

# The Nordic Self-Governing Areas in a Peace Perspective

The Faroe Islands, Greenland and the Åland Islands



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## Introduction

The Nordic self-governing territories – the Faroe Islands, Greenland and the Åland Islands – have been the object of much attention during recent years. As the political situation in the world is turning increasingly worrisome, the constitutions of these self-governing regions are seen as useful to study from a conflict management perspective. These regions have made great progress in their self-governing status while at the same time

peaceful solutions have been found to the conflicts which have erupted. This fact is considered important to study, not only in a Nordic but also in a wider, international, perspective.

Against this background the Nordic Council gave the Åland Islands Peace Institute the task of carrying out a scientific study to find out what lessons can be drawn from a comparative study of the three self-governing areas'

judicial, economic and security development. Part of this project was a conference, which took place in Mariehamn on 26 January 2015. The resulting publication, which was finalized in April 2015 and edited by Sia Spiliopoulou Åkermark and Gunilla Herolf, is entitled *Självstyrelser i Norden i ett fredsperspektiv - Färöarna, Grönland och Åland (Nordic Self-Governing Areas in a Peace Perspective – the Faroes, Greenland and the Åland Islands)*.



## What Have We Learnt?

In order to prevent or resolve a conflict different mechanisms can be used. As seen below, these may be of different types and, while some have to be actively sought, others are already to hand as favourable preconditions or means to avoid conflicts.

### **Judicial Means**

Judicial means can be used to block the development of self-governing areas, and accusations that this has been done have in fact been made. There is, however, also much evidence for the opposite, i.e. that they have been used as a conflict resolution mechanism. As Markku Suksi shows in the chapter on comparisons of the constitutions of the three areas, the introduction of self-governance has reduced an acute conflict to a low level of confrontation, a kind of latent conflict. In this way the Nordic self-governance systems can be seen as constitutional mechanisms for dealing with conflicts. The Danish rules for meeting problems in relations are seen as a transformation of potential conflicts into an “admin-

istrative” management between the state and the sub-state in which the two sides can rub along together on a daily basis.

### **International Organizations**

International organizations may serve in several ways to prevent or resolve conflicts. One way is to act as a *court*. International organizations are well suited to this task since they are often considered more impartial than other decision-making organs or individual countries. The best-known example of this among the Nordic countries is the referral of the Åland issue to the League of Nations.

International organizations can also serve as a *provider of security*. One example of this is the anchoring of the Åland solution in the League of Nations, another the role of NATO during the Cold War for the Faroes and Greenland. The latter example may, however, also be interpreted in the opposite way if the situation is perceived as leading to increased vulnerability due to the installations placed on the territories of the Faroes and Greenland. The security

perspective is evidently also behind the wish of Greenland’s parliament that the Thule base should change from American to international ownership and its activities thereby become more transparent.

One way for international organizations to dissipate a potential conflict is to facilitate a *gradual integration* in such an organization towards increased independence and do this in a way that will not create resistance among others. In Sarah Stephan’s chapter the integration of the self-governing areas in the Nordic Council is described as a policy which has this effect. The reason is the imaginative way in which the Nordic Council has circumvented the issue of full membership and instead found other ways of integrating the autonomies.

### **Package Deals**

A useful way of reaching a solution can be to include a number of basic needs and possible problems in the proposed solution. A so-called package deal was used in the case of Åland. As described by Sia Spiliopoulou Åkermark in the chapter



on Åland as an example of peace in constant evolution, this solution concerned four specific areas: (1) political power sharing; (2) security needs; (3) cultural and language-related needs; and (4) economic sustainability.

### **Flexibility**

A certain flexibility is a necessary component in agreements in order to create sustainability, and this has also been included in the laws of the self-governing areas. This can, for example, be seen in the way in which law-making powers have been enumerated: rather than creating unsurmountable barriers between the rights of the state and the sub-state, issues can be moved from one list to the other without too much drama. Kári á Rógvi saw the Faroese law of 1948 as a stroke of genius, because the law gave the Faroes the right not only to deal with the areas which they controlled but also to engage in the so-called common areas, together with Denmark. An-

other advantage of this solution was that it also furthered other versions of flexibility, like pragmatism. At the conference Sjúrdur Skaale described the Danish policies of today as an example of wise flexibility, since the government acts in accordance with what actually works in spite of the fact that its activities sometimes go against the Danish constitution.

### **The Nordic Identity**

Another conflict-preventing factor is the common Nordic identity. Part of this is that people's level of knowledge of the neighbouring countries is quite high so that the misunderstandings which are always present in conflicts will remain on a fairly low level as compared to what can be seen in other parts of the world.

The great exception to this is the case of the Inuits in Greenland and Denmark's earlier role as "colonizer", and this is also the context in which the most severe conflicts have taken place. Greenland furthermore differs from the other areas

as regards economic and social problems, as shown in the chapter on economic and welfare developments by Richard Palmer. Above all these conflicts took place during the period before the population of Greenland organized itself into political parties in order to promote its own views. In Denmark critical opinions were repeatedly voiced protesting against the treatment of the population of Greenland, which led to discussions which in the end influenced the government.

The populations of the self-governing areas form a minority in Denmark and Finland even if – with the exception of the Inuits – they only differ marginally from the population at large in terms of typical minority criteria such as language and culture. In contrast to the Sami population they have a well-defined territory and they consider themselves a unit. Their wish to govern themselves does not emanate from oppression and violence of the type seen in other parts of the

world, which necessitate extensive processes of reconciliation. Rather it comes from a wish to have the right to rule themselves, wholly or partly, in order to keep their own distinctive character and control their own resources and their economy.

Identity has therefore been a strong factor and not least well anchored in culture. This is also illustrated by Maria Ackrén, who analyses the parliamentary development in Greenland. As Tove H. Malloy shows, the relationship between Denmark and the Greenland population has undergone dramatic changes and it is evident that improvements have been stepwise and not without conflicts.

A peaceful process does not mean that there are no conflicts, and the examples given in the chapter on the Faroese constitutional status by Lise Lyck bear witness to the way in which economic factors have

assumed a larger role in this – the meaning of “peaceful” refers to the way conflicts are dealt with in the many conflicts that exist today as well. The possibility of any of these leading to a critical situation is very remote.

The Nordic successes in the peaceful resolution of conflict should not, however, lead to over-confidence. The Nordic countries have come far in this area, but lessons have been learnt and knowledge has been gained only gradually, and new challenges may test them. We live in a time when armed force is once again being used in Europe and we cannot be sure which external threats may be posed against individual countries and regions in the North.

### **Which Lessons Can Be Transferred to the International Level?**

A comparison between the pre-conditions in the Nordic countries and those which exist in other areas when it comes to resolving and preventing conflicts related to self-governing areas reveals a number of conditions which have been very favourable in the North, but which seldom exist in other regions. One factor, mentioned above, which is quite unique in the North, is the common culture. Another advantage for crisis management in the North is that no external actors have tried to influence the crises to their own advantage. A third factor is the Nordic tradition of trust. A strong sign of trust towards society was the fact that, in spite of the great disappointment in Sweden and among the population of Åland after the League of Nations verdict of 1921, they still accepted it and





abided by it. Normally people in the Nordic countries trust the other side, but such an attitude is surely also helped by the fact that their stable societal structures mean that those who break agreements will face consequences.

In areas where all these preconditions are lacking the problems are many times more difficult. The question is, then, whether Nordic conflict resolution mechanisms can function under considerably different circumstances.

It is argued that to a certain degree conflicts can be prevented or dissipated in other areas as well by using the means that have been successful in the North. Expectations have to be reasonable, however. International organizations can, as has happened in Nordic circumstances, be used in a variety of roles. Their role as a court or a guarantor for a peace agreement may be even more important in regions where the parties involved

do not trust any individual states. International organizations are also well equipped to monitor activities where there is a lack of trust and a need for transparency. An organization can furthermore use certain routines and make inspections and thereby to a certain degree compensate for lack of confidence.

The stepwise procedure of involving self-governing areas in an integration process with the aim to prevent conflicts may also suit organizations other than the Nordic ones, and be used in other geographic regions.

As concerns the resolution of the Åland conflict, it is evident to those who study it how well established this solution is and that everyone today is satisfied with the final outcome of the conflict. The fact that the Åland solution has survived so long is a strong signal for others that this was a wise solution. It contains several good components, of which the best-known is the referral of the

conflict to international arbitration. Another is the package deal, mentioned above, in which four important areas were included. Such a solution may be more difficult to achieve in a culture other than the Nordic one, but it can on the other hand become more valuable where political conditions are more fragile than they are in the North.

Generally, solutions must be adjusted to the circumstances while at the same time keeping the components that have shown themselves successful in Nordic circumstances. Flexibility and pragmatism have been seen to contribute to well-functioning solutions. Equally, goodwill and “judicial imagination” have turned out to be necessary components. They don’t dissolve the conflicts but conflicts are dealt with in a way that makes them smaller rather than bigger and the process is dealt with by using pen and paper, discussions and agreements rather than by using weapons.

# The Scientific Contributions

## **Constitutional Similarities and Differences among the Nordic Self-Governing Areas**

*Markku Suksi*

The three self-governing territories in the Nordic space, the Åland Islands, the Faroe Islands and Greenland, share the common characteristic that they are not affected by any supremacy clause or pre-emption doctrine such as are common in federations and in some other self-governing territories. This means that these autonomous regions are strong in relation to the national law-maker. In other respects, they are quite different – even the two Danish autonomous regions differ from each other – although these two entities have been granted the unusual power to transfer law-making powers from the national law-maker to the law-making assembly of the sub-state entity by decision of the latter. In principle, however, all three self-governing territories have enumerated law-mak-

ing powers, matched by enumerated law-making powers for the national legislature. Greenland stands out as the self-governing territory for which the right of self-determination and the possibility of secession have been recognized because of the position of the Inuit population as an indigenous people. It is submitted that the self-governing status of these territories was introduced after a short period of open conflict so as to reduce the conflict to a latent one, manageable under the rule of law, by constitutionalizing it.

## **Does Autonomy Pay? The development of welfare in the Nordic autonomous regions since World War II**

*Richard Palmer*

To which degree has the population growth and welfare of the three Nordic autonomous regions – Greenland, the Faroe Islands and Åland – benefited from self-governance? An analysis of a collection

of data on demography, economic growth, life expectancy etc., gives a comparison of the performances of the autonomous regions to each other and to that of their respective mother countries. The chapter concludes that at least two of the autonomous regions, the Faroe Islands and Åland, have tended to converge with their mother countries (Denmark and Finland) in terms of welfare during the last decade and a half. Åland is the only autonomous region that scores higher than its mother country on all welfare indicators. Stagnant population growth, a weak labour market and lingering psycho-social problems single out



Greenland, although advances in life expectancy are interpreted as a positive sign.

### **Security and Autonomy – the Faroes, Greenland and the Åland Islands**

*Gunilla Herolf*

For all the three areas of the Faroes, Greenland and the Åland Islands, security and defence have been and continue to be of major importance. In many other ways, however, they differ from each other. Historically, the position of the Åland Islands was strategically at its most important between the Crimean War

and the Åland Convention of 1921, which resolved the ongoing conflict. For the Faroes and Greenland such a period started with World War II and continued during the Cold War with American bases in both areas, including nuclear weapons in Greenland.

The situation has changed again with the end of the Cold War and with the new aggressive Russian policy. These are not, however, the only changes affecting the three areas. The new strong link between the economy and security is nowhere more obvious than in the Arctic, where external economic interest has led to increased militarization.

The new threats such as cyber attacks, terrorism and climate change have no geographical relevance and indicate that the border line between civilian and military threats is a blurred one. Such changes affect regions which are not in charge of their own military defence but are responsible for their civilian defence, making defence issues more complicated. There are positive trends as well, however: they can be found in the growth and weight of international organizations, which are in several ways of greater importance for autonomous areas than for others.

## **Self-government and Regional Integration – Nordic solutions**

*Sarah Stephan*

The position of the Faroe Islands, Greenland and Åland in Nordic co-operation has been scrutinized and adapted on several occasions, in the late 1960s, the early 1980s and the mid-2000s. The issue of accommodating autonomous regions essentially exposed three underlying dimensions, pertaining to (1) the status and character of the autonomous regions' regimes, (2) the implications of international law and (3) the possible modalities for accommodation. The international law implications were a decisive factor in determining which institutional modalities for accommodation were feasible. Ultimately, the committees in charge had to work their way around full mem-

bership in the national polity and facilitated accommodation without allowing for full accession to the regional organizations. A system of “double delegations” has been created for the representation of the autonomous regions within the Nordic Council: they are given the possibility of what can be called an “informed opt-in” where their competences are concerned and they commit to the decisions of the Nordic Council of Ministers. There has been a willingness and capacity within Nordic co-operation to deal with the issue of accommodation of the autonomous regions and, most importantly, to adapt the relevant institutional frameworks to allow for representation or participatory structures beyond the traditional conventions of “all in” or “all out”. The ability of regional organizations, such as those of the Nordic coun-

tries, to engage and possibly accommodate autonomous regions within their structures can affect our view on self-government, not least in processes of conflict resolution where accommodation of that kind might be a decisive factor creating support for a self-government solution.

## **The Political Development of Greenland from World War II until Today**

*Maria Ackrén*

The political development of Greenland since World War II can be seen in the light of the evolution of the political parties and their quests for self-rule and/or independence. In Greenland political development has been rapid and it has always taken place in co-operation with Denmark. The committees and negotiations have always included Danish officials or politicians on an equal footing with Greenlandic ones. Some of the traditional Greenlandic parties also have sister parties in Denmark. There is a natural bond between the mother country and the autonomous region. Another feature is that the development has always been handled in a peaceful manner. Not everything is agreed upon in this relationship, but the way disputes are handled is sophisticated and diplomatic.



The current coalition in parliament is between *Siumut*, *Atassut* and *Demokraatit*. The aim of the coalition is to work to strengthen the international status of Greenland and follow international agreements when it comes to security and the exploitation of natural resources.

### **Denmark's Role in Greenland's Emancipation: "good colonizer" or peacemaker?**

*Tove H. Malloy*

Denmark's role in the development and emancipation of Greenland after World War II is best seen from two perspectives: the "good colonizer" and the peacemaker. The two roles are intertwined and interlinked through external geopolitical pres-

ures. From the early resolutions of the United Nations (UN) to protect self-governing territories to the formation of the North Atlantic Treaty Organization as well as Denmark's joining the European Union (EU), Greenland's position and heritage have been shaped by external actors weighing on Denmark's policies. This has not been an easy balancing act for Danish governments; and it has been a long and painful wait for the Greenlandic people, which is not over. This chapter traces the relations between Danish governments and the elites of Greenland from the early post-war commissions to include Greenland in the kingdom in 1953 to recognition as a self-determining indigenous people in 2009. The chapter provides a

description of the early institutional set-ups and discusses some of the most sensitive issues during the post-war period, including Greenlandic representation in the Danish parliament, the overt discrimination between Danish and Greenlandic public servants, and the issue of the rights to Greenland's resources. Perspectives such as the relationship with the EU, the USA and the UN are also discussed. Through the lens of post-colonialism and normative international relations, the chapter argues that wearing the two hats of the "good colonizer" and the peacemaker simultaneously, Denmark has not only withheld fundamental rights from the Greenlandic people but also conducted dubious policies under the guise of peacemaking.



## **The Constitutional Status of the Faroe Islands since World War II, with a Main Focus on the Recent Economic Challenges**

*Lise Lyck*

The Faroe Islands are a part of the Kingdom of Denmark with a specific constitutional set-up called “home rule”, not a genuine autonomy model but with comprehensive rights to decide on its own development. When Denmark joined

the European Economic Community (EEC) in 1973, the Danish Parliament made it possible for the Faroes to decide on membership, and the Faroe Islands decided not to join. They could be given the choice because the EEC (later the EU) was perceived as mainly an economic arrangement, not an institution on its way to developing into a political union. The development of the EU combined with the non-diversified fishing economy in the Faroe Islands,

in contrast to the totally different structure of the Danish economy, makes it extremely difficult for home rule to function satisfactorily. Two serious crises – the banking crisis in the 1990s, when all the Faroese banks went bankrupt, and the recent “Atlantic mackerel war” – are presented and analysed. In most other parts of the world those crises would have given rise to violent conflicts, but, although difficult, peaceful outcomes were achieved.



## Revisions of the Faroe Islands' Self-government Arrangement

*Kári á Rógvi*

The Faroe Islands have not escaped problems with their neighbouring countries. Even today ongoing conflicts exist in areas such as fishing resources, constitution and international representation, and most centrally the issue of the self-governing areas' representation in the Nordic Council.

The development of relations between the Faroe Islands and Denmark has been in the direction increasing self-government. Gradually the Faroes have assumed new legislative and administrative responsibilities, but areas such as foreign and defence policy as well as monetary policy still come under the Danish kingdom.

This development has produced a generally satisfying situation for the Faroe Islands, whose population is divided as regards the issue of whether or not they want independence. The process itself, according to the author, has not been satisfactory, however. Lack of "constitutional imagination" and a Danish tendency to resolve conflicts by "accident and force" rather than by "reflection and choice" have plagued relations. The Faroese autonomous region today is the result of a pragmatic and civilized Scandinavian approach to the resolution of conflict, but the challenge was made bigger by the previous legalistic creation of conflict.



**Åland as an Example of Peace in Constant Evolution. An example of what and for whom?**

*Sia Spiliopoulou Åkermark*

While legal and social science is not able to predict or to prescribe precise courses of action, it is of great value in helping us understand the constitutive particles of societal problems and phenomena and appreciate the advantages and disadvantages of different solutions. It has been said that “Åland is more than a model; it is a way of thinking”. How does then one think following the Åland example? First of all, the Åland example illustrates the willingness of the multiple

parties involved, at national and international level, to stick to a compromise over time. It has evolved over more than a century, and takes a holistic approach to a complex situation by addressing four core aspects: (i) the requirements of political power sharing and decision making; (ii) the security aspect, addressed by the demilitarization and neutralization of the islands and the regulations concerning the police force; (iii) the cultural and linguistic needs of the islands, especially in the field of education; and, finally, (iv) the economic viability and sustainability of the self-government arrangement. Åland is thus an example of a compromise which is

legally, institutionally, constitutionally and internationally entrenched but which incorporates practicable rules and procedures allowing for revision and renegotiation while the core tenets of the system are maintained and respected. Furthermore, this experience rests upon the assumption that minorities must be affirmed and accommodated and that sovereignty is not a zero-sum game, but rather a quality that can be shared. The Åland example is in fact also the Finnish example as it assumes a Finnish constitutional and societal order which respects diversity and the rule of law.







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The Nordic Region has enjoyed two centuries of peaceful co-existence that are worth highlighting and learning from. As a result, the Nordic autonomous regions have attracted considerable attention in recent years. There is significant international interest in their experiences, including their experience of territorial autonomy. In a world that appears increasingly troubling, the autonomy of the Faroe Islands, Greenland, and Åland is worth studying from the perspective of conflict resolution. It seems important to examine the marked development that these autonomous regions have undergone and the success they have had in finding solutions to the conflicts that have arisen – not just from a Nordic perspective, but also from a wider international point of view.

The conclusions of a comparative study of the autonomous regions' legal, economic, and security policy developments are presented here.

The complete study can be ordered from The Åland Islands Peace Institute at [www.peace.ax](http://www.peace.ax)



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