 5 to the Finnish

63 Arthur Gylling, Ålands landsting (the Ålandic Assembly), Ålands landstings plenum den 12 juni 1922, kl. 12 på dagen, *Stenografiskt protokoll år 1922*, 3, Ålands landskapsarkiv. "legally domiciled" = *mantalsskriven*. (Translation by the present author)

64 The Guarantee Law used *laga bo och hemvist*.

65 Ålands landsting (the Ålandic Assembly), Landstingets plenum måndagen den 12 juni kl. 7 em: 12–13.

66 Ibid., 13. (Translation by the present author.)

67 Lagutskottet (the Ålandic Law Committee), "Lagutskottets betänkande N:o 6 ...", 189. (Translation by the present author.)

68 Matts Dreijer, *Ålands självstyrelse 25 år. Festskrift* (Mariehamn: Ålands Tidnings-Tryckeri AB, 1947): 43.

Parliament throughout the 1920s, but they were rejected on the grounds that the Guarantee Law followed the wording of the Åland Agreement.⁶⁹ This was also probably the reason why the Assembly never turned to the League on this issue: the chances to succeed were seen as small, since the actual guarantees as stipulated in the Agreement were not violated. Another reason might have been that an appeal first had to go through the Finnish Government, which goes in line with Hilpold's claim that the League had not emancipated itself enough from its member states.

Because of the disagreement, no law on the right of redemption was approved by the Ålandic Assembly until February 1938, and then without the five-year requirement. The vote ended 22–7 after a long debate. The opponents believed that if the law were passed it would never be possible to add a five-year residence requirement. The advocates were more pragmatic: all of them wanted the five-year requirement, but realized that it was not possible to get it through in the Finnish Parliament. It was better to have a redemption law without a requirement, because without a law, no land could ever be repurchased.⁷⁰

However, already in 1939, the Guarantee Law's § 5 and the redemption law were changed so that the right of redemption applied when someone who had not been legally domiciled on Åland for five years bought land. The reason for the change of heart in the Finnish Government and Parliament was an effort to make the Ålandic Assembly more favourably disposed to a different proposal: military service for the Ålandic population. It did not succeed. The Assembly approved the changes to the right of redemption⁷¹ but rejected the law on military service (see next section for more details).

Fourth, the debates show that the Ålandic politicians were by no means satisfied with a literal implementation of the guarantees, but instead set on receiving the widest protection possible. In some cases, they discussed how the guarantees should be extended beyond what the Agreement described. One example is of course the already mentioned five-year requirement on the purchase of land. The Guarantee Law's § 2 on the language of instruction in Ålandic schools was also discussed. This section did not prohibit private Finnish-language schools, but many of the members, like Johannes Eriksson, wanted to prevent the possibility to establish such schools. Since the law had been passed to avoid "denationalization", he thought that the Assembly should be able to decide on the matter.⁷²

69 Finlands riksdag (the Finnish Parliament), "Riksdagens skrivelse med anledning av Ålands landstings motion om ändring av §§ 3 och 5 i lagen den 11 augusti 1922, innehållande särskilda stadganden rörande landskapet Ålands befolkning (19 April 1929)", *Riksdagen 1929. Handlingar. Fjärde delen* (Helsingfors: 1929).

70 Ålands landsting (the Ålandic Assembly), Plenum lördagen den 26 februari 1938 kl. 10 fm, *Ålands landstings stenografiska protokoll 1938*, 182–206, Ålands landskapsarkiv.

71 Ålands landsting (the Ålandic Assembly), Plenum måndagen den 19 juni 1939 klockan 10 f.m., *Ålands landstings stenografiska protokoll 1939–40*, 181, Ålands landskapsarkiv.

72 Ålands landsting (the Ålandic Assembly), Landstingets plenum måndagen den 12 juni kl. 7 em: 6. (Translation by the present author.)

It was not only the implementation of the Åland Agreement that took time and effort. The Autonomy Act itself had been drafted in haste, and turned out to be quite hard to interpret. After obtaining the Supreme Court's opinion, the President of the Republic could veto Ålandic laws in case they intruded on the Finnish Parliament's sphere of competence or if they were in conflict with the "public interest of the republic".⁷³ Between 1922 and 1951, close to a fifth of the Ålandic laws were overturned. The most intense year was 1924, when almost half of the laws were vetoed.⁷⁴ The vetoes were a result of differing interpretations of the Act in the Ålandic political bodies and the Supreme Court.

The drafting neither of the Autonomy Act, nor of the Åland Agreement, had thus been given enough time for the legislative process and the cooperation between Ålandic and Finnish authorities to function smoothly. The Council decisions had not produced a solution that could be implemented straight away. The first debates and the law review process indicate that a few things could have been done to set the autonomy off to a smoother start. First, the Ålandic representatives could have been properly included in the negotiations in Geneva. Second, more time and thought could have been given to the drafting of the Agreement. Third, the Autonomy Act itself could have been scrutinized and corrected. Fourth, the Ålandic politicians could have been helped by a competent explanation of how the Agreement and the appeal process was supposed to work. It was perhaps impossible to completely satisfy the disappointed Ålandic politicians, but some disputes between Ålandic and Finnish authorities could surely have been avoided. Some kind of forum for negotiation, implementation and development – possibly with involvement from Sweden and the League – could also have contributed to a more stable relationship in the long run.

Finland was a new state and had many issues to deal with. The language strife continued until World War II. In the 1919 constitution, Finnish and Swedish were both declared official languages, but the debates on their respective roles in society continued, sometimes leading to acts of violence. The Finnish language movement wanted to abolish official bilingualism and reduce Swedish to a regional minority language.⁷⁵ On Åland, the large-scale invasion of Finns that had been feared never happened, even though the law on the right of redemption was not passed until 1938. But the conflicts on the mainland and a series of political decisions undermining the Swedish language made the Ålandic politicians fear that Åland's autonomy and Swedish-speaking status would not be respected in the long run.

Nevertheless, the League's regime remained intact, with the addition of the five-year

73 Lag om självstyrelse för Åland (the first Autonomy Act), FFS 124/1920, § 12. (Translation by the present author.)

74 *Ålandsdelegationens framställningar och betänkanden jämte bilagor. II serien. Åren 1923–1924*, (Helsingfors: Statsrådets Tryckeri, 1925); *Ålandsdelegationens framställningar och betänkanden jämte bilagor. III serien (1925–1927)*, (Helsingfors: Statsrådets Tryckeri, 1927).

75 See e.g. Max Engman, "Finns and Swedes in Finland", *Ethnicity and Nation Building in the Nordic World*, ed. Sven Tägil (London: Hurst & Company, 1995): 179–216, 207–209.

residence requirement in 1939. The respect for the rule of law that permeated Finnish society,⁷⁶ together with the fact that Sweden did not interfere, enabled its survival during the 1920s and 30s. The Ålandic politicians would, however, have welcomed any expansion of the autonomy and the linguistic and cultural guarantees. They would probably also have welcomed reunification with Sweden had the possibility appeared, but the idea of governing themselves surely appealed to them and encouraged them to seek to develop the autonomy framework.

3.2 The second Åland Question

Åland became the centre of politics in the Baltic Sea region once again during the second half of the 1930s. And once again, the issue came to the Council of the League of Nations, where it became the last question discussed before the outbreak of World War II.⁷⁷ This conflict was called “the new Åland Question” in the newspaper debates. Whereas the “old” question dealt with the sovereignty over the islands, the “new” one instead concerned Swedish-Finnish plans on fortification of the demilitarized and neutralized islands in peacetime. The 1856 Convention on Demilitarization prevents Åland from being fortified, and stipulates that no military or naval establishments are to be maintained or created there.⁷⁸ The 1921 Convention on the Non-Fortification and Neutralization of the Åland Islands confirms the 1856 Convention, which specifies the geographical zone and which military activities are allowed in peacetime and wartime, states that Åland is to be a neutral zone in wartime and gives the Council of the League the task of supervising its implementation.⁷⁹

During the 1917–21 conflict, Sweden had pushed for the demilitarization and neutralization of Åland. As the relationship with Finland improved with time, the 1921 Convention seemed increasingly harmful to both parties. A demilitarized territory between the two countries was now considered a dangerous vacuum in the northern part of the Baltic Sea.⁸⁰ Negotiations between Sweden and Finland started at the beginning of the 1930s, but proceeded slowly because of feelings of suspicion between the two countries, and because of their partly different aims. In 1939, the result was presented: the Åland Plan/Stockholm Plan, which would regulate the defence in peacetime, and the Coordination Plan, which concerned wartime. To realize the plans on defence in peacetime, a change of the neutralized and demilitarized status of Åland was required.⁸¹ The issue then came to

76 Modeen, *De folkrättsliga garantierna* ..., 60.

77 See Walters, *A History of the League* ... 791.

78 Convention on the Demilitarization of the Åland Islands, 1856.

79 Convention relative à la non-fortification et à la neutralisation des Iles d'Åland, 1921.

80 Kenneth Gustavsson, *Ålandsöarna – en säkerhetsrisk? Spelet om den demilitariserade zonen 1919–1939* (Mariehamn: PQR, 2012): 129.

81 Ibid., 9–10.

the Council of the League, but some events from 1938 are worth mentioning.

Initially, neither the Swedish nor the Finnish side reflected on the Ålanders' views on remilitarization of the islands. However, the Swedish side suggested that the Ålanders would be required to do military service, which would necessitate an amendment of the Autonomy Act and thus the approval of the Ålandic Assembly.⁸² All three Autonomy Acts that have so far been in force stipulate that Åland's inhabitants can serve in the piloting or lighthouse establishments instead of performing military service (*värnplikt*). Those who have moved to Åland after the age of 12 are not exempted. Anyone willing to perform military service is allowed to do so. The Acts provide that alternative service will be regulated through a separate law.⁸³ The exemption from military service and the provisions for alternative service appeared already in the Tulenheimo Committee's 1919 report, which was the basis for the 1920 Autonomy Act. The relief from military service thus had nothing to do with the demilitarization and neutralization of the islands. The reasons presented by the Committee concerned the reluctance shown among the Ålandic population towards military service and especially towards having to do military service in Finnish, and the belief that service in the lighthouse and piloting establishments would be easier to organize in Swedish.⁸⁴ In 1922, many of the Assembly members wanted to relieve the Ålanders of all kinds of service with reference to the 1921 Convention.⁸⁵ In practice, alternative service has never been arranged, and most Ålandic inhabitants have thus been exempted from both military and civil service since 1922.

Back to 1938: military service required an amendment of the Autonomy Act, and the Ålandic politicians thus got the opportunity to give their opinion on the issue. In the debates held in October 1938, the majority of the Ålandic Assembly opposed any changes to the international status of Åland. Varying arguments were used, but the most prevalent referred to the neutralized status as part of the protection of the Ålanders' "Swedishness". Ålanders performing military service were seen as a threat to Åland's Swedish-speaking status. Many were also hugely disappointed with the Swedish Government. On 12 November, the Assembly decided not to do anything at all, and the law was consequently not passed.⁸⁶ It was thus crucial in this case that amendments of the Autonomy Act required the Assembly's

82 Ibid., 221.

83 Lag om självstyrelse för Åland (the first Autonomy Act), FFS 124/1920, § 27; Självstyrelselag för Åland (the second Autonomy Act), ÅFS 5/1952, § 34; Självstyrelselag för Åland (the third Autonomy Act), ÅFS 71/1991, § 12.

84 Tulenheimokommittén (the Tulenheimo Committee), "Kommittébetänkande nr 24/1919 från kommittén för uppgörande av förslag till självstyrelse för länen, förvaltningsdomstolar i lägre instans samt nyreglering av den nuvarande länsindelningen och länsförvaltningen", *Förarbetena till 1920 och 1951 års Självstyrelselagar Del I*, 27–29, Ålands landskapsarkiv.

85 Ålands landsting (the Ålandic Assembly), Plenum den 13 juni kl. 12, *Ålands landstings stenografiska protokoll 1922*, 18–37, Ålands landskapsarkiv.

86 Ålands landsting (the Ålandic Assembly), Stenografiskt protokoll från landstingets urtima session hösten 1938, *Ålands landstings stenografiska protokoll 1938*, 212–277, Ålands landskapsarkiv.

approval. Worth noting is that what for the Swedish and Finnish Governments mainly was a matter of security, the Ålanders turned into an issue of linguistic and cultural survival. Yet again, some kind of forum for negotiation, implementation and development of the regime could here have contributed to the inclusion of the Ålanders in the process, and possibly fewer conflicts.

On 31 October 1938, a *bondetåg*, “peasant march”, was organized. The model was a demonstration held primarily by farmers in Stockholm in 1914, but whereas those farmers protested against a decision to slow down Swedish armament, the Ålandic ones protested against the plans on remilitarization of the islands. The march was said to have gathered over 3,000 participants, but the number was questioned. The event received a lot of attention in Swedish and Finnish newspapers, which had been one of the aims.⁸⁷

Under the surface, however, were huge divisions. Carl Björkman, the *lantråd* (leader of the Ålandic Government), thought it was necessary for the Ålandic population to receive some military training. His position resulted in his dismissal: with the vote 22 against 7, a motion of no-confidence was passed and he had to resign in December 1938.⁸⁸

In winter and spring 1939, a petition protesting against the fortification plans was organized. It gathered 10,786 names, which was said to correspond to 96.2 percent of the population above the age of 18 present on the islands. Carl Carlson, who had also represented Åland in Geneva in 1921, and Paul E. Paulsson travelled to Geneva on 14 April. On 18 April, they met the Secretary General of the League of Nations, Joseph Avenol. He could not formally accept the petition since it had not come from the Finnish Government, but advised the Ålanders to turn to his deputy, Frank Walters. Walters agreed to pass the petition along to the Finnish Government, but they refused to deal with it. The whole operation thus did not lead to anything concrete, but it raised a lot of attention in Sweden and Finland and contributed to increasing the resistance towards the plans in Sweden.⁸⁹

All of the signatory powers to the 1921 Convention approved the Åland Plan one by one. In early May 1939, only the Soviet response remained. The Soviet Union was not one of the signatory powers, but as it was a great power and a permanent member of the Council of the League, and as the purpose of the Plan was to protect Åland from a Soviet attack, it had been agreed that its support was necessary. Kenneth Gustavsson notes the contradictory character of the process: the changes to the Convention had been motivated by the loss of significance and power of the Council and its guarantee system, but at the same time, its support for the changes was sought.⁹⁰

87 Gustavsson, *Ålandsöarna – en säkerhetsrisk?*, 236–238.

88 Ålands landsting (the Ålandic Assembly), Plenum onsdagen den 14 december 1938 klockan 12 pd, *Ålands landstings stenografiska protokoll 1938*, 492, Ålands landskapsarkiv.

89 Gustavsson, *Ålandsöarna – en säkerhetsrisk?*, 308–313.

90 Ibid., 351.

The Soviet Ambassador to the United Kingdom, Ivan Maisky, was to chair the Council sessions. The Soviet side postponed the discussion of the issue several times, and the final result was that the Council made no statement at all at its session in early summer 1939. This was initially interpreted as a green light for the Swedish-Finnish plans, but in a speech shortly afterwards, the Soviet Minister for Foreign Affairs, Vyacheslav Molotov, made clear that the Soviet Union would not tolerate any changes to Åland's demilitarized and neutralized status. The plans were then put off and Åland was not remilitarized – at least not by Sweden and Finland together.⁹¹ The Soviet Union thus prevented any changes to the Ålandic regime in 1939. The autonomy would of course have remained in place also if the remilitarization plans had been approved, but the overall consequences in such a scenario for Åland as well as Sweden and Finland during and after the war are impossible to assess.

3.3 The war comes

On 30 November 1939, Finland was attacked by the Soviet Union. On 2 December, Finnish troops arrived on Åland. One of the divisions was Swedish-speaking, one Finnish-speaking, and the third mainly Finnish-speaking. A proclamation was put up in public places, where it was announced that the troops had not come to violate the neutralization provisions, but to fulfil the country's duties in accordance with the spirit and letter of the 1921 Convention. The Council of the League was informed of the defence barriers on Åland through two telegrams: the Finnish Government had taken inevitable preventive measures on the neutralized territory because of the Soviet attack in order to safeguard the neutrality of Åland, and had undertaken mining of Ålandic waters in accordance with the Convention.⁹²

During the 1939–40 Winter War that followed the attack, the Ålandic population showed an enormous will to contribute to the defence of the country. Different types of aid for people at the frontline were organized. A Home Guard was formed, which underwent intense training. Some people volunteered for the army, and the Ålandic authorities approved of this as long as the recruitment did not violate the Autonomy Act or the 1921 Convention.⁹³

However, the defence barriers were not destroyed and the troops were not removed when peace was made in March 1940. Finnish authorities argued that this was necessary because of the war developments in Western Europe, but the Ålandic leaders soon began to suspect that they planned to disregard the neutrality provisions. There were also official plans to keep military units of volunteers on Åland. The Ålandic leaders were not going

91 Ibid., 352–359.

92 Dreijer, *Ålands självstyrelse 25 år. Festskrift*, 123–124, 127–128.

93 Ibid., 131.

to accept any such violations of the neutrality provisions. However, the Soviet Union demanded in June the same year that Åland would be demilitarized or fortified by Finland and the Soviet Union together. The Finnish Government preferred the first option, and on 11 October 1940, Finland and the Soviet Union signed a treaty on the demilitarization and non-fortification of the islands. The troops were removed, the Home Guard dissolved, and the defence constructions destroyed.⁹⁴

The 1941–44 Continuation War, in which Finland together with Nazi Germany invaded the Soviet Union, did not generate the same will to contribute to the defence among the Ålandic population. One reason was that instead of a Home Guard (*hemvärn*) the National Defence created a Civil Guard (*skyddskår*), whose close connections to the military were considered to violate the Autonomy Act and the 1921 Convention. Another reason was the nationalist propaganda present during the war, which aimed at creating a Greater Finland. In June 1941, Åland was also occupied by mainly Finnish-speaking troops. The construction of defence barriers restarted, and Ålanders had to perform labour service there. During both wars, Ålanders who had completed military service before 1922 were brought in, and some of them were sent away from Åland. Even though there was little support for this new war on Åland, different types of aid actions were once again organized. Among other things, a group of Ålanders travelled to Karelia to participate in agricultural work there.⁹⁵

During the peace negotiations between the Soviet Union and Finland, the former requested land for military bases on the latter's territory. The Finnish delegates discussed offering Åland instead of the requested areas, which was not well received on Åland when the information became publicly known.⁹⁶

4. The effects of the dissolution of the League of Nations on Åland

Even though war was going on, the Ålandic Assembly continued to pass laws and also to seek a revision of the existing Autonomy Act. From the start, it was clear that the 1920 Autonomy Act contained technical inadequacies and that its scope did not satisfy the Ålanders. From 1938 onwards, two different committees drafted proposals for a revised Act, but none of them was discussed in the Finnish Parliament. When the war ended and it was clear that the League of Nations would be dissolved, the Assembly tried to achieve reunification with Sweden once more. It did not succeed. Instead, a revision of the Act followed, where Finland was pressured by demands from Åland, Sweden and the Soviet Union.

94 Ibid., 134–135.

95 Ibid., 137–138.

96 Ibid., 147.

4.1 Seeking reunification once more

In September 1945, when World War II had ended, the Ålandic Assembly sent a petition to the Finnish Government. There the Ålandic parliamentarians asked the Government to once again bring the issue of the sovereignty over Åland to the peace negotiations. They argued that the legislation implemented to safeguard the Ålanders' Swedish nationality had not worked the way it was intended, and that the scope of the protection as a whole was insufficient. A list of problems followed, which included disagreement in general between the authorities on the mainland and on Åland, the delayed implementation of the right of redemption, fortification of the islands, the presence of Finnish-speaking troops, and labour service for the Ålanders. The greatest concerns were said to have been caused by the dissolution of the League of Nations, which weakened Åland's international guarantees.⁹⁷ The solution that the parliamentarians were hoping for was, once again, reunification with Sweden. The Ålanders had not stopped hoping that the international circumstances would develop in such a way "that their natural yearning for reunification with their motherland" could be satisfied, the text read.⁹⁸

The day following the discussion and approval of the petition in the Ålandic Assembly, the Swedish Ministry for Foreign Affairs released a statement. There it was claimed that the Ålandic petition had been brought about by the need for a revision of the 1921 Agreement, since the conditions for Åland's international status, guaranteed by the League of Nations, had changed. In case of such a revision, Sweden also had interests to defend. However, regarding the expressed wish for reunification, the Swedish Government was "foreign to the thought" of overthrowing the 1921 decision on Finland's sovereignty over the Åland Islands.⁹⁹

The Finnish Government replied two weeks later, claiming that the issues mentioned in the petition fell outside of the Ålandic Assembly's area of competence, but that the proposals made by the Assembly would be examined by the Government "within the limits allowed by the autonomy legislation, the unity of the state and the principle of sovereignty".¹⁰⁰ The reply ended with the remark that the demilitarization of the islands had been re-established through the armistice agreement of 19 September 1944, and that all fortifications had since

97 Ålands landsting (the Ålandic Assembly), "Till Finlands regering från Ålands landsting", *Lagberedningen, Självstyrelselagsrevisionen, Ha 1: Förarbeten till 1920 och 1951 års självstyrelselag för Åland – Del V Landstingshandlingar*, 40–43, Ålands landskapsarkiv.

98 Ibid., 40. (Translation by the present author.)

99 Published in e.g. "Sverige river icke upp Ålandsfrågan. UD klargör den svenska ståndpunkten", *Svenska Dagbladet*, 13 September 1945; "Sverige skall bevaka Ålandsöarnas ställning", *Dagens Nyheter*, 13 September 1945. (Translation by the present author.)

100 Finlands regering (the Finnish Government), "Till Talmannen för Ålands lagting", *Lagberedningen, Självstyrelselagsrevisionen, Ha 1. Förarbeten till 1920 och 1951 års självstyrelselag för Åland – Del V Landstingshandlingar*, 45, Ålands landskapsarkiv. (Translation by the present author.)

been demolished.¹⁰¹ The Government also announced that it would appoint a committee to perform a revision of the Autonomy Act, whereby Åland would get two representatives.

Without the support of the Swedish Government, the second Ålandic quest for reunification ended before it had started. But the petition was not without result, since it led to the long-awaited revision of the Autonomy Act. The Finnish Government appointed the announced committee in November 1945, but it was not until 1951 that a Government bill made it to a vote in Parliament. One of the issues that delayed the legislative process was the status of the international guarantees after the dissolution of the League, which was officially dissolved in 1946 but had stopped working before that.

4.2 § 6 of the Guarantee Law

All sections of the Guarantee Law except for § 4 on the base tax, which was outdated, and § 6 on the right to appeal to the Council of the League of Nations, were included into the new Autonomy Act. Worth noting is that the inclusion of the guarantees in the Autonomy Act had been the original intention of the Council.

§ 6 gave the Ålandic Assembly the right to turn to the Council of the League in cases of dissatisfaction with the application of the guarantees. However, this would not happen through direct communication between the two: the Assembly had to go through the Finnish Government, which, after adding its own comments, would present it to the Council. If the issue was of a legal character, the Council could ask for an opinion from the Permanent International Court of Justice.¹⁰² This option was never used, although it was discussed on some occasions. The 1939 petition to the Council did not concern the linguistic and cultural guarantees and did not follow the correct procedure via the Finnish Government.

The first drafts of the new Autonomy Act contained a paragraph that would have obliged the Finnish Government to seek new international guarantees as soon as possible, but in 1946 this provision met with resistance from Finland's neighbour, the Soviet Union. A statement was released from the Soviet side where such guarantees were said to restrict Finland's sovereignty, which would be in conflict with the armistice and peace agreements between the two states. The Soviet point of view was that international guarantees could have given others an opportunity to interfere in Finnish internal affairs.¹⁰³

To meet both Ålandic and Soviet demands, the next proposed Act from 1948 did not contain the previous provision, but left § 6 in the Guarantee Law in force. The Soviet

101 Ibid.

102 Lag innehållande särskilda stadganden rörande landskapet Ålands befolkning (Garantilagen, the Guarantee Law), FFS 189/1922, § 6.

103 Modeen, *De folkrättsliga garantierna* ..., 68, 77.

Union, however, did not accept this either, which they let the Finnish Government know in August 1950. This demand became publicly known only a month later.¹⁰⁴ On 19 October, the Swedish envoy in Helsinki delivered a statement to the Finnish Minister for Foreign Affairs. There it was repeated that the obligations that Finland had undertaken towards Sweden in 1921 to guarantee the Ålanders their Swedish language, culture and local traditions were still in force. On 26 October, the Finnish Minister for Foreign Affairs replied that the Government considered Finland's obligations under international law not to be affected by the revision of the Autonomy Act.¹⁰⁵

Herman Mattsson addressed the international guarantees in an Assembly debate in November 1950. He had been a member of the Ålandic Assembly since the start in 1922, and claimed that he had never before been so worried about the political future. He argued that the fact that “outsiders” (most likely referring to the Soviet Union) seemed to attach great importance to § 6 made him sceptical as to what the whole issue was really about, and made him think that § 6 might be an obstacle to “bigger plans”. If one section of the Guarantee Law was removed, he continued, it might become easier to remove all sections of the Autonomy Act and “pave the way for certain measures that one has not yet anticipated”.¹⁰⁶ In his speech closing the Assembly session, the Speaker Hugo Johansson argued that it should be natural to award importance to the international obligations even if the League of Nations had ceased to exist: “At least the people of Åland do so [...]”. He also expressed his satisfaction with the reassurances made by both the Swedish and the Finnish Governments that Finland's international obligations still existed.¹⁰⁷ The Ålandic attachment to § 6 should probably be seen as a result of distrust in Finnish politicians and authorities, and not as a result of any achievements of the League. The turbulence of the war years, the various Finnish-language nationalist movements that aimed at eliminating the Swedish language in Finland, and the inadequate Autonomy Act, were some of the reasons behind this suspicion.

The Finnish People's Democratic League, closely connected to the Soviet Union, managed to stall the parliamentary process several times. In June 1951, § 6 was finally definitively repealed. The Soviet Union also objected to number 19 on the list in the second part of § 11, which gave the Ålandic Assembly the right to decide whether laws that implemented international treaties in Finland would apply on Åland in cases where such

104 “Den nya Ålandsfrågan”, *Dagens Nyheter*, 15 October 1950.

105 “Sverige och Åland”, *Svenska Dagbladet*, 1 November 1950; Ålands landsting (the Ålandic Assembly), Landstingets högtidliga avslutning måndagen den 4 december 1950 kl. 12.30, *Stenografiskt protokoll 1950*, 554, Ålands landskapsarkiv.

106 Ålands landsting (the Ålandic Assembly), Plenum lördagen den 18 november 1950 kl. 12.00, *Stenografiskt protokoll 1950*, 449, Ålands landskapsarkiv. (Translation by the present author.)

107 Ålands landsting (the Ålandic Assembly), Landstingets högtidliga avslutning måndagen den 4 december 1950 kl. 12.30: 554. (Translation by the present author.)

treaties affected the scope of the Autonomy Act. It was considered to diminish Finnish sovereignty over Åland, but here the Finnish Government and Parliament stood firm against Soviet pressure. On 12 June 1951 the revised Autonomy Act was approved by 108 votes to 40 (four blank votes and 47 absent). Since it had to be treated the same way as an amendment of the constitution, there had to be a second vote after the elections that took place a few months later. A two-thirds majority was then required. Only the People's Democratic League voted against when the Act was finally approved on 12 October 1951 with 143 votes to 37 (19 absent).¹⁰⁸ The new Autonomy Act was then sent to the Ålandic Assembly for their approval.

4.3 Assembly debates on the international guarantee

The debates in the Ålandic Assembly were held between 19 November and 1 December 1951. Already before that, the issue was heavily debated in the newspaper *Åland*. In addition, Swedish and Finnish papers reported extensively from the debates. On 6 November, six Assembly members (including the Speaker and Herman Mattsson, who had switched opinion), the *lantråd*, and a high-ranking official argued in *Åland* that the value of § 6 was very hard to assess due to the dissolution of the League of Nations. In addition, they considered the new Autonomy Act to be a huge improvement.¹⁰⁹ The changes included, e.g., codifications of existing practices, clarifications of the division of competences, some new legislative competences for Åland (including an Ålandic flag), and the introduction of *hembygdsrätt*, a kind of regional citizenship.

In the following Assembly debates there were in total three positions among the members. The first group, who ultimately was successful, considered the proposal to contain enough improvements for it to be worth approving. They considered § 6 of the Guarantee Law useless because of the dissolution of the League, but they had not given up on international guarantees for Åland; they wanted to try to seek new guarantees as soon as the international situation permitted it. The second group wanted to reject the new proposal on the grounds that the provisions of § 6 were missing. Some of them were happy with the rest of the proposal; some did not consider it to be that much of an improvement. Gunhild Berglund argued that it was too soon to dismiss the old guarantees, since it was not yet decided which functions the UN would take over from the League.¹¹⁰ Only one person represented the third standpoint: Rickard Lindroth, who belonged to the Finnish People's

108 Modeen, *De folkrättsliga garantierna ...*, 72, 74, 76–77.

109 "Till frågan om självstyrelserevisionen", *Åland*, 6 November 1951.

110 Ålands landsting (the Ålandic Assembly), Plenum måndagen den 19 november 1951 kl. 13.00, *Stenografiska protokoll 1951–1952*, 35, Ålands landskapsarkiv.

Democratic League. He did not approve of the proposal either, but his arguments mirrored the ones put forward by his party in the Finnish Parliament and in the newspapers. The final vote ended 17-10 in favour of approving the proposed Autonomy Act.¹¹¹

In 1939, the Soviet Union had stopped Åland from being remilitarized. Twelve years later, the same country prevented Finland from seeking new international guarantees for the League's solution. The majority opinion on Åland had been aided by the eastern neighbour in the first case, but in the second case the opposite happened. Soviet actions were in both cases guided by the same principles: to keep other countries out of what they considered to be Finland's internal affairs, and to limit the strategic significance of the Åland Islands. But the Soviet Union never opposed the autonomy itself, and the revised Act's many improvements, in combination with the Swedish and Finnish assurances that Finland's international obligations still existed, enabled the Assembly's approval.

5. Conclusions

When the Åland Example is used in conflict resolution, mistakes made and possible alternative paths are essential elements to explore. A scrutiny of the first three decades of the regime shows that the League's solution did enough to ease the tensions between Sweden and Finland, but not enough to satisfy the Ålandic population and its leaders. From their point of view, the survival of the regime cannot be attributed to only the design of the solution. The actions of the surrounding states were more important: a combination of Finland's respect for the rule of law and its international obligations, Sweden's low profile, and the Soviet Union's refusal to allow remilitarization of the islands. Had Åland had a stronger negotiation position – e.g., a larger population, more political and economic muscles, and/or support from Sweden – the regime created by the League would not have remained intact for as long as it did, or perhaps not have survived at all. As argued in this text, a forum for negotiation, implementation and development of the regime, where Finland, Åland and perhaps also Sweden and the League were represented, could have been such an alternative path that could have contributed to a smoother start, and possibly an earlier revision of the Autonomy Act and the Åland Agreement.

Finland and Sweden accepted the League's authority and refrained from going to war with each other. The Åland solution was thus given the basic prerequisites to survive. However, from the first time the Ålandic Assembly convened in 1922 until the revision of the Autonomy Act in 1951, there were differing opinions between Åland and Finland on how to implement the vaguely worded Act and the Agreement. Nevertheless, the possibility to

111 Ålands landsting (the Ålandic Assembly), Plenum lördagen den 1 december 1951 kl. 10.00, *Stenografiska protokoll 1951–1952*, 168–169, Ålands landskapsarkiv.

appeal to the League Council was never used by the Ålandic Assembly, probably because the chances to succeed in such an endeavour were seen as very low.

Sweden held a low profile during the decades that followed, which left the Ålandic politicians alone in every effort to accomplish any change, but this low profile also helped Sweden and Finland rebuild their damaged relations. When comparing Åland to the other minority solutions created during the interwar years, it must be noted that nationalist or fascist propaganda did not take hold in Sweden in a way that affected its foreign policy towards Finland. If Sweden had done anything close to what Germany did in relation to German minorities in other countries, the Ålandic regime would probably not have survived.

In the 1930s, the demilitarized and neutralized status of Åland was questioned as the Finnish and Swedish governments wanted to remilitarize the islands. The issue came to the Council of the League, who refrained from making a decision. The Assembly majority, which opposed the plans, was helped by the Soviet Union when its Minister for Foreign Affairs declared that a breach of the Convention would not be accepted. The autonomy would have remained in place also if the remilitarization plans had been approved, but the overall consequences for Åland, as well as for Sweden and Finland, during and after the war are impossible to assess.

In the 1940s and early 1950s, the dissolution of the League of Nations led to serious concern as the international guarantee for the minority protection regime on Åland disappeared. The Ålandic Assembly had not used its right to appeal to the Council, but suddenly valued it very highly. Sweden reaffirmed the Åland Agreement, and as Finland was in a delicate position after the war, it was first agreed that new guarantees would be sought from the UN as soon as possible. The Soviet Union eventually stopped all references to international involvement. The Assembly accepted the new Act since the majority recognized its many advantages, and realized that keeping § 6 on the right to appeal to the Council was useless after the League's dissolution.

The Ålandic Assembly has also later tried to seek new international guarantees, but as the UN never assumed the responsibilities regarding minority protection that the League of Nations had had, it has been an impossible mission. However, both Sweden and Finland have every now and then confirmed the continued validity of the Åland Agreement. Åland also remains demilitarized and neutralized. The early post-war era provided the stability needed for the Åland solution to develop into a well-functioning, appreciated and respected system.

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Politicisation of Travelling. Interrail and Freedom

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Abstract

Travelling is today an important aspect of the European political agenda-setting of both individual actors and institutions. The paradigms of car and air travel are contested in terms of climate change; I continue the contestation from the perspective of political liberty. Three paradigms of personal travel – by car, by flight and by train – are confronted with two concepts of liberty: the freedom from interference versus the freedom from dependence.

Three ideal types of travel – travelling to, travelling away and travelling around – are judged from the perspective of the two freedoms. Train travel by Interrail is a political innovation that links the freedom of movement to the freedom from dependence on the national states. The EU could offer, with systematic and coherent pro-railway support, travellers' freedom from dependence, and I suggest some simple pro-railway measures and steps towards parliamentarisation of travel politics. The conceptual point of the article is that freedom of movement can also be regarded as a part of freedom from dependence. In the Postscript I dispute the closing of borders under the corona lockdown and speculate how to retain the freedom of train travel under the condition of keeping the necessary distance from others.

Keywords

Politicisation, travel politics, freedom from dependence, freedom from interference, freedom of movement, Interrail, Quentin Skinner, Max Weber, European Union

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1. Introduction

Travel is today an important aspect of living, and the modes and conditions of travelling play an increasing role on the agenda of European politics. Even established bourgeois politicians pay lip-service to reducing flights, restricting car-driving, and supporting railways. In transport policy the shift from the roads to rails is widely accepted in the EU, although the results are still very modest. The declarations of change have so far not been followed by major concrete political moves against cars and flights. Nonetheless, compared with the post-WWII period, we can speak of a rhetoric of revaluation¹ in the ways of transport, of a politicisation of the very act of travelling.

The climate change argument provides remarkable rhetorical resources for this politicisation by contesting the car and flight paradigms for travelling. However, the climate change argument frequently has a Hegelian tone of ‘recognising the necessity’, which easily lends support to authoritarian politics and could also require a drastic reduction of travels.

In this thought experiment I offer rhetorical tools for analysing the politics of travelling. I discuss the politics of travelling by contrasting two concepts of (negative) freedom, namely freedom from interference vs. freedom from dependence, the latter referring to Quentin Skinner’s ‘neo-Roman’ concept.² These two conceptions of liberty offer me here a perspective on judging traveller’s choices and practices, as well as the controversies around them.

I consider politics as a contingent human activity that can always be otherwise, that acting in a certain way rather than another makes a politically relevant difference. John Pocock used, in *The Machiavellian Moment*, the formula of politics as ‘dealing with the contingent event’.³ Pocock equates, however, contingency with the classical figure of *fortuna*, and understands contingent merely as the hazardous or the accidental. An alternative figure of contingency is the *Chance*, a key concept for Max Weber in his methodological and political writings.⁴ Weber’s *Chance* includes related aspects, such as possibility, opportunity, occasion, realisability or option for future action,⁵ all referring to nuances in something that the actors can play with both time and space.

Once I emphasised how ‘the everyday decisions concerning food, clothes, habitation, sexuality, travel and so on are all experienced as contingent, as politicized’.⁶ In a book review

1 As discussed by Quentin Skinner with the scheme of paradiastole, see, in particular, Skinner 1996, chapter 4.

2 See esp. Skinner 1998 and 2002.

3 Pocock 1975, 156.

4 Max Weber esp. 1904, 149–150; 1918, 222–223 and 1922, Ch. 1.

5 See Keith Tribe’s comments in the Translator’s Appendix, Tribe 2019, 460, 464–465. When I use the German spelling *Chance*, this marks the use of the concept in the distinct Weberian sense.

6 Palonen 2008, 157.

my Oxford colleague Michael Freeden disputed this: ‘Do political actors really necessarily experience everyday decisions... as contingent, rather than as pursuing certain ends or just getting on with it’.⁷ Now I want to continue the debate with the case of travelling, focusing on the political alternatives that are available for individual travellers.

Travelling itself has grown politically more important than ever. Although travellers ‘pursue certain ends’, as Freeden writes, and frequently consider their choices as practical arrangements, such choices can be linked with conceptions of liberty. There are always alternative ways and aims of travelling, as is today famously illustrated by Greta Thunberg. Politicisation concerns both the travel polity – the ways of regulating what is allowed, legitimated, tolerated, excluded, or ignored in matters of travelling – and the travel policy, the official lines of travel organisation within the polities as well as the chances of individual actors for politicking in the ways of travelling.⁸ In this sense ‘travel’ is a policy concept, ‘travelling’ refers to the actors’ perspective on politicking.

In this essay I shall first compare the paradigms of travelling by car, by flight and by train with the conceptions of the traveller’s freedom and three ideal-typical aims: travel to, travel away, and travel around. I illustrate the *Chancen*, conditions and practices of independent train travelling with comments on the history and the present state of railway politics in Europe, including the contribution of the EU to the politicisation of train travelling. As a third analytical tool I distinguish between two types of contingency, between *fortuna* and *Chance*, between the Machiavellian and the Weberian moment as I called them.⁹ Towards the end I speculate shortly on train travel’s parallels to two other distinctly European ways of acting politically, football and parliamentarism. My discussion makes use of my own experiences as a regular Interrail traveller since the opening of the system for adults in 1989, and contains a *Wertbeziehung*¹⁰ in favour of train travelling.

2. The freedom of the traveller

The paradigmatic alternatives of travelling that have been available from the early twentieth century onwards are, namely, by car, by flying and by train. Other means, such as ferries, buses, horses, trams and bicycles, are combinable with any of them.

Car-drivers frequently argue for their greater freedom of travel: they can drive where, when and how they want, free of schedules. *Freie Fahrt für freie Bürger* is an old slogan of the German car lobby that has successfully opposed speed restrictions on the *Autobahn*. Although there are not roads everywhere, a license to drive is required, speed restrictions

7 Freeden 2016, 130.

8 For the four aspects of politics, inspired by Max Weber, see Palonen 2003, 2019.

9 In Palonen 1998.

10 In the sense of Weber 1917.

exist, and traffic rules can be strict, car driving seems to offer a large degree of freedom. Freedom here refers to the absence of interference, of which the freedom of movement is seen as a major dimension. This freedom is, as Quentin Skinner insists, a Hobbesian view that all kinds of physical or other obstacles that interfere with action similarly restrict freedom.¹¹

Let me return to the liberty of car-drivers. In the Hobbesian sense, besides politicians and officials regulating the traffic rules and conditions, all other travellers, including all other car-drivers, appear as obstacles to their freedom. The ideal liberty of a car-driver is that of *bellum omnium contra omnes* and, correspondingly, the lives of the drivers are frequently ‘nasty, brutish and short’, to quote Hobbes.¹² The car-drivers’ free movement is an illusion: they are entirely dependent on others.

When we understand liberty in the neo-Roman sense of absence from the arbitrary powers,¹³ car-drivers’ lack of liberty becomes even more obvious. They depend on the car manufacturers and car sellers, as well as on the availability and quality of a lot of services, such as petrol stations, repair businesses, parking and sheltering spaces, insurance companies, and whatever else there might be. Those engaged in these services are ‘living off cars’ in the same sense as politicians are living off politics, as James Bryce and Max Weber famously put it.¹⁴ They are perhaps not free to treat the car-drivers so arbitrarily as if they were external obstacles to their freedom, but one cannot own or rent a car without being aware of being dependent on such external powers.

Dependence, as counter-concept to liberty, does not lie in the actual fact but forms the way of thinking, an adaptation to the status of dependence with a slavish mentality even before being faced with specific demands, as the ancient Roman thinkers already understood.¹⁵ In a similar sense we can speak of a prevailing car discourse based on dependence. We outsiders can easily identify such a discourse when, for example, hearing radio stations after the news announce the *Staus* and road blockages. It is a major mark of absence of dependence to remain largely ignorant of this entire car discourse.

Moving to travelling by air, my thesis is that from passengers’ points of view flying is characterised by the absence of both freedom of movement and freedom from dependence. The seating in the planes is intolerably close to others, in a way that I have encountered in trains merely in the eight-person compartments of the former East German Reichsbahn. It is well known that intercontinental flights have provoked deaths or severe health breakdowns of passengers. The low-cost airlines’ price policy consciously operates at the

11 On the radicalisation of Hobbes’s view to the freedom from inference, see Skinner 2008.

12 Hobbes 1651, 89.

13 See Skinner 1998, 70–77.

14 Bryce 1888/1914, 731–732; Weber 1919, 42–44.

15 See Skinner 2002.

cost of the welfare and health of passengers. I have been wondering why the World Health Organization does not require the flight companies to maintain at least similar standards for air passengers as those that are required in trains.

The complete dependence on the flight company and its personnel is, or at least used to be, compensated with food, drinks, films etc. – *panem et circences* as the old Romans said – in order to keep passengers quiet and not to quarrel. An extreme case of this dependence was manifested a couple of years ago, when a co-pilot committed suicide by crashing the plane to the Alps and killing passengers, mostly German school children, and the crew.

In the trains one can walk around, go to the restaurant car, or to talk with colleagues and friends in other wagons, but in flights you are bound to a seat. An air travel type method of controlling the entrance has been introduced, very understandably, to the Eurostar trains crossing the Channel tunnel. However, as a general norm entrance and identity control, as well as passenger registration, in trains would be intolerable.¹⁶

Despite all this unfreedom and its fatal effects on climate change, flying is still considered as the norm for travels lasting more than a couple of hours. State and university administrations still tend to require their staff to use the cheapest and fastest connections, which in travels abroad usually are flights, due to the subventions and lack of taxation as well as the competition produced by the cheap flight companies. Among the 30 most frequent flight routes in Europe,¹⁷ I noticed that I had travelled almost all of them by train. The Madrid-Barcelona flight was on the top despite the fact that there are hourly trains from city centre to city centre lasting only some 2,5 hours.

I can somehow understand those who want to visit nice countryside villages or mountains by car and enjoy the freedom of movement and the possibility to go places that are impossible or difficult to reach by train or bus. But I do not understand why people willingly relinquish their elementary freedom for flying, as if the time ‘lost to travel’ would be compensated by its shortness. ‘Price, convenience and time’ serve as the main justifications for Finnish air travellers, according to my colleague from the University of Jyväskylä, the sociologist Terhi-Anna Wilska.¹⁸ In order to obtain these benefits the travellers seem to be willing to accept a short-term prison sentence, or in neo-Roman terms, a temporary status of slavery. Neither the individual freedom of the passenger nor enjoyment of the travelling as such plays any role.

Flying is frequently justified by the slowness of train travels. By checking actual timetables, it is easy to see that this is another myth. In travelling from Stockholm to

16 For a critique of such proposals see the column by Heribert Prantl, <https://www.sueddeutsche.de/politik/prantl-kolumne-datenschutz-1.4550085>.

17 In Finnish <https://www.vihrealanka.fi/juttu/kymmenettuhannet-eurooppalaiset-voisivat-matkustaa-paivittain-junalla-lentokoneen-sijaan->. This link from summer 2019 is no longer working.

18 Quoted in Helsingin Sanomat, 1 August 2019.

Málaga, if you want to minimise the time, you can leave Stockholm around 8 o'clock in the morning, use the night train from Hamburg to Offenburg, and you could reach Málaga before midnight the next day.¹⁹ This journey requires a degree of railway literacy and experience in using timetables, changes of trains, and seat reservations.

It might be rather difficult for people with their 'bourgeois' work and family life to raise the question of travellers' freedom. Politicians should, however, know better. In particular, they could use EU meetings as occasions for train travelling. Is it really necessary for the ministers to fly to EU council meetings from Helsinki to Brussels in the morning and come back the same evening? With such a schedule travelling appears as a burden, no break with the routine. However, when Internet connections are now available in trains, ferries, buses and hotels, why not give ministers and their staff more time for travelling, still taking care of the politically urgent tasks on the way?

For freedom from dependence and enjoying the travel, trains are definitely also the best way of travelling for long trips in Europe. When reaching the destination at a definite time is not the main objective, changing travel plans *ad hoc* might be a refreshing experience. The shift between trains is part of the enjoyment, and the delays and breaking down of the connections challenge your travel literacy and ability to improvise with alternative routes and schedules. If you look for convenience, for Interrail travellers first class travel is only approximately 25% more expensive than second class travel.²⁰ There you rarely need seat reservations, at least when avoiding the peak holiday or festive seasons.

It is, furthermore, still common to identify the Interrail with its oldest version, a ticket for a month, which still exists. Since 1989, when the adult Interrail was introduced, the variety of tickets has multiplied. First there was a 15-days Interrail, which was practicable for academic conference trips. A senior version for those 60 years and older, and the first-class option, have been present for at least a decade. At present there are youth, adult and senior tickets for 5, 7, 10, 15 and 22 days within a month, as well as all-day tickets for 15 and 22 days, and for 1, 2 or 3 months.²¹ The ticket for 3 months is relatively cheaper than for shorter periods. The wide spectrum of Interrail versions does justice to the multiple purposes and different rhythms of train travels, and as such increases both freedom of movement and freedom from dependence.

Of course, train travels also have their inconveniences, partly due to such things as the length of the journey, the growth of passenger numbers, as well as the number of change connections. Many of the inconveniences are due to the political neglect or administrative mismanagement of the conditions and practices of railway travelling. Better railway literacy

19 This holds for the pre-corona period. Currently there seems to be no connection from Barcelona to Málaga after 17 h. See <https://reiseauskunft.bahn.de>.

20 See <https://www.vr.fi/cs/vr/en/interrail-english>.

21 See <https://www.vr.fi/cs/vr/en/interrail-english>.

of the passengers can facilitate dealing with them. Below I shall discuss the European railway politics and speculate on the chances of improving it, but first some comments on ideal types of travelling.

3. Ideal types of travelling

Should we travel or not? Is it better to travel than not to travel? In contrast to many of those emphasising climate change, I claim that travelling is better than not travelling. It allows us to get rid of what Quentin Skinner once called the ‘mythology of parochialism’.²² I commit myself to a pro-travelling lifestyle, in favour of a nomadic rather than a rooted way of living.

For constructing ideal types of travelling, I suggest a division between three pure alternatives: travelling to a destination; travelling away from the domicile; and travelling around. The Interrailer operates within the last type, and its differences to the others deserve comment.

In travelling the person moves from one place – home, domicile – to another, to a destination, say from Helsinki to Paris. Out of this statement it is possible to read out tacit common assumptions, which are by no means necessary for all travellers.

First, travelling is commonly assumed to be an exceptional act, whereas staying at home is the norm. A stable domicile has been regarded as a civilising achievement, while the nomadic styles of living appear as suspicious, which can be seen for example in binding voting rights to the domicile. The second assumption is that the traveller comes back to home, ends the exceptional situation, and returns to normalcy. A third assumption is that only the destination counts, whereas the journey is only a transition from A to B and does not have a value of its own. A second normalcy lies in the assumption that the transition is expected to be as simple and fast as possible: the ‘rational’ traveller chooses to minimise the burdens of the voyage.

For a number of journeys and travellers none of these assumptions holds. The obvious cases include homeless people, those having a flat in several places, or those living in hotels – as the young philosophy teachers Simone de Beauvoir and Jean-Paul Sartre did in Paris in the 1930s – to nomads, such as the Roma were until a few decades ago. It is, however, easy to add more mundane cases to this list. In my research periods abroad, I used the Interrail ticket to catch the train and travel to cities close by my place of residence, without any special interest in the destination, the main criterion being that the train connections allowed me to return the same day. Sitting in the train reading a book, or commenting on

22 Skinner 1969, 25.

or revising a manuscript, were part of the trip, but so too was the simple idea of travelling around, not being fixed to one place. I visited, for example, Coventry, Caen, Örebro and Wismar, places which I probably would never have gone otherwise.

The second assumption is contrary to the everyday experience of us luggage professors, those who have two flats between which to travel during the academic term from week to week. Travelling is not an exception but a regular part of living, and none of the trips between the flats is a return. Trains are not sites of transition, but like the university desk and the two flats, are sites of academic life, of preparing lectures, reading students' papers, writing letters of recommendation, doing proof reading, or working on manuscripts. The addition of Internet access in the trains has further improved the quality of train travels.

For a remarkable number of persons, the time spent in travelling is not a waste of time that should be minimised and realised with the least possible effort. Travelling is not only getting from one place to another, but also a way of living. From this perspective it is the freedom of the traveller that matters.

The second ideal type is travelling away from the domicile. Again, we do not need to think of dramatic stories of refugees fleeing from their home country, or emigrants choosing to leave. Everyday phenomena, such as young people moving away from home or adults changing flats, equally correspond to travelling away. In all of these cases the point of travelling is to leave something behind, including a moment of freedom from dependency, a 'break with the custom',²³ a liberation from prevailing traditions and conventions.

An irrevocable and irreversible break with the old domicile opens up new *Chancen* for thinking and action. Moving from one country to another used to require a lot of formalities at the border, which used to be a real experience not only in the trains between the Western and Eastern European countries, but also between Western European countries themselves. The abolishment of border formalities marks a major gain of denationalising travelling within the Schengen area as well as the freedom from dependence on 'national identity'.

Travelling around is an old European tradition, especially the 'grand tour' of young gentlemen. The First World War saw the introduction of restrictions to freedom of travel in the form of passports, visas and stricter border controls, but international trains still circulated widely. The number of trains declined when Eastern Europe fell under Soviet rule after the Second World War. The absence of freedom of travel was a distinctive experience in the countries of the Soviet bloc. The long periods spent waiting on the Soviet or East German borders for passport and customs control, including the search for hidden passengers, gave trains crossing the border between east and west a distinct status. The existence of such trains already contained an element of free movement, which, however,

23 In the sense of Walter Bagehot (1872).

was met with a huge apparatus of control and repression, and the experience was disturbing also for us Westerners.

The trains in Eastern Europe tend still to be few, slow, and rather uncomfortable, the tracks are old, and an investment in train travel has not been a priority for these countries. To travel from Berlin to Tallinn by train takes twice as long as it did in the 1930s, and requires a Russian visa. The Deutsche Bahn website shows that the fastest way would be by taking a ferry from Stockholm to Tallinn.²⁴

The Interrail was from the beginning understood as an entirely new way of travelling around Europe, one which increased the freedom of the travellers from the dependence of state borders. Guidebooks for young Interrail travellers were written, the first in Finnish in the mid-seventies by Pekka Haavisto, today the Green foreign minister in the Sanna Marin government. Haavisto revised his Interrail experiences in 2018 with another book in which he even insists on the contribution of the Interrail, in which several Eastern European countries were included, to the breakdown of Communism, as young people could have personal exchange with colleagues from the west.²⁵

The radical idea of Interrail is the absence of a single or privileged destination, an idea that reevaluates the act travelling itself. An Interrail trip consists of different phases, which must not be planned in advance. The ticket enables us both to learn to know some places which one happens to visit and, perhaps more importantly, to travel ‘to the trains’, as I use to say when someone would ask where I was going. With the Interrail, sitting or eventually sleeping in the trains forms the recurrent element, whereas the stops in cities and accommodation outside trains remain the exception.

4. Railway politics in the European Union

How is the train traveller’s freedom in Europe today? The state railways once rescued the European railway network from the fate suffered in the United States and southern America. The privatisations, such as in Thatcher’s Britain, have also been experienced as a failure. The state railways, with different rules, conventions and practices in each country, contain, however, a bureaucratic apparatus with vested interests of its staff, as we recently saw from the SNCF staff who went on strike to retain their extremely low pension age. Replacement of the administrative model by the business model has improved the quality of services but has also led to closure of less used lines. Border crossings in passenger services were for long time difficult even in Western Europe.

24 Again, this was the case for the pre-corona era.

25 Haavisto 2019, 24

The high-speed trains initiated a new era in train travelling in the 1980s: the TGV (*Train à grand vitesse*) was the first, allowing travel from Paris to Lyon (ca. 540 kilometers) in 2 hours. It was followed by the ICE (*Intercity Express*) in Germany, the Thalys (France, Belgium, the Netherlands, Germany), the Eurostar under the English Channel, the Pendolino in Italy, as well as AVE in Spain. Every West European country today has some kind of high-speed trains. In France and Spain new tracks were built for them, whilst other countries mainly use old tracks with new trains. Part of the improvement in speed and quality was enabled by preventing railway lines from crossing the roads at the same level. The landscape looks different from window of the high-speed trains as compared with the slower regional lines, which still exist and have partly even been improved. *Thomas Cook's European Timetable*, the 'bible' of Interrail travellers before the Internet age, regularly used to contain a list of scenic railways, routes that were recommended for their landscape.

The European Union, the Schengen area and the Eurozone have provoked major changes in railway and travel politics, although vested interests of national railway services still persist. So far changes have been largely unintended by-products of the common market and the freedom of movement. Nonetheless, travellers experience them also to enlarge their freedom from dependence from nation-states. A consistent and large-scale pro-railway policy, based on systematic lowering of the dependence on the member states, could be a major politicising project for EU citizens

Of the EU member countries with railways, Estonia and Latvia have only in 2020 been included into the Interrail system. In France some trains have been excluded for Interrail users. Finnish and Swedish railways have ceased to sell seat tickets to other European countries at their stations. The return of border controls in Denmark, Sweden and Bavaria are part of the current rhetoric of reaction.

The high-speed lines have finally made the railway companies cooperate, although obligatory seat tickets for border crossings for Interrail travellers are more expensive than those within a country. For the trains from Brussels to Cologne seat tickets are obligatory for the Thalys, but not for the ICE trains. The EU support for new rail tracks also gives hope to neglected areas: the completion of Rail Baltica – promised to allow travel by train from Tallinn in the morning to Berlin the same evening – is now planned to open in 2026. Not-in-my-backyard 'environmentalists' have acted on behalf of the car and flight lobbies by delaying the completion of new lines, such as the Fehmarn Belt bridge between Denmark and Germany and the Alps crossing line from Lyon to Turin.

In 2018 the EU Commission allocated by lot a number of complimentary Interrail tickets to 18 year olds. This is a modest attempt to illustrate how travelling by train across Europe is possible and practicable. The next step could consist of arranging a similar lottery for persons turning 60 years of age, the age for the senior Interrail ticket. Especially for persons

who have never travelled abroad in trains, this move might be an encouraging step of de-provincialisation in their experiences.

There is an old tradition – practised already in the German Empire under Bismarck²⁶ – that Members of Parliament receive for the period of their membership a free first-class ticket for travels within the national rail network. In the EU an obvious possibility would be extending this practice to the MEPs, giving them first-class Interrail tickets as compensation for their travels. For the Greek and Finnish members ferries could be added to the compensation. The Interrail ticket would not exclusively concern the travel between Brussels/Strasbourg and the home country, but the MEPs could also travel across Europe by train. With this move it might perhaps be easier to legitimate the change from the member-state-based electoral districts in the election of the European Parliament.

A major EU measure could be including the railway politics and policy within the range of items dealt with by the ‘ordinary legislature procedure’, that is, by the regular political struggles between the Commission, the Council, and the Parliament, complemented by the EU committees of member state parliaments. Railway politics and policy would then become an issue of the debates concerning the EU’s general interest. Understanding railway travel as a European topic would facilitate cross-border connections as the strategic key to deepening European integration and securing the priority of travelling by train. The railway politics could then gain prominence on the agendas of the European Parliament’s elections campaign and the debates of the Parliament.

5. The contingency of travelling

To travel is to be exposed to contingency. To travel to a destination and back by the shortest and fastest means attempts to minimise contingency through planning the journey as exactly as possible in advance. The Soviet regime was committed to maximal planning, and therefore regarded individual travel with suspicion. Inland passports already existed in Czarist Russia, and the Soviets continued with this system with closed cities and so on. Even the British border officials, in 1989, still asked upon entry where I was going, and did not really understand when I said that I travel by Interrail without knowing in advance my exact destinations in the country.

Travellers using Interrail willingly expose themselves to contingency, to both *fortuna* and *Chance*. The *fortuna* is manifested for example in the fragility of train connections: there is a limited number of rails, and still fewer stations or other places where trains can pass each other, different trains have different speeds, the signals guiding trains may be

26 See Butscher 1998.

temporarily out of order, the weather conditions may disturb the traffic, and so on. All this may be liable to provoke delays, which frequently leads to broken connections between trains.

Of course, the train timetable presupposes that not everything is left to the *fortuna* and avoiding 'accidents' is a minimal requirement of all travelling. Some planning is required even for Interrail trips, including the reading of timetables, making seat reservations and, for us senior travellers, reserving hotels in advance. However, each train change can be understood as facing the *fortuna*. Professional train travellers have learnt to accept this contingency, and nonetheless it is still frequently the case that everything goes according to plan.

The very idea of travelling around contains its profile of *Chancen*, which the traveller has to judge and consider with each other. The political imagination of the Interrail traveller consists of attempting to turn accidents of the *fortuna* to a *Chance* to invent something new. This can consist of visiting places one never intended to visit or detecting local trains with slower connections which would enable enjoying the trip, for example due to being quieter or allowing a better view of the landscape.

Which cities and stations one happens to visit during an Interrail tour remain partly accidental choices which depend on the train connections, timetables, how crowded the trains might be, and so on. No specific reasons are needed to step down at a particular station, just a couple of hours walking around with lunch or coffee, say in Donaueschingen, as another step of freedom from dependence.

The contrast between *fortuna* and *Chance* is also otherwise relevant for the freedom vs. dependence debates. The nationality and citizenship of a person is still largely a result of *fortuna*. A propaganda slogan from the 1980s claimed that to be born in Finland is like winning the lottery. From the perspective of freedom from dependence, any nationality is a matter of dependence, a creation of a 'we' that I have not chosen myself. This 'fact' must not be denied, but it can be relativized, and the European Union is a major project in reducing the dependence on both nationality and citizenship. The Europeanisation of the railway politics would for the individual EU citizen mark another step for the freedom from dependence, and the specific *Chance* included in travelling by Interrail already provides the model for using this type of chance for politicking with one's own life.

The Interrail also did away with the practice of counting kilometres of railway travel and replaced this with counting instead the total days of travelling, regardless of state borders. The next analytic step to increase the freedom of dependence of the train traveller would consist of changing the relationship between the exception and the rule. Instead of paying for single trips or periodic travel cards for the same interval, the annual train travel profile of each individual could serve as the ticket paradigm.

We could imagine that train travel up to a certain sum would be free for all persons, after which the Interrail or maybe regional travel-around tickets would provide the basis for travelling. This ticket reform could illustrate how the freedom of movement serves as an inherent part of the freedom from dependence of railway travellers by emphasising that train travel is not an exception, but a regular practice available for everyone in the EU. Whether the freedom criterion would then gain priority over the voluntary dependence of car and air travel would of course require other measures, including improvement of the rail connections and trains.

6. Travelling by train – a European way of life

It is time to raise travelling to the agendas of political science debates. Travelling has, indeed, been a classical method of studying politics. Alexis de Tocqueville's *De la démocratie en Amérique*, James Bryce's *The American Commonwealth* and Moisei Ostrogorski's *La démocratie et l'organisation des partis politiques* are examples of classical comparative studies on politics using travelling as a tool for knowledge and judgment.²⁷ Max Weber's letters have also made clear how important his travels were for the formation of his work.²⁸

Reinhart Koselleck saw a *Verfremdungseffekt* as a necessary condition for historical studies of concepts, and the concept also provides a further justification of travelling as tool of analysis.²⁹ My own scholarly practices have brought me close to the sources abroad, with experiences and observations of both the contexts and of the practices of travelling by train as by-products.

In his *Ach Europa!* from 1987 Hans-Magnus Enzensberger presents six reports from the mainly peripheral European countries, an imagined epilogue by Timothy Taylor in *The New Yorker* on 21 February 2006.³⁰ Taylor visits a number of European countries, notices a nuclear accident close to Bordeaux, reports how biologists and art historians dispute what to do to with the Berlin Wall after its fall, and visits the former president of the European Commission, Erkki Rintala, in the Finnish village of Rääkkylänmäki. Importantly, Taylor notices on several occasions that 'free movement', that is, car-driving, has become impossible in Europe, and he was obliged to take a train to Kaiserslautern. For Taylor travelling by train and reading books in trains are another 'europäische Marotte'.³¹ With his political imagination Enzensberger could foresee something important was coming, including the renaissance of train travelling.

27 See Tocqueville 1835, 1840, Bryce 1888/1914, Ostrogorski 1903/1912.

28 For a new selection of the letters see Weber 2019.

29 Koselleck 1972, xix.

30 Enzensberger 1987.

31 Ibid 456.

In his anecdote Enzensberger refers to train travelling as a distinctive part of the European political lifestyle. Football and parliamentarism could similarly be viewed as two other aspects of distinctly European political phenomena.³² Politicisation consists in all three cases of converting time into a medium of politics. This is done in a manner that disputes the unconditional priority of speed and the hurry that characterises flights and car-driving. The journey – train travel, football match and parliamentary debate – is more important than the result, the fair play more important than victory.

7. Postscript: the corona virus – a death blow to travelling by train?

A few weeks after the completion of this essay a malign *fortuna* called the corona virus struck like lightning. The strike provoked the frightened governments to close the state borders within the Schengen area as well as all ‘non-necessary’ intra-state travel. The restrictions to protect freedom from dependence – from other people – were understandable. However, closing the borders was a *non sequitur*: the virus does not follow the borders.

‘L’enfer, c’est les autres,’ was a famous line of Garcin in Jean-Paul Sartre’s play *Huis clos*, written during the Second World War after Sartre’s return from a prisoner of war camp.³³ Max Weber’s principle of keeping ‘Distanz zu den Dingen und Menschen’³⁴ is only a more polite and academic formula for Sartre’s thesis. Both ideas refer to keeping distance as a mark of freedom from dependence.

The virologists and epidemiologists – the disputes among them are equally militant as among us in the humanities – claim that the danger lies in the proximity and keeping 1.5 metres distance between persons was offered as a new norm. The gatherings of people at railway stations might be dangerous. Contrary to rumours, trains themselves have been no danger. Bertold Huber from the Deutsche Bahn claimed that no train traveller in Germany would have been infected.³⁵

Thanks to the Internet and other forms of digitalisation, as well as the continuation of regular radio programmes, the non-travelling situation was not as bad as it would have been in the 1980s. Nor can we compare the *Ausnahmezustand* with living behind the ‘iron curtain’, as numerous debates on both what is going on and what should be done have been on the agenda. The unfreedom of car and air travels has not diminished at all, but here I shall only discuss the *Chancen* for removing the restrictions for Interrail travel within the Schengen area.

32 For football see Cohn-Bendit 2019; for a parliamentary interpretation of Europe’s borders see Palonen 2014.

33 Sartre 1944, 128.

34 Weber 1919, 74.

35 ‘[E]s sei bislang kein einziger Fall bekannt, bei dem sich ein Reisender im Zug mit Corona infiziert habe,’ taz, 25 Mai 2020.

For train travels the ‘hell’ mediated by the virus offers a real challenge. A minimum requirement, besides efficient cleaning operations, for reactivating train travels would make single seats the norm, which would of course reduce the number of seats available to passengers. This also was the praxis of railway companies when the strict lockdown ended. The limited number of seats can be expected to make travel planning in trains more difficult, and perhaps tickets more expensive, but these steps are worth taking to regain the freedom of movement.

Keeping distance in the queues at the stations and in the trains, frequent handwashing, and wearing a mask have been recommended for the upcoming months. Such restrictions on the freedom of movement would hardly be more severe than entry requirements for football matches in major stadiums before the corona virus struck. The time required for controlling the passengers should not affect the timetables or transfer to connecting trains, but travellers should reserve more time for entering the stations.

The nationalists and populists of all countries welcomed the closure of borders in Europe, a *de facto* suspension of the Schengen area. Johann Gottlieb Fichte’s *Der geschlossene Handelsstaat*³⁶ suddenly turned into a tacit model for the ultra-protectionist border regime. For the Interrail travellers the closure appears as being due to the lacking competencies of the EU concerning the health and railway policies, which has been judged as an authorisation to governments to close state borders without even waiting for an EU level debate on the wisdom of these emergency measures.³⁷

I have insisted on the value of travelling as a regular part of the European lifestyle in favour of freedom from dependence. This freedom should not be given up due to the corona virus. On the contrary, measures are needed to support enabling train travelling in the Interrail style in a manner that does not place the health of the travellers and the personnel in trains and stations at high risk. Equally important is to understand that staying at home for several weeks involves risks to health, as well as risks for the mentality of dependence – something which can often best be gotten rid of by travelling around.

36 Fichte 1800.

37 See also Klaus Hillenbrand, taz 7 May 2020, <https://taz.de/Ueberfluessige-Grenzkontrollen/!5681222/>.

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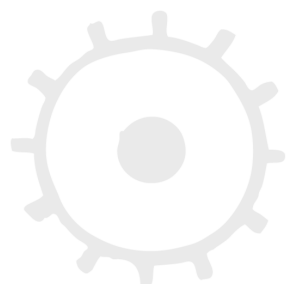
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