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The Nordic Peace

Approaches, Solutions, and Principles of Conflict Transformation

Gunnar Rekvig
PhD Dissertation
Tokyo University of Foreign Studies
The Nordic Peace
Approaches, Solutions, and Principles of Conflict Transformation

北欧的平和均衡
紛争構造の変換のためのアプローチ、解決手法とその原理

Gunnar Rekvig
PhD Dissertation

Tokyo University of Foreign Studies
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University of Tromsø – The Arctic University of Norway
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Abstract

This thesis examines the history of the Nordic Peace hermeneutically. In order to do this, the foundation of the peace, its principles, will be abstracted from the ad hoc solutions to regional conflicts between Nordic countries. These solutions ultimately transformed a region of conflict or negative peace, to a zone of positive peace.

The thesis will answer the following questions:
1) How have the solutions that underlie the Nordic Peace transcended causes for conflict? And 2) are there universal potentials in the Nordic solutions?

This will be elucidated through an in depth analysis of three historical cases that would shape and transform the region after 1814, the year marking the onset of the Nordic Peace and its subsequent paradigm shift. These three cases will be comprised of: 1) The Union of Norway and Sweden. The unification of Norway and Sweden was forced on Norway as the Napoleonic Wars were ending. The union would however be one of internal conflict with several contentions, which finality saw the peaceful dissolution of the union by Norway seceding from Sweden. 2) The Schleswig-Holstein Issue. A conflict over the ownership of the twin duchies of Schleswig and Holstein between Denmark and Germany culminated with the Danish loss of the duchies after two wars. This created an irredentist conflict as the Danes of Schleswig now inhabited Germany. A solution would come in the aftermath of the First World War with a plebiscite that resulted with the border between Denmark and Germany being redrawn, which compounded the irredentist problem by establishing two minorities in the border area, one Danish and the other German. Ultimately, the irredentist conflict would be solved by comprehensive minority rights. 3) The Åland Islands problem. Finland and Sweden would enter a conflict over the ownership of the Åland Islands when Finland gained independence from Russia. The Ålanders, being Swedish used their self-determination to try to cede from Finland, while Finland argued its territorial integrity was inviolable. The conflict would be solved by the League of Nations that ruled the Åland Islands were Finnish, granted the Ålanders autonomy under Finland. The laws were agreed upon by Finland and Sweden. Furthermore, as the Åland Islands are of a militarily-strategic importance and been part of several regional wars, the islands were demilitarized and neutralized.

A further four cases that are part of the continuum of this peace, will be highlighted in order to show the emergence of a pattern being formed and
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later maintained; a pattern showing a preference for peaceful resolution to conflict. The four additional cases are: 1) Denmark and Norway over the East Greenland dispute; 2) Denmark and Iceland over Iceland’s peaceful secession and independence from Denmark; 3) Norway and Russia and the delimitation of the boundary in the Barents Sea; and 4) Canada and Denmark with the ongoing territorial dispute over Hans Island. This in turn shows how pragmatic solutions to conflicts, transformed the region to a zone of sustainable peace. The overarching principles that underpin the region’s peace will be extracted from the solutions to complex conflicts in which 1) irreconcilable principles such as self-determination and territorial integrity are reconciled, and as such 2) are transcended. This has led to the establishment of a sustainable security community in the Nordic Region.

As a contrast to the Nordic Region, Japan and the Northeast Asian Region will be used as the conflicts there are structurally similar conflict to those that the Nordic Region transcended. The conflicts will comprise: 1) the territorial dispute between China and Japan over the Pinnacle Islands; 2) the territorial dispute between Japan and South Korea over the Liancourt Rocks; 3) the territorial dispute between Japan and Russia over the Kuril Islands; and 4) the regional conflict over the history of the Second World War. Therefore, as the Northeast Asian conflicts have not been solved, they will be compared with the those of the Nordic Region. The Nordic Peace is best described as resultant to conflicts producing win/win solutions that ultimately benefit all. As such they are the antithesis to zero-sum solutions, which seems to be the preferred patter in Northeast Asia. Even in the conflicts that were sent to arbitration, amicable results were either attained or the supranational decision was deferred to and accepted without animosity.
論文の和文要旨

この論文は「ノルディック・ピース（北欧的平和均衡）」の歴史と現状を解釈学的手法で分析する。その平和均衡の源泉と原理を、北欧諸国間に起きた個々の紛争とその処理の歴史的経緯から導き出す。それらの原理が、北欧を紛争対立もしくは消極的平和地域から積極的平和地域へと変化させたものと定義する。

この論文は以下の問題意識を掲げる。

1) 北欧の歴史的な紛争処理はどのように対立要因を平和均衡へと変換させてきたか。そして2) その北欧的紛争処理に普遍的な可能性はあるか。

これらの問いに答えるため、平和均衡に向かう試みが北欧的紛争処理として初めて認知され、そして「ノルディック」の地理的概念が確立した1814年以降に起こった3つの歴史的事件を分析する。それらは、1) ノルウェーとスウェーデンの連合化。これはナポレオン戦争の結果スウェーデンに強制され、以後経済の原因にあったが、最終的にスウェーデンからの分離独立が平和里に達成された。2) シュレースヴィヒ＝ホルシュタイン問題。これは、デンマークとドイツの国境に位置する2つの公領の併合を巡る2つの戦争であり、第一次世界大戦後、住民投票によって解決され、双方の領域にマイノリティとしての民族の生存権が確保され解決した例である。3) オーランド諸島問題。フィンランドがロシアから独立した1918年、この領有権を巡ってスウェーデンと対立。この問題は、国際連盟の仲裁によって解決されたばかりでなく、関連国全てにとって軍事的重要拠点であった同諸島が完全に非武装化そして中立化された。

さらにこの論文は、北欧的紛争処理が、平和均衡に向けた一つのパターンとして連続的に認識されたその他4事例を分析する。それらは対立よりも平和的解決策を希求する外交文化の出現が、その地域に安定をもたらすことを見明する。1) デンマークとノルウェー間の東グリーンランド問題。2) アイスランドのデンマークからの平和的分離独立。3) ノルウェーとロシア間のバレンツ海における領海線の平和的確定。4) カナダとノルウェー間のハンス島の領有権問題。

これらのケースは対立要因への実践的な解決策となり、この地域を持続的平和地帯へと変換させた。
この地域の平和を実証する包括的な原理性は、通常、激しく相反する2つの原理：「民族自決権」と「領土的一体性」を和解させ変節させた事実に存在する。これが北欧地域を持続的安全保障共同体の確立へと導いた。

日本と北東アジア地域には、北欧地域が乗り越えてきた対立構造に類似したものが存在する。それらは、1）日中間の尖閣諸島問題、2）日韓の竹島問題、3）日露の北方領土問題、4）第二次世界大戦の戦争責任を巡る歴史解釈問題、である。これら北東アジアの対立は平和均衡に至っていないので、北欧地域のそれと対比させることは学術的に意義がある。

北欧的平和均衡は、紛争当事者に双方両得の解決策を生み出す最適な帰結として位置付けられる。これは北東アジアが好むゼロサム解決策とは対象的である。仲裁に委ねられ解決策は達成されなかったケースでも、国家を超えて醸成された平和的均衡が、ゼロサムを好む各国の政局と敵意の醸成を抑制し、結果、平和裡の解決に導いた。
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I wish to give credit due to Clive Archer and Pertti Joenniemi and the contributors to their book, The Nordic Peace, which bears the same name as my dissertation (excluding the subtitle). This significant work was instrumental for me in embarking on this project.

I am most indebted and grateful to my mother, Bjørg S Rekvig, and father, Dr. Ole Petter Rekvig, for their unabating and resolute support throughout this undertaking. And finally, for encouragement and unwavering patience, I offer my deepest appreciation, thanks, and recognition to my wife, Minako Kikkawa, and to our son, Arn Kikkawa Rekvig, for his remarkable ability to make a bad day not only good, but great.

I am most obliged to you all.
For the current state of knowledge remains vague when history is not considered, just as history remains vague without substantive knowledge of the current state.

- Ludwik Fleck\textsuperscript{2}

\textsuperscript{2} L. Fleck et al., \textit{Genesis and Development of a Scientific Fact} (University of Chicago Press, 2012). 54
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1 Introduction

This thesis analyses the Nordic Peace from its onset, transformative phase from conflict to peace, and the subsequent transformation to a sustainable stable peace. This is accomplished by examining the transformative phase of three historical conflicts from which the solutions will elucidate the principles upon which the Nordic Peace stands. These solutions and principles enabled trust-building in the region in addition to safeguarding the countries from returning to their former state of conduct that stimulated violent conflict. The region has seen the creation and establishment of a security community—a zone of positive peace. This denotes that the countries of the region are neither under threat of civil war nor interstate war. However, the establishment of this positive peace proved to be a challenging endeavor in the Nordic Region largely because of a shared history of contentions, irredentist conflicts, and territorial disputes. These and other conflict causing issues frequently led the region to engage in interstate wars. The Nordic countries are furthermore situated within the European regional complex that comprises several great powers with their own history that have an abundance of conflicts and wars, often fought within the Nordic region. Thus, the Nordic countries repeatedly became party to the wars in the greater European sphere either as proxies or direct belligerents. Yet, for all the violence, and the many wars in which the Nordic countries fought each other, the belligerence came to an end in 1814. Since this year, a year that marks the onset of the Nordic Peace, the Nordic countries have built a legacy on regional non-violent conflict resolution that has manifested the region in a state of positive peace; a state that represents what the region has become renown for internationally. The foundation of this state is primarily built on the experiences and the accumulated knowledge based in the solutions and subsequent principles that concluded the intra-Nordic hostilities. Moreover, the Nordic Region stands arguably at present, as an example presenting a possibility for other regions that are in protracted and deep-rooted conflicts of various causes. Yet it merely represents possibilities
dependent on a desire to seek solutions. A desire the Nordic countries came to ultimately pursue and maintain.

1.1 The Nordic Region as a Zone of Positive Peace

The Nordic Region is geographically situated in Northern Europe and the North Atlantic. The Nordic countries make up a region nurturing an endogenous stable positive peace. Although this peace has been long established and has become an integral part of the region, its backstory and outset was in the geo-political chaos of Europe towards the end of the Napoleonic Wars. This peace is manifest both internally and externally.³ Internally, the peace encompasses the countries and the peoples down to the individual level with freedoms such as cross-border movement predating the Schengen visa free travel scheme,⁴ integrated shared institutions between the countries, and the safety-nets that the social welfare systems provide. Thus, enabling an absence of fear for the peoples in case of sickness, loss of employment, or by giving access to free education for the coming generations. Thereby the region has established a population without strong internalized anxieties, which in turn is a population at peace with itself and that is reflected realpolitikally in the Nordic polities. This internal peace then becomes externalized. The Nordic Peace enables a capacity for, and more importantly facilitates Nordic engagements in international conflict transformation with long-term commitment;⁵ despite the fact that peace for the

³ Ministry of Foreign Affairs of Finland, Nordic Foreign Ministers Discussed Cooperation in the North and Baltic Sea Region (2007).
⁴ The Schengen Area is made-up of 26 European countries that have implemented open borders enabling the freedom of movement across borders. 22 countries are European Union (EU) member states, and the remaining four, non-EU countries, are the European Free Trade Association (EFTA) member states.
Nordic peoples has a violent backstory. As a result of this transformation, the countries are mostly similar politically and co-exist under a shared identity. The former Foreign Minister of Norway, Jan Petersen, summarized this notion as such:

The Nordic tradition of peaceful resolution of conflicts is based on a shared set of values—human dignity, human rights and democratic ideals. We feel that we have a moral obligation to pursue peace and stability when—and where—we can.

At present, the Nordic Region represents a sustainable comprehensive pluralistic security community. It is sustainable because a pattern of clear preferences for peaceful solutions has formed and become a norm in the Nordic polities; it is comprehensive because there is no threat of civil war or strife in the region; it is pluralistic as the countries are independent of each other—not under a federal system, while having attained regional integration; and the security community denotes that there is no threat of interstate war in the region. Thus, within the region, social cohesion and interstate cooperation is the norm. The region has progressed to the point in which, as the term implies, a community amongst the countries has formed. Across the region, there are five different main languages. While the three Scandinavian languages are mutually intelligible, Icelandic and Finnish are not. The region also shares a common identity, and a shared historical narrative that is not in dispute regionally: interstate politics of trust has been established in the region. Accordingly, the transformation that took the Nordic Region from one

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9 The official languages of Finland are Finnish and Swedish; Iceland has compulsory education in one Scandinavian language (Danish, Norwegian, or Swedish).
of conflict to one of stable peace, has created and maintains a system at present that is viewed and lauded as a model of good practice. This regional system thereby exists, built on a long history of not only transitioning from conflict to peace, but also in forming a regional complex that constitutes a zone of positive peace from which lessons can be drawn. These lessons are drawn from the endogenous solutions and principles that make up the Nordic Peace and that are reflection of the Nordic Peace both internally and externally.

Therefore, in order to identify the principles upon which the Nordic Peace stands after 1814, this thesis will detail the Nordic solutions from three historical cases to show how in seemingly deadlocked circumstances, the region turned from war and towards a preference for peaceful resolutions in dealing with conflict causing issues. This has enabled the establishment of a socio-political environment conducive to inter-dependence and cooperation, and has established a region that maintains this as a pattern accordingly.

1.2 Structure of the Thesis

This thesis will be comprised of the following chapters.

Chapter 1 Introduction

The first chapter will hereafter introduce the research questions and methodology in addition to the objectives of the thesis.

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10 This year marks the end of the Napoleonic Wars for the Nordic countries. The ensuing peace followed the 1814 Treaty of Kiel, now commonly known as the Peace of Kiel.
Chapter 2 The Nordic Security Community

The second chapter will discuss what fundamentals are necessitated in forming zones of peace and security communities. As zones of peace and security communities often go hand in hand, they represent the end results for regions that have made the transition from negative peace to positive peace. The Nordic Region will then be related as an area that has the makeup of a zone of positive peace and as such represents a security community.

Chapter 3 The Nordic Peace: Current State and a Belligerent Background

The third chapter will comprise an overview of the contemporary state of the Nordic Region. It will further succinctly cover the history of the region from the fourteenth century up to 1814. This time period represents the region in its belligerent phase of intra-Nordic wars in which conflicts did not see non-violent solutions. This violent era culminates with the Peace of Kiel in 1814 which in turn marks the point in history after which no Nordic country has fought another. This chapter will finally set the stage for the following three chapters that make up the three historical cases which will be examined.

Chapter 4 Case One: Norway-Sweden – Unification, Union, Disunion, and the legacy of the Peace of Kiel 1814-1905

The fourth chapter, and the first case, comprises the unification and the dissolution of the Union of Sweden and Norway. As the Napoleonic Wars of Europe were approaching their end, Sweden, which was part of the anti-Napoleonic alliance fought the Kingdom of Denmark-Norway, an ally of Napoleon. Sweden, party to the victory over Napoleon, took Norway as a spoil of war in 1814; an act in which no Norwegian was consulted. Norway initially
tried to declare independence when it became known that it would be handed over to Sweden. A new constitution was written, a new king elected, and Norway sent envoys to the European powers to gather support for independence while refuting the Swedish claim. However, due to guarantees made to Sweden to join the war against Napoleon by the very same European powers Norway was lobbying, the unification of Norway and Sweden was a foregone conclusion. Norway entered a personal union with Sweden in 1814, but not before Sweden accepted the newly written liberal constitution. The union in reality gave Norway domestic powers over itself, while being represented by Sweden in matters of foreign affairs. In 1905, after numerous contentions, the dissolution of the union became a reality when Norway voted almost unanimously for independence in a plebiscite for secession from Sweden.¹¹ The plebiscite was a prerequisite by Sweden to show this was not an act by parliament, but the will of the people, and more importantly for Norway, Sweden respected the outcome. The border between Norway and Sweden became demilitarized and neutralized. After an interim period, the relations would normalize again.


Chapter 5 Case Two: Denmark-Germany – the Schleswig-Holstein Issue: Two Wars, a Loss of Territory, Irredentism, Plebiscite, the Redrawing of a Border, and Minority Rights 1864-1920 (& 1955)

The fifth chapter, and the second case, will examine the processes behind the non-violent redrawing of the border between Denmark and Germany in the twentieth century. The cause for the new border had its background in two nineteenth century wars over the Danish twin duchies of Schleswig and Holstein that bordered Germany. These wars were rooted in convoluted issues of ownership and the self-determination of the Germans living in the duchies. Ultimately, with Denmark losing the second war and thus the
duchies, the Danes living in Schleswig and Holstein became irredentists in Germany. The redrawing of the border came in the aftermath of the First World War and was realized by holding plebiscites based on the self-determination of the Danes and Germans living in the duchies. Zones for the plebiscites were drawn and people voted accordingly in each zone on where they wanted to belong: Denmark or Germany. The result of the plebiscites would see the border redrawn in the duchy of Schleswig. Thus, as part of the settlement of the First World War, Denmark regained a part of Schleswig, whereas Holstein, in its entirety, went to Germany. The chapter will additionally cover the establishment the principles of minority rights for those minorities (Danish or German) remaining on the “wrong” side of the border. These principles would later be cemented in the Copenhagen-Bonn Declarations. Even though Denmark fought two wars over the duchies after 1814, the wars were defensive and the belligerent Germany is not part of the Nordic Region.12

Chapter 6 Case Three: Finland-Sweden – The Territorial and Irredentist Predicaments of the Åland Islands 1809-1921

The sixth chapter, and the third case, will entail the processes behind the autonomy, demilitarization, and neutralization of the archipelago that make up the Åland Islands. The islands, which population is essentially homogenously Swedish, are an integral part of Finland and make up a military-strategic important territory for access to the Gulf of Bothnia and the Baltic Sea. As such they have seen several military engagements. Both the Åland Islands and Finland had been parts of Sweden until they were lost to Russia in 1809 during the Napoleonic Wars. Finland was made into an autonomous Grand

12 The Nordic countries have not fought each other within the region since 1814. They have been in wars instigated from without the region as well as being occupied, e.g. World War II which saw fighting in Finland, Denmark, and Norway (with the latter two being occupied). Additionally, since 1814, no Nordic country has started a war.
Duchy under which the Åland Islands were incorporated in the Russian Empire. This state lasted until the Russian Revolution of 1917 when Finland declared independence and in the process claimed the islands as parts of its territorial integrity. Sweden, while recognizing the independence of Finland, wanted the Åland Islands restored as per the Ålanders wishes; a wish Finland refuted. Ultimately the case was resolved in the aftermath of the Paris Peace Conference of the First World War by the League of Nations. The following three issues presented to the League were: 1) the territorial integrity of Finland versus 2) the self-determination of the Ålanders, with the support of Sweden, over the ownership of the islands, and 3) the demilitarization and neutralization of the islands for perpetuity. After two commissions, one of jurists, and one of rapporteurs, had compiled two comprehensive reports ordered by the League, it was ruled that the islands were to be part of Finland with autonomy and protections for the Ålanders. In addition, the neutral status of the islands was cemented in a treaty guaranteed by both Finland and Sweden as well as other European powers. The case itself would become the first success of the League of Nations.

Chapter 7 Analysis and Discussion of the Nordic Peace

The seventh chapter opens with a deeper discussion of the methods used for analyzing the three historical cases.13 The chapter will thus fundamentally elucidate the principles from—and their subsequent relationship to—the Nordic solutions. The three historical cases show the various stages in which the Nordic Peace developed from its inception in 1814. From this point a steady movement towards peaceful co-existence commenced, which since the end of the Second World War, saw the region start to build a community between the countries. The solutions and the principles that started within the three historical cases will be examined in relation to how the region

13 The methods are introduced in the following subchapter 1.3 Research Question and Methodology
transformed in establishing new ways for peace; the conclusion of which is the security community the region established. This has led successive peaceful solutions, enabled by the Nordic Peace, in relation to current and future disputes. The three historical cases will in summation detail the events and processes that de facto caused the systemic change in the Nordic Region and how seemingly irreconcilable principles can be reconciled. Additionally, the chapter will introduce four supplementary Nordic cases for cogency and highlight an increasingly predictable preference for pattern maintenance of peaceful resolutions to conflict.

Chapter 8 Nordic Principles as Peace Mechanisms

The eighth chapter will summarize the principles as an overarching umbrella in their relation to the Nordic Peace. This summarizing chapter is also a continuation of the analysis chapter as it cements the Nordic Peace in the principles; without which, the Nordic Region could not remain as a security community.

Chapter 9 Nordic Solutions – Relevance for Japan and Northeast Asia

The ninth chapter will introduce Northeast Asia as a possible region for which the Nordic solutions could prove beneficial. The chapter will discuss four conflicts that persist at present between Japan and the countries China, the Republic of Korea, and Russia. These conflicts comprise three territorial disputes in addition to the discord between Japan and its neighbors over the disputed historical legacy of the Second World War as obstacles that Northeast Asia face in establishing a positive peace. The chapter will further highlight where Northeast Asian conflicts are structurally similar with some of the Nordic ones, albeit not identical.
Chapter 10 Closing Remarks

The tenth chapter will conclude the thesis. The chapter will highlight where the Nordic Region is now, in relation to the Northeast Asian Region, and a possible development.
The positivists have a simple solution: the world must be divided into that which we can say clearly and the rest, which we had better pass over in silence. But can anyone conceive of a more pointless philosophy, seeing that what we can say clearly amounts to next to nothing? If we omitted all that is unclear, we would probably be left with completely uninteresting and trivial tautologies.

- Werner Heisenberg\(^\text{14}\)

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1.3 Research Questions and Methodology

This thesis will utilize qualitative methodologies in examining the Nordic Peace and to answer the following questions: 1) How have the solutions that underlie the Nordic Peace transcended causes for conflict? And 2) are there universal potentials in the Nordic solutions?

The methods in this thesis are grounded in a historical approach linked to hermeneutic interpretation of historical processes. The hermeneutic interpretation analyzes the historical record and interprets the subjective meanings found therein within a socio-historic context. This will in turn highlight Nordic causality—for which this thesis focuses on the formation of peace-preference patterns of successive events—and is hence presented hermeneutically as the scope of the research relates to the human dimension; the subjective meanings of events in their socio-historic context are only meaningful as they are of human qualities. This method iterates the socio-historic context within a holistic understanding of the historical processes that enabled the Nordic Peace. As such, it becomes the application of history to analyze the solutions of the Nordic Peace, in order to highlight the emerging pattern of a regional preference for peaceful resolution, that is rooted in principles, to conflict.

This hermeneutic historical approach is inspired by a constructivist methodology, sobjectivism, developed by Vincent Pouliot. This methodology builds on the constructivist core tenet that human reality is a social construct

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16 As historical events are often analogous across the spectrum of time, drawing upon historical transformative events, can give insights into current challenges. Graham Allison & Niall Ferguson, "Why the President Needs a Council of Historians," The Atlantic, 2016, accessed 09/08/2016.
and as such “emphasizes the mutually constitutive dialectics between the social construction of knowledge and the construction of social reality.”

Pouliot further couples this with that “the main argument is that constructivist inquiries need to develop not only objectified (or experience-distant) but also subjective (experience-near) knowledge about social and international life.”

The approach of sobjectivism is thus:

A three-step methodology that moves along a subjectivist–objectivist continuum. The first step uses induction in order to recover subjective meanings. The second step aims at the objectification of meanings in their intersubjective context. Finally, the third step sets meanings in motion through historicization.

Pouliot continues to state that since a constructivist methodology should be inductive, interpretive, and historical, it is highly unlikely that the inherent interpretive aspect of constructivism, and by extension sobjectivism, can reconcile with positivism.

Therefore, the method in this thesis is inductive in its examination of a chronological succession of non-violent Nordic Solutions, and becomes cogent through the examination of the totality and breadth of the events examined. The method is furthermore comparative within the region. The comparative aspect will highlight and show how similar and dissimilar conflicts all had non-violent solutions. This ultimately presents a Nordic maintenance of a pattern from which universal principles have contributed to the development of both international law and international order.

Finally, drawing from Johan Galtung’s book *Methodology and Ideology*, in highlighting two views of reality: One which represents the realist view and the

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18 Ibid.
19 Ibid.
20 Ibid.
other represents the idealist view. The realist view states that there is a sharp division between empirical, knowable reality and irreality [something neither viable or attainable], whereas the idealist view sees a reality beyond the empirical reality, a potential reality: A reality to be brought into being, to be created, wherein the potential lies.

To the realist empirical reality is solid, it is possible because it is; and what is not, is not possible; which means irreality. To the idealist the empirical reality is more open, there is no sharp borderline between it and potential reality. The holder of this view would point to the obvious logical error in the first view: from ‘what is, is possible’ it does not follow that ‘what is not, is not possible,’ only that ‘what is impossible, is not.’ And yet he would point to the missing category, ‘what is possible, but is not (yet).’ That is what he would call potential reality.21

These views are represented here as extreme opposites. The realist view denies the existence of a potential reality, while the idealist denies the irreality and consequently see everything that “is not” as a potential reality.22

1.4 Objectives of the Thesis

By generating a clear understanding of how the Nordic Region not only went through a paradigm shift that enabled the development of a security community, but also have opted for a strong preference for non-violent solutions to a range of contentious issues.23 This thesis will seek to elucidate the principles and solutions that were significant in the shaping of the region. The principles behind the solutions are often found to be in dialectical opposition to each other. For example, self-determination and territorial

22 Ibid. 68
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integrity in the case of Finland-Sweden over the Åland Islands, represents two such opposing principles. Though principles that are generally root causes of conflict are identified in the analysis of the cases, the objective of the thesis is not highlighting the principles as such, but to explain how such irreconcilable principles are reconciled. This will accordingly further emphasize an emerging pattern maintenance within the region that demonstrates a preference for peaceful solutions to conflict. This is accomplished and kept cogent as the totality of the cases span a time period of almost two centuries, and moreover by the explicated depth of the historical events. As the cases are presented chronologically in time, the different approaches for the regional solutions will be illuminated and thereby show the corresponding growing preference for peace. This has led the Nordic Region to having gone from blurring, to erasing, the us-them dichotomy. Consequently, a shared identity that disregards differing socio-political opinions has been established across the borders in the Nordic Region. At present, a common promotion of peace and cohabitation through the socio-cultural identity of the region, ties it together. This is mirrored in the domestic policies of the Nordic countries, and hence, it is also represented in their foreign policies. The objective further sets out to highlight the legacy of that the Nordic Peace established. This will be accomplished by the four supplementary cases that underline the continuation of the process behind the Nordic Region’s paradigm shift. Thus, from the cases, empirical a posteriori knowledge is generated. The cases and their solutions, will thereby highlight possible solutions for other regions and their cases in showing a potential in how to break a cycle of contention.

Since the Nordic countries underwent their transformation, they have on the whole been content with fending for themselves. They have not attempted at educating a paradigm shift in the transformation of other regions from negative

24 This disregards the post-conflict mediation work, or other bi-or multi-lateral engagements that the Nordic countries are part of, often under United Nations mandates.
to positive peace. Such a transformation would necessitate endogenous solutions to which the Nordic Peace might prove useful.

Japan in particular, and Northeast Asia in general, is introduced in Chapter 9 as a possible region in which the Nordic solutions can be further studied in order to create necessarily endogenous solutions to the region; i.e. solutions dependent on region specific criteria based on a posteriori knowledge the Nordic Peace created; i.e. a potential reality. Accordingly, this thesis does not set out to create a model for the Northeast Asia or Japan. It will instead highlight possibilities found in structural similarities to the Nordic cases, that might break the current impasse.
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2 The Nordic Security Community

Security communities form regional complexes of stability and peace. In these complexes the chance of internal conflict is fundamentally non-existent. These communities form regions of peace that have their foundations set in the predictability of trust and the subsequent confidence in the other that follows. These two aspects give countries reasonable expectation regarding the behavior of their neighbors that are built over time. Their alignment towards security related matters favors multilateral integration on social, political, and institutional levels. This in turn enables an ability and affinity for cooperation within the community that takes on a familial structure. For the Nordic Region, this has taken shape with strong interrelated socio-cultural linkages, a shared political culture, common institutions, a joint labor market, and the freedom of cross-border movement by peoples within the Nordic countries. 25 Furthermore, it has created preference-structures for peaceful resolutions to contentions, disputes, and conflicts, in lieu of the praxis of how conflicts were previously dealt with, and therefore, at best, maintained a negative peace.

The makeup of a security community is either amalgamated or pluralistic, in addition to it being comprehensive or interstate. 26 Amalgamated security communities are formed where countries (or states) are under an overarching federal system, whereas pluralistic security communities are formed where independent sovereign countries make up the parts of the whole. These countries form a cluster and as such comprise the constituent parts of a regional complex wherein they coexist in plurality. The United States is an amalgamated security community under its federal government, whereas the Nordic countries make up the constituent parts as a pluralistic one. A comprehensive security community possesses the characteristics of the absence of both interstate war and intrastate war, while an interstate security

community carries the risk of intrastate war; i.e. the interstate security community only carries reasonably high guarantees of the absence of conflict between countries, not strife inside countries.

2.1 Zones of peace

Before a security community is established, it is preceded by the early stages of a zone of peace. Zones of peace are described in three stages by Arie Kacowicz as: 27 1) a subsystem of states that are satisfied by the status quo. This subsystem has the absence of war, yet carries the potential for war, both inside and between countries. As such the region is in a state of negative peace; 2) In the second stage, the subsystem is taking shape as a community that carries the potential for both civil and inter-state conflict, but of a non-violent nature. A stable peace illustrates the relations in this zone; 3) the final stage for a region as a zone of peace is the formation of a pluralistic security community, 28 with fully developed democratic nation-states that share common institutions, high levels of interdependence and cooperation. As such in the third stage, the security community gives high expectations for peaceful solutions to conflict and war has become inconceivable within the system.

An expanded delineation of the three stages of Kacowicz is done by Clive Archer as: 29

1. The absence of war
   I. There is no or little interstate war in the region.


28 Or amalgamated ones, though they are rare.

II. There is no or little war between the states of the region and other states, and that which there is, the other states initiate.

2. The onset of a stable peace

III. There is no or little armed conflict in the region in the form of civil war or armed uprisings.

IV. There are no or few military interventions by the region’s armed forces in other parts of the world (except, arguably, in the form of internationally sanctioned actions).

3. The pluralistic security community

V. There is little or no expectation of I to IV above, thus creating a region of ‘low tension’ (Archer, 1996, p. 452).  

VI. The states in the region have political institutions and democracy in common and are deeply interdependent.

Archer continues to argue that the implication behind the expanded delineation is that once the pluralistic security community is reached, a high level of trust has been established along with interdependence that has matured the community.

2.2 Security Community

A pluralistic security community takes shape in the latter stages of a zone of peace as outlined by Kacowicz and Archer above. This description is however criticized by Raimo Väyrynen as he argues that it has inherent shortcomings as it is based in a materialist reasoning in the above definitions. As such, it does not sufficiently deal with the internal structures of the countries that make up the community. “The primacy of the ‘external’ reality in materialist

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31 Archer and Joenniemi, *The Nordic Peace*. 5
models leads to the view that security has to be maintained by the threat of and resort to enforcement actions, while the ‘internal’ nature of reality in societal models stresses more the relevance of mutual norms and their self-enforcement.32 Thus, in order for a security community to prevail and not fall back into the former categories of Kacowicz, a comprehensive trait is necessitated. A comprehensive security community is thus, according to Väyrynen, when “territorial satiation, societal cohesion, and political stability” has become fundamental characteristics of a security community.33

For a geographical region to shift from one of negative peace to one of positive peace and ultimately forming a comprehensive security community—a process that follows the latter stage in the formation of a zone of peace—there are historical examples of regions that can objectively serve as designs for regions currently in a state of negative peace alongside serious regional-specific conflicts or disputes.

The Nordic countries consequently represent one such region. As such, they have long enjoyed peace and regional stability, integration and cooperation covering a wide range of inherent qualities where the intercultural and socioeconomic cooperation has become the norm built on the principle of consensus politics.

The Nordic countries have, according to Archer, been able to form a security community by having the following traits in common:34

- The Nordic Region’s strategic position has presented less opportunities for conflict than other parts of Europe;35

34 Archer and Joenniemi, The Nordic Peace. 8
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- The lack of ethnic and cultural differences within the region has provided less opportunity for conflict;
- The preference-structures of Nordic decision makers has led them to opt for the most peaceful, non-conflictual outcomes;
- The political culture of the region may also help to explain the above policy-choices (Russet, 1993b, p. 227);36
- The elements of interdependence and common institutions help create a security community (Adler and Barnett, 1998; Deutsch et. al.,1957).37

The security community of the Nordic region, in spite of the social cohesion, lack of ethnic and cultural difference, the shared preference-structures, a common political culture, and interconnected institutions, is pluralistic while logic and rationale would have it as an amalgamation. The region has not formed cohesion under a formal and centralized political system. Instead, the region has been able to ad hoc integrate while maintaining political independence for the constituent parts of the community. This becomes evident when looking at the orientation the countries have taken in entering international organizations where memberships differ across the region: Denmark, Iceland, and Norway are amongst the founding members of the North Atlantic Treaty Organization (NATO), whereas Finland and Sweden are not; Denmark, Finland, and Sweden are members of the European Union (EU); and while Norway and Iceland are not EU members, they are in European Free Trade Association (EFTA); all the Nordic Countries are members of the European Economic Area (EEA); and all are in both the Arctic

35 This thesis will argue that, while agreeing that the Nordic Region is somewhat geographically isolated, it has had its share of not only opportunities for conflict, but engaged in them as was the case for the rest of Europe. And furthermore that European conflict and war was brought to the region by the great powers outside the Nordic area time and again.
and Nordic Councils. As such, the countries are able to act independently of each other, while still maintaining a pattern for cooperation and consensus based politics which grounds stability in the region. One indication of this stability, is how governments are formed in the Nordic Region and how this relates to the democratic peace which in turn is closely connected with security communities.

The normative explanation focuses upon a consensus developed by a common democratic political culture and a set of norms and rules that allowed democracies to build a separate peace among them. By contrast, the structural argument sustains that domestic political institutions constrain the choices of democratic decision-makers, thus reducing the possibilities of escalation and war with other fellow democratic nations.38

2.3 Consensus based Political Organization

The Nordic countries deviate from the norm in governmental structures, and especially so for the Scandinavian countries,39 as there has been a long running propensity to form informal minority coalition governments in competitive elections. This is rooted in the Scandinavian traits of general informality and egalitarianism, and others such as corporatism, social democracy, and the welfare state.40 This trend for minority governments does not however render them ineffectual. Kaare Strom argues that, on the contrary, Scandinavian polities and their coalition bargaining are “characterized by (1) strongly organized and future oriented parties, (2) decentralized and relatively non-hierarchical legislatures, and (3) competitive

38 Kacowicz, "Explaining Zones of Peace: Democracies as Satisfied Powers?.
40 Ibid.
elections.\textsuperscript{41} He continues to argue that as they are future oriented, political parties can thus defer their willingness and consequent gratification to holding office as the parties are not exclusively motivated by power or spoils, but long-range considerations. They do this, as alienating their rank and file for the sake of short-term power gain will inevitably prove painful. Moreover, they are able to abstain from office due to the resources of political parties being independent of government incumbency. This is because of generous public financing of political parties. With these considerations, where the political landscape has a flat structure, the bargaining power of the polities become focused on building consensus and this has consequently, across the countries, helped shape and anchor the political stability of the region.

Even though there is neither risk of nor threat of war within this region today, the region is rooted in a long history of war. The historicization of the Nordic Region up to the formation of the security community will thus highlight a violent backstory. The zone of peace and later the security community developed in the aftermath of the Napoleonic Wars in Europe. The region developed accordingly with Kacowicz’ three stages by progressing from a state of war into 1) the \textit{absence of war} to 2) the \textit{onset of a stable} peace before it finally progressed to 3) become a \textit{comprehensive pluralistic security community}.

3 The Nordic Peace: Current State and a Belligerent Background

At present, the Nordic countries form a culturally and linguistically distinct regional complex with a shared historical narrative. The region is geographically on the margins of Europe, although not marginal in a military sense. The Nordic regional makeup is a core comprised of the Scandinavian countries Denmark, Norway, and Sweden, in addition to Finland, Iceland, and the autonomous territories of Greenland, the Faroe Islands, Åland and other territorial dependencies. Linguistically, the region is dominated by North Germanic, with the exception of Finnic in Finland. The Nordic countries are highly integrated culturally, institutionally, and politically via the Nordic Council, which was established in the aftermath of the Second World War. The Nordic Region’s social mores of equality, collaboration and consensus has brought about a social democratic system that combines a strong tax funded welfare state, public and private spending on human capital, and labor oriented institutions that comprise both labor unions and business organizations that are both active in labor related policies. This is the foundation of what is commonly known as the Nordic Model. This system, embraced by the Nordic countries, has seen a humanization take place

42 Militarily, the region is important for access to the North Atlantic partly due to Norway’s ice free harbors. It is a region that has Russia to the east, the United Kingdom to the west, and Germany to the south: all historical great powers that have fought wars within the confines of the Nordic Region. This led to security concerns and saw some Nordic countries join NATO and others the EU for similar reasons but with different intentions. See page 161 and footnote 436 on the same page.

43 Denmark: The autonomous regions of Greenland and the Faroe Islands; Norway: With sovereignty restrictions: Svalbard and Jan Mayen, and dependencies: Bouvet Island, Peter I Island, and Queen Maud Land; Finland: the autonomous Åland Islands.

through the socioeconomic strata and across the borders, which in turn has been imperative for enabling a Nordic Peace to take hold.  

3.1 Interconnectivity and Language

The Nordic integration has been aided substantially by the mutual intelligibility of the Scandinavian languages. The peoples of Denmark, Norway and Sweden are able to communicate without much hindrance, whereas the languages spoken on Iceland, the Faroe Islands, Greenland, as well as Finland are neither intelligible to each other nor to the Scandinavian ones. Whilst Icelandic and Faroese both belong to the North Germanic, the Scandinavian languages evolved to the point where there is no or little mutual intelligibility between them, making Faroese and Icelandic insular North Germanic languages. Finnish belongs to the Finnic languages, a subset of the Uralic language group, which can be traced back to Eastern Europe and

45 Peter Baldwin, in his book *The Politics of Social Solidarity*, attempts to explain this Nordic phenomenon by stating that the plausible reason for this is that greater demands were placed on the elites (he uses Sweden as an example that encompasses the region and contrasts to their Gallic counterparts). “If so, then the concept of a politically functional minimum of social policy, a price paid by society’s elites for continued preeminence, rapidly becomes untenable the more significant are the welfare victories won at their expense. Where the welfare state achieved its highest development, the tables appeared to have been turned; what the haves maintained by making concessions seemed diminishingly important compared to what the have-nots won by marshalling their strength. Egalitarian, comprehensive and all-inclusive social policy … especially in the postwar Scandinavian, social democratic welfare states, at first glance served the interests of the least fortunate best. Society’s disinherited were, for once, given a status equal to the better-off, not just formally, but also in the tangible measure of a common basic protection against risk.” Peter Baldwin, *The Politics of Social Solidarity: Class Bases of the European Welfare State, 1875-1975* (Cambridge University Press, 1990). 7
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Asia. Even so, the North Germanic languages tie these countries together, and thereby the linguistic component of the Nordic countries has been—to a degree—advantageous for the regional integration and cooperation. The cultural and historical narratives that are shared within the Nordic Region, have further been fundamental for the development of the regional transformation and the formation of the identities and interconnectivity of the peoples that have brought the region to its current state in which peace prevails. This is built on the Nordic core values of “political consensus, social democratic institutions and Nordic cultural affinity.”

3.2 Indigenous People and Minorities

The Nordic countries are also home to indigenous peoples, the Sámi and the Greenland Inuit, in addition to several recognized minorities. The Sámi are made up of ten different ethnic groups with their own distinct languages. They are situated in Northern and Central Scandinavia, Finland, and Northwestern Russia. They can trace their origin in the region back to 10,000 BC and thereby coincided with the end of the last ice age. The Sámi have their own languages, cultures, ancestral territories, and history that is today protected and preserved through national laws in the countries they inhabit. They have long fought for this protected status and for their rights to be recognized in addition to increasing their cultural, social and political autonomy within the

46 It should be noted that Swedish is an official language in Finland as well as Finnish being an official language in Sweden. In Norway, Kven is an officially recognized language used in the county of Porsanger and belongs to Finnic and is thus mutually intelligible with Finnish. Icelanders learn at least one Scandinavian language.
47 Archer, "The Nordic Area as a 'Zone of Peace'."
49 While the Sámi have separate languages, they all speak at least one other Nordic language.
Nordic countries. The Sámi went through hardships brought on by nationalist agendas that attempted with misguided aggressive assimilation policies, to reshape them into their fellow non-indigenous culturally uniform nationals by robbing them of their language, culture and identity,\textsuperscript{50} a universal experience for indigenous peoples. What sets the Sámi apart from the norm is that their struggle for their indigenous rights, culminated with the establishment of their indigenous parliaments in Finland, Norway, Russia, and Sweden.\textsuperscript{51} Sámi media broadcasts are now jointly operated and shared across the entire region.

The other major indigenous population of the Nordic Region is the Danish Greenland Inuit.\textsuperscript{52} They have inhabited Greenland since 2500 BC,\textsuperscript{53} and are of three main ethnicities: The Kalaallit, the Tunumiit, and the Inughuit.\textsuperscript{54} Under Danish rule, after 1814, the Greenland Inuit would, as the Sámi, suffer similar hardships. “A \textit{de facto} policy of “Danification" that began in 1953 presumed that Greenlanders would conform to Danish values, norms of behavior, and laws rather than contribute their values to Danish society.”\textsuperscript{55} Inuit children were taken from parents in a social experiment to “reeducate” them in Denmark. Instead the children were completely robbed of their language, identity, culture, and values. Upon repatriation to Greenland they even had their links to their families severed by the Danish Red Cross, which stated that “after their stay in affluent Danish homes, the youngsters shouldn't live with

\textsuperscript{50} In Norway the policy was implemented under the heading Norwegianization
\textsuperscript{52} The Norse settled Greenland in the tenth century and Greenland became part of Norway in the thirteenth century. When Denmark lost Norway in 1814, it kept Greenland
\textsuperscript{54} Most Greenland Inuit speak Danish as a second language.
\textsuperscript{55} P.R. Stern, \textit{Daily Life of the Inuit} (ABC-CLIO, 2010). 87, 88
their own families in ‘worse conditions.’” Nevertheless, things would improve, and the Inuit, as the Sámi, gained their own parliamentary system. Unlike the Sámi, the Greenland Inuit would in 2009 become autonomous; the first of the Inuit peoples to achieve this status.

The Nordic countries also have their recognized minorities that are, amongst others, the Finnish speaking peoples of Norway and Sweden. They have also gained protection and preservation of their languages, cultures, and identities in the areas they inhabit. Other immigrant groups that are new arrivals to the region, while being encouraged to integrate, also have their ethnicities preserved by e.g. being able to send their children to kindergartens that operate in a multicultural system that provide mother tongue environments.

56 "The Children Taken from Home for a Social Experiment," BBC, 2015, accessed 15/08/2016.
58 There are bilingual kindergartens in Norway that provide mother tongue environments. For example, even if there are some children that are offered an Arabic-Norwegian environment and other children that are offered an Urdu-Norwegian environment, children using Urdu and Arabic will use Norwegian as a common language. Thus providing different languages, does not hamper their competency in the majority language, here Norwegian, whilst being able to maintain their mother tongue. National Centre for Multicultural Education (NAFO), TospråKlig Assistanse Og Betydning for Barns SpråKutvikling - Dokumentasjon Av Et SpråKprosjekt [Bilingual Assistand and Its Influence for Childrens Language Development - Documentation of a Language Project] (Directorate for Education and Training, 2013). See also: Sigrun Sand and Tove Skoug, "Prosjektbarnehagen Og 4-Åringene. Evaluering Av Prosjekt Med Gratis Korttidspluss I Barnehage for Alle 4-Og 5-Åringer I Bydel Gamle Oslo [Project Kindergarten and 4-Year Olds. Project Evaluation of Gratis Short Term Stay for All 4 and 5 Year Olds in District Gamle Oslo]," (2003).

In addition to this, on Norway’s National Day, 17 May, the country transcends the nationalistic with democracy and its inherent freedoms being raised in speeches. Moreover, national flags representing the multicultural makeup of Norway are allowed.
3.3 The Nordic Council

The Nordic Region, has since the end of the Second World War, neither been under threat of, nor fought any wars. The Nordic countries have established an inclusive integration of regional institutions through the Nordic Council. Among these, is the joint labor market and for which the Council of Nordic Trade Unions represents the 16 trade union confederations of the Nordic countries with over eight million members including blue collar workers, white collar workers, and academics. The Council further promotes cultural, juridical, and social connections. Another significant part of regional cooperation is the welfare system. Not only does it function as the safety-net it represents, but in combination with the international economic competitiveness of the region, it forms what is known as the Nordic Model and as such has been lauded as a successful political model. This system has its modern foundation rooted in the postwar solidarity movement that was established in the aftermath of the Second World War as stated by the Nordic Council. Additionally, in relation to the welfare system, the Council states that the regional cooperation and integration is to foster a strong social cohesion through the shared regional values irrespective of different systemic approaches to implementation and management of the welfare services.


61 Nordic Council, Dagfinn Haybråten the Nordic Region Is One of the Threads through My Life, by Helena Johansson (n.d.).

This connectedness furthermore takes shape with open borders and freedom of movement for the Nordic peoples. This passport-free travel is a consequence of policies that focuses on interconnectivity, and was thus the first region-wide policy the council implemented in 1952, which preceded the Nordic Passport Union of 1958. Later still, voting rights were established within the region for the citizens of the Nordic countries in local elections. The establishment of the Nordic Council has moreover made internal conflict not only very unlikely, but also expanded the region from an exclusively internalized focus on cooperation, to include the neighboring sub-regional complex of the Baltic countries. This complex is now seeing increased Nordic engagements. The Nordic Region and its intrinsic peace-orientation as a socio-political reality is a post-World War II phenomenon. To fully understand its manifestation and current function, its origin becomes significant in order to explain the end of interstate hostility amongst Nordic countries and the regional metamorphosis that followed.


64 For Nordic citizens: a) Denmark: from 1977 voting rights for municipal council and county council were granted after three-year residency (after 1995 no minimum residency required); b) Finland: (including Åland): from 1981 voting rights for municipal council were granted with no minimum residency required; c) Iceland: from 1986 voting rights for municipal council were granted after three-year residency; d) Norway: from 1978 voting rights were granted for municipal council and county council after three-year residency; e) Sweden: from 1975 voting rights were granted for municipal assembly and county council with no minimum residency requirements for Norwegians and Icelanders (after 1997 no minimum residency requirement for all Nordic peoples). This list excludes the voting rights for non-Nordic citizens, all of whom currently have those rights. Harald Waldrauch, "Electoral Rights for Foreign Nationals: A Comparative Overview of Regulations in 36 Countries," (2003).

65 Nordic Foreign Ministers Discussed Cooperation in the North and Baltic Sea Region.
3.4 Peace of Kiel – The end of Intra-Nordic Wars and the start of the Nordic Peace

The Nordic countries have not always been at peace with each other, and as the current state of regional peace does not reflect its more often than not belligerent history, it necessitates an examination of this contrasting reality. Prior to the current orientation of the Nordic countries, the region was mired in warfare. The inception of the regional transformation that brought peace, took place on 19 January 1814 in the North German city of Kiel. On this date, the Treaty of Kiel was signed, marking the endpoint of the interstate wars fought in the Nordic Region. It also marked the end of the ongoing Napoleonic Wars for the Nordic countries, and as such was the last time the Nordic countries were active belligerents against each other.\(^66\) The Treaty of Kiel furthermore signified the end for the region as being a focal point for the other warring parties in the Napoleonic Wars. The wars would end the following year with Napoleon being exiled to Elba (and later to Saint Helena after a brief comeback that ended with his defeat at Waterloo in 1815).\(^67\)

The Nordic belligerents towards the end of the Napoleonic Wars were Denmark-Norway, aligned with Napoleon, and Sweden, which joined the Sixth Coalition against France.\(^68\) The Nordic countries had tried to remain neutral, 

\(^66\) There is only one exception to this and that was the Swedish-Norwegian war from 26 July–14 August 1814. While this exception, negates the statement that the Treaty of Kiel ended hostilities amongst the Nordic countries, the war was brief, unwinnable for Norway and formed part of the settlement from the Treaty of Kiel: Norway was Sweden’s price for fighting Napoleon. Hildor Arnold Barton, *Sweden and Visions of Norway: Politics and Culture, 1814-1905* (SIU Press, 2003). 17

\(^67\) Unlike Elba, which is off the western coast of Italy, St. Helena is a remote island in the South Atlantic.

\(^68\) The Sixth Coalition that defeated Napoleon was established in 1812 by Britain, Portugal, Russia, and Spain. It later expanded to include Austria, Prussia, Sweden, and German States. The Nordic countries fought for both sides in the Napoleonic Wars by mainly being coerced into coalitions.
but were drawn in as they were trading with the major European powers that were at war with each other. The major ramification of the conclusion of the wars for the Nordic countries was that Denmark lost, and had to cede Norway to Sweden; ending a union of 434 years in 1814. This was to compensate Sweden that had lost Finland to Russia at the height of the wars in 1809. Cumulatively, as a result of the wars, the geopolitical landscape was drastically changed not only within the Nordic Region, but in Europe as a whole, and the stage for a nationalistic awakening in the region had been set. The Peace of Kiel moreover marks the beginning of the processes that would take the Nordic Region to its contemporary state today. While the Nordic wars ended in 1814, the conflicts did not. However, how the conflicts were dealt with would undergo tremendous change. The establishment in 1814 of a stable peace would, for the Nordic Region, mark the start of the transformation away from war. This transformation, from the outset, would not be a seemingly natural occurrence considering that for the past five centuries, there had been some fifty international or civil wars in the Nordic region. From then on, the conflicts would be resolved peacefully and through a series of mitigating events, transform the region from a belligerent one, to the pluralistic security community that it is today.

3.5 Background of the Peace of Kiel and the Kalmar Union

To better understand the significance and impact of the Peace of Kiel on the Nordic countries, a historical account of how the Nordic countries aligned themselves regionally will follow. The period leading up to the Peace of Kiel was a turbulent time for the Nordic countries and should be traced all the way through a series of mitigating events, transform the region from a belligerent one, to the pluralistic security community that it is today.

69 Adler and Barnett, Security Communities. 72
back to the Kalmar Union of 1397. This union was the only time all the Nordic countries were united under one monarch. The union was made up of the kingdoms of Denmark, Norway, and Sweden. In addition to these were their dependent territories: Finland, which belonged to Sweden; Iceland, the Faroe Islands, Greenland, and the Shetland Islands, which belonged to Norway. Thus, the Kalmar Union encompassed the entirety of the Nordic Region. The union was established at the castle of Kalmar, on Sweden’s border with Denmark. The union was not however stable, as Sweden often rebelled against it. Thus, after a fragmented period rife with conflict, Sweden elected their own king. The Swedish nobles succeeded in leaving the union with their revolt against Denmark in the Swedish War of Liberation in 1521. This concluded the Kalmar Union two years later with the forced abdication of its King Christian II. Both Denmark and Norway were lost to his uncle Frederick I, and Sweden left the union with the election and coronation on 6 June 1523 of the Swedish noble Gustav I Vasa as King of Sweden and Finland. The Kingdoms of Denmark and Norway at the time had been in a  

71 Ibid.; Although the Kalmar Union of 1397 represents the unification of Denmark, Norway and Sweden, Denmark-Norway was already unified. The unification of Denmark-Norway transpired when Olav II of Denmark inherited Norway [in 1380] with the death of his father, Haakon VI of Norway. Olav II reigned in Norway as Olav IV. The union of Denmark-Norway would later serve as the beginning of the Kalmar Union. John Middleton, World Monarchies and Dynasties (Armonk, NY: Sharpe Reference, 2013). 356  
72 6 June is Sweden’s national day  
73 To understand Finland as part of Sweden according to the historians Jason Edward Lavery and Nils Erik Villstrand, one has to think outside the limits of the modern nation-state: “There was no Finland, there was a Finland, there were two [Finlands], and there were many [Finlands].” Denmark-Norway conveys two kingdoms (until 1536), yet there was no Sweden-Finland. Finland as a geographical entity occupying the Finnish Peninsula was part of the Swedish realm from about 1157 to 1809. The Southwestern part of Finland formed the eastern political, cultural, and economic part of Sweden. The rest of Finland, at times geographically vague, was the periphery of the Swedish realm. As to the two or more Finlands, some parts of Eastern Finland were under Russia. Furthermore, Finland was integrated into the Swedish kingdom by partaking in
union since 1397 as part of the Kalmar Union. In 1524 Norway and its overseas territories came under Denmark in a personal union under Frederick I.\textsuperscript{74} This union was dissolved in 1536 when the Norwegian council of state was dissolved and the national sovereignty was transferred to Denmark; Norway had become a Danish province in the Kingdom of Denmark-Norway.\textsuperscript{75} The period that follows sees the Nordic countries mired in wars both from within and without the Nordic Region until 1814.

### 3.6 Napoleonic Wars

The Napoleonic Wars of the early eighteen hundreds broke out and engulfed Europe in total war.\textsuperscript{76} The Napoleonic Wars were the extension of the late eighteenth century French Revolutionary Wars that would in the end, transform not only the Nordic countries, but all of Europe.

Denmark-Norway and Sweden tried to remain neutral in the Napoleonic Wars, which enabled trading with both the British and the French. At the time, Britain had implemented a policy of blockading French ports, and moreover was using the Royal Navy to search all shipping as it suspected it could aid the

electing the Swedish kings. Sweden was run as an elective monarchy until 1523 with the crowning of Gustav I when it turned to become a hereditary monarchy. Despite this change in succession laws in Sweden, Finland by the fifteenth century was fully integrated bureaucratically and politically. Jason Edward Lavery, \textit{The History of Finland} (Greenwood Publishing Group, 2006). 31-35

\textsuperscript{74} A personal union denotes countries under one sovereign. The countries are domestically independent, yet are unified under international law.


\textsuperscript{76} David Avrom Bell defines total war as the “erasure of any line between combatants and noncombatants and the wanton slaughter of both—and at the behest of politics more than military necessity.” David A Bell, \textit{The First Total War: Napoleon’s Europe and the Birth of Warfare as We Know It} (Houghton Mifflin Harcourt, 2014). 184
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French. This led to the formation of the Second League of Armed Neutrality of 1800, established by Russia, Denmark, Prussia and Sweden, as they wanted continued trade with the French past the British blockade as well as with the British, who depended on Scandinavia for timber. The chief sponsor for the Second League was Paul I of Russia, Catherine II’s son. What differentiated the Second league from the First League is primarily that if a ship’s captain stated there was no contraband on board, the belligerents were not allowed to board the ship to search for contraband. The Second League of Armed Neutrality would ultimately fail, and ending up with drawing the Nordic countries into the Napoleonic Wars as active belligerents. Britain did not see the Second League as a neutral alliance; instead, it found it to be a threat and saw the participating countries as aligned with the French. In 1801, over these fears, the British under Vice Admiral Horatio Nelson, attacked the Danish fleet while it was docked in Copenhagen. The Danes lost the First

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77 The First League of Armed Neutrality consisted of Russia, Sweden, Denmark-Norway, Holland, Prussia, Austria, Portugal, the Kingdom of Sicily, and the Ottoman Empire. It was formed in 1780 at the behest of Catherine II of Russia during the American Revolutionary War, and presented the belligerents—though only to the British as it was the only belligerent that posed an actual maritime threat—with demands to ensure the security of the sea trade of the neutral powers and free passage to the ports of the belligerents as well as along their coastlines. If the belligerent were not to respect the neutrality of shipping the league would second warships for protection as long as no contraband was found—even if the cargo belonged to any belligerent party. Efraim Karsh, Neutrality and Small States (Routledge, 2012); This is also the second time since the First league of Armed Neutrality that Sweden attempted at Neutrality. The shift in Swedish foreign policy towards neutrality did not gain real traction until after 1814 and the Peace of Kiel. Post-1814 Sweden, a former regional great power, saw itself becoming middle power which necessitated Sweden to rethink its place in post-Napoleonic Europe. This shift in foreign policy led to Swedish neutrality.

78 Ibid.17

79 Both the French and the British did not respect the neutrality of smaller countries and “seized neutral ships on one pretext or another. Ruppenthal Roland, "Denmark and the Continental System,” The Journal of Modern History 15, no. 1 (1943), http://dx.doi.org/10.2307/1871504.

80 F.L. Ford, Europe 1780 - 1830 (Taylor & Francis, 2014). 202
Battle of Copenhagen and as a result, the Second League ceased to exist shortly thereafter. The ramifications of this would cripple Denmark for their foreseeable future. This did not however, turn Denmark towards France. This was not to happen until 1807, when the British attacked again in the Second Battle of Copenhagen. They still feared that the Danish ships could be used to bolster the French navy. The British arrived at Zealand, Denmark and demanded the Danes surrender their ships, a demand to which they refused.\textsuperscript{81} After three days of the British shelling Copenhagen, the Danes capitulated and the British took the Danish war ships as well as destroying those they could not take. This dragged Denmark into the war and made Frederick VI of Denmark ally with the French.\textsuperscript{82} Later still in the Napoleonic Wars, in 1810, Sweden was forced to align with the French. This was accomplished after Napoleon had defeated Russia in the Battle of Friedland of 1807 and signed the Treaties of Tilsit. After these treaties, Napoleon faced only two European powers, Great Britain and Sweden. To force Sweden to join him, Napoleon persuaded Alexander I of Russia not only to join him against Britain, but also to initiate the Finnish War of 1809; a war in which, if Russia came out victorious, would expand their influence in the Baltic Sea and enable France to dictate terms to Sweden. Russia did come out victorious, and 1) through the Treaty of Fredrikshamn it took Finland and Åland, and 2) through the Treaty of Paris of 1810, Sweden was coerced to join France against Britain. Thus, the Finnish War between Russia and Sweden was primarily instigated by the French to make the Swedes join the Continental System of France,\textsuperscript{83} and for the Russians to gain control of the Baltic region.\textsuperscript{84} In the aftermath of their defeat, Sweden aligned with France,

\textsuperscript{81} Zealand is the main Danish island on which Copenhagen is located
\textsuperscript{83} An embargo against trade with the British by Napoleon through his Berlin Decree
\textsuperscript{84} Henrik Edgren, "When Finland Was Lost. Background, Course of Events and Reactions," (2010).
lost Finland,\textsuperscript{85} which made up one third of the Kingdom of Sweden to Russia, saw the abdication of their King Gustav IV Adolf due to the aforementioned, and coincidentally faced a succession crisis:\textsuperscript{86} The new King of Sweden, Charles XIII, was without issue. This spurred political maneuvering and in an almost farcical turn of events, the Swedes saw fit to elect one of Napoleon’s Marshals, Jean Baptiste Jules Bernadotte, the Prince of Ponte-Corvo,\textsuperscript{87} to be prince regent [the \textit{de facto} head of state] and heir-presumptive to the Swedish Crown in 1810.\textsuperscript{88} The reasoning behind electing Bernadotte, a topic still under debate, can perhaps be explained by a letter given to him by the Swedish Baron Carl Otto Mörner—known in Sweden as the kingmaker—in 1810:\textsuperscript{89}

\begin{quote}
My Prince, Your modesty refuses to share my opinion that I believe to be that of the wisest of my compatriots. Sweden does not need a Dane, either a Russian, or a child whose long minority would cause us harm … What she needs, it is a Frenchman who will adopt our religion, who is known for his talents, for his courage and for the respect in which holds him the august Emperor of France; who belongs to the family of the Emperor, being the brother-in-law of the King of Spain; who has a son.
\end{quote}

\textsuperscript{85} Under Russia, Finland became an autonomous Grand Duchy that lasted until independence in 1917 that came in the aftermath of the February Revolution in Russia. Giving them autonomy was needed to keep the Finns from revolting against Russia.
\textsuperscript{86} Woodrow Wilson, \textit{The State: Elements of Historical and Practical Politics} (Best Books on, 1911). 350
\textsuperscript{87} A principality Napoleon created for him in 1805 for his services to France.
\textsuperscript{89} The Swedish reacted to this unilateral act by Baron Carl Otto Mörner by arresting him. The Swedes, after deliberation, decided to elect Bernadotte, part of which was due to the military apparatus of Sweden. Philip Dwyer, \textit{Citizen Emperor: Napoleon in Power} (Yale University Press, 2013).
likely to replace his father without regency, when the Providence will order it.90

Bernadotte, having these qualities in addition to being renowned for the kindness he showed in his treatment of Swedish prisoners of war, the Swedish military apparatus wanted a soldier. With this renown and the Baron’s uncle, all played part in swaying the Swedish Riksdag (national legislature) in his election.91 By electing the French Bernadotte, the Swedish hoped to get Napoleon’s support for taking Norway and the Danish Islands.92 Bernadotte, with Napoleon’s tacit approval, went to Sweden and wholeheartedly committed himself to the country; he even converted from Catholicism to Protestantism and took the name Charles John (in Swedish and Norwegian: Karl Johan) upon his election in 1810 and after he had entered Stockholm on 2 November 1810.93 Sweden, which had been mulling retaking Finland—until the sudden death of its previous heir-presumptive Christian August—was now giving this up as it seemed increasingly unlikely, turned its attention to Norway, and now hoped to take it with the support of Napoleon. Napoleon didn’t give approval as Denmark-Norway was allied with France, which greatly dismayed the Swedes, as this had been part of their understanding when electing Bernadotte to be their future King:94 Sweden was still seeking revanche over the loss of Finland.95

91 Ibid.; And in Encyclopædia Britannica, Charles XIV, 1911.
93 He would later become King Charles XIV & III John of Sweden and Norway
94 Barton, "The Swedish Succession Crises of 1809 and 1810, and the Question of Scandinavian Union."
95 Michael Bregnsbo, "The Motives Behind the Foreign Political Decisions of Frederick VI During the Napoleonic Wars," Scandinavian Journal of History 39, no. 3 (2014).
Furthermore, Sweden, now as part of the Continental System, had officially stopped all trade with Britain, an act that hurt it financially; even so, in Swedish Pomerania, the only part of the Swedish realm in continental Europe, smuggling continued over the North Sea to Britain.\textsuperscript{96} Napoleon next forced Sweden, under threat of war with France, to declare war on England in 1810 and seize all British ships and assets in Sweden.\textsuperscript{97} However, it was not Charles John, due to his recent arrival in Sweden, who acquiesced, but the Swedish cabinet. Faced with a potential new threat in Sweden, Russia entered secret negotiations with Charles John, and together they plotted against Napoleon, with Norway as Sweden's future prize. The conflict with Britain became a bloodless war that ended in 1812 and Britain entered talks with Sweden. As an act to stop the smuggling to Britain from Sweden, France invaded Swedish Pomerania in 1812 to plug this hole in the Continental System, an act that further alienated the Swedes.\textsuperscript{98} As this happened, Napoleon was waging war in Russia and Charles John declared Sweden neutral in the Franco-British war, as the Franco-Russian campaign could turn either way; he was biding his time.\textsuperscript{99}

This declaration, in the aftermath of talks with both Russia and Britain would also mark a significant shift in Swedish foreign policy. It is known as the \textit{Policy of 1812}, in which Sweden sees the birth of its principle of neutrality. As of 1812, it did not directly signify Sweden as a neutral power, instead Sweden saw close relations form with Russia and Britain and favored maintaining the \textit{status quo} for the interim period, all the while aligning Sweden against Napoleon with Russian (and later British) guarantees for Norway in exchange for joining the coalitions against Napoleon.

\textsuperscript{96} Sarah Hale, "Relations between Russia and Sweden, 1801-1814 Napoleon Bonaparte's Role in Finnish, Swedish and Russian Foreign Policy, 1801-1814," \textit{Nordic Notes} 1 (http://diemperdidi.info/nordicnotes/vol01/articles/russia.html).
\textsuperscript{97} Ibid.
\textsuperscript{98} Ibid.
\textsuperscript{99} Ibid.
The architect behind this ‘policy of 1812’ was the newly chosen crown prince, Charles John. The most serious threat to Sweden was the possibility of Anglo-Russian hostilities. Unburdened by Swedish cultural and historical constraints, Charles based his foreign policy on two firmly grounded convictions: first, that Sweden should choose a policy of nonalignment; second that the country had to be on good terms with Russia and Britain. After having acquired Norway—most of all as a substitute for Finland, lost to Russia in the war of 1808-9—King Charles John tried consistently to preserve the stability and status quo in northern Europe. In addition to striving for autonomy, Sweden in the first decades of the century deliberately promoted the stability of the surrounding region, inter alia by means of establishing good relations with Russia.\(^{100}\)

Subsequently, the war on the continent started to turn against Napoleon and his retreat began after his disastrous campaign in Russia. Amongst the hardships the French army faced in Russia was the Russian implemented scorched earth tactics. Even as Napoleon entered Moscow, the Russians set fire to their most holy city.\(^{101}\) Now the Swedes got involved in the war effort against Napoleon. Having become emboldened, they used this juncture to enter talks again with Russia and Britain against France. Charles John further saw this as an opportunity to appease the revanchists in Sweden over the loss of Finland, and entered the Treaty of Stockholm with Britain in 1813 that guaranteed British support for Sweden taking Norway.\(^{102}\) Article II in the Treaty of Stockholm states that:

\begin{quote}
His Britannic Majesty being desirous in return to give an immediate and unequivocally proof of his resolution to join his
\end{quote}


interests to those of Sweden and Russia, promises and engages by the present Treaty to accede to the conventions already existing between those two powers, insomuch that His Britannic Majesty will not only oppose any obstacle to the annexation and union in perpetuity of the Kingdom of Norway as an integral part, to the Kingdom of Sweden, but also will assist the views of His Majesty the King of Sweden to that effect, either by his good offices, or by employing, if it should be necessary, his naval cooperation in concert with the Swedish or Russian forces.\footnote{103}{Treaty of Concert and Subsidy between His Britannic Majesty and the King of Sweden; Signed at Stockholm the 3d of March 1813, by Great Britain, pt. nr. 8 (1813).}

With Norway secure, Sweden joined the British and the Sixth Coalition against France, which brought the country into the Napoleonic Wars. Charles John led one of three armies that were set up to end Napoleon in the Battle of Leipzig fought from 16 to 19 October of 1813. In the ensuing battles, that were to see the end of the Napoleonic Wars, Charles John’s battlefield movements would be detrimental to his Prussian and Russian troops who were sacrificed on behalf of mostly protecting the Swedish troops under his command. A move he made to use them for his own purposes; to crush the Danes and take Norway.\footnote{104}{Charles John did so against the wishes of his allies in the Coalition.} Upon reaching the Rhine with the allies, he refused to cross it and instead directed 60,000 men north towards Denmark. By December 1813, the Swedish forces had occupied the city of Kiel. The Danish forces were not on the Jutland peninsula, which meant that the Danish mainland lay open to the Swedish army. Setting up his headquarters in the city of Kiel in the duchies of Schleswig-Holstein, Charles offered the Danes an armistice by the end of the year set to expire on the 5 January 1814. When Russia and Prussia both withdrew their diplomatic support from Denmark, the Danes accepted defeat.\footnote{105}{Feldbæk, "Denmark in the Napoleonic Wars: A Foreign Policy Survey."} The peace process in Kiel saw Denmark cede Norway to Sweden. This act ended a union that had lasted 434 years. The Treaty of Kiel was concluded on 14 January 1814, ratified in Sweden on 31 January 1814, and Denmark on the 7 February 1814.
4 Case One: Norway-Sweden – Unification, Union, Disunion, and the legacy of the Peace of Kiel 1814-1905

The Treaty of Kiel, commonly known in the Nordic countries as the Peace of Kiel, set the stage for great change and served as the beginning of a new epoch of peace (although at times fragile) for the Nordic Region. The impact of the treaty saw the cessation of hostilities in the Nordic Region, Denmark ceding Norway to Sweden as well as its claim to Swedish Pomerania which Sweden did end up surrendering to Denmark. Swedish (now Danish) Pomerania, was then handed over to Prussia. In return Denmark—through more wrangling as witnessed by the legacy of geopolitical disarray the continent found itself in after the Napoleonic Wars—received the (insignificant) duchy of Lauenburg and monetary compensation. 106

Furthermore, Denmark retained possession of the Norwegian dependencies of Iceland, the Faroe Islands, and Greenland:

Great Britain, Austria, and Prussia then enforced the cession of Swedish Pomerania to Denmark; and Denmark, as previously arranged, surrendered Swedish Pomerania and Rügen to Prussia in exchange for the duchy of Lauenburg and two million thalers. 107

Sweden on the other hand, got compensation for the loss of Finland: Norway, and with it, a strengthening of its position within the region. Even though the Napoleonic Wars were yet to end—not until 1815 when the Duke of Wellington, with crucial aid of Prussian troops, beat Napoleon at Waterloo—they were for all intents and purposes finished in the Nordic Region. As a

106 Denmark was able to regain control over its overseas colonies in India from Great Britain, which had been occupying them during the Napoleonic Wars.
107 Robert Nisbet Bain, Scandinavia: A Political History of Denmark, Norway and Sweden from 1513 to 1900 (Cambridge University Press, 2014). 417
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regional peace presented itself, King Frederick of Denmark saw that in the totality of the wars, Denmark entered peace with the greatest losses in Europe.\textsuperscript{108} With the loss of Norway, Denmark lost 85\% of its territory in Europe and 36\% of its population in spite of retaining the Norwegian dependencies; furthermore the Danish and Norwegian nations accounted for three-quarters of Denmark.\textsuperscript{109} This coupled with the fact that post-Kiel in 1814 the southern Danish duchies of Schleswig and Holstein, in addition to the recently acquired duchy of Lauenburg, which were all Germanic in both culture and language, now accounted for two fifths of the Danish Helstat.\textsuperscript{110} This reality that would manifest as detrimental to the realm half a century later as a conservative German nationalism woke and grew in the years following 1814.\textsuperscript{111}

Charles John on the other hand, having beaten Denmark-Norway, was faced with an—albeit short-lived—rebellion. After defeating Denmark, Charles John dictated the surrender of Norway to Sweden, a demand to which King Frederick VI of Denmark acquiesced. In a letter he wrote his cousin, the newly instated Governor-General of Norway, instructed him to hand over the control of the Norwegian fortresses and return to Denmark; an instruction to which the latter would choose to ignore and instead mobilized an independence movement whilst seeking political support abroad in the European courts for the independence of Norway.\textsuperscript{112}

\textsuperscript{108} While it is true that with the Treaty of Kiel, Denmark lost most in terms of territory and population, it also arguably opened the door for Danish democracy, which will later be discussed. See: Anders Boas, "1814: Denmark Lost Norway but Gained Democracy," ScienceNordic, accessed 11/11/2015. http://sciencenordic.com/1814-denmark-lost-norway-gained-democracy.


\textsuperscript{110} The Danish Helstat included Denmark, the duchies Schleswig, Holstein and Lauenburg, as well as dependencies and colonial possessions overseas. Lorenz Rerup, "Grundtvig and the 19th Century," Grundtvig-Studier 44, no. 1 (1993).

\textsuperscript{111} Feldbæk, "Denmark and the Treaty of Kiel 1814."

The negotiations for the Treaty of Kiel started on 7 January 1814. The treaty was signed on 14 January; however, Norway was not informed of the handover of the country and nation to Sweden until almost two weeks had passed since the signing of the treaty. The letter was dispatched on 17 January from Frederick VI by courier was delivered to the Governor-General of Norway on 24 January 1814. The Governor-General was the Danish Crown Prince, and heir presumptive to the Danish Crown, Christian Frederick who, at the time, was seen as the legitimate heir to the Norwegian crown, not only by his birthright, but also by the Norwegian populace. Following the 17 January communique to Christian Frederick, which instructed him to forfeit Norway, another letter was sent from Frederick VI on 18 January to the nation (of Norway) relinquishing the people from its sworn allegiance to Denmark and the Danish crown. It appeared in a special edition on 26 January of the newspaper *Tiden* that proclaimed: "This dark, and for human sight, impenetrable fog is split and a glimpse of the sun’s clarity almost blinds the joyous staring eye,” as described by the vicar of Akershus Castle Church Claus Pavels in his personal diaries. “Peace, Peace in Norden” Pavels exclaims. Though the newspaper article did not mention the cession of Norway to Sweden. The news regarding the cession of Norway was spread on the same day as rumors. The general sentiment in Christiania was one of repugnancy and opposition. They were handed over as mere spoils of war, not as a nation in which one could confer: the treatment of the nation was not

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114 Steen, *Det Frie Norge: 1814*. 62
115 Ibid.
116 *Norden* is the Norwegian, Danish, and Swedish noun for the Nordic Region.
118 Christiania was the name of the capital of Norway until it was rechristened in 1924 as the city expanded into neighboring Oslo.
any better than cattle, property to be exchanged.\textsuperscript{119} Pavels continues to lament the fate of Norway and places all his hope in the Danish Governor-General Christian whom he desires as the future king of Norway:\textsuperscript{120}

God be praised, we have Prince Christian! Without him we would be lost, but now I say: “Nil metendum, duce Tencro et adspice Teucro.” (Let us fear of nothing while Teucer is our leader and we under his auspices) … the day when Prince Christian August would be proclaimed the future King of Norway. God be praised, the infamy is averted, and we endured till we with better, cleaner conscience could give a different Christian this homage.\textsuperscript{121}

In the immediate aftermath following the Peace of Kiel, the Norwegians were naturally, not thrilled about the prospect of becoming mere spoils of war, saw the birth of a short-lived, but fiery independence movement that ended with military defeat in the same year of 1814 and by 4 November Charles XIII & II

\textsuperscript{120} Pavels, "Dagbøger 1812-1822." \textit{January 14 1814}
\textsuperscript{121} Translation of: “Gud være evig lovet, at vi have Prinds Christian! Uden ham vare vi forlorne, men nu siger jeg: ‘Nil metendum, duce Tencro et adspice Teucro’ … Dagen allerede var bestemt, da Prinds Christian August skulde udraabes til Konge i Norge. Gud ske Lov, at den Skjændsel afvendtes, og vi holdt ud indtil vi med bedre, mere frelst Samvittighed kunde yde en anden Christian denne Hylding!” The Latin phrase is invoked by Pavels to indicate that there is nothing to fear thanks to the presence of Christian. \textit{Translations: from Danish, Gunnar Rekvig; from Latin, Bjørg Tosterud.}
A note on the Latin. Either there are spelling mistakes in the online source, or Claus Pavels himself was not fluent in Latin, which is the more probable according to Lector in Latin, Bjørg Tosterud at the University of Oslo’s Institute for Philosophy, Idea- and Art History, and Classical Languages. Tosterud believes that Pavels was referring to Horace, Odes, I.vii.27. The text from Horace: \textit{Nil desperandum Teucro duce et auspice Teucro (Let us fear of nothing while Teucer is our leader and we under his auspices).} Thus, it should be \textit{desperandum} meaning ‘despair,’ and not \textit{metendum} meaning ‘dread’ correctly spelled \textit{metuendum}. It is likely that he could not recall Horace to the letter. Bjørg Tosterud, \textit{Nil Desperandum} (2015).
was elected King of Norway. The processes Norway and Sweden were to undergo would also set the groundwork in Norway for a rise in nationalism and self-determination, and in Sweden for what the modern state is renowned for: Swedish neutrality. This neutrality originated from the Policy of 1812 that Charles John implemented as a shift away from war and in turn compel Sweden to focus on peace and stability in the Nordic Region. It was introduced by Charles John in the post-Kiel period as part of Sweden’s realignment as a middle power in Europe. Already in 1814 Charles John addressing the Swedish Riksdag:

Separated as we are from the rest of Europe, our policy and our interests will always lead us to refrain from involving ourselves in any dispute which does not concern the two Scandinavian peoples. At the same time, in obedience to the dictates both of our national duty and of our national honour, we shall not permit any other power to intervene in our internal affairs.

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122 Charles XIII in Sweden and Charles II in Norway from the linearity of previous Charles’ in the two countries. Further exemplifying the nature of a personal union. 123 Charles John would continue this policy and in 1834 use it when tensions flared between Russia and Britain. He presented his new system of neutrality for peace to both the Swedish Parliament and the great powers to keep Norway-Sweden out of any future war. Jacob Westberg, "Sweden’s Policy of Neutrality," NEUTRALITY IN THE 21st CENTURY (2013). 124 Christine Agius, The Social Construction of Swedish Neutrality: Challenges to Swedish Identity and Sovereignty (Manchester University Press, 2006). 60 125 The Riksdag is the national legislature of Sweden. In 1814, the Riksdag, at the time the Riksdag of the Estates, was the legislative arm of the government and the king the executive as per the Instrument of Government law in the Constitution of 1809. The absolutist Instrument of Government law in the Constitution of 1772 was repealed after a coup d'état following the loss of Finland to Russia that forced Gustav IV Adolf to abdicate. The Estates of Sweden were the divisions in society: Nobility, Clergy, Burghers, and Peasants. 126 Dunbar Plunket Barton, The Amazing Career of Bernadotte, 1763-1844 (Kessinger Publishing, LLC, 1930). 326
Yet, in spite of a magnanimous Sweden, this laid the foundation for a Norwegian desire for self-government and set in motion the nationalization processes Norway would pursue until independence was reached in 1905.127

4.1 A push for independence

Christian Frederick, upon receiving the news of the impending loss of Norway, acted to shore up support against the Treaty of Kiel. Both Frederick VI and Christian Frederick, the king of and the heir to a 434-year-old union, showed concern for the future of Norway as it was about to be handed over to Sweden; just as they had felt for the Norwegian suffering during the famine that had struck during the Napoleonic Wars.128 Thus, to shore up support for an independent Norway, Christian Frederick, assured that he need not give

127 During the Napoleonic Wars, the British Navy blockaded Norwegian ports as of 1808, in essence severing the contact between Denmark and Norway and more importantly causing a shortage of food which led to a famine in 1812-1813. Crippled by food shortages, being disconnected from Denmark, and having fought the Dano-Swedish war of 1808-09 without Danish support, Norway had already set the stage early on for self-rule. Bregnsbo, "The Motives Behind the Foreign Political Decisions of Frederick VI During the Napoleonic Wars."; The early move for self-rule if not independence in 1809 originated as a consequence of the closed ports and the Norwegian victory in the Dano-Swedish war repelling the Swedish attempt at taking Norway. The society, Seliskabet for Norges vel, established by patriotic brother and patriots, petitioned Frederick VI for a national bank and a national university in Norway. The society was modelled after the German Tugendbund, which came about to give rise to Prussian nationalism after being defeated by Napoleon in 1809. Andreas Elviken, "The Genesis of Norwegian Nationalism," The Journal of Modern History 3, no. 3 (1931), http://www.jstor.org/stable/1874955.

128 Contemporary correspondence strongly alludes to the concern shown for the nation, yet not enough to offer peace with Great Britain due the precarious position Denmark found itself in. By offering Great Britain peace, Jutland would be open for Napoleon's armies. Bregnsbo, "The Motives Behind the Foreign Political Decisions of Frederick VI During the Napoleonic Wars."; and in Steen, Det Frie Norge: 1814. 103
up his birthright, was faced with three obstacles for Norway’s independence: “military insufficiency, diplomatic infancy, and the will of the Great Powers.”

Norway in 1814 is located in a sphere of the world undergoing great change. Social and political changes have already taken place, most notably in the United States with the Declaration of Independence and later with the Constitution of the United States, and France with the Declaration of the Rights of Man and of the Citizen. In both these cases, human rights take center stage opposing the absolutisms of the past in which Kings or Queens reigned by the grace of God. Under these auspices, Christian Frederick called a Meeting of Notabilities in Eidsvoll, Norway on 24 February 1814. Here he told the assembly that he would contravene the Treaty of Kiel and take his place as the King of Norway. This, however was met with opposition by some of the notabilities, in particular Georg Sverdrup, the president of the Norwegian Constituent Assembly. He stated that since Denmark had surrendered Norway, the sovereignty of the country now belonged to the Norwegians: “Your Royal Highness has no more right to the Norwegian throne than me or any Norwegian. Norway belongs to the Norwegians.” Instead, Christian Frederick would, as a result of the Meeting of Notabilities, have to ascend the Norwegian Crown by constitutional means and election. This would also hamper his machinations, as the future king of Norway, to reunite Norway with Denmark. This statement to Christian Frederick by Sverdrup, would thus end absolute rule by monarchs in Norway: Rising to the throne of

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129 Pugh, "Norway and Sweden in 1814: The Security Issue."
130 An interesting contrast for peace studies: The United States Declaration of Independence of 1776 states *Life, Liberty and the pursuit of Happiness*; contrasted with the Canadian Constitution Act of 1867 (section 91 stating the scope of legislative jurisdiction of parliament) *Peace, Order and Good Government*
133 Christian Frederick, as King of Norway, would wait until the circumstances would “normalize.” Steen, *Det Frie Norge: 1814*. 37
The Nordic Peace

Norway by election, would not only appease those now in favor of independence, but also legitimize his claim now that it had been pointed out to him that it was no longer his birthright. The meeting culminated in calling for elections of representatives from each province for a constitutional assembly meeting to take place in April 1814. The call for elections was important in gaining legitimacy for the independence movement in Europe, as it was hoped that sympathies could be raised amongst the great powers (the very same that had offered Sweden guarantees for Norway). The elections, held on 25 February in churches, produced 112 representatives from most of the country; North Norway did not partake as the deadline for participation passed before a reply could be delivered. Of these 57 were public officials, 18 were tradesmen, and 37 were peasants. 25 were burghers, 54 from rural areas, and 33 from the army and navy. Almost all were young, most under the age of 50 and the youngest 17; none with constitutional writing experience.

The task set upon them when they met 10 April was to draft the future Norwegian Constitution. This daunting task was made less challenging as they were contemporaries of a world that had just witnessed the French Revolution and the Independence of the United States with the corresponding declarations and texts they produced. Additionally, several other constitutional texts had been written since the late eighteenth century. There was neither lack of ideas nor inspiration. Of these constitutional texts, the representatives at Eidsvoll would rely mostly on the American Constitution of 1787 (along with the Declaration of Independence of 1776), the French Declaration of the Rights of Man and of the Citizen of 1789/91, the British Magna Carta, and the Instruments of Government in the Swedish Constitution of 1809.

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134 Notwithstanding, elections were held in North Norway (though they would have no impact on the Constitutional Assembly in Eidsvoll
The Constitutional Assembly, not being homogenous in makeup, were not unanimous in the future of Norway regarding the question on independence or another union. Prior to a united accord, Count Herman Wedel-Jarlsberg, a titled nobleman, and those of his ilk were not opposed to a personal union with Sweden, as the Treaty of Kiel had clearly stated that within the union with Sweden, Norway would function as a separate realm. As early as 1809, as the famines hit Norway, Count Wedel-Jarlsberg had not been against an uprising and insurrection against Danish rule, and had instead courted the idea of Norway entering a union with Sweden on the provision that Norway be governed by its own constitution.137

Regardless of the internal disagreements within the Constitutional Assembly, they adopted the following eleven principles on 16 April:

1. Norway shall be a free, independent and indivisible kingdom, and its form of government shall be a limited and hereditary monarchy.
2. The people shall exercise the legislative power through its elected representatives.
3. Taxes may only be imposed by the representatives of the people.
4. Making war and peace shall remain the power of the Regent.
5. The Regent shall have the right to grant pardon.
6. The judiciary shall be separated from the legislative and executive branches of government.
7. The freedom of speech must be respected.
8. The Evangelical-Lutheran Religion shall be the church of the state, the free exercise of religion will be respected, but the Jews shall be excluded from the Kingdom.
9. The freedom of enterprise shall not be limited.
10. No more privileges can be granted in the future.

137 Barton, Sweden and Visions of Norway: Politics and Culture, 1814-1905. 14
11. The citizens are universally bound to, for a certain time, to protect and defend the country, without considerations given to status, birth, or fortune.138

Of these eleven initial principles, the only one they refuted was regarding mandatory military service. The remaining ten principles would then become the guidelines for drafting the constitution.139 The Constitution was signed into the law of the land on 17 May 1814 and Christian Frederick was elected King of Norway by the 112 representatives present at Eidsvoll. The constitution was inspired by the contemporary ideas of sovereignty by the people, freedoms, and the balance of power clearly drawing from the Constitution of the United States and by the Swedish Instruments of Government.140 By now unanimity reigned. The Constitutional Assembly swore an oath, now known as Eidsvoll-eden (the Oath of Eidsvoll), that they would be “Enige og troe, indtil Dovre falder! (United and true till [the mountains of] Dovre crumbles).”141 On 19 May, Christian Frederick, took his oath on the new constitution of Norway.142 The first Article of the newly written Constitution of 17 May 1814

139 “In Norway, the very fact of its notably democratic regime derived above all from the union … It is generally agreed that Norway’s elite, in the new constitution framed at Eidsvoll in 1814, established a far more democratic legislative body and popular franchise than it conceivably would have done had it not felt the imperative need to rally the whole nation against the threat of Swedish annexation following the Treaty of Kiel.” Barton, Sweden and Visions of Norway: Politics and Culture, 1814-1905. 170
140 Of the principles, clause one is of the Swedish Instruments of Government, while clauses six and ten are of the U.S. Constitution.
141 The mountains of Dovre have since the Viking ages symbolized Norway. They are important in the narrative of Norway as exemplified in the Viking Sagas. Merkedatoer l 1814. and Arne Sørenes, "'Til Dovre Faller". Kvit for Sa Dei Eigentleg Det? ("Till Dovre Crumbles." Why Did They State That?)," NRK, 2014, accessed 05/03/2016.
142 With the creation of the government came the Norwegian legislature: Storting (the parliament). It was bicameral, with an upper house: Lagting (the assembly of
states that “the Kingdom of Norway is a free, independent, indivisible and inalienable Realm.” From the work and deliberations of the representatives that had gathered at Eidsvoll, Norway now had a constitution with a separation of powers: the legislative, the Storting (the parliament), the judicial, Høyesterett (Supreme Court), and the executive, the Regjering (council of state (the Government or Cabinet which was appointed by the king)).

Yet, in light of Norway having been promised to Sweden by Great Britain, Russia, and Austria, Christian Frederick was informed on 18 May that the great powers would be sending commissioners to Norway to force through the union with Sweden. Christian Frederick passed this opportune moment to avoid future conflict and set the tone for the future fight for Norway on 19 May.

With the Norwegian adoption of the Constitution, Sweden began exerting pressure on Norway entering a union. Christian Frederick entered negotiations with the commissioners of the great powers and Charles John for independence. Charles John, tried to accommodate and “find a formula which would give Sweden the union she desired and, at the same time not offend Norwegian sensibilities.” Charles John had made it clear during the

the law) and a lower house Odelsting (the assembly of freeholders). The division of the Storting was ¼ to the Lagting and ¾ to the Odelsting. The constitution gave voting rights to Norwegian males over the age of 25 and that was either employed by public office or had landownership.

143 Karen Gammelgaard and Eirik Holmoyvik, Writing Democracy: The Norwegian Constitution 1814-2014, vol. 2 (Berghahn Books, 2014). 89; It can be argued that the Constitution of 17 May 1814 was not entirely democratic in nature. Article II, on religion, stated that “The recognized religion of the State is the Lutheran-Evangelical. Those who profess the same, are required to bring up their children in it. Jesuits and monastic orders are not tolerated. Jews are wholly excluded from admission into the country.” The Article itself has its origin in the laws of Denmark, a legacy that would be with Norway still for a time. Article II cannot under any interpretation be called democratic, yet historians argue that the Norwegian constitution of 1814 was the most democratic at the time. Robert Gordon Latham, Norway and the Norwegians (1840).

negotiations for the Treaty of Kiel that he would extend himself in finding a peaceful solution to the union. Peace, however, was not meant to be. Under pressure in his adopted home of Sweden, Charles John was not able to pacify his countrymen, and on 26 July, with the backing of the great powers, he entered war with Norway. The war lasted a little more than two weeks, as the Swedish forces were battle hardened from the Napoleonic Wars.\(^{145}\) Nevertheless, the Norwegians, who fought better than Charles John expected, could now hold their head high as they did not merely hand the country over to Sweden. Because of the Norwegian successes on the battlefield, in spite of ultimately losing to the Swedes, they avoided having to surrender unconditionally. Therefore, Charles John offered to negotiate a peace with Norway, which was also faced with Great Britain threatening to blockade the Norwegian ports to force Sweden’s claim. This along with a practically certain loss to the Swedish forces that had been steadily making advances, and having their pleas of assistance from the great powers rebuffed, the Norwegians entered negotiations with Charles John in Moss, Østfold county, without their King Christian Frederick.\(^{146}\) The Convention of Moss brought an armistice and made it evident that Charles John, as Christian Frederick had, sought a form of legitimization for his claim on Norway. The omission of any mention of the Treaty of Kiel, without nominating Charles John as the King of Norway, and the non-recognition of Christian Frederick demonstrated that the Swedes were pragmatists and instead focused their efforts on negotiations with the *Storting* via commissioners from Sweden.\(^{147}\) Charles John, further hoped to appease both the Norwegians and the great powers with his terms at the Convention of Moss that was concluded on 14 August.\(^{148}\) The convention pardoned all Norwegians that had been part of the independence movement, the Eidsvoll Constitution was to remain intact except for necessary amendments required for making the union possible.

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\(^{146}\) Lindgren, *Norway-Sweden: Union, Disunion, and Scandinavian Integration.*

\(^{147}\) Ibid.

Finally the border was demilitarized and the blockade of the Norwegian coast was lifted.\(^{149}\)

In the aftermath of the Convention of Moss, continuing the Swedish policy of mollifying the Norwegians, Sweden only occupied the fortress of Fredriksten close to the Swedish border while leaving their Norwegian garrisoned counterparts to the remaining fortresses in the country. Sweden then proceeded with spending 100,000 rix-dollars for pro-union propaganda in Norway as the party of Wedel-Jarlsberg, which supported the union, did not come out publically to support Sweden in fear of retaliation.\(^{150}\) Christian Frederick was allowed to stay in Norway till after he had convened the Storting. On 10 October, Christian Frederick returned to Denmark and the Swedish commissioners started the constitutional negotiations with their Norwegian equivalents. The negotiations were complete on 4 November and with a—very slightly—revised constitution Charles XIII & II was elected the King of Norway. In principle, the constitutional revisions left Norway intact as a sovereign state in all matters internally (even naturalizing citizens Sweden had granted citizen rights to), except for foreign policy. This was left to the Swedes to control in addition to supreme control of the Norwegian armed forces. The election of Charles XIII & II was unanimous, yet there were those who elected him on the basis of Swedish superior military force, and no one to turn to for military assistance, and all notions that this was a handover of Norway to Sweden by Denmark was thus rejected. Irrespective of dissenting voices, the union between Norway and Sweden came into being on 4 November 1814. Charles the XIII & II would reign until his death in 1818, when Charles XIV & III John would succeed him.

\(^{149}\) Lindgren, *Norway-Sweden: Union, Disunion, and Scandinavian Integration*. 14
\(^{150}\) Ibid. 15
4.2 1814-1905 Norway-Sweden: Union and Democratization

The union between Norway and Sweden was a personal union, which was, as independence failed, the best result Norway could have attained facing an unrelenting Sweden. As opposed to the absolute monarchy of the Kingdom of Denmark-Norway, Norway-Sweden within a personal union was, in principle, functioning as two separate entities; where their respective borders are intact, domestic policies and economies are independent, and thus the appearance of two separate countries materializes. Nevertheless, realpolitically for Norway-Sweden, the seat of suzerain sovereignty was in Stockholm and furthermore where the foreign policy decisions that would impact Norway were situated; the union had become an actuality. For the new Constitution of Norway, this fact was made apparent with the amended Article I of the Constitution of 4 November 1814: "Norway is a free, independent, indivisible and inalienable Kingdom, united with Sweden under one King." Thus, as the personal union guaranteed, Norway was now free to govern, without the need to make appeals to the Danish kings for initiating internal policy changes. As a result, the Union returned to Norway the power of self-government for the nation; a power that had been absent for 434 years.

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151 As opposed to a real union. This distinction was important to the Norwegians because a personal union denotes two separate kingdoms under a common king. “The union, therefore, was an amalgamation in which the main link between the two separate kingdoms was their common king. As Norwegian jurists argued, the association of the two countries was a personal and not a real union, and they recognized only the authority of a limited monarchy. The ties forging this union were not only fragile, at times they seemed hardly to exist. Ibid. 28

152 Gammelgaard and Holmoyvik, Writing Democracy: The Norwegian Constitution 1814-2014. 93

153 1814 stands out in Norway. On the 200th anniversary of the constitution, the Norwegian Storting had the exhibition: “1814, the year of miracles.” Stortinget, The Exhibition «1814 the Year of Miracles», by Stortinget (Oslo: Stortinget, 2014).
The government functioned with the council of state and prime minister in Stockholm and a deputy prime minister in Christiania at the Storting.

The years after 4 November 1814 saw progress made within the economy and the social strata of Norway, and an awakening and growth within the nation. There were also to be a few political crises, of which the first occurred in the aftermath of the separation from Denmark. The need for a national economy and which thus saw the formation in 1816 of the national Bank of Norway. For Norway to be able to print its own currency, which were to be backed by silver the country did not possess, a silver tax was introduced on the entire nation. Peasants that previously had paid their taxes by way of produce and the like, was suddenly expected to pay in silver. This led to a march on the capital in 1818 by peasants who demanded a return to absolute monarchy akin to that of Norway under Denmark which had had lower taxes.\(^{154}\) The non-violent insurrection resulted in mass arrests and saw its leader Halvor Hoel, jailed (only to later be released on a royal pardon). Outside the domestic sphere saw the baggage from the period as part of the Danish Realm rear its head, and Norway was faced with a potentially constitutional crisis developing that could negatively impact the future of its position in the union with Sweden. The crisis was related to two issues of contention Norway had with Sweden and by extension Denmark. One was a reluctance to be part of a war-debt settlement between Norway and Denmark from the Napoleonic Wars. As part of being on the losing side, Norway, in spite of having been handed over to Sweden, was deemed obliged to that debt when especially considering the self-determined nature of the Constitution of Norway and the personal union between Norway and Sweden. Since Norway, having attained near absolute autonomy, it was deemed natural for Sweden to pay one-eighth of the debt as was agreed upon in a

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negotiated settlement between Denmark and Sweden (much less than the 1/3 they might have had to pay according to the Constitution’s Article 93).  

What ultimately led Norway to pass the measure was the fear of a coup d’état by Swedish troops that were being deployed outside the capital Christiania, in addition to the great powers also supporting Sweden’s position on the Norwegian debt. The second part of the crisis, was related to Norway’s nobility. The Nobility Law of 1821 abolished the nobility in Norway, a political move that was part of an awakening in nationalism and the push for democratic progress in the Storting, a move that did not have support in Sweden.

When the Storting continued to resist ratifying the debt agreement and also seemed on the verge of passing a bill that would abolish the nobility, Charles John sent a circular note to the European powers in June 1821 suggesting he might change the Norwegian constitution to increase royal powers ... The Storting finally agreed to ratify the debt measure in 1821, but passed the measure to abolish the nobility.

Without a political veto in Norway, as per the union, Sweden could not oppose the domestic acts of Norway (but could flex muscles on internationally tangible issues such as the debt question). The Swedish machinations of cowing Norway were not successful, and Charles John sent amendments to the Storting every year after 1821 till his death in 1844.

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156 Charles John, during a meeting with Norwegian representatives, stated that “if you want to stay independent, pay your debt. On the other hand, if you want to unite under the Constitution of Sweden, don’t pay.” Frank Aarebrot, *200 År På 200 Sider* (Kagge Forlag, 2014). 27

to increase the power of the Swedish Crown in Norway; all of which failed to be ratified.

As a new identity grew in the nation that had now abolished the nobility, a national day for the newfound freedoms and democracy came about with (in the beginning, humbly) celebrating the Constitution. However, to the chagrin of Charles John and the Swedes, the celebration was not for the 4 November Constitution, but for the 17 May Constitution. This was going to become a thorn in Charles John’s side and a celebration he would never approve of, partly due to him being under pressure to stem liberal ideologies at home in Sweden, which still had the nobility. However, there was support as well in Sweden, especially amongst those who had partaken in the revolution that had dethroned Gustav IV Adolf in 1809.

“Count Carl Henrik Anckarsvärd, a supporter of the revolution of 1809 who had since fallen out with Carl Johan, defended in 1828 the Norwegians’ right to celebrate 17 May as their independence day, pointedly praising their wise constitution in comparison to the Swedish.”¹⁵⁸

In 1829, troops were deployed in Christiania to disperse the crowds celebrating 17 May; there was no violence and in consecutive years the celebrations grew. “Subsequent tolerance of the May 17 celebrations made the 1829 affair a landmark in the growth of Norwegian nationalism.”¹⁵⁹ From 1836, 17 May became the official national day of Norway, and is known as Grunnlovsdagen (Constitution Day).¹⁶⁰

¹⁵⁹ Goldstein, *Political Repression in 19th Century Europe (Routledge Library Editions: Political Science Volume 24)*. 144
¹⁶⁰ Though, early celebrations of 17 May in Norway, were part of the nationalistic processes in Norway, it is today used for celebrating democracy and the freedoms Norwegians enjoy thereunder. In speeches on this day, the nation is not celebrated, it is the *ideas* and *principles* that the nation was built and stands on that are. The day is further devoted to children and the parades held are led
The following year saw the establishment of the *amtkommune* which was the forerunner to the county municipality of modern Norway. In the Municipality Act of 1837, passed by the *Storting* and signed into law by Charles John, the rural areas and the peasants were elevated to the same status as the burghers of the towns and cities. Prior to 1837, the countryside was void of political institutions. The Act gave Norway relatively strong local political institutions that became an integral part of the country.

The enthusiasm for the 1837 Act highlighted the fact that the democratic system actually consists of two levels that are mutually dependent: central and municipal authorities. Mutual dependence means that if the democratic system is diminished at the local level, then the loss that ensues cannot be compensated by introducing more democracy at the state level. The books cannot be balanced like this because municipal democracy is meant to represent qualities that the state is unable or unsuited to cater for. A decline in municipal democracy will therefore result in an impoverished democratic system at large.\(^{161}\)

With the introduction of this act, nationalism would continue to grow through the awakening of national romanticism that led Norwegians to “discover” Norway through the arts and fairytales.\(^{162}\) From the imagery of the rough Norwegian nature and the exoticisms found in the peasant lifestyle a national identity was constructed by the burghers of Christiania.\(^{163}\) This developing

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\(^{162}\) Peter C. Asbjørnsen and Jørgen Moe were especially instrumental in collecting and collating the fairytales from the countryside. One figure, the *Askeladd* (the Ash lad) would become a Norwegian hero figure who overcame impossible odds through his wits.

national identity would later become hardened and averse to criticisms as Bayard Taylor would describe in his travel logs from Scandinavia:

The scene was only another illustration of the intense vanity of the Norwegians in regard to their country. Woe to the man who says a word against Norway … So long as you praise everything — scenery, people, climate, institutions, and customs — or keep silent where you cannot praise, you have the most genial conversation; but drop a word of honest dissent or censure, and you will see how quickly every one draws back into his shell.164

Taylor pointed out the opposite characteristics concerning the Swedes, contrary to his expectations of the two countries.165 Yet, he does acknowledge that Norway is a far more equal and democratic society than Sweden. It is thus rational to argue that after Norway’s history as a mere province of Denmark and now under the Swedish crown, not by the will of the people, but by military might, the nation-building project was dear to many a Norwegian.

The union, which had a rocky start to begin with and saw tensions between Norway and Sweden build up over a multitude of issues. Sweden was not able to placate and establish Norwegian trust in the union by its attempts to impose constitutional changes aimed at weakening the Norwegian constitution, and by extension weakening the rising nationalism, thereby changing the very nature of the personal union. The national awakening of Norway would not reconcile giving further powers to the king in Stockholm which would weaken the national character of Norway: they were of two

164 Bayard Taylor, *Northern Travel: Summer and Winter Pictures of Sweden, Denmark, and Lapland* (GP Putnam, 1858). 297
165 “The Swedes have all the honesty which the Norwegians claim for themselves, more warmth and geniality of character, and less selfish sharpness and shrewdness. Mügge tells a story of a number of Swedes who were at a dinner party in Paris, where the health of "the King of Sweden and Norway" was proposed and drunk with great enthusiasm. One glass was observed to be untouched. It belonged to a Norwegian, who, when called upon for an explanation, said: " I cannot drink such a toast as this, but I will drink the health of the King of Norway, who is also King of Sweden!" Ibid. 329
different nationalities and therefore could not on principle be merged under the dictates of a union king whose seat was in Sweden. As Norway had been forced into the union with Sweden, the development of a distinct national character became imperative to the Norwegians. This took, in large part, shape through the national romantic movement of the nineteenth century as was indicated in the early twentieth century by historian Andreas Elviken. For Elviken, these aspects of the national character were still in recent memory: “With national romanticism came the fruition of the labors of toiling pathfinders in Norwegian nationality.”\textsuperscript{166} Elviken argues that popular sovereignty and national self-determination as principles and doctrines had been in use in Norwegian national romantic literature and arts leading up to the dissolution of the union. He continues with that the shift from a national-consciousness to nationalism in Norway, was aided by the periodic literature and arts that in turn stands in correlation with the development of Norwegian democracy. Finally, he states that to fulfill and accomplish the self-determination of the nation: “the common fund of nationalist sentiment in Norway is found to repose in democratic ideas.”\textsuperscript{167} Thus, as Norway is finding the Swedish executive branch, the king, to be acting outside the auspices of the Norwegian constitution and its parliamentarian democracy, the union goes counter to the contract agreed upon at the Convention of Moss. Hence the principle of nationality would be fundamental in spurring the push for independence through self-determination. This independence would eventually be realized under a Swedish king who had taken the principles of neutrality, nonalignment, and by extension nonbelligerency to heart.

Several of the other contentions the Norwegians had within the union stood in close relation to the very fundament of nationality.

And the mild and just treatment granted to Norway by Sweden did not suffice to satisfy the Norwegian national spirit which

\textsuperscript{166} Elviken, "The Genesis of Norwegian Nationalism."
\textsuperscript{167} Ibid.
demanded and secured independence almost a century after Norway was handed over to Sweden by the Treaty of Vienna. Not only is the principle of nationality stronger than it ever was before, but it is today the strongest single force operating in international affairs. No appeal to any so-called higher principle prevail against it.\textsuperscript{168}

One that would play out late in the union was regarding trade and the foreign service. As Norway had a larger trading fleet than Sweden, both within, and especially in regards to trade outside Europe, Norway had to rely on a Swedish foreign service. This was not necessarily a benefit as Sweden was more likely according to the Norwegians to promote its own trade rather than its competitor: Norway. Consequently, linking this to a rise in perceived protectionism in Sweden, it was politically argued in Norway that Sweden did not have the interest of the union at heart, but rather Swedish ones.\textsuperscript{169} Swedish trade was closer linked to Germany, while Norwegian trade was towards the United Kingdom. In turn, this caused aggravation for Norway in that it relied on Swedish representation in the UK for trade that was of secondary importance to Sweden. The trade issue was as a consequence turned into a political one as Norwegian nationalism used it in its own machinations for independence. This contention saw Norway remove the union mark from the naval jack on its trading fleet. From 1898, the Norwegian

\textsuperscript{168} This was published before the Åland Islands case and subsequent solution, in which the principle of territorial integrity eclipsed those of self-determination and nationality. Stephen P Duggan, "Annexation and the Principle of Nationality," \textit{Proceedings of the Academy of Political Science in the City of New York} 7, no. 2 (1917). With regards to the Treaty of Vienna of 1815: The Congress of Vienna 1814-1815 set out to sign into treaty the aftermath of the Napoleonic Wars. Thus, reiterating previous treaties; while Norway was already handed over to Sweden by the Treaty of Kiel, Norway had never actually conceded to the Treaty of Kiel. Norway consequently entered the personal union with Sweden after the Convention of Moss. M. de (Dominique Georges Frédéric) Pradt, \textit{Congress of Vienna} (Philadelphia, M. Carey, 1816).

\textsuperscript{169} Lindgren, \textit{Norway-Sweden: Union, Disunion, and Scandinavian Integration}. 38, 39
merchant marine flew a *clean* ensign flag; though mainly for political means rather than economic ones.\textsuperscript{170}

The progression of the democratization of Norway saw over the following decades a continual erosion of protected privileges dating back to the time of Denmark-Norway and the emergence of socio-political changes brought about by a deepening of the democratization process Norway was under, and resulted in a more equal society. From 1827, Norway had established compulsory elementary education, and the liberalization of enterprise came later still, with the abolishment of guild monopolies. After guilds were abolished, they were replaced by a voluntary system of apprenticeship. Further societal changes included religious tolerance, the freedom to organize, and the emergence of the Non-Governmental Organization (NGO) sector; many of which organizations still exist today. Women’s rights also came during this period. Prior to 1854, Norwegian women only inherited half of what their brothers could inherit, a practice that ended with the introduction of the Equal Inheritance Act of 1854. Yet, unmarried women in Norway were still deemed without legal capacity.\textsuperscript{171} It would not be until after 1863, that women were declared of a legal capacity from 25 years of age. This was lowered to 21 years of age in 1869. 1888 saw married women gain the same status as unmarried women; they also gained their legal capacity. Prior to giving women a legal framework in which to act, women were no different from that of a child they had mothered and reared. The women emancipation movement produced feminist literature in Norway, of which, novels describing struggles were in reality political attacks on societal norms.\textsuperscript{172} Furthermore, as Frank Aarebrot observes, much of the literature was against forced and/or

\textsuperscript{170} As the Swedish monarch did not have an absolute veto over Norwegian affairs, Oscar II’s veto fell on the third try. The union mark would then only be flown on colors of state. Ibid. 71
\textsuperscript{172} Notable examples are, but not limited to, Camilla Collett’s *The daughters of the Prefect* 1855 and Henrik Ibsen’s *A doll’s house* 1879
arranged marriage. “When the woman is without legal capacity, all marriages are forced.”

More importantly, liberal Norway was more often than not, ahead of Sweden in democracy building. Sweden would follow and pass reforms akin those of Norway, as the Swedish political system was conservative and at times reactionary in nature.

The Norwegian law of 1836 establishing communal self-government provided a pattern for similar legislation in Sweden in 1843 and 1862. Poor relief in Norway inspired the Swedish Poor Law of 1871. Abolition of guild monopolies, free trade, toleration of dissenting religious sects, increasing rights for women, penal reform, and a variety of specific administrative reforms all took place first in Norway and thereafter in Sweden. In time, the Norwegian temperance movement, agricultural credit banks, folk high schools, societies for domestic tourism, sports, and much else would inspire similar developments in Sweden.

By the 1880s a schism had developed between the rural and urban centers of Norway. The peasants, in spite of political progress, felt disenfranchised. Here, an unlikely character emerged to bind them in a symbolism they could relate to: language. Norway had until now had one sociolect of the political elite, a vestige of the legacy of being under Danish rule, when it had been the official language of Norway. This bastardized form of Danish and Norwegian was not representative of the rural districts. The peasants had lived in linguistic isolation from the goings-on of the capital Christiania. Ivar Aasen, the son of a smallholder and an autodidact genius, gave peasants an identity through their dialect, which he would name landsmål (rural language) or nynorsk (new Norwegian). According to Stein Rokkan, Aasen’s “purpose was to fashion a common language as a tool of national reform, an instrument of efficient national communication that would promote the country’s cultural

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173 Aarebrot, 200 År På 200 Sider. 57
174 Barton, Sweden and Visions of Norway: Politics and Culture, 1814-1905. 56
integration and national identity.” As the city-countryside divide grew, there was also a political mobilization in the countryside aided by the identity provided by landsmål.

Ironically, however, he [Aasen] succeeded rather in fashioning a symbol around which, pro and con, the country’s chief divisions could coalesce and in terms of which may latent conflicts could become concrete. Norway has never been quite free of språkpolitikk [language politics] in some form since a national language was so summarily created for her.176

In the wake of the split between the countryside and the urban area of Norway, a division emerged with distinct political wings on the left and right. Due to the nature of the Norwegian constitutional governmental composition, where the council of state was appointed by the king, who, unlike the Storting and the Høyesterett, was both Swedish and Norwegian, had since 1814 been causes of pronounced contentions that often led to conflict between the Storting and the king. These contentions would, in tune with the Norwegian national undercurrents of dejection felt within the union, rapidly aid and advance the timeline towards the end of the union of Norway-Sweden.

4.3 1884-1905 Norway-Sweden: Dissolution of the Union

The conflicts between Norway and Sweden were closely linked to the feeling of subjugation within a union of supposed equal partners. This feeling was experienced by the ordinary Norwegian who was becoming versed in the politics of the union, within the consular service, and within the halls of power where representation of the rural districts and the working class was

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176 Ibid. 46, 47
becoming prominent. The ruling elite of Norway was also becoming ever more removed from both the nation and the tenets set down by the representatives of Eidsvoll when they declared Norway independent in 1814.\footnote{Partly because the Norwegian political elite, whom in Scandinavia were frightened, though still not touched, by the European revolutions of 1848. And furthermore, the impact of the rising power of peasants and labor movements in Norway.} One key example of this is when the Norwegian \textit{Charles John Society} of 1856, a society for stronger bonds with Sweden and a weakened constitution, erected in 1875 a statue of Charles John paying him homage in front of the royal palace in Christiania.\footnote{Barton, \textit{Sweden and Visions of Norway: Politics and Culture, 1814-1905}. 65; The statue is still standing in front of the royal palace. After independence, it was not removed.} An act unthinkable in 1814, and for most contemporary Norwegians of 1875.

There were two key areas of conflict that would have opposing political forces confront each other and that would decide the outcome of the union. The first was regarding the position of the King, now Oscar II, who was regarded as safeguarding Swedish interests, and the second, his veto and his council of state, the \textit{de facto} government. Within the governing council of state, the minister for foreign affairs had always been a Swede, as well as the fact that the council in its entirety was derived from the king. Although concessions had been made for the Norwegians, attempts by Sweden to amend the constitution had been relentless, and now with a political Norwegian elite within officialdom seemingly of the same coin, the political opposition saw fit to introduce parliamentarianism into law, which effectively would give the \textit{Storting} mandated control over the council of state and the king’s ministers. Three times, in 1872, 1879, and 1880, the \textit{Storting} passed legislation to turn power over to the national assembly, and three times, Oscar II vetoed the constitutional amendments.\footnote{"King Oscar ii (1829-1907)," Det Norske Kongehus, accessed 01/12/2015. http://www.kongehuset.no/artikkel.html?tid=28688.}
According to the constitutions of 17 May 1814 and 4 November 1814, the kings veto was understood by the majority in the Storting to be suspensive and not absolute.\textsuperscript{180} This was the argument the opposition put forth against the council of state. By the mid to late 1800s, a radical group had formed in the Storting under the leadership of Johan Sverdrup and who had on three occasions tried to introduce parliamentarianism. In 1882 they won a landslide election, which gave them power in both the upper and lower house of the Storting. This group under Sverdrup represented liberal and, at the time, radical ideas, and had broad political support amongst the peasants and the working class. On the fourth attempted veto, they impeached and ultimately removed Prime Minister Christian Selmer and the council of state from power. By 1884, under Sverdrup, the first political party of Norway was formed, Venstre (the Liberal party) and with parliamentarianism prevailing, Sverdrup became the first Norwegian prime minister that was forced on the king by the Storting.\textsuperscript{181} The Norwegian parliament had now in actuality overcome not one, but two contestations, the veto was now null in constitutional questions and the king’s ministers were no longer for him to appoint, but to be representative of the makeup of the Storting and thereunder cabinets responsible for Norway’s government policies would be appointed by Norway. Furthermore, it was under the Sverdrup government a wave of liberalization took hold in Norway: married women gained their legal capacity, voting privileges were extended to a degree to men with a certain base income, landsmål (nynorsk: new Norwegian) attained equal status to Norwegian, the jury system was effected for criminal proceedings, and compulsory seven year schooling was implemented for all.\textsuperscript{182}

The final conflict was over Norway’s consular service, or rather the nonexistence of Norway’s consular service. As Norway was becoming reliant

\textsuperscript{180} Bain, Scandinavia: A Political History of Denmark, Norway and Sweden from 1513 to 1900. 436
\textsuperscript{181} Stortinget, Johan Sverdrup – «Parlamentarismens Far» / Johan Sverdrup – "the Father of Parliamentarism" (2009).
\textsuperscript{182} Ibid.
on foreign trade through its shipping fleet that grew with the national project and industrialization, the rising importance of fair trade that could compete with Swedish industry would become an issue for Norway under Swedish foreign affairs: for trade to function through consular stations overseas headed by Swedish dignitaries, they would more often than not advise with a bias benefitting Sweden for markets that Norway and Sweden competed within. Norway’s economy had by now surpassed Sweden’s and had a greater economic stake outside Europe and was thus further impeded by the perceived protectionist measures that, which Sweden was implementing. Concurrently and consequential to these developments, Norway demanded a separate consular service from Sweden. It should be mentioned here that Norway was not without friends in Sweden, where likeminded liberal and radical Swedish legislators led by Adolf Hedin, wanted to reduce the king’s power; however, their efforts were hampered by the Swedish Riksdag.

By 1892, the Storting, under a radical Venstre government appointed their own foreign minister under a Norwegian consular service. The government considered the issue as purely Norwegian and thus should not be handled by Sweden. The move itself could be viewed as a response to the Swedish norm in dealing with Norway on consular matters; often without consultations and matter-of-factly. The unilateral move escalated an already fraught union towards armed conflict and Oscar II vetoed the move (using a veto the Storting had previously denied him). There was however support again in Sweden amongst the radical elements of the Riksdag.

Once again, there was vocal backing for the Norwegian position from Swedish liberals and radicals both inside and outside the Riksdag. In March 1891, The British minister in Stockholm wrote

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183 Lindgren, Norway-Sweden: Union, Disunion, and Scandinavian Integration. 38-39, 75
185 Ibid. 85
to his government of apprehensions that the “extreme Radical Party” in Norway was in collusion with Adolf Hedin and the Swedish radicals. “In fact,” he went on, “to my mind … there is no more to fear of the Swedish and Norwegian Radicals combining to do away with the Monarchy, than of the two nations carrying on their dispute so far as to break up the union.” The liberal Dagens Nyheter echoed the political conflicts of the 1830s and 1840s when it held that the Swedes should follow the Norwegian example. “Either Norway must become aristocratized,” it declared, “or Sweden must become democratized” and thereby catch up with the times.186

The internal squabbles187 of this remote corner of Europe were far-reaching, awakening both sympathies as well as ire amongst the European continental states. German Kaiser Wilhelm II urged Oscar II to “stand firm and use force if need be.”188 Sweden had a close relationship with Germany, whilst Norway had built relations with the Great Britain. With the union closing in on its death knell, Swedish conservatives of the aristocratic party Storsvensker (the Great Swedes) were now talking of using force to bring Norway to heel, an opinion that united Norway and divided Sweden.189 In Sweden the labor organizations were organizing on behalf of Norway and Hjalmar Branting of the Swedish Social Democratic party wrote “perhaps down among the broader masses someone may get the idea of taking judgment into his own hands and with a bullet seek, without orders, to prevent tens of thousands of bullets being fired upon command to mutilate and kill friends and brothers.”190

It was, in the end, the consulate question that would end the union. On 27 May 1905, Oscar II, again vetoed a joint Norwegian and Swedish proposal for a separate consular service for Norway, the Storting stated that the King had

186 Barton, Sweden and Visions of Norway: Politics and Culture, 1814-1905. 75
187 The familial word squabble is used as the people of Norway and Sweden was then known amongst some, and most today, as a broderfolk (brother-folk).
188 Barton, Sweden and Visions of Norway: Politics and Culture, 1814-1905. 75
190 Barton, Sweden and Visions of Norway: Politics and Culture, 1814-1905. 76
violated the constitution and effectively dethroned himself as King of Norway.¹⁹¹

There was to be no war between Norway and Sweden in the dissolution of the union. Parallel to the occurrences between the two, Russia was putting Finland through a Russification program, making Sweden concerned of its border in the north to Finland. So, while Sweden was building fortifications in the north, Norway was building fortifications in the east. Sweden had been through the pain of having to fight a war on two fronts when Finland was lost; an experience they did not want to repeat, although the conservative military elements of the Swedish government were rattling their sabers. Parallel to this was the mobilization of women, workers, and intellectuals in both Norway and Sweden that strongly opposed going to war. Ellen Key, a feminist, wrote to her friend “I am sick, deep in my soul, of this talk of war.”¹⁹² In a separate letter in June of 1885, she wrote to Bjørnson, a fiery Norwegian nationalist and poet, “of great demonstrations throughout Sweden ‘for universal suffrage and peace in Norway.’ Another devoted Swedish friend, Ann-Margret Holmgren, wrote him in December that war was now surely unthinkable.”¹⁹³ Alongside these, Norwegian women, who were still disenfranchised (they would not get suffrage until 1913, whereas men got full suffrage in 1889), delivered a petition of more than 250,000 signatures to the Storting in favor of dissolving the union.¹⁹⁴ Hedin launched further appeals on behalf of workers stating that: “Sweden’s workers hold the power to impose and absolute veto

¹⁹³ Barton, Sweden and Visions of Norway: Politics and Culture, 1814-1905. 76
¹⁹⁴ The Grand Duchy of Finland in the Russian Empire was first in the world in giving women suffrage and elected women into parliament in 1907. Norway became the second in the world after Finland six years later.
against a war between Sweden and Norway. They should now prepare to express this veto.”195 Oscar II, who abhorred Hedin, would later characterize him in his memoirs as “quarrelsome,' 'hateful,' and 'demonic.’”196

4.4 Independence and the War that was not

In dissolving the union, the Norwegian Storting unilaterally declared on 7 June 1905:

WHEREAS, All the members of the council of state have laid down their offices; Whereas, His Majesty the King, has declared himself unable to establish a new government for the country; and Whereas, The constitutional regal power thus becomes imperative, the Storting authorizes the members of the council of state who retired today to exercise until further notice as the Norwegian government the power appertaining to the king in accordance with Norway's constitution and existing laws, with those changes which are necessitated by the fact that the union with Sweden under one king is dissolved in consequence of the king having ceased to act as Norwegian king.197

Oscar II had taken ill and had passed the regency to his son and heir apparent, Gustav, who had been a resolute adherent of the union. Yet, he would, after having visited Christiania in the winter of 1905, change his mind. Having witnessed the realpolitikal state of Norway, he would show versatility as well as heed his father, Oscar II's, advice in dealing with the future of the union: “Rather dissolution of the union than war with Norway. Rather keep the

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195 Barton, Sweden and Visions of Norway: Politics and Culture, 1814-1905. 80
196 Fuglum, Norge I Støpeskjeen. 77
Swedish Throne with honor, than lose the double-monarchy in shame.\textsuperscript{198} The dissolution would not come about without any conditions. The conditions were that 1) Norway would have to hold a plebiscite to show it was not the will of political radicals, and 2) that there would be held negotiations relating to the practicalities of the dissolution.\textsuperscript{199} For the plebiscite, approximately 85\%—of those who could—voted and gave a majority for independence by 367149 to 184. With a heavy heart Oscar II accepted the result and Norway was independent. The resulting negotiations took place at Karlstad, Sweden. The movement of peoples, and especially the Sámi in the north, who move across the border with their reindeer herds, were settled, yet military matters were to dominate; Norway had been preoccupied building fortifications along the Swedish border, all of which were to be destroyed and thereby demilitarizing the border between the two countries.\textsuperscript{200} And most importantly, principles for resolutions of future conflicts were formulated. "This final event of 1905, the first large step in the direction of deepening and broadening the path to a fuller integration than had ever existed under the union, symbolized a pledge by the two peoples of a ‘no-war’ community."\textsuperscript{201} Which in turn made healing

\textsuperscript{198} Translation of: "Heller ut av unionen enn krig med Norge, var Oscars råd. Heller bevare den svenske tronen med heder, enn tape hele dobbeltmonarkiet med skam." "Unionsoppløsningen 1905 "Heldre Ut Ur Unionen âN Krig Med Norge." / Dissolution Fo the Union 1905 "Rather out of the Union Than War with Norway".

\textsuperscript{199} As conditions, these two were not unreasonable in the least, and in the long run would only be beneficial for the relationship between Norway and Sweden: "Sweden’s decision to accept Norway’s secession from the union was the opening gambit—the initial act of unilateral accommodation—that was to develop into the practice of reciprocal restraint and ultimately lead to the onset of lasting rapprochement … both conditions were meant to ensure that dissolution be a product of mutual consent rather than unilateral action." Charles A Kupchan, \textit{How Enemies Become Friends: The Sources of Stable Peace} (Princeton University Press, 2010). 114

\textsuperscript{200} Ibid. 115

\textsuperscript{201} Lindgren, \textit{Norway-Sweden: Union, Disunion, and Scandinavian Integration}. 209
the wounds of 1905 all the easier as the threats to peace and security were removed.\textsuperscript{202}

On the question of the future of Norway’s governmental system, a continuation of a constitutional monarchy was favored. As a reconciliatory measure, Norway offered the crown to Oscar II’s third son Prince Carl, an offer which was declined. Instead Norway elected Prince Carl of Denmark to the crown. He took the name Haakon VII of Norway continuing the line of Viking kings, of which the last to reign in Norway had been Haakon VI (reign: 1343-1380). His son Olav V, who took the name of the last Norwegian King, Olav IV, whose reign ended with the Kalmar Union between Norway and Denmark. Olav V would marry the daughter of Prince Carl of Sweden, the very same Prince who was offered the Norwegian Crown in 1905.

The union was essentially aimed at greater geo-political weight, and the Norwegians retained their own administration in all matters but foreign policy … There were two small states with no obvious gains to make from war. If left alone they would instead be most likely to pursue defensive foreign policies aiming at neutrality (Labs, 1992) which indeed is what happened. They had no real border disputes nor any issues of irredentism which otherwise could have caused war. \textit{Significantly, after 1905 there were no more close calls but instead a growing co-operation between the two countries}, and several instances confirming the ability to resolve their few outstanding disagreements through negotiation and arbitration.\textsuperscript{203}

In Karlstad, there is a peace monument as a symbol representing the ensuing peace after the dissolution of the union between Norway and Sweden. It was erected in 1955, fifty years after the disunion. The statue is of a woman standing with one foot placed on the top of a dead soldier’s head, while holding a broken sword above her. The symbolism emphasizes an almost aggressive detestation against war. It has a plaque with the inscription

\footnotetext[202]{Ibid.}
\footnotetext[203]{Archer and Joenniemi, \textit{The Nordic Peace}. 25 [Author’s emphasis]}
“Fredsmonument rest av Värmlänningar 1955; femtio år efter Svensk-norska Unionens fredliga Upplösning; Fejd föder folkhat; Fred främjar folkförståelse (Peace monument raised by the people of Värmland 1955; Fifty years after the Swedish-Norwegian Union’s peaceful dissolution; War breeds hatred between people; Peace fosters understanding between peoples). 204

204 Empathy is implied in folkförståelse.
5 Case Two: Denmark-Germany – the Schleswig-Holstein Issue: Two Wars, a Loss of Territory, Irredentism, Plebiscite, the Redrawing of a Border, and Minority Rights 1864-1920 (& 1955)

The year 1814 did not start well for Denmark and neither did the latter half of the century. Denmark would again, through further losses in war, see its territory shrink. This would in part occur because of the acquired legacy of having been on the losing side in the Napoleonic Wars. Thus, in 1814, having lost its northern province of Norway and gained Lauenburg, which became its most southeastern province on the Jutland peninsula, Denmark stretched south into the northern part of the German Confederation. North-Northwest of Lauenburg are the twin duchies of Schleswig and Holstein. The duchies have had very long historical ties to Denmark and Germany, dating back to the iron age and the Germanic tribes of the Danes, Saxons, and Jutes (incidentally the people from where Jutland gets its name). Since then, there has been, by European standards, an extraordinary amount of fighting for control of the territories the duchies were comprised of.

Nevertheless, ill-fated Denmark, would unequivocally renounce its great power ambitions after the loss of Norway in 1814. The country had had a monarchy that had been slowly moving towards liberal ideas, would remain absolutist under Frederick VI; not entirely surprising as it was during his reign, Denmark lost most of its territory; yet the absolutism of Denmark was of a

205 Its southern border ended south of Hamburg.
more benign or enlightened variety. One example being the “Great Agrarian Reforms as one of the finest hours in Danish history and as an example of enlightened absolutism at its best.”\textsuperscript{208} As Denmark was primarily a rural and agricultural society, with 75 to 80 percent of the population belonging to this category.\textsuperscript{209} The halls within which absolutism thrived were amongst the burghers of Copenhagen who represented only approximately six percent of the population.\textsuperscript{210} This political state would continue under his son, Christian VIII, who succeeded Frederick VI on his passing.\textsuperscript{211}

Denmark would remain relatively stable until the middle of the century, when the German speaking populations of the duchies Schleswig-Holstein and Lauenburg would take issue with succession troubles, see a rise in nationalism, oppose a contested constitution, and would start making demands of the state; demands to which the state would not acquiesce. Thus, with an awakening German identity, and the possible—if not likely—split of Schleswig-Holstein by Danish machinations, would eventually become causes that would lead to war, twice. Both wars were fought by the duchies in order to secede from Denmark in favor of becoming part of the German Confederation. The first Schleswig War, in 1848, saw Denmark victorious by its end in 1852. The victorious Danes would however, in 1864, face defeat in the Second War of Schleswig. This war saw the victorious duchies secede from Denmark and, accordingly, enter the German Confederation. The ethnic makeup of the duchy of Schleswig would later still, in 1920, enable the

\textsuperscript{208} Michael Bregnsbo, \textit{The Scandinavian Kingdoms} (Wilson, Peter H. Blackwell Publishing, Oxford, 2008). 283, 284
\textsuperscript{209} Bruce H Kirmmse, "Kierkegaard in Golden Age Denmark," (1990). 9
\textsuperscript{210} Ibid. 9
\textsuperscript{211} Christian VIII, as evident above, was a firebrand liberal and instigator of the Norwegian Constitution of 1814. Thus considering his liberal and idealist machinations in Norway, it begs the question what his intentions for Norway might have been. Notwithstanding, the fact that he, giver of the most liberal constitution of Europe, continues his father's legacy of an absolutist court after having been crowned. Coupling this with him being the heir apparent for Denmark, and having been elected King of Norway in 1814, it becomes rather unlikely that he would have honored Norway's independence.
redrawing of the border of Denmark to the then established Weimar Republic by dividing Schleswig along national lines as per the Paris Peace Conference.212

5.1 Background and outcome for the Schleswig Wars

The background for the wars for Schleswig-Holstein, and by extension Lauenburg, predates the Napoleonic Wars. They have their origin in the struggles to the territory between the Danes and the Saxons since time immemorial.213 As was the case in the mid-nineteenth century with the ongoing awakening of national identities, based on language, politics, and an ethnographic sense of belonging, would take shape and form into a secessionist movement. The issue was further convoluted with Salic Law and thereby differing succession laws between Denmark and Schleswig-Holstein. It therefore would be a mix of legal and realpolitikal historical causalities behind the outbreak of the first Schleswig war.

Of the duchies, Schleswig had had closer historical and ethnographic ties to Denmark as a fief of the kingdom.214 And more so than Holstein or Lauenburg for that matter. Whereas Schleswig had been Danish, Holstein had been de facto part of the Holy Roman Empire as a fief ruled by the kings of Denmark

212 The meeting of allied victors at the end of the First World War. (Also known as the Versailles Peace Conference).
213 In defense of their respective positions in relation to the wars, German and Danish archeologists went all the way back to the stone age in trying to decide who had inhabited the duchies first: Peter Rowley-Conwy, "The Concept of Prehistory and the Invention of the Terms 'Prehistoric' and 'Prehistorian': The Scandinavian Origin, 1833—1850," European Journal of Archaeology 9, no. 1 (2006).
who held the *de jure* ducal titles for the duchy. After the dissolution of the Holy Roman Empire in 1806, Holstein would gain independence though still ruled by Denmark as before; 215 other remnant states would, by Napoleonic mandate, form the Confederation of the Rhine. By 1815, Holstein would again be part of a German project of unification, the German Confederation. To solve the issues with having the Danish king as the duke of Holstein, he was made a prince of the German Confederation in 1815. 216 Denmark and the duchies were in a personal union, as was the case of Norway-Sweden.

### 5.2 The First Schleswig War: A Nation United in Pan-Germanic Nationalism

With the end of the Napoleonic Wars, nationalism had seen a steady rise amongst both Germans and Danes. The German peoples had seen a further rise and fostering of nationalism in the German wars of Liberation of 1813; fought as part of the Sixth Coalition war against Napoleon. Holstein and Lauenburg were German speaking, and German was spreading north in Schleswig. The Duchies had also been deeply connected since the fifteenth century.

"The Duchies of Schleswig and Holstein are firmly united States;" or, as the Chevalier Bunsen states the proposition, “The Duchies never can be separated one from the other.” This idea of a perpetual union between the Duchies, as States, is founded upon an interpretation of the Act of Security of 1460, wherein it is recited “that we promise by every means in our power to

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215 Denmark would never succeed in bringing Schleswig, Holstein or Lauenburg inside its borders.

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maintain peace between the aforesaid lands, and that they shall remain ever together undivided.\textsuperscript{217}

By the mid-nineteenth century, the French Revolution of 1848 gave the Germans in Denmark, who made up thirty one percent of the people,\textsuperscript{218} already taken by the Pan-Germanic movement, the spark they needed to petition Copenhagen for both duchies to join the German Confederation. Holstein, which was never part of Denmark, would be able to join without great difficulty, but not Schleswig, as it was an inherent part of the kingdom. This led to rebellion and the outbreak of war in 1848. Denmark with the aid of Russia and Sweden met the rebels supported by Prussia, Mecklenburg, Hanover, and Oldenburg. The Germans made it to northern Jutland before defeat and a retreat in 1849.\textsuperscript{219} In 1850 the Prussians withdrew and without their military support the Schleswig-Holstein rebellion came to a close.\textsuperscript{220} In 1852, the war officially ended with the signing of the London Protocol.

The war was ended with the signing of the London Protocol of May 8, 1852 by England, France, Sweden, Denmark, Austria and Russia. This Protocol guaranteed the union of the Duchies, recognized the heir to the Danish throne, Prince Christian of Glücksburg, as sole inheritor, and guaranteed that the Duchies would never become a part of the Kingdom of Denmark. As a

\textsuperscript{217} Ibid. 79, 80


\textsuperscript{219} The Danes received military assistance from Norway-Sweden as well as Russia. The Russians deployed 200,000 troops to support Denmark in one of the campaigns of the war. A Russian action the Prussians took to heart and withdrew from the fighting. The Austrians were also instrumental in restraining the Prussians. Ibid. See also: Rowley-Conwy, "The Concept of Prehistory and the Invention of the Terms 'Prehistoric' and 'Prehistorian': The Scandinavian Origin, 1833—1850."

\textsuperscript{220} Rowley-Conwy, "The Concept of Prehistory and the Invention of the Terms 'Prehistoric' and 'Prehistorian': The Scandinavian Origin, 1833—1850."
corollary to the Protocol, Prince Christian of Augustenburg renounced his claims to Schleswig-Holstein.\textsuperscript{221}

This would however not mark the end to the Schleswig-Holstein troubles for Denmark and another war would break out again thirteen years later. While Denmark won the first war militarily, the issues that sparked the war, a war of liberation according the Germans, were not dealt with; it only restored the Danish monarchy’s control over the duchies. The cause for the Second War of Schleswig breaking out would be found in the intricacies of the succession law, a new constitution, the question regarding the minority German population, and the connected issues of where the duchies would belong and to their affiliation to the Danish monarchy.

5.3 A New Constitution and a Convoluted Succession: The Second Schleswig War

The Second Schleswig War began in large part because of a new Danish constitution that would split the duchies, in addition to a succession crisis of a truly byzantine nature. The succession troubles of the Danish throne and the duchies were in large part due to the differing succession laws of Denmark and the duchies. Denmark was facing a succession crisis as Frederick VII, of House Oldenburg, had not produced an issue and was last in line in the hereditary monarchy. Denmark, had since 1665 been under \textit{Lex Regia}, which now would give a more lenient approach to succession crises.\textsuperscript{222} For the Danes, this meant that the law was \textit{Semi-Salic} or under \textit{agnatic-cognatic primogeniture}. This entailed that if the male line went extinct, the female line

would be eligible for succession. Schleswig-Holstein and Lauenburg on the other hand, not being intrinsic parts of the kingdom, used *Salic Law* or *agnatic succession*, meaning that only males, from the male line could inherit: “the male line reigns in the duchies” as the English jurist Twiss put it. House Oldenburg had ruled Denmark in a direct line from Frederick III in 1648. And as his direct descendant, Frederick VII, did not have an heir, a crisis would develop that would be used in part to instigate the second war over Schleswig-Holstein and Lauenburg. The British statesman and twice Prime Minister Henry John Temple, 3rd Viscount Palmerston, framed the realpolitikal history of the duchies, one fraught with legal and historical pitfalls, as such:

The labyrinth of the historical, legal, and ethical controversies buried in the slag-heaps of four centuries has resulted in a formidable library on Schleswig-Holstein. Palmerston said with more wit than accuracy that only three persons in Europe were completely acquainted with the truth [of the Schleswig-Holstein question], the Prince Consort who was dead, a German professor who was in a lunatic asylum, and himself — and he had forgotten it.

House Oldenburg had cadet branches from which there would be an heir to the throne of Denmark. However, as Denmark and Schleswig-Holstein and

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225 With the passing of Frederick VII in 1863, “Prussia must, if possible, take advantage of the King of Denmark’s death, by which the question of the succession was reopened, to annex the Duchies.” Horst Kohl and Clara Bell, *Bismarck's' Reflections and Reminiscences'*(Dent, 1899). Cited in Michael Embree, *Bismarck's First War: The Campaign of Schleswig and Jutland 1864* (Helion & Company Limited, 2007). 28

226 C Grant Robertson, *Bismarck* (1919). 156
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Lauenburg were separate entities with a different relation to the king under one king (and duke), different cadet branches would have different claims. Of the cadet branches, two houses emerged with legitimate claims: House of Schleswig-Holstein-Sonderburg-Glücksburg (House Glücksburg) and House of Schleswig-Holstein-Sonderburg-Augustenburg (House Augustenburg). In 1852, according to the London Protocol, Christian of Glücksburg were to inherit the throne as Christian IX, as well as the duchies. This came about, in spite of him not being the first in line for succession, but by marrying Princess Louise of Hesse-Kassel, who was the closest living relative to trace a line to Frederick III, as the male line by now had gone extinct, Christian of Glücksburg had assured his position. The protocol did not however solve the problem as war would break out again over the duchies in 1864.

The Danish Constitution, which turned Denmark into a constitutional monarchy, came into effect in 1849. This constitution did not cover the duchies of Schleswig, Holstein and Lauenburg, which were still under absolutist rule with German estate holders benefitting more than their Danish counterparts. Additionally, in 1851, the Danish government forbade German to be taught in schools in North-Schleswig, and enforced Danish to be taught in Mid-Schleswig.

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227 To shed some light on the interconnectivity and complexities of the monarchies of Europe, one need look no further than to the descendants of Christian IX. They included, but are not limited to the following reigning monarchs today: Philippe of Belgium, Margrethe II of Denmark, Harald V of Norway, Elizabeth II of the United Kingdom, Felipe VI of Spain, and Grand Duke Henri of Luxembourg. Christian IX’s agnatic lineage includes the consort Prince Philip, Duke of Edinburgh, as well as former monarchs: Queen Consort Sofía of Spain, Constantine II of the Hellenes and his consort, Queen Anne-Marie, in addition to Michael I and Queen Anne of Romania. Theo Aronson, A Family of Kings: The Descendants of Christian IX of Denmark (Cassell, 1976).

228 Morris Jr, "The Danish-German War of 1864 and British Politics."


The wrongs of Schleswig-Holstein, whatever they may have been, are not to be mentioned in the same category with those of Poland or Italy, or other oppressed nationalities. On the contrary, the Duchies, compared with most continental countries, were well-governed throughout their connexion with Denmark. The misfortune is, that the bulk of the population was German, and the ruling minority Danish, and the two races are—what the Italians call—antipathetic to each other. According to the Copenhagen point of view, Holstein may possibly be German in feeling and race, but Schleswig is Danish and wishes to belong to Denmark. The theory is plausible rather than sound. The two duchies had been united in interests for centuries, just as they are united by natural position, and it is natural enough that Schleswig should value more highly its connexion with the adjoining territory of Holstein than with the distant Island of Zealand.231

By 1855, a new federal constitution was to be introduced that would give political representation of the components of the kingdom. This would in practice mean proportional to the populations, thereby replacing the previous equal status the duchies had had in Denmark. In the new Rigsråd/Reichstag (legislature), the duchies would have two fifths of the seats, to the three fifths of the kingdom proper.232 Under this system of government, the federal laws would be imposed on the duchies, which wanted none of it: they wanted autonomy under the Danish crown. Furthermore, the German Confederation would never accept this federal law: it would be in clear violation of the inviolable London Protocol of 1852 that guaranteed the duchies would not be annexed as part of the kingdom of Denmark. Holstein and Lauenburg rejected the constitution and it was declared void by the German Confederation. Notwithstanding, the Danes pushed their national agenda, and in spite of British attempts in 1862 at mediating a settlement between Denmark, and

231 Edward Dicey, _The Schleswig-Holstein War_, vol. 2 (London: Tinsley Brothers, 1864).
both Prussia and Austria, wherein federal law would be implemented by each of the kingdom’s legislatures. Denmark would ultimately refuse this in spite of French and Russian support for the proposal.\textsuperscript{233} In March the following year, the Danish government declared that new federal laws, which could be vetoed in Holstein and Lauenburg, would become law in Schleswig; the March Declaration. This declaration proclaimed “Schleswig as a part of Denmark proper.”\textsuperscript{234} Subsequently, in November 1863, the November Constitution, which contained the March Declaration, was passed two days after Frederick VII died. It was signed into law by Christian IX on 16 November 1863 under pressure from the nationalistic party, the Eider Danes. Christian IX, who supported the British proposal, was not particularly popular with the Eider Danes; the Danish political faction to whom the duchy of Schleswig was thought of as an inherent part of Denmark irrespective of its relation to Holstein. According to the Eider Danes, the border to German lands went along the river Eider (the river bordering Holstein).\textsuperscript{235}

War broke out on 1 February 1864. Wilhelm I of Prussia had appointed Otto von Bismarck as Minister President. Under Bismarck’s leadership, Austria and Prussia invaded Denmark. The war would be short and hard on Denmark who had underestimated the importance of the Austro-Russian aid that it had during the First War of Schleswig as well as the having been able to count on troops from Norway-Sweden.\textsuperscript{236} Denmark resisted mediation attempts by Lord

\textsuperscript{233} And partly to save their relationship to Prussia as Victoria, the eldest daughter of Queen Victoria, had wed Friedrich Wilhelm, the Crown Prince of Prussia. William E Mosse, "Queen Victoria and Her Ministers in the Schleswig-Holstein Crisis 1863-1864," \textit{English Historical Review} (1963).

\textsuperscript{234} Morris Jr, "The Danish-German War of 1864 and British Politics."

\textsuperscript{235} The other faction being German and found in the duchies supporting autonomy.

\textsuperscript{236} Charles XV of Norway-Sweden had promised to aid Denmark. However, due to the state of the Swedish military and opposition from the government, he had to rescind his offer to Denmark. With this, visions of a united Denmark, Norway, Sweden, or Scandinavianism, died. A wholly different “Scandinavianism” would take a drastically different role fostering arts and culture within the Nordic Council, as is the case today. Agius, \textit{The Social Construction of Swedish}
Palmerston, the British foreign secretary, who proposed a solution where Schleswig would have been divided along national lines. The German contingent demanded a plebiscite, something the Danes refused, which ultimately led to the loss of Schleswig (in its entirety), Holstein and Lauenburg to the Prussians, with their military assistance from Austria, by the war's end on 30 October 1864. The next period for the duchy of Schleswig, now under German political control, saw "an intensive policy of Germanization" both for language and colonization of North Schleswig. This policy, that would last until the end of the First World War, was met with strong opposition from the Danes of Schleswig.

To all this opposition of the Danes of North Schleswig was both unexpected and forceful. Largely under the leadership of H.P. Hanssen, they organized themselves with rapidity and to an extent greater than has been achieved by any other subject nationality of Europe. To preserve the Danish culture and language, the use of public halls for meetings being denied them, they constructed Danish club-houses which became their strongholds; Danish cooperatives, credit banks, and land defense associations were organized; the School Union sent children, after completion of their obligatory Prussian schooling, to public schools in Denmark, to learn to write Danish and to know Danish history; and the Voters' Union of North Schleswig worked so successfully that after 1886 the Danish vote increased. In all this effort to protect Danish culture in Schleswig

**Neutrality: Challenges to Swedish Identity and Sovereignty.** 86. Also see: Gunnar Jervas, *Sweden between the Power Blocs: A New Strategic Position?* (Swedish Institute, 1986). 10


238 Ibid.

239 In the aftermath of 1864, there was also an exodus of mainly young men from Schleswig to avoid military service for Prussia. Those that settled in Denmark took Danish citizenship. Some of these would return after an agreement between Denmark and the German Confederation in 1872, but would not be granted the same rights as before. This would impact a later plebiscite on the return of Northern Schleswig to Denmark. Lorenz Rerup, *National Minorities in South Jutland/Schleswig, Ethnicity and Nation Building in the Nordic World* (Southern Illinois University Press, 1995). 264
the people of Denmark played an important part. On the initiative of the Danish association organized to protect the Danish language and culture in Schleswig and elaborate historical manual on the area was published in Copenhagen, in Danish, in 1901 and in Paris, in French, in 1906. This contained a chapter by H.V. Clausen who, after a minute examination of the area, based not only on voting and language statistics but also on house-to-house visits, stated that the cultural as well as geographical line between the two nationalities ran from the fjord of Flensburg north of the city and then cut across the almost uncultivated waste lands which lay in the center, reaching the North Sea south of Højer.240

These efforts by the Danes, within nationalist circles in Denmark and those whom had a Danish identity in Schleswig, kept alive the notion of reclaiming the territory lost in 1864. A notion that, at the time, they could not have known would come to fruition half a century later by peaceful means.241

5.4 The Schleswig Plebiscite: A Territory Lost, Partly Regained

By the end of the nineteenth century, Denmark had shrunk, having lost substantial parts of its territory and approximately half its people. Yet, some things lost, can be regained as was the case for Denmark in the aftermath of the First World War. Schleswig, which had not been entirely German in ethnic

makeup, especially in the north, would again in 1919 rally Denmark in an attempt at recover both territory and people lost in 1864.

After the Allied Powers had come out of the First World War victorious and the armistice was in place, they convened in Paris in 1919. Here the Paris Peace Conference was established with the purpose of setting the terms for the Central Powers and to establish a political structure to secure peaceful relations in the future and thereby provide a framework for preventing wars. The League of Nations was established from the latter. For the former, which carried a deeper contemporary impact with the terms for the Central Powers, gave Denmark the opportunity for pursuing its claim to Schleswig: A commission was established for Belgian and Danish Affairs. This commission, for the Danish cause, set out to re-examine the cession of parts of Schleswig to Denmark. Under the auspices of the Peace Conference, it was decreed that a plebiscite would take place in Schleswig in 1920.

It [the Commission] made the decision of principle that there should indeed be a plebiscite held in North Schleswig. It was also in a position to determine the border for the two plebiscites between North and South; that the working of the plebiscite be overseen by a specially convened International Commission with representatives of the Allied and Associated Great Powers, as well as delegates of the Norwegian and Swedish governments;

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244 The idea of a plebiscite was not new in settling disputes using the self-determination of a people as was seen e.g. in Norway in 1814. For Schleswig, it had not only been mentioned in the past, but was also part of the Treaty of Prague. In 1866, the Austro-Prussian war had been fought and had been concluded with the Treaty of Prague. In this treaty text, Article V dealt with the possible reunification of North Schleswig to Denmark if the people there so wished. Bismarck however, chose to ignore the treaty after it had been signed and Denmark was not in a position to push its claim. Robertson, Bismarck. 297
and that this commission would have powers of administration and policing in the territory until the final status of the territory was settled.245

Though Schleswig was divided into two zones for the plebiscite, there was a draft resolution calling for Schleswig to be divided into three zones: Zone One was North Schleswig, whereas the much larger Zone Two, which comprised Central and South Schleswig, was to be split and in so doing create a third zone. This split was ultimately scrapped in favor of keeping a smaller Zone Two. The reasoning behind wanting the bisection of the larger the second zone was due to the rise of pro-Danish sentiments there in order to give the Germans in South Schleswig a vote that counted. This draft suggestion of splitting the second zone was resolutely rejected by Denmark, in order to reduce the possible influx of German people that might bring them inside its borders once they had been set; the plebiscite would thus proceed with two Zones.246


The plebiscites that were to take place were right-sizing plebiscites. “Right-sizing referendums, that is, votes dealing with the drawing of disputed borders between countries.”\textsuperscript{247} The plebiscites took place in 1920 as per the Paris Peace Conference. Zone One in North Schleswig voted first with 91.5 percent of the electorate. 74.2 percent voted to be part of Denmark. Zone Two voted with a turnout of 91.7 percent of the electorate. 80 percent voted to be part of the Weimar Republic.\textsuperscript{248} Zone One was then reunited with Denmark. The plebiscites, which had evoked great nationalist sentiments, gave both countries’, minority communities in the border areas. Germans in southern North Schleswig and Danes in northern South Schleswig.

From the plebiscite, the minority question arose in addition to other practical issues the new border would present. In all, eighteen agreements would be drafted into the Dano-German Convention of 1922.

Respectively with (1 and 2) the new frontier trace and frontier crossings; (3) a new régime of boundary waters and dikes; (4, 9 and 10) fishing, (7) navigation, and (8) pilotage service in the Flensburger Föhrde and other boundary waters; (5) the further use of graveyards; (6) exemption from transfer duties for the alienation of landed property in the frontier area; (11) nationality questions; (12 and 14) pensions and social insurances; (13) tax questions; (15 and 18) certain financial settlements, and (16 and 17) the handing over of Land Registry records and administrative acts.\textsuperscript{249}

Concerning the minority rights, they were largely domestic affairs in the 1920s. One key reason for this was a fear in Denmark of external intervention by

\textsuperscript{248} Rerup, "Grundtvig and the 19th Century." 266-67
\textsuperscript{249} Verzijl, \textit{International Law in Historical Perspective}. 10
treaty obligations. Thus, as the Danes refused German proposals for a minority specific convention, they did approach the minority question with liberal ideals based in the democratic tradition from 1849. There could only come good from in treating their fellow Germans as their own: it would ensure the well-being of the Danes in South Schleswig as well as showing the Weimar Republic there was no need for concern for the Germans in Denmark. This would be the first steps towards a concrete convention on minority rights.

The mutual respect for the interests of the national minorities was rooted in the delineation of the frontier in 1920 ... alignment of minority politics had developed in an important area: the recognition of “the principle of disposition” (das Gesinnungsprinzip). For example, this was expressed in a Prussian school order, where the Danish minority was simply defined as “those German citizens that confess to Danish nationality,” adding that “The confession to belonging to a minority may not be neither tested nor disputed.” From now on the rule was “Minderheit ist wer will” (“Those who wish to be part of the minority are part of it”).

5.5 Principle of Minority rights

In securing rights for the minorities, education came into focus. In the public schools of North Schleswig, German language teaching commenced in addition to state-funded private German schools. This was seen in other areas as well, such as cultural, religious, and political organizational...
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acceptance. However, after Hitler's rise to power, the region saw a rise in tension. The Nazi juggernaut invaded Denmark in 1940. The 1920 border between Denmark and Germany became a geopolitical area of concern due to Hitler's Anschluss policy. However, of all the lands Hitler's policies targeted with annexation by being populated by ethnic Germans, and all the territory lost after the First World War, the border between Denmark and Germany remained untouched. Still, the difference between the two countries were tremendous and the minorities would align themselves according to political beliefs more so than according to national sentiments; the differing mindset can be summed up as such:

Descent—portrayed by the Nazis under the rubric of “Blood and Soil” (Blut und Boden). Hitler summed it up by writing: “A Chinese does not become German because he begins to speak German and votes for a German party.”

The right of Self-Determination—the loyalty of the heart and mind of the individual. This has been expressed by Denmark's great poet-philosopher-theologian Grundtvig as: “All belong to a people who so regard themselves.”

The Danes in South Schleswig, realized their mistake in having voted for Germany in 1920. For both the German and Danish minority of South Schleswig had voted to stay in the Weimar Republic due to political leanings of a Marxist and socialist nature. From their relative closeness to Denmark they soon saw their Danish working-class counterparts progress ahead of them “economically and socially in Denmark under a system opposed to militarism, and committed to the fostering of humanitarian values and the spread of adult education on a mass scale.” Coupling this with the sentiments of North Schleswig's German minority who clamored to rejoin Germany, it only cemented the Danes in South Schleswig's opposition to the

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254 Ibid.
Nazi regime. They organized their “own schools, libraries, welfare assistance and the only non-Nazi newspaper in Germany,” as historian Norman Berdichevsky points out. He continues to argue that they did this necessarily out of respect for the Danish treatment of the German minority. Instead, he argues that the minority, follows opportunity, which leads to changing allegiances as seen after the Second World War, when not only the Danish minority, but an influx of Germans, mostly social democrats, as well supported the pro-Danish party in postwar elections. With regards to the border, after the war’s end, the Danish government disavowed any claim to change it further south under a policy of reconciliation.  

5.6 Bonn-Copenhagen Declarations

The time period following the Second World War would again exert pressure on the minority issues. The Danes preserved basic political protections for the German minority. This entailed that in Denmark, the electoral threshold is 2 percent. The Danish minority in South Schleswig would however lose their political representation in the Schleswig-Holstein parliament. This was accomplished by the majority imposing an increase in the electoral threshold from 5 to 7.5 percent and thus de facto placing the political participation of the minority Danes out of reach. That increase was subsequently overturned in the Federal Constitutional Court of Germany, but after the elections were held in 1954. Thus, the Danes would not have representation for the coming

255 Ibid.
256 Furthermore, in examining the last free election of South Schleswig, the Danes only polled 3 percent. A victory in postwar South Schleswig, could not be the basis on changing policy regarding the border. Ibid.
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period. In the same year, Germany would attend a meeting to discuss their admittance to NATO and at that meeting the foundation to the solution of the minority issues would be laid down.

Denmark, being a member of NATO, took this opportunity to introduce this issue in a speech at the meeting and therefore invited the German Federal Chancellor. Denmark claimed that “the treatment of a minority might become a symbol of the future partnership.” The inferred reference was to the German representation in the Danish parliament, which was not the case vice versa as the larger minority in Denmark was not represented in the parliament of Schleswig-Holstein. Denmark thus hoped “that the Federal Government in Bonn in cooperation with the Parliament of Schleswig-Holstein in Kiel would find a solution to the problem … Adenauer’s [the German Chancellor] response was positive. This triggered the process that resulted in the signing of the Bonn-Copenhagen Declarations five months later.

The German and Danish governments met in Bonn in 1955, to create a comprehensive framework built on principles for the rights of minorities. These negotiations ended with the Bonn-Copenhagen Declarations that formalized a bill of rights for minorities in the two countries. The Declarations were introduced by the following passage stating that both governments wanted “to further the peaceful coexistence of the populations on both sides of the border and thus the development of amicable relations between the Kingdom of Denmark and the Federal Republic of Germany.” The Declarations make up the legal framework that governs the legal rights of the Danish minority in South Schleswig and the German minority in North Schleswig.

258 Becker-Christensen, ""From Confrontation to Cooperation" the Danish-German Minority Model."
259 Ibid.
260 Ibid.
261 Cited in Becker-Christensen, "National Minorities and Cross-Border Co-Operation in the Danish-German Border Region."
Under these basic laws, the respective minorities in Germany and Denmark are not only granted the same rights as the majority populations, they are also given guarantees to where their cultural loyalties lie. They are given the rights to organize and to use their language in educational, administrative and legal setting. Furthermore, they are given proportional representation in Denmark, and direct, free, equal and secret elections in Germany for local legislative matters and are entitled to public funds. National related public notifications are to be given via minority media channels. Fostering of cultural, language, religious, and specialist contact with, in the case of Danes in Germany to Denmark, and Germans in Denmark to Germany.262

The conclusion of the *Bonn-Copenhagen Declarations* gave the border region between Denmark and Germany security guarantees for the national minority populations living on the “wrong” side of the border. These guarantees fostered cross-border activities and cooperation, and has become a textbook definition of what *peaceful coexistence* means. By giving these inviolable rights freely to the minorities, not only did Denmark and Germany change a bitter conflict into a sustainable peaceful area, but also removed the last vestiges of the contentions of the conflict. The Schleswig-Holstein issue gave Europe the principle of *minority rights*. It was a success for Denmark and Germany and their respective minority populations.

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Case Three: Finland-Sweden – The Territorial and Irredentist Predicaments of the Åland Islands 1809-1921

The Åland Islands make up an archipelago between Sweden and Finland. The Åland Sea separates the Islands from Sweden and the channel Skiftet (or the Archipelago Sea) separates them from Finland. They are geostrategically located, and as such function both as gatekeepers for access to the Gulf of Bothnia, and as the “Key to the Baltic.”\textsuperscript{263} The islands are moreover the largest archipelago in the world consisting of over six thousand islands that are geologically connected to Finland by Skiftet.\textsuperscript{264} They have since 1921 had autonomy, a demilitarized status, and neutrality in Finland, in spite of being an integral territory of the country.\textsuperscript{265} The islands constitutes the only Swedish speaking territory of Finland by law.\textsuperscript{266} The inhabitants identify themselves as Swedes and as part of their autonomy—which has been guaranteed by the Finnish law: the Act on the Autonomy of Åland of 1920 and subsequent amendments—they have their language, culture, education and local customs.

\textsuperscript{263} Tore Modeen, \textit{The International Protection of the National Identity of the Åland Islands} (Almqvist & Wiksell International, 1973). 178
\textsuperscript{265} Åland even has its own internet top level domain:.ax
\textsuperscript{266} Swedish is spoken in other parts Finland as well: The east and south are the primary regions where Swedish is used in mainland Finland. The Swedish-speaking minority of Finland further meets the “four major criteria of ethnicity, i.e. self-identification of ethnicity, language, social structure and ancestry.” Markku T. Hyypä and Juhani Mäki, "Social Participation and Health in a Community Rich in Stock of Social Capital," \textit{Health Education Research} 18, no. 6 (2003-12-01 2003), http://dx.doi.org/10.1093/her/cyf044.
protected. Yet, the Åland Islands were the cause of a significant political crisis between Finland and Sweden in the early twentieth century. Against the backdrop of the final year of the First World War, the Russian Revolutions of 1917, the independence of Finland, and the Finnish Civil War, the Åland issue would not only be peacefully, but ultimately amicably resolved by the League of Nations in 1921. Within the solution to the Åland Island, the principle of self-determination was set against the territorial integrity and sovereignty of Finland. Åland also represented the first case where self-determination was brought up within an international framework and having it linked to minority rights, in other words: human rights.

6.1 Background, Strategic Importance, and Demilitarization

In the nineteenth and twentieth centuries, the Åland Islands have seen numerous instances of military engagement. It could be argued that the islands make a permanent *fleet in being* for whomever controls them. Thus, the islands with a militarized status are in effect a cause for increased tensions. The only lasting solution, instead of the mere preservation of a fragile peace that forms between military engagements, would be the demilitarization and eventual neutralization of the islands.

The history of Åland has been closely connected with the fate of Finland. And their combined fate has been in a tug of war amongst the regional powers due to the islands’ strategic importance. Understanding the background of this linkage between Finland and the islands, and moreover Finland’s position regionally and historically, becomes imperative in understanding the cause of the conflict over the Åland Islands and its solution. Finland, which gained its

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independence in 1918, had had a long history of being ruled by another power. The origins of this position in which Finland had been, dates back to the twelfth century when the country was annexed into Sweden by Eric IX in a holy crusade. From 1157, it was under Swedish rule for 652 years until it was lost to Russia when it invaded Sweden in 1809. The invasion, a part of the Napoleonic Wars, in which Napoleon forced Russia to attack Sweden in order to force the Swedes to realign and ultimately become allied with Napoleon. Russia employed a pincer maneuver, attacking Sweden from the northeast, forcing the Swedes, with Norway-Denmark to the west, to defend on two fronts: The Swedish loss was absolute and the fate of Finland, and by extension the Åland Islands, was sealed. In the following Treaty of Fredrikshamn of 1809, they were ceded to Russia where the Russian preconditions for peace were:

1. Sweden was to make peace with France, Denmark and Norway.
2. Sweden was to give up its alliance with England and join the Continental Blockade.
3. Sweden was to cede Finland together with the Åland Islands and the northern areas along the Kalix River to Russia.

Finland and the Åland Islands would be under the Russian Empire for another 109 years. On 4 January 1918, Finland’s independence from Russia was

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268 Though, according to Bengt Olof Lille, a Finnish theologian, the Christian cause for holy war, and ultimately the annexation of Finland into Sweden, was a political instrument from a security standpoint in defending Sweden from the “barbarians” of the East (mainly the Baltic States). The Åland Islands would be comprehensively annexed alongside Finland. By the sixteenth century Finland and Åland were administered by the archbishopric of Åbo, Finland. Cited in Tarja-Liisa Luukkanen, "Savages and Barbarians?,," FINNISH YEARBOOK OF POLITICAL THOUGHT 2003 (2003). 75 and Britain Great, The åLand Islands, Peace Handbooks ; No. 48 (London: H.M. Stationery Office, 1920). 14
269 This was attained and implemented by the Treaty of Paris of 1810. As such Sweden joined Napoleonic France.
realized and recognized by both Russia and Sweden; its former masters. For a total of 761 years, 327 years longer than Norway, Finland was as a subservient state to a larger power. It is thus hardly surprising that, upon achieving independence, Finland would act resolutely regarding its principle of territorial integrity and sovereignty. This would hold especially true in 1918 as Finland faced a harsh civil war for control of the country whilst the Ålanders were pursuing their own secessionist movement. A movement Finland tried to keep within the domestic sphere, but was made international by the stronger Sweden to the west, which backed the Åland secessionists.

The Åland Islands became incorporated with Finland in 1809 henceforth under the newly created autonomous Grand Duchy of Finland as part of the Russian Empire. Though, there was a caveat to the Russian victory: Article 4 of the treaty of 1809 stipulated that Åland had to be neutral. Furthermore, due to the strategic importance of the Åland, Sweden had ongoing negotiations with Russia over the return of the Islands. Even prior to the loss of the Islands by the treaty of 1809, Swedish negotiations were particularly focused on not losing them (notwithstanding the loss of Finland) to Russia. Thus, as a reflection of this importance, when Sweden lost militarily to Russia in 1809, the Swedish peace negotiators were given adamant instructions of not relinquishing the Åland Islands.

The Åland Islands in foreign hands posed a direct threat to Stockholm, her capital. The instructions … ‘laid stress on the fact that they might, if the worst came to worst, agree to the cession of Finland, not to that of the Åland Islands; the frontier was to be

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272 Modeen, The International Protection of the National Identity of the Åland Islands.
traced to the east of Åland, so that Åland should remain Swedish as it had been since ancient times.\textsuperscript{273}

This was thoroughly refuted by the Russians who stated that “to defend Finland without the Aaland Islands would be the same thing as to take a strong-box of which one had delivered up the keys.”\textsuperscript{274}

After the Swedish losses of Finland and Åland in the ongoing Napoleonic Wars, Napoleon offered, in 1811, to restore Åland to Sweden in return for Swedish military help against Russia. Sweden refused, and instead in 1812, Crown Prince Charles John chose to make an appeal to Alexander I of Russia in order to restore the Islands to Sweden.\textsuperscript{275} Russia declined the restoration of Åland to Sweden, however, in lieu of returning the Åland Islands, Alexander vowed to Sweden that they would help break up the Danish-Norwegian Union in support of the Swedish claim to Norway. A promise they carried out, as discussed above, in 1814.\textsuperscript{276}

The Åland Islands stayed under Russia, as a demilitarized territory, a state that was kept unchanged until 1830 when Russia started building fortifications on Bomarsund, Åland Islands.\textsuperscript{277} In protest of this, the British sent a fleet into the Baltic Sea in 1834 as a show of force, only to be ignored by the Russians. During the Crimean War, the fortress would be captured and utterly destroyed in 1854 by Britain and France. Prior to attacking the Åland Islands, Britain and France had asked Sweden to join the attack on the Islands, a request Sweden declined fearing a future Russian retaliation:

\textsuperscript{274} Rebecca Catharina Sophia Hamburger, "Twee Rechtsvragen Aangaande Finland: De Demilitarisatie Der Alandgroep En De Autonomie Van Oost-Karelië," (1925). Cited in Padelford and Andersson, "The Aaland Islands Question."
\textsuperscript{275} Padelford and Andersson, "The Aaland Islands Question."
\textsuperscript{276} Ibid.
\textsuperscript{277} The Russian naval base at Kronstadt was frozen during winter, the archipelago [the Åland Islands] was not. Ibid.
Oscar I [King of Sweden] still wanted to avoid the confrontation with Russia. If the Allies failed to bring their adversary to its knees, the full vengeance of Russia might afterwards have fallen on Sweden.278

Instead of joining the fighting, and in an effort to further its neutrality stance, as had been long championed by Charles John, Sweden got additional guarantees for the integrity of Norway-Sweden by England and France in exchange for not entering agreements with the Russians without informing the English and French first.279 Nevertheless, Sweden did not lose sight of reclaiming the islands. Hence, while Sweden had declared itself neutral in this war, it still pushed Britain and France to back Swedish restitution of the islands, or at the very least British, French, and Swedish collective guarantees for the neutrality of the islands.280 Restitution would prove impossible to reconcile with Swedish neutrality and inferior military power, thus securing the demilitarized status of the Åland Islands became paramount due to the real threat they potentially posed to Sweden.281

The fighting in the Baltic Region of the Crimean War was particularly harsh, and by the war’s end most major European powers had mobilized their militaries. Due to the heavy naval warfare in the Baltic Sea, even the Scandinavian kingdoms, with the Baltic within their sphere, considered abandoning their neutrality to join in the war in 1856; as such, when Russia sued for peace, it saved and cemented the neutrality of Scandinavia, and especially Sweden. Since Sweden was not a participating belligerent, it was not invited to the Paris Peace Conference of 1856. The culmination of the Peace Conference would give Sweden, with the committed support of the

279 Padelford and Andersson, "The Aaland Islands Question."
280 Rotkirch, "The Demilitarization and Neutralization of the Åland Islands: A Regime in European Interests' Withstanding Changing Circumstances."
281 Ibid.
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British and French, the much desired disarmament and neutralization of the Åland Islands.282

The principle behind demilitarization had thus created a zone of positive peace around the Åland Islands. The Convention of the treaty of 1856 that deals with the demilitarization is referred to as the Åland Islands’ servitude. “This means that the regulation is permanent and may not be altered even if ownership of the islands changed.”283 As they stand, they are a permanent concern to the big-powers of Europe and as long as there is a possibility of militarizing them, they will always prove a temptation: After the Crimean War Russia would attempt abrogating the 1856 treaty in 1907-08, and break it in 1915 during the First World War by again building fortifications on the Åland Islands to Sweden’s consternation.284 When Russia started construction of the fortifications on the islands in 1915, it came under censure from the

282 Sweden further learned three lessons from the Crimean War: “1) that they could not trust the British and French, who were willing to draw them into conflict with Russia and abandon them when it was no longer in their interests to continue the conflict; 2) that the Russians considered Finland, the Baltic countries and Poland as comprising the weakest and potentially most dangerous portion of their empire, so important that they would go very far, including international humiliation, in order to secure their control over it; and 3) that the maintenance of Scandinavian neutrality under such condition remained the wisest and best policy.”[Author’s Emphasis] Anderson, ”The Scandinavian Area and the Crimean War in the Baltic.” And Harold Temperley, "The Treaty of Paris of 1856 and Its Execution," The Journal of Modern History 4, no. 3 (1932).
283 Rotkirch, "The Demilitarization and Neutralization of the Åland Islands: A Regime’in European Interests' Withstanding Changing Circumstances."
284 The 1907 attempt was to protect Russia against surprises in Europe. 1915 on the other hand, takes place during the First World War when Russia built fortifications on the islands again. Russia made guarantees to Sweden that they were of a defensive nature and posed no threat to Sweden. What their future would hold after the war became moot as Finland declared independence from Russia. Patrick Salmon, "Between the Sea Power and the Land Power": Scandinavia and the Coming of the First World War," Transactions of the Royal Historical Society 3 (1993). And Rotkirch, "The Demilitarization and Neutralization of the Åland Islands: A Regime’in European Interests' Withstanding Changing Circumstances."
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signatories of the 1856 treaty. The Russian response stressed the fact that they were defensive and would not be used against Sweden. This development became moot as the Finnish independence in 1918 comprised the Åland Islands as well. The fortifications were soon thereafter destroyed by Finland. This brought the principle of the demilitarized status of the Åland Islands back into a more manageable sphere as Sweden and Finland neither had big power aspirations nor were big powers. Russia, being a big power, would have been harder to negotiate with as they did not give Sweden guarantees for returning to the 1856 treaty permanent demilitarized designation the Islands had in 1915.

6.2 The Åland Islands Crisis between Finland and Sweden

A crisis would rise to envelop the region against the backdrop of the final stages of the First World War in 1917. This year marked the Russian February and October Revolutions which made Finland, fearing the outcome the revolutions might have for the nation, declare independence on 15 November 1917. The independence declaration was based on the notion that there was no authority in Russia after the October Revolution saw the Bolsheviks topple the Russian government. Russia and Sweden subsequently recognized the Finland’s independence on 4 January 1918. The Åland Islands, that had been incorporated into the Grand Duchy of Finland since 1809, also saw this as an opportunity in 1917 to secede Finland

285 Rotkirch, "The Demilitarization and Neutralization of the Åland Islands: A Regime 'in European Interests' Withstanding Changing Circumstances."
286 After a spell trying to form a constitutional monarchy, the Republic of Finland was established.
288 Russia recognized the independence only after Finnish socialists intervened on Finland’s behalf (as Finland was still within Russia). Ibid.
in favor of reuniting with Sweden. When Finland declared independence from Russia, the Ålanders did neither view themselves as Finnish nor saw the islands as an integral part of Finland. Rather they feared for their future identity in the contemporary nationalistic awakening in Finland as well as a fear stemming from the revolutions taking place in Russia; for their Swedish leanings, they had suffered abuse by Russian forces stationed there.289 The Ålanders' fears were grounded in a perceived need to protect their language, identity, and culture from Finland. In response to the developments in Russia and Finland of 1917, they formed a separatist movement with the intent of reuniting with Sweden. This movement, they reasoned would be the strongest guarantee against a Finnification process taking place on the Islands, as their future in Finland was without any guarantees at this point. The Ålanders gathered at Finström, Åland, as early as 20 August 1917 and unanimously opted for secession to Sweden.290 The Ålanders presented the resolution to the Swedish government that showed their desire to enter a union with Sweden on 27 November 1917.291 Although Sweden took no action upon receiving the resolution, there was a growing awareness and the general mood changed in favor of supporting the Ålanders cause. A subsequent referendum was held on 31 December 1917 and the Ålanders overwhelmingly voted in favor of leaving Finland.292 The King of Sweden, in his address to the Riksdag voiced his concern and hoped that with independence, Finland would be able to settle the Åland question:

The Government gladly recognize the independence of Finland, and it is their hope that Finland will unite with the other Scandinavian countries in the cause of peace and progress, and

289 Padelford and Andersson, "The Aaland Islands Question."
290 Ibid.
292 Padelford and Andersson, "The Aaland Islands Question."
that the independence of Finland will contribute to a satisfactory solution of the Åland problem.\textsuperscript{293}

The following year the Finnish Civil War broke out, and the Ålanders’ fears became rationalized due in large part to the amount of viciousness seen in the war. The war, which was fought over who would control the independent Finland, lasted from 27 January to 15 May 1918. The belligerents were the nationalist Finnish Whites against the communist Finnish Reds.\textsuperscript{294} The war further involved the outside powers of Russian and German troops fighting in Finland. The Åland Islands, in spite of their demilitarized status, also saw Finnish, German, Russian, and Swedish troops being deployed there. At the request of the Ålanders, Sweden sent troops to ensure the safety of their \textit{de facto} compatriots.\textsuperscript{295} They departed the Islands after the Finnish and Russian troops left; though at the behest of the Finnish Whites, a contingent of German troops remained. The civil war in Finland ended in victory for the Whites with further international recognitions for the independence of Finland. For the first time in Finland’s history, Finnish became the official language of the country.\textsuperscript{296} For Finland as a newly formed state, when it came to the Åland Islands, was in a relatively good position to deal with the ensuing issue. The country had during the period 1809-1918 gone through rapid development in industrialization, education, and institution-building. The period under Russia became known as \textit{Pax Russica}; a period in which their relative autonomy had enabled the administrative development. Thus, when Finland did declare independence it was already a fully functioning state with minor omissions:

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\textsuperscript{294} The Whites were supported by the German Empire whereas the Reds were by Russia.

\textsuperscript{295} \textit{Aaland Islands}. 23

\textsuperscript{296} Swedish had been the official language of Finland until 1883 when Finnish (the language of the common people) was elevated to having equal status with Swedish. Finland had gone through a long internal conflict over language. Kenneth Douglas McRae, Mika Helander, and Sari Luoma, \textit{Conflict and Compromise in Multilingual Societies: Finland}, vol. 3 (Wilfrid Laurier Univ. Press, 1999). 35
After 109 years of political autonomy the democratic institutions were already so diversified and advanced in Finland that only a national army, diplomatic missions and a substitute for the tsar as the supreme political power had to be created.297

6.3 The Åland Islands Issue Resolution in the League of Nations

In the aftermath of a world war and a civil war, the Ålanders would see their case be brought up both at the Paris Peace Conference and later at the League of Nations as well as other negotiations over the demilitarization and the future of the Islands.

An early attempt at resolving the matter was tried at the Brest-Litovsk peace treaty between Germany and Russia in Brest, Belarus, in March 1918. Sweden had pushed for the subject to be concluded, but was unsuccessful. The negotiations at Brest were not a complete failure though, as the issue regarding the fortifications on the Islands was brought to an end.298 By November 1918 the agreement was made to rapidly demolish the fortifications on the Islands. Furthermore a special agreement was reached on making the Islands permanently non-fortified by Finland, Germany, Russia, and Sweden in consolation with the other Baltic States.299

As the question regarding the future of the Islands as part of a sovereign Finland had not even been breached at the Brest conference, Finland made

298 The Brest-Litovsk Peace Treaty between Germany and Russia had stipulations for the demilitarization and evacuation of troops from the Åland Islands.
299 Aaland Islands. 23
an attempt at appeasing the secessionist Ålanders. In early 1918, Finland made concessions for the inhabitants on Åland. They were offered “some sort of autonomy” by decree and to be under a civil and military governor in Finland as a separate province.\textsuperscript{300} The response from the Ålanders were to appeal to the Senate of Finland, the King of Sweden, and the Emperor of Germany stating that:

The petitioners rely on the promise made by Germany, together with other belligerent States, “that the peoples liberated by the war from their political dependence should have the right to decide themselves on their future lot.”\textsuperscript{301}

Their appeal continued to point out that similar cases had been granted this right in the Russian Empire, which included the Finnish independence. A reference was made to the plebiscite of 1917 and other events that show a great desire to be reunited with Sweden. The appeal ends with the intent to hold another plebiscite. The Finnish response shows the adamant position it has taken on territorial integrity:

Without for a moment discussing a movement which has led to the landing of Swedish troops without Finland’s consent, it is necessary to issue a grave warning against any action inconsistent with the integrity of Finland, as such action cannot be tolerated.\textsuperscript{302}

Later still in 1918 and 1919, further appeals are made to the government of Finland as well as to the allied powers gathering in Paris for the Peace Conference on the legacy of the First World War. The arguments from the Ålanders are based on the right to national self-determination. In June 1919, the Ålanders held, with support from the government and the King of Sweden, a referendum for reunification with Sweden. The result, which was pro

\textsuperscript{300} Ibid. 25
\textsuperscript{301} Ibid. 25
\textsuperscript{302} Referring to the Swedish troops deployed during the civil war. Ibid. 26
reunification ended with the organizers being imprisoned by Finland. Sweden, still not undeterred, proceeded to make two attempt at the Paris Peace Conference to have the Åland issue solved by referendum, as had been done in Schleswig.  By the end of the Paris Peace Conference, the best the Ålanders could hope for was to have their demilitarized status guaranteed for, as per the 1856 Treaty of Paris. The main support the Ålanders had at the Peace Conference was from the US delegation. Woodrow Wilson had stood out as a staunch supporter of the national right of self-determination. Ultimately, as none of the allied powers present would take the matter into consideration, the British and the French concluded with leaving the decision for the League of Nations.

The main concerns Sweden had with regards to Åland were twofold. First, was the issue of self-determination. Sweden, along with Denmark and Norway, saw it as a matter of principle to internationalize the Åland issue. They viewed it as a duty to protect the rights of minorities through multilateralist channels. The second issue was on national security in terms of keeping the Islands demilitarized. The venue for solving these aspects was then to bring the issue to the attention of international institutions that could rule and offer an outcome Sweden wanted. Finland on the other hand rejected this idea, insisting the issue regarding the Ålanders was a domestic one in order to secure its territorial integrity and sovereignty. They would therefore take it further with guaranteeing for certain protections for their Swedish

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304 Unto Vesa, "The Åland Islands as a Conflict Resolution Model," *Territorial issues in Europe and East Asia: colonialism, war occupation, and conflict resolution, Bae, Chinsoo* (2009).

speaking minority: the Ålanders in particular and Swedish speaking Finns in general.306

On 6 May 1920, Finland proposed the Act on Self-Government to Åland, which was passed as the Law of Autonomy of the Åland Islands the following day. This was the first comprehensive offer by Finland in order to prevent the possibility of losing the Islands altogether. As the Ålanders refused this offer, again on the principle of self-determination, the matter was ultimately escalated to the League of Nations. Ironically, disregarding that Sweden had been a member of the League since its formation and had wanted the issue internationalized (Finland joined in December 1920), and that both countries had argued the issue ever since Finland's independence, it was, as concluded at the Paris Peace Conference, neither Swede nor Finn who presented issue to the League, but a British statesman with the following simplistic note:

Foreign Office, S. W. 1,  
19th June 1920.

Dear Sir Eric Drummond: I desire in exercise of the friendly right conferred by Article II of the Covenant of the League of Nations, to bring to the attention of the Council of the League the case of the Aaland Islands, as a matter affecting international relations, which unfortunately threatens to disturb the good understanding between nations upon which peace depends. I do not take this step without having informed the two Governments, Sweden and Finland, of my intention to do so.

I am,  
Yours Faithfully,  
(Signed) Curzon of Kedleston307

The Council set out to form a commission and formulated the way forward in legal terms:

306 Ibid.
307 Gregory, "The Neutralization of the Aaland Islands."
That a commission of three international jurists shall be appointed to give to the Council, on the following question, an advisory opinion with the least possible delay:

1. Does the Swedish case as presented to the Council, on the question of the Åland Islands, arise out of a matter which, by international law, is solely within the jurisdiction of Finland, within the meaning of paragraph 8 of Article 15 of the Covenant?  
2. What is the present state of the international obligations regarding the demilitarization of the Åland Islands?

The British Foreign Service had already summarized the arguments and consideration in their *Peace Handbooks*. These books, which were originally published for the British delegation to the Paris Peace Conference, were in 1920 offered to the general public. Volume VIII dealt with the Åland issue from different vantage points. Focus was put on the issue in historical, geographical, ethnographical, economic, and strategic terms, and the question of self-determination. Several of the arguments throughout these topics conclude with that there is a balance between the claims made by Finland and Sweden: The Islands are historically bound to both countries: administratively to Finland, yet as part of the Swedish realm; the islands are geographically connected to both countries by differing criteria: equidistant from both countries, yet geologically connected to Finland, and by ease of access to Sweden; ethnographically, the Ålanders’ right of self-determination is acknowledged, yet they make up only a fraction of the total

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308 Article 15 Paragraph 8: If the dispute between the parties is claimed by one of them, and is found by the Council, to arise out of a matter which by international law is solely within the domestic jurisdiction of that party, the Council shall so report, and shall make no recommendation as to its settlement. "Covenant of the League of Nations," Lillian Goldman Law Library, accessed 07/03/2016. http://avalon.law.yale.edu/20th_century/leagcov.asp#art2.

309 Gregory, "The Neutralization of the Åland Islands."

310 See Appendix Two. *Aaland Islands*. 28-32


312 Mariehamn (capital city on Åland) is equidistant from Åbo, Finland and Stockholm, Sweden. Easy access all year in all weather conditions to Sweden, not so for Finland.
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Swedish population of Finland; economically, from 1809, the Islands are closer to Sweden, but trade goes both ways; strategically, the Islands form a considerable danger to all, and finally in regards to self-determination, the reunification of Åland to Sweden saw strong opposition from the remaining Swedish minority in Finland as they would become more vulnerable with Åland exiting the country.

Two commissions were established by the League. The first, the Commission of Jurists, which makeup was represented by three law professors from France, the Netherlands, and Switzerland. They examined the case from the perspective of Finland, Sweden, and Åland in historical and legal terms in order to answer the following two questions: 1) did the League of Nations have jurisdiction over the Åland issue? And 2) how did self-determination relate to the issue, and could Sweden make the claim to decide the future of the Åland Islands and its inhabitants? The jurists concluded that the League had jurisdiction over the case because “the dispute between Sweden and Finland does not refer to a definitive established political situation, depending exclusively upon the territorial sovereignty of a State.” The case of the Åland Islands thus represented a **sui generis** case for the League of Nations. As to the issue of the right to self-determination, the jurists concluded that though the Ålanders showed an almost unanimous want for reuniting with Sweden, it did not automatically guarantee for secession from Finland:

> The fact must, however, not be lost sight of that the principle that nations must have the right of self-determination is not the only one to be taken into account. Even though it be regarded as the

313 Amongst other security related dangers, howitzers can reach Stockholm from the Islands, and a navy present on the Islands threatens the entire region. See Appendix 2: The Åland Islands, Peace Handbooks, Vol. VIII, Section: (e) Strategical
315 Ibid.
most important of the principles governing the formation of States, geographical, economic and other similar considerations may put obstacles in the way of its complete recognition. Under such circumstances, a solution in the nature of a compromise, based on an extensive grant of liberty to minorities, may appear necessary according to international legal conception and may even be dictated by the interests of peace. [Author’s emphasis]316

The conclusions by the jurists seemed to give Sweden what it had asked for in the sense of bringing the issue to the international arena; even though the jurists didn’t give an outright recommendation as to what were to happen to the Islands.

The second commission, the Commission of Rapporteurs, had, whereas the jurists dealt with the legalities, been given the mandate to look at the political aspects and possible solutions for the future of the Islands. The rapporteurs’ report starts by outlining the Finnish and Swedish positions towards the issue as being incompatible; whereas Finland refuses the Ålanders a plebiscite “in virtue of the sovereign rights of the Finnish State on its own territory”; and whereas Sweden “considers the wish of the Ålanders to be legitimate, and claims on their behalf the right to hold a public expression of opinion in accordance with a principle which is universally recognized.”317 They proceed to give acknowledgement, as did the jurists, to the Ålanders’ fears for their language, culture, and heritage, but instead of allowing for their wants, the rapporteurs appeals to the goodwill of Finland to “preserve and protect the language and the culture which are so precious to the Ålanders.” 318 Furthermore, on the matter of language and identity, the report does not separate the Ålanders from the rest of the Swedish speaking people in Finland, and as such belong this group as a minority of Finland. They go on to

316 Ibid.
318 Ibid.
argue for the status quo and that it would be an injustice to Finland to cede Åland to Sweden. To alleviate Sweden’s fears regarding the military status of the Islands, they argue for neutralization. However, the report goes on to state that Finland in its civil war, beat back the Bolsheviks and thereby functioned as a bulwark against the communist east and the potential threat they represented to the region. The Åland Islands are part of Finnish sovereign territory the report states in no uncertain terms. The rapporteurs conclude with a recommendation to make amendments to the *Law of Autonomy of the Åland Islands* of 7 May 1920 which would fulfill the needs of the Ålanders. 319 It further praises Finland for joining the League of Nations in the sense that Finland, as part of the international system, would accede to the recommendations passed. Finally, the rapporteurs stated that if all is inconsolable, the last recourse is the International Court of Justice.

### 6.4 Instituting Autonomy and Reinforcing Demilitarization

The culmination of the work by the League of Nations led to the *Decision of the Council of the League of Nations on the Åland Islands* on 24 June 1921 in which Finnish sovereignty over Åland was recognized. 320 The decision made stipulated further additions to be made to the *Law of Autonomy of the Åland Islands* which was viewed as not being complete in guaranteeing the autonomy of the Ålanders as well as finalizing the neutralization of the Islands.

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319 More than protecting language and culture, it gives recommendations with how to limit newcomers in terms of property rights and voting privileges. Ibid.
320 The decision of the League of Nations was in large part because of the Japanese statesman Nitobe Inazo as Under-Secretary in the League. “One of his greatest achievements as statesman is the resolution of the Åland conflict between Finland and Sweden in 1921 at the peak of his involvement as undersecretary of the League of Nations in Geneva.” Patrick Hein, *How the Japanese Became Foreign to Themselves: The Impact of Globalization on the Private and Public Spheres in Japan*, vol. 164 (LIT Verlag Münster, 2009). 42
provided for and guaranteed by the Finns, the Swedes and the international community. Of these, weight was put on placing in legal protections for preserving the Swedish language of the islanders in schools, the maintenance of landed property belonging to the islanders, placing limits on the exercise of franchise by non-Ålanders, and appointing a governor that had the backing and trust of the islanders. 321 Furthermore, the League, in instituting its decision and in seeking a successful outcome “the Council has requested that the guarantees will be more likely to achieve their purpose, if they are discussed and agreed to by the Representatives of Finland with those of Sweden.”322 Adding to this, the League presented Finland and Sweden with two options that signaled the finality of the issue 1) the two parties would, if required have the support of the League, and 2) the League would enforce the additions to the Autonomy Law. Lastly, regarding the military status of the Islands, the League leaned on the Swedish draft concerning the Islands' neutralization backed by guarantees from all the powers concerned.323

Following the Decision of the Council of the League of Nations on the Åland Islands, on 27 June 1921, the Åland Agreement in the Council of the League of Nations, carried additional amendments to be added to the Law of Autonomy of the Åland Islands of 1920. To further cement the guarantees of language, education, property rights, and representation, in the amended Autonomy Law, the Agreement also included issues such as taxation, and contentions concerning the governorship. It also included the Council of the League of Nations as a regional actor in instituting and guaranteeing the autonomy and would, in cases of a juridical character, use the Permanent Court of International Justice as a court of last instance.324

322 Ibid.
323 Ibid.
The final legal decree for the Åland Issue in the League of Nations was the *Convention Respecting the Non-Fortification and Neutralization of the Åland Islands.* By this treaty, that was guaranteed by the powers present added amendments to the Treaty of Paris 1856 regarding the demilitarization and neutrality of the islands. The stakeholders that were to guarantee for this neutrality and demilitarized status of the islands were Germany, Denmark, Estonia, Finland, France, British Empire, Italy, Latvia Poland, and Sweden. Furthermore, in times of war, the Ålanders could not be conscripted into the Finnish military. And if a war were to break out within the sphere of the Baltic Sea, and then as to only guarantee for the neutrality of the Islands, could Finland defend them by temporarily laying down sea-mines.

The Åland agreement thus in 1921 represented the most comprehensive agreement the world had seen so far regarding a national minority with international guarantees for its protection. Concerning the Ålanders as a national minority, they can be viewed as a minority inside a minority as they

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325 See Appendix Two: *Convention Respecting the Non-Fortification and Neutralization of the Åland Islands,* by Council of the League of Nations (League of Nations, 1921). The coordinates for the delimiting lines for the map are furthermore listed in the *Convention.* 249, 250
were not the only Swedish speakers in Finland, thus making their position even more exceptional. The parliament of Finland proceeded to ratify the agreement without much opposition. For Sweden the agreement was not brought up in a parliamentary discourse as Sweden’s only real obligation was to respect the sovereignty of Finland. In turn, the Ålanders did not press the matter further. The following year saw the agreement implemented into the Finnish legal system with the 1922 Åland Guarantee Act. With the legal autonomous status in Finland, the Åland Islands would become a stable entity in itself, and between Finland and Sweden. The relationship between the latter improved after 1922, and the secession question was laid to rest. The fact that Åland never appealed the League’s decision, nor bring in the Permanent Court of International Justice, gives a measure as to how successful the Åland resolution was given that the League of Nations not only was in its infancy, but that this was its first major undertaking in unexplored legal and political terrain.

6.5 Maturing Autonomy

There were issues relating to the Åland case after 1922. Contentions were brought up of a material and legal nature that led to the Autonomy Act of 1951. As the autonomy of 1920 was a hastily put together law, it did not account for certain difficulties that would arise in running an autonomous

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327 Reunion with Sweden was brought up again in 1945. This was promptly rejected by Sweden and to which Finland stated Åland did not have the jurisdictional authority to do so. Matts Dreijer, *Ålands Självstyrelse 25 År* (1947). Cited in Modeen, *The International Protection of the National Identity of the Åland Islands.*
The administrative costs of running Åland put the Islands in a deficit, and amendments would be required to offer governmental grants. The autonomy of the Islands was further put in question by Finnish broad interpretations with regards to the veto power the president of the Republic held. By 1951, Finland and the Åland Islands ratified, in practical terms, an updated version of the 1920’s Autonomy Law that gave the Islands its own government, legislative assembly and a governor appointed by Finland. In addition to keeping true to the protections of the language, culture and traditions, the Autonomy Act of 1951 stipulated that there is a separation of power between Finland’s and Åland’s legislatures; Finland cannot pass laws regarding Åland without the Islands agreement, and Finland cannot veto any laws enacted by Åland even if they were found to be contra the interests of the Republic. Furthermore, the presidential veto of Finland would only be valid “when the law concerns matters covered by national legislative powers and when the law relates to the internal or external security of the country; thus the general interest of the Republic no longer can be a cause for vetoing an Åland law.” The act of 1951 clarified Åland’s legal status within Finland and thereby strengthened the Åland legislature to the point where the act itself could not be amended in Finland without the consent of Åland. The 1951 act also opened for Åland having its own flag and other national symbols and consequently, what followed was a national flag, stamps.

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328 One area of dispute was over landownership. With ensuing amendments to the autonomy law, a non-islander who had bought property and wished to sell it, had to sell it back to the Islands.
330 Rotkirch, "The Demilitarization and Neutralization of the Åland Islands: A Regime’in European Interests' Withstanding Changing Circumstances."
331 Janson, "Autonomy of Aland: A Reflection of International and Constitutional Law."
332 Ibid.
333 Rotkirch, "The Demilitarization and Neutralization of the Åland Islands: A Regime’in European Interests' Withstanding Changing Circumstances."
and a national museum.\textsuperscript{334} Prior to this, the flagpoles of Åland flew the Swedish and Finnish flags side by side. By 1954, the Åland Islands’ flag came to symbolize the nation. Vexillologically, the flag is a yellow Nordic cross on a blue background, bearing a striking likeness to the Swedish flag, but carries a red cross inside the yellow cross. The red cross represents the color of the coat of arms of Finland.\textsuperscript{335}

Further expansions of the autonomy act came in 1991, 2004, and 2009. In addition to the governmental aspects of autonomy, came powers in economic development, agricultural, environmental, and fiscal powers. Åland became represented in the Nordic Council, and after the later 2004 and 2009 amendments to the autonomy law, it is also represented in the European Union. Perhaps the most potent power Åland has been granted under the autonomy laws is a veto power over Finland signing international treaties if it impacts Åland.\textsuperscript{336}

The Åland case has shown that legal regimes can solve deeply entrenched conflicts by showing a preference for restraint, deference and acceptance. Sweden, which has been the balancing power of the Nordic Region has time and again shown such traits. While both Finland, in its infancy, and Sweden presented strong legal arguments of equal validity, by choosing a third path, a path of nonviolence, the countries were able to reach a conclusion that not only satisfied both, but saw to the foundation of minority rights succeeding over a realist argument for balancing power: rather than applying a security regime based on power politics, which would have been skewed in Sweden’s favor, the, by now, ingrained principle of Swedish neutrality stayed their hand as long as the interests of the minority were guaranteed for under another sovereign. Furthermore, the demilitarization and neutralization of the Åland


\textsuperscript{335} Michael Jones, \textit{Nordic Landscapes: Region and Belonging on the Northern Edge of Europe} (U of Minnesota Press, 2008). 455

\textsuperscript{336} Hepburn, "Forging Autonomy in a Unitary State: The Åland Islands in Finland."
Islands, which precludes Ålanders from being drafted for military service in Finland, has turned the region into a zone of positive peace where trust between former antagonists has enabled cooperation and growth. The Åland Islands case presents itself as a micro-pluralistic security community based on sustainable peace in the otherwise high tension sub-region of the Baltic.
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7 Analysis and Discussion of the Nordic Peace

The Nordic Region has accordingly undergone a metamorphosis from being the very embodiment of belligerence—in a belligerent Europe—to become what is a tangible representation and foundation of peace. Since 1814, in spite of regional and extra-regional geo-political crises, conflicts, wars and occupations, the Nordic countries started choosing a third way when presented with contentious issues of magnitude. They were able to align themselves as such that, while not avoiding conflict (or war instigated and forced upon them by outside powers), they sought with increasing frequency peaceful solutions to conflicts. They started to deviate from centuries of belligerent and violent resolutions to conflict. While the non-violent solutions of the Nordic Region were mostly instigated from within, they would also, at times, include outside powers or institutions that acted as supranational entities that could guarantee the settlements and the ensuing peace. This eventually developed into a comprehensive security community in the Nordic Region that today stands on principles from the Nordic solutions to the contentious issues they faced since 1814. These principles form part of the mortar that keeps the foundation of the Nordic Peace solid and that have become fundamental parts of the Nordic psychosocial reality. The principles further acts as indicators for how the Nordic countries engage in relations outside the region and how the countries relate to each other from the state-level and down. The institutional integration that followed in the aftermath of the Second World War could not have come to pass without the shared history and narrative of the region. This chapter will entail the identification and extrapolation of the principles from the Nordic solutions. This is done through abstraction and generalization via induction and kept cogent by the totality and breadth of the events provided in the cases.
7.1 Principles of Abstraction

The conflicts that the Nordic countries found themselves involved in were by and large not unique in any way, shape, or form. They were, in their given time contemporarily similar to other conflicts, be that of a territorial, ethnical, national, or political nature. These are issues that have since time immemorial brought conflict and war wherever peoples and nations meet. Nevertheless, the Nordic Region, was able to shift from a state of belligerence to not only avoiding the threat of or the use of force to settle disputes, but more importantly to employ the help of institutions and uni-, bi- or multi-lateral efforts in preserving peace between the Nordic countries. In other words, the Nordic countries deviated significantly from the standard approaches to conflicts and disputes. The solutions to Nordic conflicts thus are presented in and by themselves with principles, that have now become ingrained into the Nordic psyche. These are principles, that have their subjectively constructed knowledge and meanings in a historical context within the Nordic Region. Irrespective of this being subjectively held ideas, the very principles and notions they represent can be elevated and through abstraction take an objective form. Vincent Pouliot outlines the following methodology, \textit{sobjectivism}, as a means of achieving this. Pouliot uses a three-step methodology to lift subjective meanings of cases and objectify them through the contextualization of them in their history-subjective context. “The first step uses induction in order to recover subjective meanings. The second step aims at the objectification of meanings in their intersubjective context. Finally, the third step sets meanings in motion through historicization.”\(^{337}\)

In recovering the subjective meanings of something \textit{[the first step]}, agents’ dependable expectations and beliefs in the conditions they find themselves in and how this affects their social reality, is deduced. One example of this used above is the diary entries of Claus Pavels used in the Norway-Sweden Case.

\(^{337}\) Pouliot, “"Subjectivism": Toward a Constructivist Methodology."
Pavels exemplifies the subjective meanings in this writing of not only the mood in Christiania at a time in which Norway’s future is in question, but also the overarching hopes and aspirations of the nation. We can extract what this means not only to him, but also those around him and thereby become part in understanding the perilous situation they found themselves in; where uncertainty ruled his turbulent timeline in 1814.338

These subjective meanings do not stand alone, but are seen as part of an intersubjective whole [the second step]. Consequently, they stand in reference to a larger discourse in which they relate to the subjectivity of the other. Whereby looking at the overarching attitudes and positions of the collective identity, and to understand the collective representation in societal and structures of government. Again looking at the Norway-Sweden Case, the representational stances of Norway, Sweden and Denmark, through speeches, negotiations, and treaties, become objectified within the political dynamics; in other words, when viewed dispassionately from the outside, or with hindsight, as part of the dynamics that unfolds in a specific political occurrence, of a specific historical period, within a specifically constrained area.339

Finally, the historicization of the matter at hand [the third step], in which the deep roots in history shapes the evolution of the meanings both subjectively and intersubjectively. Pouliot states that an explanatory narrative is built in which discourses and practices are organized around a central plot: constitutive, causal, or otherwise. As with the cases dealing with the Nordic Peace, they take place over an extensive period; and more to the point, while they reached their conclusion, the countries that made up the cases and their relations to each other continuously evolve within the regional peace itself. Point in case being that the Nordic countries have expanded their focus from the internal peace towards internationalizing the peace work from bilateral

338 Ibid.
339 Ibid.
engagements to becoming and supporting parts of larger international institutions working for peace.

Pouliot continues to argue that this can be generalized, or abstracted, through contingent generalization, and not law-like generalizations:

Such contingent generalizations usually derive from the abstracting power of concepts: by simplifying reality through idealization, concepts such as constitutive mechanisms, for example, allow for analogies across cases. Weber (2004 [1904]) used to call this “ideal-types”—theoretical constructs that depart from social realities in order to gain explanatory spin across cases. Conceptual analogies are by definition underspecified as they cannot fully put up with contingency. Consequently, the crucial point while drawing contingent generalizations is to be explicit about their boundaries of applicability (Hopf 2002:30). Inside these boundaries, sojectivism may even yield to some small-scale, quasi-predictions.340

Pouliot states that “one needs not predict every single development but only those that are likely to deviate from an observed pattern,” and furthermore that constructivism rejects the claim by positivism of having the valid interpretation or theory. “As there is no transcendental way to adjudicate among competing interpretations, validity never is a black-or-white matter; it is all shades of gray. Inside a style of reasoning, validation is a deliberative activity whereby judgments evolve in combination with their own criteria.”342 To convey historicity of scientific reason, Pouliot continues, its incisiveness becomes the paramount criterion to assess the relative validity of an interpretation in its ability to “see further than previous interpretations.” Clifford Geertz highlighted precisely this incisiveness and its importance in advancing research in any given field.

340 Ibid.
341 As such, the Nordic Peace is built upon deviations.
342 Pouliot, “Subjectivism”: Toward a Constructivist Methodology."
The movement is not from already proven theorems to newly proven ones, it is from an awkward fumbling for the most elementary understanding to a supported claim that one has achieved that and surpassed it. A study is an advance if it is more incisive—whatever that may mean—than those that preceded it; but it less stands on their shoulders, than challenged and challenging, runs by their side.\footnote{Clifford Geertz, \textit{The Interpretation of Cultures: Selected Essays}, vol. 5019 (Basic books, 1973). 25}

Within the three cases discussed: 1) Norway-Sweden on the dissolution of the union; 2) Denmark-Germany on the redrawing of the border and minority rights; and 3) Finland-Sweden on the territorial integrity of Finland and the status of the Ålanders, principles will be extrapolated that are representing intrinsic values to the Nordic region. Principles, that at their historical onset, would express and represent the fundamental changes within the region, from its historical violent roots, to a region embracing peaceful solutions. As the elucidation of these principles will be abstracted from the aforementioned cases, they will further show a slow paradigm shift for the region. And thereby, they reveal the emergence of a pattern; a pattern showing a clear deference to, and preference for, peaceful resolutions. A further four select cases, will be deliberated on in this chapter for the purpose of showing not only the emergence of the pattern, but also the ensuing maintenance of this pattern. The four supplementary cases occur after those already discussed and therefore advance the historical progression of the Nordic region forwards into the present. It will be shown by highlighting the totality of both historical and modern cases in which escalating crises were averted by the Nordic countries by choosing atypical third way solutions: These solutions, of which many were endogenous and novel at the outset, led to the principles developing and cementing themselves over time. At present, some of these principles make up parts of international arbitration or adjudication while some are more indigenous to the Nordic countries.
Irrespective of the present, the inception of a Nordic Peace that encompasses the entirety of the region—notwithstanding outside acts of war forced upon the region—commenced in 1814 with Charles John leading the Swedish state towards neutrality as a mechanism for peace. In doing so, after having led a brief military campaign into Norway where he also stayed his hand in punishing Norway, instead acted benevolently after its loss in accepting their new constitution. Thus, in the ensuing union of the two countries, they would act as two independent states under a common monarchy and foreign service. It was imperative for the onset of an inchoate peaceful coexistence that the constitution of Norway was accepted, and later respected—after the minor amendments needed to allow for the union were completed—without which, the union would unlikely have occurred. Still, too much weight should not be put onto his persona for the Nordic reality of peace at present. Charles John, a son of the French Revolution and thus a contemporary of the enlightenment, entered negotiations with the Norwegians due to the resistance he faced having had to fight and which made the Swedish advance harder than expected. He then accepts the new Norwegian constitution as a compromise to avoid further bloodshed and more importantly as a gesture to appease the Norwegians. Had he forced the union through conquest, he would have ruled over a hostile population in an uneasy union. Charles John shortly thereafter having formed the union between Norway and Sweden sets the course of the kingdoms on the path to neutrality as a mechanism for peace with the refusal to be drawn into any further conflict in Europe exemplified by his speech to the Riksdag in 1814. Consequently, what he set in motion—neutrality—has become a principle Sweden became renowned for globally; a non-interventionist and neutral middle power.

Thus the analysis of the Nordic cases becomes a matter of abstraction. By using induction to draw the principles from the Nordic solutions, it will become

344 See page 45.
345 After the Napoleonic Wars, Sweden realigned its military to reflect this new neutrality policy of Sweden.
increasingly evident that a peace-preference foundation is set in the immediate aftermath of the Napoleonic Wars in which a fragile incremental peace starts to take hold of the region. The three historical cases present the following principles of which some overlap, yet all of which all remain central to Nordic socio-political developments and guide the region forward.

7.2 Norway-Sweden: The Dissolution of the Union Solution

The Norwegian experience since the fall of the Kalmar Union was tied to Denmark until the culmination of the Napoleonic Wars when the Kingdom of Denmark-Norway saw its demise. With guarantees from the anti-Napoleonic Sixth Coalition, to force Denmark to cede Norway to Sweden, Swedish troops entered Denmark-Norway in 1814. The kingdom, which had been allied to France, came accordingly to an unceremonious and abrupt end. The Swedish involvement in the wars came about in large part because of the losses Sweden had suffered to Russia in 1809; namely Finland and the Åland Islands. Thus the annexation of Norway would restore Sweden to its former grandeur and placate those who felt affronted concerning the losses of 1809. Ironically, the Swedish Policy of 1812 of nonalignment and neutrality in support of the status quo, did not prevent Charles John from taking Norway. Having accomplished this goal, Charles John would move the now established Norway-Sweden forward under the umbrella of neutrality and maintain and strengthen this policy over time. Sweden’s time as a great power was past and the focus changed to maintaining a regional peace.

All in all, the period was more characterized by positive adjustment policies and symmetrical benevolence than by policies of open confrontation. In general terms, the baseline was accommodation to international realities, even though there was an explicit willingness to play a more important political role and
to establish norms against great power violation of small state territories.346

### 7.2.1 Swedish Policy Shift:

**Neutrality, Nonalignment, and Nonbelligerency**

Sweden is thus maneuvering to establish itself as a balancing middle power in Europe, while remaining a great power in the Nordic region. Sweden from 1814 is arguably a nonbelligerent power that is capable of showing restraint.347 The first proclamation of explicit neutrality of Charles John came in 1834. Sweden would proclaim neutrality unilaterally on more occasions. The first, in 1834, marked the British-Russian War when British interests in the Ottoman Empire were threatened by Russian ambitions.348 Charles John stated Sweden’s neutrality as the war would likely play out partly in its backyard, the Baltic Sea, and accordingly in order to keep Norway-Sweden out of the conflict; essentially to remain both neutral and in theory nonaligned. Whilst this proclamation was one of neutrality, it was paralleled with opening Swedish harbors for warships of both the warring parties. This would benefit the British more than the Russians, but notwithstanding, it maintained the Swedish position of neutrality and kept the peace for Norway-Sweden. The second proclamation of neutrality came in 1853 during the Crimean War and was related again to Russian expansion into the Ottoman provinces in the Balkans.349 Sweden, as in 1834, declared itself neutral though again the British and French warships would enter its backyard, and again, Sweden

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347 Swedish and Norwegian troops in the First War of Schleswig were volunteers in a defensive war for Denmark.
would be favoring Britain and France by opening its harbors for provisioning the warships.

Sweden’s neutrality in the subsequent Crimean War 1854-6, was to all practical effect pro-English and pro-French. As in 1834, Sweden made use of its right under international law to allow warships of the belligerents to enter neutral harbours for provisioning. In 1854 and 1855 the Angle-French squadrons which cruised the Baltic [Sea] in the Crimean War could consequently use the harbour of Fårösund at Gotland as an operational base for attacks on Russian (and Finnish!) shipping, ports and fortifications. This interpretation of neutrality, which naturally caused irritation in St. Petersburg, helped Sweden maintain a balance of power in the Baltic Sea, against the threat of Russian naval dominance.³⁵⁰

By this second declaration of neutrality, it becomes clear that the concept has not as yet sunk into the mentality of Sweden. It also shows the Swedish apprehensions towards its powerful neighbor to the east. Yet it was a necessity for a relatively weak Sweden. Realists would argue for Sweden to enter an alliance with the more powerful Britain or France to have their protection versus perceived threatening Russia. Power and the image of a Russian threat have, within realist thinking, direct causal links to the policy decisions. However, Sweden chooses nonalignment and neutrality in spite of having a perceived enemy-image towards Russia while ostensibly supporting the Anglo-French. Ole Elgström argues that while fundamental realist tenets treat nonalignment as a nonviable option in an anarchical system for small states as they are inherently weak, they fall short in adequately explaining Sweden’s nonalignment and neutrality.³⁵¹ For the 1834 and 1853 declarations of neutrality, he argues that Sweden employed a pendulum policy: “when independence and dignity were questioned by Russian arrogance, Charles John hastened to seek closer bonds with Great Britain, only to turn back when

³⁵⁰ Ibid. 94
courted by the Tsar.” This pendulum policy follows hand in hand Charles John’s Policy of 1812 in which he embraces, nonalignment and for Sweden, the need to keep good relations to both Russia and Britain. Elgström continues to argue that only when the perceived balance-of-power became unequal would Sweden look to alternatives to secure their position regionally. It is the fluctuating perception of a Russian threat that brings Britain to Sweden’s attention as a possible counterbalance to restore the symmetry in the balance-of-power. Finally, he contends that over time the ‘great power images’ of Sweden are replaced with a ‘small state image.’ The images that Sweden projects onto itself through time consistently matters in changing the perception of self. The longer the images remain steady and unswerving, the greater the likelihood they will exist in the future continuously strengthens; the new image reinforces and consequently sustains itself. The end result is a Sweden that abandons former aspirations of greatness and embraces a place as a small state that becomes greatly experienced in diplomatic maneuvering in balancing the big powers in its favor.

The Swedish neutrality is therefore initially *ad hoc* into the mid to late-nineteenth century. Rather than being an established principle, the neutrality becomes arranged as such Sweden sees necessary as to secure its position. Swedish neutrality had always been unilateral and even though it faltered at times, and was biased towards the Western powers, it would ultimately stay true to itself and stand against perceived or real pressures.

This resulting change, in the perception of self, set in relation to the internal movement away from the grandeurs of the past, transforms Sweden to realign itself as a neutral middle power within the confines of the European power balance; while maintaining its place as a great power in the Nordic Region. While moving towards embracing and recognizing this smaller role, Sweden

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352 Ibid.
353 Ibid.
externalizes the process using the pendulum policy as not to antagonize that which could retaliate against the security of the state. Furthermore, the very success of this movement that started in the early nineteenth century has stayed Sweden’s hand as it has not started nor engaged in any war following this transformation.

7.2.2 Norway-Sweden Disunion: Self-determination, Democratization, Plebiscite, and Demilitarization

The unification of Norway and Sweden in 1814 took place parallel to the Swedish developments of neutrality (which were ostensibly on hold until the annexation of Norway was accomplished). Norway strove for independence initially with peaceful means, and hoped to avoid war. When these efforts failed, Norway with a newly elected king, opted to fight for its independence and sovereignty; only to lose and was forced into a personal union with Sweden. The country and its people were reduced to a mere prize to be taken. After the (very) brief war for independence, the process to create the union starts with the negotiated Convention of Moss which halted the fighting for all the parties.

For going to war against Norway, Charles John proved Swedish military superiority—not neutrality, and certainly not nonalignment having the backing of the great powers—and was thus able to avoid a negotiated settlement with the newly elected Norwegian King Christian Frederick; a sovereign no European power recognized as legitimate. The swift war also precluded a compromise the great powers might have imposed. After the Convention of Moss, the de-escalation of tensions starts with an agreed upon armistice
lasting fourteen days after the ensuing opening session in parliament. Furthermore, Swedish blockades were lifted along the coast and neither Swedish nor Norwegian troops could be closer than three miles to Christiania, the capital. Norwegian volunteers were disbanded and sent home. These measures along with accepting a slightly amended Norwegian constitution, saw the Norwegian parliament vote in favor of the union.

Sweden, having thus secured Norway in exchange for the loss of Finland, continues with the new policy to secure its position through neutrality. By skillfully using its foreign service, Sweden deviates from what has previously been the norm, namely relying on projecting military might in the international system. This newfound neutrality and change in the perception of self towards nonbelligerency, would prove opportune for Norway a century later. As the personal union signifies, the countries within the union are independent of each other, with clear borders, governed by distinct laws, and interests under a common monarch. Yet, as discussed above, there would be issues that in the end became irreconcilable primarily for Norway, as Sweden did not treat Norway as an equal partner. It ended with the secession of Norway from the union in 1905 within which the principles of nationality, parliamentarianism, self-determination, plebiscite, and demilitarization would play a role.

By 1905, the union was heading for dissolution: the ensuing crisis over Norway establishing its own consular service was what ultimately brought about the union’s demise. Up to this point, Sweden had made attempts at simultaneously protect the territorial integrity of the Union, while bringing the union closer by attempts at weakening the Norwegian constitutions. The unilateral Norwegian act would bring the Union to its end. Oscar II, the head of the union, stated: “rather dissolution of the union than war with Norway. Rather keep the Swedish Throne with honor, than lose the double-monarchy in shame.” The Swedish state, which has undergone a transformation to neutrality, nonalignment, and restraint, now sees the culmination of this effort

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by not only granting Norway its independence, but by deferring to the will of the Norwegian people and ultimately accepting and respecting it. Sweden gave only two demands: 1) dissolution by plebiscite (with clear majority for dissolution) and 2) that there would be negotiations over the intricacies of the dissolution. The Swedish demand for a plebiscite was not unreasonable in the least as there was no valid legal framework for the Norway's case for dissolution. The dissolution would be implemented upon the resulting plebiscite. The principle of self-determination was a fundament within Swedish principle of neutrality, and consequently the very nature of the union by extension. Sweden would not engage in another country's internal matters—and Norway being within the personal union just that: another country—as other countries concurrently should respect Sweden’s internal affairs. This policy as a guiding principle for Sweden, was thus reflected in the statement of dissolving the union with keeping Swedish honor intact, rather than facing war with Norway. The subsequent result was overwhelmingly in favor of ending the union. Norway had been developing its democracy since 1814 and been under parliamentarianism longer than Sweden, and therefore also dominated by liberally oriented policies. The Swedish were more conservative, authoritarian and the king enjoyed greater discretionary powers;

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356 The Norwegian constitution does not contain the words plebiscite or referendum. Of those that have been held in the country, all have been legally non-binding and have only served as an advisory function for the parliament. Of the plebiscites Norway has had apart from the dissolution of the union with Sweden, three notable ones stand out in direct relation to the principle of Norwegian nationality and the dissolution of the union with Sweden. After the dissolution, the plebiscite to elect the new king in 1905 and two on entering the EU. Both times, in 1972 and in 1994, Norway voted to stay out of the EU. (The latest poll, June 2016, has 70.9 percent being against EU membership. Frida Holsten Gullestad, "Norges Nei Står Sterkt / Norway's No Stands Strong," Klassekampen, 2016, accessed 07/08/2016.). The Swedish constitution on the other hand allows for binding referendums. Though, to date, Sweden has held six non-binding referendums and none that were legally binding.

parliamentarianism would not be fully implemented in Sweden until 1921. Norway and Sweden had therefore been politically growing apart. What occurred in Norway in 1814 set in motion a movement towards liberal ideas, and under a later national movement, would prove incompatible with conservative Sweden: still, it did not impede the Swedish king to respect the self-determination of the Norwegian people.

The principle of democracy, enacted within a growing liberal parliamentary system, and through its application of plebiscite would see Norway secede from a larger military power that had embraced restraints on the use of force in solving disputes and that would ultimately be true in its dependability as such: a self-declared neutral power in its solicitation for a regional peace. In 1905, the application of a plebiscite for such a purpose was a novel action. It was, according to Matt Qvortrup, likely the most significant plebiscite to take place before the First World War:

The most celebrated referendum to be held before the First World War was perhaps the 1905 poll in Norway when Norway’s parliament Stortinget in 1905 sent notification to Sweden that Norway seceded from the union established in 1814. The response was initially negative. The Swedish Riksdag responded that the union was two-sided, and that in strict legal terms, the union cannot be dissolved without consent of the King and the Riksdag. Yet, the Swedes conceded that the request would be accepted if it was proceeded by “a fairly conduced plebiscite”

He continues to argue that Sweden did not expect that the prime minister of Norway would have virtù in organizing a “fairly conducted plebiscite,” and upon receiving the resounding result almost immediately entered amicably held negotiations in Karlstad. Furthermore, Qvortrup points out that as the “Swedes were not an aspiring power, and that the relationship with Norway

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was not economically or politically beneficial to Stockholm.” 360 Thus, Sweden, pragmatically as well, accepted a bilateral solution with Norway. This solution was accomplished without the need of involving the great powers in gaining their support for keeping Norway, as had been originally agreed upon in 1814. Thus, of the secession referendums held, the one involving Norway departing Sweden would stand out as it did not occur inside the sphere of a violent conflict, and that the Swedes acted amicably to Norway: Apart from the two conditions set, Norway was not made to pay any compensation or have any further undue conditions set post-union exit.

What then follows naturally upon respecting the Norwegian plebiscite is the negotiations for the future relationship between Norway and Sweden. From this negotiation, what stands out is the demand for a demilitarized border between the now two fully independent countries: in other words, a reasonable demand from a neutral power. In the demilitarization process, the fortresses along the border were destroyed so that the territorial border area between Norway and Sweden could not be used as a deployment area for troops in case of conflict. The neutrality of Sweden would therefore prove to be successful in taking a likely war that would have required some form of conflict transformation and instead employed a peaceful transformation that turned the conflict into a non-conflict. 361 This does not disregard the tension both in Norway and Sweden with a real threat of war. The peaceful dissolution of the union of Norway and Sweden belongs to the exceptions, as it is more often the case that when a member of a union secedes, it results in war. Nevertheless, the focus here is on the principles behind the peaceful solutions that make the pillars of the Nordic Peace.

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360 Ibid. 143
Prior to the Peace of Kiel in 1814, Sweden built alliances and partook in the European wars to secure its position and influence. Post-1814, Sweden changes itself through a developing self-interest to continue to protect its position and influence. Through its actions, Sweden established itself as a reliable, stable, and a neutral power with integrity. The Swedish neutrality is based in tradition, as opposed to an international treaty, which further strengthens it. Having it based in choice, and staying true to it, Sweden by relinquishing Norway in 1905, was able to continue this development. Later still, with the independence of Finland from Russia in 1918, Sweden sees a strengthening of its position, and by extension the Nordic Region as a whole as Finland chooses neutrality as well.

The great powers in Europe also were furthermore supportive of the dissolution of the union in 1905, as opposed to their position in 1814 when they guaranteed Sweden’s annexation of Norway. Norway was therefore able to sign into treaty with France, Germany, Great Britain, and Russia an agreement guaranteeing Norway’s territorial integrity in 1907.

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362 Sweden is still of strategic importance and thus influential in the ensuing wars on the European continent.
364 The Norwegian push for a treaty guaranteeing its independence, integrity, and neutrality in 1907 developed into a crisis in itself. Considering the strategic importance of the Nordic countries, the great powers, Great Britain, France, Germany, and Russia were considering the impact of a neutral Norway in case of future wars. "The question of neutral rights in wartime was the subject of intense international debate in the years before the First World War." Ultimately, Norway got a treaty to secure its integrity, but not guarantees for its neutrality. Salmon, Scandinavia and the Great Powers 1890-1940. 114. See also: Salmon, "Between the Sea Power and the Land Power': Scandinavia and the Coming of the First World War." Norwegian—as well as Danish—neutrality lasted until the Second World War. After which Denmark, Iceland, and Norway were amongst
crises of the union developed to the point of dissolution, Norway and Sweden was not in any way in a unique position. What makes this dissolution an exception is that not only was it a peaceful resolution to a potential war, it is also a peaceful transformation to a non-war. The result is thus presented with a unilateral declaration of secession accepted bilaterally, and furthermore accepted with bilateral negotiations for dissolution of the union. Soon after the dissolution, relations with Sweden normalized for Norway with the resumption of trade, and the countries would retain a kinship as siblings; with Sweden as a benign big-brother capable of showing great restraint in times of crises.

7.3 Denmark-Germany: Schleswig-Holstein Solution

Denmark would shrink in the nineteenth century with the losses of Norway and duchies Schleswig, Holsten, and Lauenburg. The case of Schleswig-Holstein stands in relation to Norway-Sweden as another example of the use of plebiscite to solve a conflict non-violently. Nevertheless, as with Norway-Sweden, initially violence was present in the Danish loss of the duchies in 1864 after having fought two wars over the duchies. Denmark would regain only part of Schleswig in 1920 after the plebiscite was held in order to redraw the border between Denmark and Germany according to the will of the peoples. In the aftermath of this plebiscite, Denmark and Germany saw the introduction of the principle of minority rights that would become the most comprehensive legal agreement on the treatment of minorities. In addition to minority rights, the case also deals with the principles of self-determination, right-sizing plebiscite, nationality, and neutrality.

the founding members of the North Atlantic Treaty Organization (NATO)). The National Archives of Norway, Integritetsakten 1907 / Inegrity Treaty 1907 (Arkivverket, n.d.).
7.3.1 Two Schleswig Wars

Denmark had suffered crushing defeats during the Napoleonic Wars. In the First Battle of Copenhagen in 1801, its fleet was sunk; in the Second Battle of Copenhagen in 1807, the city itself was shelled, its fleet was partially commandeered, and the rest sunk; it suffered under a British blockade; and the loss of Norway was the coup de grâce in 1814. It is not hard to grasp the Danish sentiments of 1814 and the reason for Denmark to end its ambitions of keeping its place as a power of significance in Northern Europe. After 1814, Denmark turned its focus on an internal peace. By 1848, this peace would end for Denmark as revolutions erupt in Europe and the First War of Schleswig would start as a war of liberation, a war for freedom for the Germans in the twin duchies of Schleswig-Holstein, and Lauenburg.

The majority population of northern Schleswig was primarily Danish speaking people while southern Schleswig had a majority population speaking German. In Holstein and Lauenburg, there were clear majorities of people identifying with Germany. The issue becomes a conflict thus with the awakening of principles of nationalities and nationalism. While the Danes won the First War of Schleswig, they were unable to settle the issues that led to the war. Even though in 1849, a democratic constitution was adopted, it came in time of war and by the war’s end, a new conservative government replaced the liberal one behind the constitution. This new government unified the Monarchy formally over Denmark, Schleswig-Holstein, and Lauenburg. And they started a Danification of Central Schleswig, which kept the contentions alive, rather than putting them to an end. “The population of Southern Schleswig, Holstein

365 As Norway, Denmark tried to push for neutrality, but as with Norway in the twentieth century, it proved impossible due to its strategic importance for the great powers. While Åland is “‘the key to the Baltic,’ Denmark (and Sweden) acts as the ‘gateway to the Baltic.’” Bo Johnson Theutenberg, "Mare Clausum Et Mare Liberum," Arctic 37, no. 4 (1984). See also: Yves Du Guerny, "Sweden between East and West," International Journal 7, no. 1 (1951).
and Lauenburg felt a close affinity with the German people, not with the Danish. The border of state and nation were thus not identical.\textsuperscript{366}

Finally, the question of the future of Schleswig, that had had guarantees on not being brought closer into Denmark, were broken with the constitution of 1863, which compounded the Danification of Schleswig, and convoluted succession laws were thus used as cause for the Second War of Schleswig.\textsuperscript{367} Already in 1861, two years before the adoption of the constitution, the detriment of it to the Kingdom of Denmark from the Germanic viewpoint was stated as such by the German revolutionary Karl Blind:

By its so-called “Whole-State Constitution,” Denmark has sought to subject Holstein, as well as Schleswig, to the overpowering influence of the Danish body politic. By its galling decrees for enforcing the use of the Danish tongue, it has endeavoured to rob the Schleswigers even of that which governments the most despotic have generally left untouched. It is a long and melancholy chapter, this tale of oppression of the German Duchies.\textsuperscript{368}

A nationalist movement had swept Denmark as well, and Christian IX was forced to sign into law the constitution that would prod the end of Danish rule over the duchies. It thus becomes elucidated, the impact the principles of nationality and language have in oppressing a people, which in turn hardens

\textsuperscript{366} The guarantees that were broken were the following from the London Protocol: Self-government and a separate national existence for the federal duchy of Holstein; Non-incorporation of Schleswig with Denmark; Equality for Schleswig with all other parts or the monarchy in matters political; equal rights for the German and Danish nationality. K. Blind, “They Shall Remain Together”: An Outline of the State of Things in Schleswig-Holstein (Trübner, 1861). 12. And Jens Ole Christensen and Inge Adriansen, The Second Schleswig War 1864. Prelude, Events and Consequences (Museum Sønderjylland, 2013). 5

\textsuperscript{367} Christensen and Adriansen, The Second Schleswig War 1864. Prelude, Events and Consequences. 7

\textsuperscript{368} Blind, "They Shall Remain Together": An Outline of the State of Things in Schleswig-Holstein. 12, 13
their resolve to protect these very two principles that make up the most basic fundamentals of their identity. Thus the case of Schleswig-Holstein exemplifies thus the following: a) That the same principles, here namely nationality and language, are used in parallel by both sides (Denmark and the duchies) in oppressing and in supporting their minority rights; b) that these principles are used to go to war to achieve the protection of the minority rights of the irredentists; and c) that these principles, in combination with the principles of self-determination and plebiscite, are ultimately used to achieve a peaceful resolution between two nations: in 1) redrawing the border and 2) to give mutually protected status to the very minority rights—that were the cause for war—that through this transformation ends up fostering goodwill and trust between the Danish and German peoples. Videlicet, through the solution of the Schleswig-Holstein problem, the very same principles that were used for conflict become principles of the solution.\footnote{Even though this very solution to the Schleswig problem had already been suggested in in the 1866 Treaty of Prague’s Article 5. Something the Germans withdrew from as they realized that their support for annexation was lower than anticipated before the war. In: M. Qvortrup, \textit{Referendums and Ethnic Conflict} (University of Pennsylvania Press, Incorporated, 2014). 91} Today that has further moved from a mere protection of minority rights to embracing the minority as an integral part of the whole: “Politicians began to speak about minorities in a different way, firstly as citizens with equal rights and then as an enrichment of society as a whole.”\footnote{Christensen and Adriansen, \textit{The Second Schleswig War 1864. Prelude, Events and Consequences}. 43}

### 7.3.2 Plebiscite and the Principle of Minority Rights

The Second War of Schleswig ends in defeat for the Danes. In a tit-for-tat move, from 1864 onwards, Schleswig sees a major undertaking in the Germanisation of the duchy, which is equally met with resistance by the Danes. The Danes in Schleswig were allowed, as part of the peace treaty, to...
The Nordic Peace

opt for Danish citizenship of which 25,000 optants had done by 1881.371 The optants in Schleswig were presented with new difficulties relating to their children. As part of the German retribution, Danish Schools in Schleswig had become monolingual with German as the language of education by 1888.372 Furthermore, the children born after 1864 were de facto stateless; neither having Danish citizenship as they were not born there, nor being naturalized by Germany. The children would be without any rights as a minority and remain stateless until 1907, when bilateral relations between Denmark and Prussia improved so that they were able to be naturalized.373 Yet, in spite of improved relations, organizations formed for the betterment of relations between the ethnic communities (e.g. the ‘North Schleswig Pastors Association’ and a ‘Peace Association’), the general trend would be dominated by organizations dividing the peoples along ethnic lines.374 This furthermore exemplifies the need for a system of minority rights under which, what follows becomes moot and void: When meeting this ramped up pressure from the German majority, the Danish minority would go on to found cultural and educational associations to preserve their identity, a move that seemingly cemented their isolation within Schleswig. The period leading up to the First World War thus saw a rise in völkisch-nationalism (ethnic-nationalism) amongst the Germans.375 The war, when it broke out in 1914, would become the prelude to the solution of the Schleswig-Holstein question.

By the end of the war, the issue of Schleswig presents itself primarily with the problem of irredentism: that is, people—a minority—belonging to one nation living on the wrong side of the border. The solution would be a referendum drawn along lingual and ethno-nationalistic lines. Languages are territorially

372 Ibid.
373 Ibid.
374 Ibid.
bound markers for ethnicities within a regional complex;\(^{376}\) thus the linguistic component becomes one of the rudimentary ways in which to identify and define the principle of nationality in relation to an irredentist problem and furthermore to distinguish to which country or nation-state a minority wants to belong; or rather to extract the wishes of a people, as they make up the sovereign in a democratic system. The irredentist problem would be solved by plebiscite, a solution that all parties would accept. Denmark petitioned the allies at the Paris Peace Conference in 1919 to include a plebiscite for Schleswig; a petition the allied powers acquiesced. The plebiscite that was organized in Schleswig for dividing the duchy along ethnic and lingual lines and as such falls under a right-sizing referendum. Unlike the Norwegian secession referendum, a right-sizing referendum sees “votes dealing with the drawing of disputed borders between countries.”\(^{377}\) In the case of Schleswig, this right-sizing referendum of 1920 follows the principles of nationality, democracy, sovereignty, and sets the stage for minority rights.

The major innovation of that [Schleswig] referendum, the first to be held in conjunction with the Versailles treaty, consisted of the prerreferendum division of the referendum area into two zones: Zone 1 along the Danish border and Zone 2 located geographically below the first zone, thus not touching the prerreferendum Danish border ... Each zone voted separately, first the northern zone touching Denmark, then if, and only if, Zone 1 had voted to join Denmark, the second zone would vote in its turn a month later. If the electors of Zone 1 had favored Germany, no vote would have been held in the second zone to avoid national enclaves.\(^{378}\)

The result, which saw North-Schleswig rejoin Denmark and South-Schleswig remain in Germany, also had to account for those German or Danish peoples

remaining on the wrong side of the border. The following solution for the remaining irredentists is presented with respecting the outcome of the referendum via supplementing protections of those still on the wrong side of the border with minority rights. These rights are enshrined in law in both Denmark and Germany, and importantly, protected independently of each other. The principles of the solution of Schleswig was not changed during the Second World War, even after Germany occupied Denmark and could easily have redrawn the border again during its annexation policies of Germanic areas outside Germany in reunifying the German volk (people) with little or no heed paid to the Danish majority in North-Schleswig. Hitler’s Germany even went to the lengths of respecting the Danish minority’s organizations of a cultural or linguistic nature.

The principle of minority rights is after 1955 unilaterally guaranteed for by both sides with the Bonn-Copenhagen Declarations. The guarantees given by Denmark are not conditional of those same guarantees given by Germany. It becomes a gesture of goodwill between the states, which in turn builds and fosters a trusting relationship in the other amongst the two peoples irrespective of inclinations based in language or nationality. By the minority-rights principle, the guarantee of the state not using overwhelming force has stood since the referendum, and furthermore, the state does not either register individuals of the minority as such. By giving cultural and political rights for societal organization, e.g. schools, voting rights, or having an exogenous media, the end result becomes advantageous to all and has eliminated the causes of tensions of the past. The border region of Schleswig has thus become an area within which multiculturalism has thrived, at the very least amongst Germans and Danes. Two peoples who were able to transcend the past experiences of history and go through a transformation to a mutually beneficial relationship built on of reciprocal respect and trust.

379 "Bonn-Copenhagen Declarations."
7.4 Finland-Sweden: The Åland Solution

The Åland Islands by their existence make up a conundrum: They are Swedish, yet they are Finnish. They are demilitarized and neutral, yet are of military-strategic value. They are an autonomous region of Finland, yet hold power to limit Finland’s latitude in international affairs. The islands’ socio-lingual and cultural links are to Sweden, yet in matters of law they are bound to Finland. On legal matters relating to, or that have an impact on the islands, their status is so profound that the Finnish parliament must consult and obtain the consent of the parliament of Åland, prior to entering a treaty that impacts the islands directly. This makes them an internally self-governing part of Finland with extraordinary reach. Furthermore, Åland cannot be used for military means in case of war; except Finland can defend them; but the defense can only be maritime as Finland cannot land troops on the islands. They have been an integral part of Finland since the sixteenth century and simultaneously Swedish since the sixth century.  

As Finland gained its release from Russia, the Åland Islands followed as part of Finnish territory. The formation of the newly independent Finland disregarded the wishes of the Swedish people inhabiting the islands, and consequently created another “irredentist” problem in the Nordic Region. The principle of self-determination, a principle of contemporary importance, would be in opposition to the principles of sovereignty and specifically that of territorial integrity or *uti possidetis*. These two principles, self-determination

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380 Report Presented to the Council of the League of Nations by the Commission of Rapporteurs.
381 The use of *Utì possidetis* here is derived from the modern conceptual usage of the principle: as the *de facto* borders at the time of independence. Furthermore, it is a derogation to *effectiveness* as a condition for acquiring territorial *sovereignty*, and a principle concerning the determination of boundaries between States arising from the *decolonization* process. *Oxford Public International Law*, Max Planck Encyclopedia of Public International Law [MPEPIL] ed., s.v., Giuseppe Nesi, "Utì Possidetis Doctrine," accessed 26/07/2016,
and territorial integrity—two seemingly irreconcilable principles—would ostensibly be set in motion as the deciding factors for the fate of the Ålanders and the islands. Furthermore, these irreconcilable principles would be compounded by the principle of demilitarization due to the military-strategic importance of the islands. By the very importance the islands pose for military means, for all belligerents—from near or afar—the principle of demilitarization becomes paramount and some would argue ultimately supersedes ownership of the islands; it lies within the international sphere. The solution of 1921 would render all the Ålanders contented, reconcile Finland and Sweden, whilst keeping the islands demilitarized.

7.4.1 Demilitarization of the Åland Islands

The geographical location and control of the Åland Islands pose a real military threat to the Gulf of Bothnia and the Baltic Sea. This is reflected in the policy of Sweden, to whom, the islands are at their front door. Sweden is seen applying the pendulum policy in seemingly backing Britain and France or reaching out to Russia depending on which powers are gaining an upper hand during conflicts. The servitude of the Åland Islands after the treaty of 1856 becomes thus paramount in doing away with whatever military application the islands inherently possess. They are placed outside the reach of any country’s military apparatus. Thus the servitude as a principle has far reaching applications in any area of contention. When it is furthermore coupled with autonomy and/or neutrality all realpolitikal pretense for remilitarization is void. There is no mechanism by which an argument can be made for militarizing

them as the fundaments of the principles agreed upon, within the context of the legally binding *servitude*, is under auspices international law that form the cornerstone of the treaty. As part of the Åland solution that is to come, the demilitarized status would be guaranteed by international convention that expanded the 1856 treaty in supplementing the demilitarization with neutrality for the islands. While the principle of demilitarization only denotes the absence of military resources for the islands, the principle is strengthened by uniting it with the principle of neutralization.\(^{382}\) The Åland Islands will thus not be party to any future conflict that Finland is involved with; they stand separated from Finland in times of war.

7.4.2 Reconciling Irreconcilable Principles: Self-determination and Territorial Integrity

When Finland declared independence, they also opened the door for a latent conflict with Sweden regarding the ownership of the Åland Islands. The conflict would originate with the wishes of the Ålanders to reunite with Sweden; a wish that met stark opposition in Finland, under which territory they lay. Finland had a strong argument for territorial integrity, and political independence.\(^{383}\) The Åland Islands, before their loss to Russia in 1809, were


\(^{383}\) Territorial integrity refers to the wholeness or oneness of the state, without which sovereignty cannot be achieved. Political independence is vital for smaller and weak states, in that it protects from threats which could be directed against and eventually influence the freedom of its decision-making and the normal operation of its organs. *Oxford Public International Law,* Max Planck Encyclopedia of Public International Law [MPEPIL] ed., s.v., Samuel K N Blay, "Territorial Integrity and Political Independence," accessed 26/07/2016,
administered by the Swedish administrative region of Åbo which lies in Finland; *ipso facto* under Finnish Administration. The Finns had thus been the custodians of the islands since the sixteenth century. After being enveloped into the Russian Empire in 1809 as the autonomous Grand Duchy of Finland, the islands would remain under Finnish administration. Upon gaining independence from Russia, the islands were subsequently relinquished to Finland, and as such were *de facto* part of Finland. The principle of *uti possidetis* can therefore be appropriately argued under the Finnish understanding of the issue. Thus by 1918, when Finland is independent, and recognized as such by Sweden, the Åland Islands are, according to Finland, therefore inherent parts of the country. Consequently, by its territorial integrity, Finland denotes that the issue of the wishes and concerns of the Ålanders were an internal matter for internal jurisdiction: the territorial integrity of Finland is sacrosanct.

The Ålanders on the other hand were in all but citizenship and state-affiliation of Swedish nationality and as such consequently invoked their right of self-determination and sought reunion with Sweden.³⁸⁴ Sweden would support the islanders claim for self-determination, under which secession, and political independence from Finland follows. Sweden thus pushed for the restoration of the Åland Islands, as per the wishes of the people using their self-determination as cause.³⁸⁵ The Ålanders themselves would hold two plebiscites that supported the reunification with Sweden, petition the king of Sweden, bring their case to the Paris Peace Conference [WWI], and finally have it heard by the League of Nations where the solution was realized.

³⁸⁴ Janson, "Autonomy of Aland: A Reflection of International and Constitutional Law."
³⁸⁵ Arguably, Sweden would furthermore have ulterior motives for controlling the islands in keeping them demilitarized as howitzers placed on the western extremity of the Åland Islands could reach the capital Stockholm.
Thus the principles of self-determination, for the Ålander minority, and the territorial integrity of Finland stand in stark opposition to each other while becoming intertwined with political independence. Political independence, which would form part of the solution as autonomy, thereby envelops the issue both in the domestic and international spheres in a triangle comprising Finland, Sweden, and the Åland Islands. Political independence here is thus twofold: One the one hand, Finland is determined to keep the issue domestic, and sees Swedish support for the Ålanders as threatening both to its territorial integrity and political independence. On the other hand, the Ålanders, and Sweden by extension, claims self-determination and wants the issue internationalized as Finland is seen as severely curtailing the Ålanders’ political independence.

The Ålanders petition to the Paris Peace Conference after the First World War would be referred to the League of Nations. The League was formed as a necessity following the Paris Peace Conference as an instrument for peace. The case was brought by a joint Swedish-British initiative with Finnish opposition claiming domestic jurisdiction. This opposition carried weight as the “League’s duty was to conciliate all disputes threatening the peace, but to refrain, under Article 15 of the Covenant, from interfering in the internal questions of a state.”\textsuperscript{386} Therefore, the League would appoint a commission of jurists to advice on whether the League could get involved in the case or leave it under Finland’s jurisdiction. The jurists concluded that the Ålanders appealed to the principle of self-determination at a time when “Finland had not yet acquired the character of a definitively constituted state.”\textsuperscript{387} The jurists continued with:

\begin{quote}
\textsuperscript{386} S.N. Lalonde, \textit{Determining Boundaries in a Conflicted World: The Role of Uti Possidetis} (MQUP, 2002). 68
\textsuperscript{387} 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 Aaland Islands Question.
\end{quote}
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It follows … that the dispute does not refer to a question which is left by International Law to the domestic jurisdiction of Finland. The Council of the League of Nations, therefore, is competent, under paragraph 4 of Article 15, to make any recommendations which it deems just and proper in the case.\textsuperscript{388}

With the League now deemed competent in dealing with the Åland issue, another commission of rapporteurs were sent to the islands. Their findings were presented to the League in which they stated that for the Ålanders and Sweden to use Finland as example for the Åland Islands to follow, i.e. to seek independence from Finland as Finland had gained independence from Russia, was wrong. Finland had been “autonomous since long before the war, i.e. 1809.”\textsuperscript{389} They further affirmed that the “Finnish people, with their clearly defined territory … fulfilled all the conditions necessary for constitution as an independent State” and most importantly they stated that “this right which Finland possessed does not provide any evidence in support of the demand of the Aalanders … one cannot treat a small minority [the Ålanders], a small fraction of a people, in the same manner and on the same footing as a nation taken as a whole.”\textsuperscript{390} The report continues with stating that while Finland had long been oppressed under Russia, Finland had neither persecuted nor oppressed the Ålanders. The rapporteurs then pose the question if one should allow a minority to separate from a state that gives guarantees for the “preservation of its social, ethnical or religious character? Such indulgence, apart from every political consideration, would be supremely unjust to the State prepared to make these concessions.”\textsuperscript{391} They would only condone a minority to separate from a state under which such guarantees could not be

\textsuperscript{388} Ibid. Paragraph 4 of Article 15: If the dispute is not thus settled, the Council either unanimously or by a majority vote shall make and publish a report containing a statement of the facts of the dispute and the recommendations which are deemed just and proper in regard thereto. "Covenant of the League of Nations."

\textsuperscript{389} Report Presented to the Council of the League of Nations by the Commission of Rapporteurs.

\textsuperscript{390} Ibid.

\textsuperscript{391} Ibid.
given. They conclude that “to take the Aaland Islands away from Finland in these circumstances would be the more unjust inasmuch as from the point of view of history, geography and politics, all the arguments militate in favour of the status quo.”

7.4.3 Autonomy, Neutrality, and Demilitarized Status

The fate of the Ålanders under the League of Nations would seemingly not end in their favor. The rapporteurs found that the principle of territorial integrity stands stronger than the principle of self-determination; as self-determination as a principle was neither a rule of international law and nor was it recognized as such by the League of Nations. Instead they placed focus on the fact that the Ålanders had not suffered any wrongs under Finland and thereby their claim for self-determination would not be accepted as a cause for seceding to Sweden.

The League then issued the following three pronouncements:

- Decision of the Council of the League of Nations on the Åland Islands
- The Åland Agreement in the Council of the League of Nations
- Convention Respecting the Non-Fortification and Neutralization of the Aaland Islands

The Decision of the Council of the League of Nations on the Åland Islands of the Council granted Finnish sovereignty over the Åland Islands. The caveat for Finland, would be to put in place guarantees for the islanders’ autonomy; in spite of the Ålanders not having suffered under Finnish rule and already in 1920 rejected the Finnish Act on the Autonomy of Åland. On the autonomy for

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392 Or that the self-determination for the Ålanders would be valid if sanctioned as such by Finland. Ibid.
393 Ibid.
394 See Appendix Two
the islands, the decision covered essentially all critical areas of the Ålanders lives including, but not limited to, language and cultural protection, education, property rights, and political freedoms. The decision thus recognizes the principles of self-determination and political independence of the Ålanders without trampling on the principles of territorial integrity nor political independence of Finland. The Decision further calls for the guarantees for the Ålanders to be agreed upon by Finland and Sweden bilaterally, as this would likely prove more efficacious than having the guarantees imposed.395 This would be covered in detail under The Åland Agreement in the Council of the League of Nations. Regarding the neutral and demilitarized status of the islands, the decision outlines the Convention Respecting the Non-Fortification and Neutralization of the Aaland Islands. The government of Sweden initially protested the decision of the Council. Nevertheless, Branting, the Swedish representative, asserted that “it [Sweden] was ready loyally to recognise that the decision of the Council had the force given to it by the Covenant.”396

The agreement dealt with the exemptions, special status, self-governing rights, and further guarantees for the Ålanders. The autonomy of Åland gives it full powers over the domestic sphere, whereas foreign affairs lies within the jurisdiction of Finland. However, with regards to treaties, in order to protect the self-determination of Åland, the Ålanders wield power over Finland when entering treaties that might impact Åland directly.397

The Council of the League of Nations additionally disarmed the demonstrated and well established source of military conflict: the physical locality of the

395 Though, if no agreement could be reached, it would be imposed (carrot-and-stick).
397 Åland had the potential of disrupting Finland’s entry into the EU. The solution was that Åland, as part of Finland, within the EU, is granted a special status under international law. Åland in the EU is therefore part of the customs union, but not the fiscal union and consequently, unlike Finland, which is in both, Åland is exempted the EU value added tax (VAT).
islands by the convention. By this act, the islands formed a zone of positive peace in the Baltic.

The demilitarisation and neutralisation of Åland has been one of the stabilising factors in the politics of the Baltic area and has not been challenged by any State. These are powerful legal and political factor. It can be argued that all of the States of the Baltic area, and of Europe, have a legal interest in demanding that the demilitarised and neutralised status of Åland must be respected.398

On the basis of the decision, agreement, and convention Finland reintroduced the Act on the Autonomy of Åland of 1920, which would be implemented into law following the decision of the Council with appropriate amendments. It has since been further amended to reflect shortcomings, but the principles upon which it stood are enshrined within. The principles that triggered the nationalist shift in Åland, of nationality and self-determination, would ultimately be reconciled with the territorial integrity of Finland as a whole. None of the peoples inhabiting Finland or Åland would suffer any slight as a result of the Council’s decision: the solution reconciled irreconcilable principles. Furthermore, and fundamentally, it showed the willingness of the Nordic countries to defer to a higher authority in arbitrating and ultimately providing a solution for a people finding themselves ‘between Scylla and Charybdis:’ there is a path to resolution, albeit not an easy one.

In 2006, Kofi Annan marked 150 years of the demilitarized status of the Åland Islands with the following statement:

398 Even though Russia has taken on treaty obligations regarding the demilitarized status of Åland, it has not recognized Åland’s neutrality. It can however be argued that Russia would be obliged to respect the neutrality on the basis of permanent settlement from the treaty of 1921 and subsequent treaties in 1940 and 1947. Lauri Hannikainen, "The Continued Validity of the Demilitarised and Neutralised Status of the Åland Islands," Heidelberg Journal of International Law 54 (1999).
Humankind’s quest for the peaceful resolution of conflict is as timeless as the skerries of the Åland Islands and the waters that surround them. Over the past decade, we have seen all too many conflicts with ethnic or regional roots erupt around the world, accompanied by moves toward identity politics in multi-ethnic States. The United Nations has been engaged in the search for solutions, and will no doubt continue to be so.

In this search, we naturally look around the globe for examples of disputes which have been settled successfully without resort to violence, population transfer or the break-up of States. The case of the Åland Islands readily comes to mind. The settlement reached under the auspices of the League of Nations, predecessor of the United Nations, has now lasted more than 80 years and is not seriously questioned by any party. It averted a potential armed conflict between Finland and Sweden by preserving the territorial integrity of both countries, while allowing the islanders to preserve their autonomy and the specific character of their community. And it confirmed the 1856 demilitarization of the Islands, which we commemorate today.

The Åland Islands model is a highly sophisticated and imaginative one, which promoted the coexistence of different linguistic communities within a larger, internationally viable state. It demonstrated that political conflicts do not have to lead to war, and that another way can always be found when leaders and peoples on both sides understand -- as those of Finland and Sweden did -- how disastrous war would be. Elements of the settlement can be used elsewhere, even if the model as a whole cannot automatically be transposed. Perhaps the most important lesson it teaches us is that flexibility and imagination are always needed in applying general principles to particular situations. Certainly, any zone of conflict could benefit from a dose of what I might call the Åland spirit -- a spirit of pragmatism, compromise and, above all, commitment to peace.

It is in that spirit that I wish you all a most successful celebration. May the peace and prosperity of the Åland Islands
serve as an inspiration to peoples around the world.  *Leve Åland!*  
*Eläköön Ahvenanmaa! [(Long) Live Åland!*\(^{399}\)

### 7.5 Notable Supplementary Cases of Nordic Solutions

The three cases that have been presented thus far are but a small portion of cases that have peaceful solutions within the Nordic Region. As every conflict, dispute, or contention within the region since 1814 has seen a peaceful resolution, the totality of them are too numerous to discuss here. However, some other significant cases will be highlighted to discern and extrapolate a Nordic-centric pattern taking shape. The Nordic Region has formed socio-cultural value-structures that show a clear preference to peaceful resolutions when faced with any form of conflict; from the micro level, for example an interpersonal conflict between two people, to the macro level interstate issues that touches the whole Nordic Region.\(^{400}\) This preference orientation for peace is hence present in the international sphere within which the Nordic countries partake in post-conflict environments and their transformations to peace. Thus, within the Nordic Region, it becomes increasingly evident, that through the historical progression shown with the three cases discussed, and by those that will be highlighted here, that the region has in the aftermath of 1814 steadily headed towards an era in which a pattern has been maintained for peaceful resolution. By this maintenance, a discernible paradigm shift is evident for the Nordic polity that is reflected in the domestic, regional, and extra-regional spheres.

\(^{399}\) Office of the Secretar-General, *In Message to 150th Anniversary of Demilitarization of Åland, Secretary-General Says Settlement over Disputed Islands a Model for Averting Violence* (2006).  

\(^{400}\) One particular example of a Swedish institution with widespread international reach at present in conflict resolution is that of the Ombudsman
The additional cases will be presented in chronological order and will be limited to and comprised of the following:

- Denmark-Norway: East Greenland Dispute 1931-1933
- Iceland-Denmark: Iceland’s Independence from Denmark 1814-1944
- Norway-Russia: Delimiting the Boundary in the Barents Sea 1970-2010
- Denmark-Canada: Hans Island and the Whiskey War–A Low Tension Ongoing Territorial Dispute 1973-Present

7.5.1 Denmark-Norway: East Greenland Dispute 1931-1933

The Kingdom of Denmark-Norway up till 1814 included the territories of Greenland, Iceland, and the Faroe Islands which were dependencies of Norway. These territorial possessions were not brought up in the Treaty of Kiel, and therefore, as Norway was passed onto Sweden, they were ceded to Denmark. In 1931, Norway would lay claim to East Greenland based on the notion that it was terra nullius (no man’s land) and named it Erik the Red’s Land by Norwegian royal decree. 401 Denmark brought the case to the International Court of Justice with strong contentions against Norway. The court through its deliberations sought to clarify the position of Denmark regarding the validity of claiming Greenland as a sovereign possession against Norway’s claim. Yet, the court decided that “it lies on Norway to show that … Greenland … does not include the uncolonized part of the East coast, and in the opinion of the Court, Norway has not shown that this is so.” 402 The ruling concluded with the rejection of Norway’s claim to East Greenland and

401 The Norwegian Viking, Eiríkr rauði Porvaldsson (Erik the Red), settled Greenland in the tenth century
that the occupation constituted “a violation of the existing legal situation and are accordingly unlawful and invalid.”

Norway submitted to the ruling and subsequently abandoned its claim. This case consequently presents another illustration that follows the essence of the Åland Islands solution: respecting the decision of the International Court of Justice on a territorial dispute between two Nordic countries: an area to which both claim possession; although the East Greenland case differs from Åland in that the area was uninhabited, and thus formed the basis for the *terra nullius* argument of Norway. Furthermore, while this case presents several questions and issues that are not deliberated upon here, the *key* element of its significance, is that it shows a clear deference to the authority of a higher power to which both parties, Denmark and Norway, are signatories. After the ruling the dispute was permanently settled and did not have any adverse effects on the relationship between Denmark and Norway.

7.5.2 Iceland-Denmark: The Independence of Iceland from Denmark 1814-1944

Iceland is another example of a country that was ruled by a stronger Scandinavian power and achieved its independence by peaceful means. From the thirteenth century it was ruled by Norway, and later by Denmark, as a Norwegian dependency after the Kalmar Union was established. Following the Peace of Kiel, it was passed on to Denmark.

In the mid-nineteenth century Iceland saw the awakening of an independence movement. The struggle for independence would last from 1830 to 1944 when

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403 Ibid.
404 The area had not been settled by any Danes or Inuit peoples. Peter Thomas Ørbech, "Terra Nullius, Inuit Habitation and Norse Occupation—With Special Emphasis on the 1933 East Greenland Case," *Arctic Review* 7, no. 1 (2016).
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it was realized. The movement was grounded in the hardships on the island during the last two decades of the eighteenth century; a period marked by instability in Denmark due to the French Revolution and the Napoleonic Wars and Icelandic internal matters: The Icelandic causes were volcanic eruptions and unusually cold weather that led to the death of livestock and that produced a famine in which one-fifth of the population perished. Compounding these troubles, the Danish rule had become so unresponsive to the island’s needs, it required Iceland to export food during the famine. Thus the nationalist awakening, which shared some similarities with Norway and other European cases in that it was contemporarily grounded in the Enlightenment and Romanticism of the time, it went further, and idiosyncratically sought an unbroken link to the golden age a 1000 years past. The Icelandic sagas, would paint a picture of Icelandic grandeur with feasts and the respect granted Icelanders by the royalty of ancient Scandinavia and the British Isles. Thus the creation of images of a grand past stood in stark contrast with the stark reality of the time. This was reflected in the politics of Iceland where the word [politics] itself came to mean one thing: independence.

The ensuing struggle for independence was fought “with legal arguments rather than arms.” And it would remain a non-violent struggle that would

406 Ibid.
408 Byock, "History and the Sagas: The Effect of Nationalism."
409 S. Tägil, Ethnicity and Nation Building in the Nordic World (Southern Illinois University Press, 1995). 42
410 In 1848, when the King [of Denmark] abolished absolute monarchy, Jón Sigurðsson [the leader of the independence movement] proposed a theory that was to form the basis for Iceland’s struggle for independence for seven decades. He argued that Iceland had been subjected to the Norwegian King in 1262-64, not the Norwegian people. Thereby Iceland entered a personal union with Denmark when the Norwegian Crown was subjected to that of Denmark in the
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continue for over a century. The Icelanders would see a progression towards the restoration of the powers of state. They got legislative power in 1874 with a constitution;\textsuperscript{411} Home Rule in 1904;\textsuperscript{412} and sovereignty in 1918 with a personal union with Denmark.\textsuperscript{413} The Act of the Union contained a clause for either Denmark or Iceland to demand amendments for the Act by 1940.\textsuperscript{414} If three years hence, after 1940, no agreement was reached, a unilateral move to dissolve the union could be made. For this to happen, Iceland would need two thirds support in the Assembly of Iceland and a referendum with the backing of three quarters of the voters.\textsuperscript{415} Thus, in 1940, the union of Iceland and Denmark would see the beginning of its end. It would culminate in a unilateral plebiscite in 1944 while Denmark was under German occupation during the Second World War. During the war, Iceland was occupied by the allies and by 1942, the United States had taken over the military protection of Iceland. With American backing the Icelanders would hold the plebiscite for independence from Denmark.\textsuperscript{416} Christian X of Denmark attempted to halt the process, with some domestic backing, arguing for a free Denmark before Iceland gained its independence. The Icelanders renounced this attempt based on the rationale that one could not predict the outcome for Iceland in case the Germans won the war.\textsuperscript{417} The vote was overwhelmingly for independence with only 0.5 percent voting against. The result was accepted

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\textsuperscript{412} With a minister for Icelandic affairs in Reykjavik, the capital of Iceland.

\textsuperscript{413} Tägil, \textit{Ethnicity and Nation Building in the Nordic World}. 42

\textsuperscript{414} After, per the Act, 25 years had passed since the commencement of the union.

\textsuperscript{415} Hardarson, "The'republic of Iceland'1940-44: Anglo-American Attitudes and Influences."

\textsuperscript{416} Gunnar Karlsson, \textit{Iceland's 1100 Years: The History of a Marginal Society} (C. Hurst, 2000). 321

\textsuperscript{417} Ibid. 322
by Denmark with Christian X congratulating Iceland on its newfound independence.

When the republic was inaugurated on 17 June, the birthday of Jon Sigurdsson, the most prominent of those men who had fought for Iceland’s freedom in the nineteenth century, a telegram with King Christian’s congratulations was warmly welcomed by the Icelanders.\textsuperscript{418}

The case of Icelandic independence in 1944, while differing from that of Norway, still fundamentally represents a Nordic case in which within the regional complex, illustrates a greater power that respects the will of another people. And while, unlike the Ålanders, who for all intents and purposes are Swedes, the Icelandic people form a separate nation with their own distinct language, culture and identity that is dislocated from the rest whilst sharing a common history. The Nordic Region, following the timeline, is showing a strong propensity for coming to peaceful solutions to contentions and a pattern taking shape is discernible. Iceland represents one case of several in which the pattern maintenance of the Nordic region accordingly did not deviate in the Second World War: The principles underpinning the Nordic Peace, even in times of war, stayed true and in their wake a value system follows.

\textbf{7.5.3 Norway-Russia: Delimiting the Boundary in the Barents Sea 1970-2010}

The Barents Sea is shared by Norway and Russia. It is an area rich in marine resources and hydrocarbons. Although the land border between Norway and

\textsuperscript{418} Hardarson, "The republic of Iceland'1940-44: Anglo-American Attitudes and Influences."
Russia has been established since 1826, the sea boundary would not be delimited for almost another two centuries. The bilateral Barents Sea Treaty on maritime boundary delimitation between Russia and Norway would in 2010 mark the end of a negotiation process over 40 years in the making. The negotiations thereby also took place during the cold war between the Soviet Union, a founding member of the Warsaw Pact, and Norway, a founding member of the North Atlantic Treaty Organization.

As the disputed area is rich in fisheries, oil and gas, interim solutions were implemented while the negotiations were ongoing. Regarding the fisheries, they have been jointly shared and managed since the 1980s, and regarding the hydrocarbons, a moratorium was imposed “in accordance with UNCLOS [United Nations Convention on the Law of the Sea] provisions to avoid activities in contested waters” until a settlement could be reached. The biggest difficulty that the negotiations had to overcome was the disagreement

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421 Norway was the only NATO member with a border to the Soviet Union. As such several policies in Norway during the cold war were to instill trust and keep tension low with the Soviet Union. Of these some put severe restrictions on NATO activity in Norway: never nuclear weapons on Norwegian soil; no foreign military bases in peacetime; no NATO activity in Finnmark [the county bordering Russia in the north]; and no military activity east of twenty-four degrees east longitude. Jacob Børresen Commodore, "Alliance Naval Strategies and Norway in the Final Years of the Cold War," Naval war college review 64, no. 2 (2011).
on how to divide the area of the Barents Sea. The Soviet Union, later Russia, argued the sector line principle, whereas Norway argued median or equidistant line. The sector line specified that the border should follow the meridian, and was a unilateral Soviet decree. It thus had no attainable legal status according to international law. The median line principle, in Article 6(1) in the Convention on the Continental Shelf states that the line is drawn accordingly along and between “every point of which is equidistant from the nearest points of the baselines from which the breadth of the territorial sea of each State is measured.”

The solution over this dispute would present itself with improving relations between Norway and Russia. The negotiations had been on and off since the 1970s, and by 2010 the relations had improved to the point of realizing the agreement. Russia, having undergone tremendous changes since the collapse of the Soviet Union, had reached a political climate under President Medvedev that provided the stability needed to cement the agreement. The solution itself was a compromise and divide the area equitably. This was done by drawing the delimiting line along eight points that subsequently divided the area approximately in half. This solution thus disregarded both the median

424 Ibid.
and the sector line principles, but stayed within the bounds of international law.\textsuperscript{428}

This case, shows how a Nordic country in an extra-regional dispute, was solved with employing a third way solution; in other words, disregarding the stated principles of median or sector lines. Instead a compromise was reached. It is often the case that when oil and gas, or other valuable resources, are found within an area of dispute, conflict and even war may follow. The Norwegian-Russian solution in the Barents Sea points to the opposite. Since the compromise was reached, it has opened the door to further bilateral engagements in extracting the oil and gas, while the fisheries collaboration has continued to flourish without major setbacks. This compromise is furthermore directly linked to the Nordic values and principles that show a preference for peaceful resolution. It brought Norway closer to Russia under the political reality of 2010; or at the time, Russia closer to Norway and the Nordic Region.\textsuperscript{429} The case also illustrates another example of bilateral negotiations in which an

\begin{itemize}
\item \textsuperscript{428} “The delimitation of neighboring continental shelves is, according to UNCLOS, an exclusively bilateral affair where the parties themselves can decide how a line should be drawn.” Moe, Fjæroft, and Øverland, "Space and Timing: Why Was the Barents Sea Delimitation Dispute Resolved in 2010?."
\item \textsuperscript{429} Disregarding recent developments, in 2010, the realpolitikal situation was one of togetherness, where Russia also showed itself as a great power with rational and restraint also accepting compromise.
\end{itemize}
equitable solution is reached. The solution of the delimitation treaty maintains the pattern of peaceful solutions based in the nonviolent application of legal norms and principles. The solutions of a Nordic model are thus arguably outwardly altruistic while it simultaneously attends to the self-interest of the disputing parties: The Barents Sea in dispute does not allow for the exploitation of the hydrocarbons. Therefore, delimiting the border produced the end result in which both Norway and Russia “triumphed.”

7.5.4 Denmark-Canada: Hans Island and the Whiskey War – A Low Tension Ongoing Territorial Dispute 1973-?

Canada and Denmark share a long border as a consequence of Greenland being the longest island in the world. In 1973 Canada and Denmark agreed to set the boundary by delimiting the continental shelf, and as such it was a maritime delimitation; in other words, it did not cover land areas. On this boundary, in the Kennedy Channel of the Nares Strait, equidistant from Ellesmere Island, Canada and Greenland, a small uninhabited barren rock with the name Hans Island is located. The boundary agreement used a median line connected by 127 points for delimiting the 1450 nautical mile [2685.4 kilometer] long boundary, and as it was a maritime boundary using the continental shelf, Hans Island was consequently skipped. The size of the island is just over 1 square kilometer and it is located in the middle of the

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area in dispute; an area which length is approximately four kilometers of the entire boundary line. Considering that Greenland has an internationally established border with Canada, except for four kilometers within which the equidistant Hans Island lies, it is with bemusement that this island is the source of an unresolved territorial dispute between two countries that are considered inherently peaceful and held in high esteem internationally.432

As this territorial dispute is ongoing between these countries, this case will only serve to highlight how the respective governments and academia relates this issue. The dispute is often, even in academic writing, presented with amusement and comic innuendoes, yet has realpolitikal impacts. Since 1973, the island has seen numerous visits by both countries with flag planting and unusual diplomatic activities. The dispute has “been cordial, diplomatic and cooperative when negotiating sovereignty over the island, even injecting a sense of humour into the claims made.”433 This was started by the Danish military that in addition to planting the Danish flag, laid down a plaque welcoming the subsequent Canadians to Denmark, and left behind a bottle of Danish schnapps.434 The Canadians reciprocated with lowering the Danish flag, planting the Canadian flag, left a “Welcome to Canada” sign, and Canadian whiskey for the Danes; and accordingly, it has been colloquially referred to as the Whiskey War.435 This practice has become something of a tradition, forming another pattern that is being maintained by the Canadian and Danish consecutive visits to the island.

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434 Byers, "Cooling Things Down: The Legalization of Arctic Security."
Disregarding the humor, the realpolitikal situation centers on control of the arctic in which “both countries simply wish to obtain Hans Island to further support other Arctic land claims.” 436 This holds especially true as the Arctic is warming up due to global warming, allowing for access to the waterways for large parts of the year. Thereby Canada and Denmark, have seized this opportunity to conduct research into possible oil and gas reserves.437 Another reason for the ongoing conflict, also related to global warming, has to do with international shipping which will see a dramatic upswing with an ice-free Arctic Ocean and Northwest Passage. “And as we know, the no longer mythical [Northwest] passage is a large contributor to ongoing inter- and intra-national sovereignty chest-thumping and hand-wringing.”438

The Nordic cases provide possible solutions; solutions that have also been discussed in the literature concerning Hans Island. In lieu of a bilateral solution, the current diplomatic track,439 it could be referred to a third party for a legally binding settlement. The International Court of Justice is one such institution, and by examining its past cases, insights into the basis for border dispute resolution presents a relatively predictable pattern of decision.”440 This however, might not end with a favorable result for one party:

It seems unlikely that either country will wish to take the domestic political risk of losing the island before a panel of judges in Hamburg or The Hague. For the same reason, neither side is

436 Tymoszewicz and Ruttan, "Arctic Sovereignty."
437 Stevenson, "Hans Off: The Struggle for Hans Island and the Potential Ramifications for International Border Dispute Resolution."
438 van Wyck, "Theory in a Cold Climate."
439 Canada and Denmark “issued a joint statement declaring that ‘we will continue our efforts to reach a long-term solution to the Hans Island dispute.’” Foreign Affairs Canada, Canadas Leadership in the Circumpolar World, by Minister of Foreign Affairs Pierre Pettigrew (2005). Cited in Matthew Carnaghan and Allison Goody, Canadian Arctic Sovereignty (Parliamentary Information and Research Service, 2006).
440 Stevenson, "Hans Off: The Struggle for Hans Island and the Potential Ramifications for International Border Dispute Resolution."
about to surrender the island during the course of negotiations, unless a compelling trade-off can be made.\textsuperscript{441}

Pragmatism would have the island split in half following the continental shelf delimitation line; a fifty-fifty split solution. Another more realistic solution would be to base Hans Island within the condominium principle of joint sovereignty over the island.\textsuperscript{442} Whatever solution eventually to be achieved, both governments are keeping relations warm, and do not allow the Hans Island dispute to cause heightened tensions between them.\textsuperscript{443} It is therefore highly unlikely that this dispute will escalate, as such an escalation would deviate from well-maintained patterns of both Danish and Canadian value systems and a shared preference for peace.

\textsuperscript{441} M. Byers, \textit{Who Owns the Arctic?: Understanding Sovereignty Disputes in the North} (Douglas & McIntyre, 2010). 29
\textsuperscript{442} “There are a number of such condominiums worldwide, including Pheasant Island in the middle of the Bidasoa River between France and Spain. The two countries share sovereignty, with administrative responsibility alternating every six months between the French municipality of Hendaye and the Spanish municipality of Irún” ibid. 30
\textsuperscript{443} Jim Coyle, "Canada and Denmark Keep Relations Warm in Arctic Island Dispute," \textit{The Star}, 2015, accessed 03/08/2016.
8 Nordic Principles as Peace Mechanisms

The Nordic region stands as a sustainable comprehensive pluralistic security community. The cases discussed show the gradual formation of this community over a span of two centuries. The region furthermore represents highly integrated countries with political independence from each other. They show how it is possible to attain such integration without an overarching system of amalgamation; without hostility in the face of contentions; and how by compromising, solutions that benefit all are achieved. In other words, the cases show that compromise is inevitably a preferable solution to one from arbitration as inevitably no country suffers any loss. Since its outset, the region has undergone a significant paradigm shift in a process that has overcome numerous disagreements, contentions, disputes, conflicts, and wars. A shared history of cultural norms and values make the basis of the Nordic closeness, which in turn stand on the regional principles that were shaped after 1814. The Nordic countries have thus been able to build a regional unity that is grounded on mutual trust and respect. Yet, the unity does not take shape as a cohesive bloc; and it is very unlikely this will occur in both the near and distant future as it is neither on any political agenda, nor seen any successes in history as all attempts at forming a political union has failed. The closest one gets to an all-encompassing Nordic institution is the Nordic Council, which focuses on regional cooperation. The Nordic region is historically delimited by the Fenno-Scandinavian peoples’ geographical core in Northern Europe within which the Nordic unity was built. And it is alongside the cementation of the principles of the Nordic Peace where the foundation of this unity starts to take hold.

444 The Fragile States Index, an annual publication by the Fund for Peace, designates the Nordic countries as having a sustainable peace, and Finland as very sustainable. All are represented in the top ten as least fragile states. J.J. Messner, Nate Haken, and et al., Fragile States Index 2016 (The Fund for Peace, 2016), http://library.fundforpeace.org/fsi16-report.

445 Those of a Scandinavian and Finnish ancestry.
Furthermore, the Nordic countries differ in security related issues that are idiosyncratic to their extra-regional vicinities. Norway (and Iceland) faces west to the United Kingdom, Denmark faces south to Germany, and Finland and Sweden face east to Russia: Nordic neighbors of which all are great powers. And as the Nordic countries are all small states, the consequential power disparity and asymmetry is counterbalanced by either necessitating being aligned or allied within an organizational security structure, or by the opposite, by using non-alignment or neutrality to secure a position regionally. This has shaped a different outlook on how to tackle security related issues as the experiences have varied across the region. The Danish, Icelandic, and Norwegian memberships in NATO are a result of the Second World War, as the war showed that they could survive on their own as their neutrality was summarily violated by Germany. Sweden and Finland on the other hand, uses the power of the unaligned small state and is adapting accordingly with the geopolitical climate they find themselves in; i.e. the pendulum policy that Sweden has used, or Finnish cautious rapprochement to Russia.

446 They also differ in regards to non-military organizational alignment in Denmark, Finland, and Sweden opted for EU membership, while Iceland and Norway did not. Of these, Finland, Iceland, and Norway have long histories as subservient states under either Denmark or Sweden or both. These three countries have seen after independence a strong identity form and in regards to the EU they all pointed to not joining out of fear of encroachments on protected industries and the weakening of the states. Finland, due to the neighbor to the east, Russia, viewed it as an imperative to join and thereby using the as a means for solving relations with Russia. Whereas, Norway did not see this as an imperative in large part due to its distance to Russia (the border between Norway and Russia has not been a place of tension) and its oil revenues. Christine Ingebritsen and Susan Larson, "Interest and Identity Finland, Norway and European Union," *Cooperation and Conflict* 32, no. 2 (1997).

8.1 The Nordic Solutions: Dialectically Opposing Principles in Synthesis

The principles discussed in the Nordic cases are often the causes of conflict as they stand in dialectic opposition to each other, and as such, the Nordic Region is no exception. Some principles see a recurrence across the cases and are consequently not unique. Furthermore, many of the principles are not endogenous to the Nordic Region. Rather, the Nordic principles that become inherent and of the region, are formed in the solutions of the Nordic conflicts no matter what disagreement was their cause. It is the solutions that are the very principles that become endogenous to the Nordic region. It is their ability to join contending principles in synthesis; i.e. while the dialectic opposition between the principles is not removed, the opposing factors become detached. The nature of their opposition to each other, their inherent measureable quality, becomes subservient. Thus, the contending principles underlie and are surmounted by the principle the solution creates.

This has enabled the Nordic Region to become a zone of positive peace. The development of this Nordic shift, taking the region from belligerence to peace, took a long time and was a piecemeal process. For the Nordic Region, it was neither inevitable nor any guarantee for an early success, but ultimately the region was able to join and reconcile the principles of equality and liberty while building up a region that would see the origin of a fragile peace cement itself into a region at peace.

8.1.1 Principles of Acquiescence, Deference, and Ensuing Respect

The dissolution of the union between Norway and Sweden see principles form in the shape of acquiescence, acceptance, respect, restraint, and nonviolence
as a testament to peace. The principles that underlie the Norwegian contentions were numerous but ultimately it would be self-determination and self-representation in matters of foreign affairs that would clash with Swedish attempts at undermining the Norwegian constitution while not consenting to Norwegian demands for a foreign service. Irrespective of the causes, it is the Swedish acquiescence, with conditions and caveats, of a plebiscite that would substantiate the will of the Norwegian people, and the ensuing respect for the will of the Norwegian people. The restraint that Sweden enacted upon itself, and the subsequent nonviolent secession that sets Sweden apart. Apart as becoming the embodiment of a big-brother that could show their greatness, not in military might, but by relinquishing Norway peacefully. They showed a will for a peace based in neutrality and nonintervention which followed in the essence of Charles John’s speech to the Riksdag in 1814.

Iceland sees a similar situation develop as indicated above, with Denmark following Sweden in acquiescing to the result of the plebiscite, and went even further, by congratulating the Icelanders for their independence. Following the independence, as was the case in Iceland as Norway, after the negotiations were done, no other major changes occurred. The need for stability and international credibility arose. This played out without major organizational, constitutional, or governmental changes. In the case of Norway, it even invited the son of the King of Sweden, the very one who abdicated the throne of Norway, to become regent; though eventually settling on another as this was something Sweden could not accept. Ultimately, this formed a continuity, in which there was no great changes on the domestic level, and that would prove invaluable for regional stability. “The union itself formed a barrier,’ and that its dissolution ‘opened the way for an integration impossible under pre-1905 conditions.” Furthermore, the negotiations produced a demilitarized and neutral border while implementing rights for transit and access to transfrontier areas.

448 Young, "How Do Peaceful Secessions Happen?." Cited in Lindgren, Norway-Sweden: Union, Disunion, and Scandinavian Integration. 7
Ultimately, acquiescing to and respecting the secession produces an outcome that is more beneficial both in both the short and long term, as the cost of denying it would be ruinous for all; any goodwill and solidarity amongst the peoples would be lost. This also highlights and shows an aspect of Nordic bilateral solutions: the unilateral accommodation of the stronger power. Though, these examples are by no means unique for the Nordic countries, the Norwegian secession from Sweden was nevertheless the first from which a pattern would become discernable where acquiescing to and later respecting the will of another. Accordingly, these actions have shown a preference for peace: The principles that caused the dissolution to occur are transcended and encompassed in and by the solution.

8.1.2 Neutralization of Conflict Causing Principles

As with the above principle of acquiescence and ensuing respect, the experiences showed how conflict and war was avoided where war would often erupt. The inherent conflict causing mechanisms of the secessions were neutralized. the principles of territorial integrity and self-determination were important in the aftermath of the First World War. They are in and by themselves irreconcilable. They coexist within secessionist movements, and for the Nordic Region, this would especially hold true for Finland and Sweden regarding the Ålanders. In order to transcend the opposition of these two principles, the solution that was seemingly deadlocked was submitted to the League of Nations. The case is thus part of the geopolitical reshuffling of greater Europe following the First World War. As territorial integrity is inviolable, the self-determination of the Ålanders would be decided under the auspices of the League. The decision disarmed the arguments held by both

\[449\] And also for the Icelanders, the Norwegians, and the minorities in Denmark and Germany.
Finland and the Ålanders, as it recognized Finland’s ownership of the islands, while granting the Ålanders autonomy. The solution, which is novel in itself, transcends the principles by *deferring* to the higher power represented by the League. Rather than instituting a plebiscite as the Ålanders wanted, it was deemed sufficient to grant them autonomy. The fact that Finland had never treated them poorly, would form part of the arguments behind this decision.

The subsequent *deference* and *acceptance* for the Åland Islands solution did not remove the underlying principles of territorial integrity or self-determination, instead, it united them by creating a condition in which both could coexist. The result saw a political independence form for both the Finns and the Ålanders; an independence that the Finns also initially deferred to in accepting the League’s authority over, according to them, a domestic issue. The Åland Islands solution, thus present itself as another Nordic testament to peace, and the acceptance of which stayed the hand of the majority over a minority within the Nordic Region.

### 8.1.3 Principle of Respecting a Higher Authority – Nordic Governance

The decision to grant the Ålanders autonomy merely solved the conflict between Sweden and Finland—a decision Sweden initially strongly objected to. However, the decision did not highlight the characteristics of the autonomy, with regards to what shape it would take and how it would come about. None of these aspects were part of the decision. What was, and moreover, wherein the brilliance of the decision lies, was to make Finland and Sweden reach an agreement that would be acceptable to both countries as well as to the Ålanders. This “imposed” negotiation tactic by the League of Nations, further brought a rationale to the following deliberations and therefore obligated a more amicable outcome not just for the Ålanders, but for Finland and Sweden.
as well. An outcome that would ultimately surpass the alternative which would have been achieved under the prerogative of the League itself causing an arbitrary unilateral settlement. Thus to reach a most favorable outcome, it would be in Finland and Sweden’s best self-interests to placate themselves; they acquiesced and respected the decision of a higher authority. The East Greenland case between Denmark and Norway also highlights a conflict in which the decision of a higher authority, here the International Court of Justice, is respected without engendering ill will between the two countries.

8.1.4 Principle of Minority Rights from Irredentist Solutions – Trust and Respect across Borders

While the Ålanders represent a case for an irredentist problem, Denmark and Germany, with the problems of their national minorities embodies the very notion of irredentism. The irredentist aspects of the conflict commenced when the duchy of Schleswig, which had inherent historical ties to Denmark, was lost to the Germans and as such created a large Danish irredentist population in Germany. As with the case of the Åland Islands, the solution for the Schleswig problem would occur in the aftermath of the First World War. Denmark petitioned the allied victors at Versailles where it was decided that a plebiscite would be held. The plebiscite was organized as such that it would produce the most attainable fair outcome, and consequently Schleswig was divided into two zones reflecting the ethnic makeup of the duchy. The northern Zone One would see itself reunited with Denmark. This did however not solve the irredentist problem, as the new border, drawn where the two zones met, still had minorities of Danes and Germans on the wrong side of the border. The following solution presents itself with minority rights. As the plebiscite was under the auspices of allied powers of World War I, the solution

450 Disregarding Holstein and Lauenburg here as Schleswig was the duchy for which the solution had a realpolitikal impact.
to the remaining irredentists were to treat them well. This provided the new national “defense” of Denmark on the border to Germany: \(^{451}\) Treat the German minority well, and by this exemplary behavior, it would no longer cause a need for Germany to interfere in Danish matters in Schleswig, and by the same logic, benefit the Danish minority in Germany. This would hold true even during the Second World War as Germany under Hitler did not redraw the border. A decade after the Second World War, the milestones that were achieved by the benevolent treatment of the minorities, would become cemented in the Bonn-Copenhagen Declarations. These declarations cemented a peace-condition on the border-region by establishing unilateral guarantees for the minorities. And as they were unilateral, it became imperative to treat the minorities well, as that would be a precondition for reciprocation. No further guarantees were necessary from outside powers as the solution was bilateral and focused on establishing a mutually beneficial relationship for the betterment of all; as was also the case for the Ålanders. The Schleswig solution thus illustrates a case that demonstrates the real and tangible power of a small state by doing nothing more than treating a minority well; which in turn breeds mutual goodwill, trust, and respect. Multiculturalism works in the cross-border region of Schleswig, and the case, via the Bonn-Copenhagen Declarations, elucidates steps to reach this condition.

8.1.5 Principles of the Perspicacity of Neutrality and Demilitarization

As the Nordic Region has long been a focal point for conflict, one of the most basic guarantees for peace has been the implementation of demilitarization and/or neutrality. These principles rarely manifest as causes for conflict, and it is generally, with the wisdom of hindsight, that they are implemented. These

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\(^{451}\) Becker-Christensen, "National Minorities and Cross-Border Co-Operation in the Danish-German Border Region."
implementations, with foresight and perspicacity, are done in order to prevent future war. This holds true for the cases in which militaries played a role in the Nordic Region—with the notable exception of Sweden and Finland which neutralities were unilateral declarations. Unilateral neutrality meant a larger impact for Sweden and Finland both inside and outside the countries. As self-declarations are a manifestation and reflection of the self, and consequently represents the image that they held of themselves, as well as what they wanted portrayed externally.

The Åland Islands and the Norwegian secession from the Union with Sweden, depicts two cases in which demilitarization and neutralization played parts. They make up facets of the solutions in which, areas that pose real threats, are placed beyond the reach of military use. In the case of Norway, the neutralization of the border was contingent on the Swedish acceptance of independence and therefore the entirety of the process of dissolving the Union. The border area was made into a neutral zone concurrently with the destruction of the fortifications along the border alongside an arbitration treaty to handle future disputes. The border area could therefore no longer be used as a deployment area and thus one war-potential variable was removed. This in turn paved the way for the resumption of normalized relations.

The Åland Islands represents a far more comprehensive demilitarization and neutralization than Norway and Sweden’s border area. The solution did also encompass the security of a large part of Europe as the islands are situated in a hotspot for conflicts. It borders Russia to the east and several great powers to the west; all powers that have a long history of war. And as such, with acquired sagacity in the aftermath of the wars, reason would triumph and consequently place the islands beyond military application. As opposed to Norway, this has been guaranteed for by compounding treaties and several regional great powers. At present, it is guaranteed for by the 174 States that are signatories to the 1949 Geneva Conventions in Article 60 of the 1977

452 Young, "How Do Peaceful Secessions Happen?."
The Nordic Peace


Demilitarization and neutralization either in combination or not, has for the Nordic Region de-escalated and removed potentials for future conflict. For Norway, having a neutral border was an interim mechanism for peace as to removing a direct and imminent threat that the border area posed. For the Åland Islands it is a permanent mechanism for peace. The islands are thereby not only placed beyond military application; they are altogether for perpetuity removed as a means of war.
9 Nordic Solutions – Relevance for Japan and Northeast Asia

Northeast Asia will be delimited in this thesis to a region comprising a core of the following three countries: People's Republic of China, Japan, and the Republic of Korea (South Korea), in addition to Russia and the United States.\textsuperscript{454} Furthermore, in relation to conflicts and contentions in the Northeast Asian region, the focus will be delimited and centered on Japan.\textsuperscript{455}

The Northeast Asian Region dwarfs the Nordic Region in geographic and population size, economy, industry, geopolitical impact, and military strength; i.e. in most capacities. This region is becoming increasingly important in terms of the influence it exerts globally. In the Post-World War II era, it has become a hub for a multitude of industries including high tech manufacturing and development. Socioeconomically, Northeast Asia has gone through tremendous change and has witnessed an unprecedented lift of people out of poverty after the Second World War. For Japan, this development started under the postwar occupation by the United States. South Korea would subsequently follow after the Korean war, and lastly and more recently, China,

\textsuperscript{454} The United States as a proxy actor in the region with a large military presence.
\textsuperscript{455} The reason for this delimitation is that the escalations in tensions are often—willfully or not—connected to Japanese denials of World War II atrocities. This forms a contention in itself as Japan was the sole regional aggressor in the war, and is simultaneously the oldest and self-identified liberal democracy in the region. This position consequently is a mantle that carries certain moral responsibilities for transparency and accountability. Japan has instead been engaged in denial, revisionism, and obfuscation relating to the atrocities of the war. It can thus be argued that Japan has a greater moral obligation to its victims to come to terms with its wartime history. South Korea and China have in turn used Japanese obfuscation and revisionism to fuel their own nationalist agendas and thus prolonging the conflictual relations that exist between the countries.
which incidentally overtook Japan to become the second largest economy in the world.\textsuperscript{456}

However, the Northeast Asian Region is in a state of negative peace due largely to contentions over its Second World War history and territorial disputes. The negative peace, has since the end of World War II seen a polarization in the region, along with, at present, an increase in defense spending with the subsequent rise in the production, procurement, and upgrading of military hardware. This development, troubling in itself, becomes more so, as China seems to be about to break with its long established non-interference principle.\textsuperscript{457} This has panned out with Japan increasing its military capacity as well. For Japan this means breaking with its postwar policy of the principle of individual self-defense, and therefore moving to open up to the principle of collective self-defense;\textsuperscript{458} a move that according to Japan is to reflect a changing security environment.\textsuperscript{459} This furthermore highlights a regional securitization taking place that “involves the social construction of dangers, threats, and enemies—or the kind of illegitimate difference that cannot be tolerated and which both threatens and constitutes

\textsuperscript{456} China is today the second largest economy in the world and is set to overtake the United States by 2025. H Perkins Dwight and Thomas G Rawski, *Forecasting China’s Growth to 2025* (China’s Great Economic Transformation, Cambridge University Press, 2008); and Takashi Inoguchi, "Introduction to Special Issue: Japan–China Fragile Partnership: At Fortieth Anniversary of Diplomatic Normalization," *Japanese Journal of Political Science* 14, no. 01 (2013), http://dx.doi.org/10.1017/s146810991200031x.


The identity of the Self and potentially serves to justify violence." This in turn leads to new developments for the territorial disputes within the region that become factors that threaten the peace and security in Northeast Asia. The region is additionally home to a nuclear great power, China, as well as the only country in the world which suffered the catastrophe of two nuclear bombs, Japan. Japan, as a result of the Second World War, has furthermore one peace mechanism in its postwar constitution: the peace clause Article 9. In its passive function it has been instrumental in binding Japan to the principle of nonviolence in order to resolve international disputes by renouncing the nation’s right of belligerency. As such Japan has been outwardly trustable to its neighbors in the region. The peace clause has been re-interpreted and broken, but it still persists in a country whose leadership has been determined to undermine and amend it as “it seems the Japanese government believes it need only reinterpret, not change, the Constitution to justify its policy shifts.” And as it persists while becoming weakened, its impact as a guiding principle will lessen for Japan’s foreign policy implementations.

The realpolitikal issues in Northeast Asia, the territorial disputes, alongside the ideological conflicts over the World War II narratives, are shaped in

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460 Hagström and Hanssen, "War Is Peace: The Rearticulation of ‘Peace’ in Japan’s China Discourse."
461 Chapter II of the Japanese Constitution’s Article 9:
“Aspiring sincerely to an international peace based on justice and order, the Japanese people forever renounce war as a sovereign right of the nation and the threat or use of force as means of settling international disputes. In order to accomplish the aim of the preceding paragraph, land, sea, and air forces, as well as other war potential, will never be maintained. The right of belligerency of the state will not be recognized.” The Prime Minister’s Office, The Constitution of Japan, Chapter II, Article 9 (Government of Japan, 1947).
parallel to the forming security dilemma. While the territorial disputes are likely to have pragmatic solutions that are structurally similar to the Nordic ones, the deeper issue facing Northeast Asia is the cyclical repetition of contentions rooted in nationalism and historical disagreements across the region. Japanese historical revisionism, one key contention, is shaped in tandem with a denial of past wrongs and as a reaction to Chinese and South Korean revanchism and rising nationalism. And whereas, the Chinese and South Koreans differ in political systems, authoritarian capitalist post-communism versus capitalist democracy, they unite over their contentions with Japan. This in turn gives momentum to the rising Japanese nationalism that hardens its stance on territorial disputes, and furthermore is seen as a legitimization of the historical revisionism in Japan. This legitimization becomes resultant to these contentions, which in turn fuels the cycle. Thereby creating the existence of colliding images of self that shapes the construction and realization of the self in both portraying grandeur and victimhood. This largely moral issue takes on a realpolitikal characteristic in being an obstruction for shifting the region towards becoming a security community; instead locking it in the early stages—I through IV according to Kacowicz and Archer—of a zone of peace; the region coexists in a state between peace and conflict, a pattern maintained cyclically, and without a solution to the historical issues, a state that will likely continue.

9.1 Japan and Northeast Asian Conflicts

The Northeast Asian regional conflicts centered on Japan are hereafter presented as 1) the territorial disputes and 2) the post-World War II historical contentions that underpin the cycles of conflict. The rigidity and realpolitikal

impact of the territorial disputes, as well as the nature of the historical contentions, will be presented and contrasted with Nordic solutions and principles that were of a similar structure.

9.1.1 Territorial Disputes

At present, Japan has three territorial disputes in Northeast Asia. With China over the Pinnacle Islands (JPN: Senkaku Shoto / CHN: Diaoyudao) which are located in the East China Sea; the Liancourt Rocks (JPN: Takeshima / KOR: Dokdo) with South Korea in the Japanese Sea; and the Kuril Islands (JPN: Hoppo Ryodo / RUS: Kuril'skie Ostrova) with Russia immediately north of Japan. These conflicts have been maintained ad hoc, and newer developments are moving the region towards a brinkmanship type foreign policy for regional assertion. This is exemplified by the territorial disputes such as the one centered on the Pinnacle Islands that re-emerged in 2010 and escalated in 2012. However, the realpolitikal situation of the present is likely symptomatic of a deeper and wholly different contention: the clash over the regional historicization of the shared narrative of the Second World War.

9.1.1.1 The Pinnacle Islands

The Pinnacle Islands are small, desolate, and uninhabited. They are home to marine resources and likely large hydrocarbon deposits. They sparked the

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re-emergence of a territorial dispute in 2010 and that escalated in 2012 between China and Japan. The islands are a conflict-causing vector in the relationship between China and Japan. They make up part of the Chinese continental shelf separated from Japan by the Okinawa Trough, and are within the 200 nautical mile exclusive economic zone of Japan. Both claim ownership over the islands and they have been administered by Japan since the United States returned them under such auspices in 1972. This nuance makes the ownership of the Islands not as straightforward as Japan would have it. Furthermore, China can trace ownership of the islands back to the fourteenth century, symbolically by using them for navigational aids, and by having defended them from piracy. Japan on the other hand, did not identify them until the nineteenth century, and then from British naval charts; subsequently conquering them in 1895 after the first Sino-Japanese War. Japan claimed they were terra nullius at the time of annexation. China can thus argue that the annexation was unlawful due to the historical ties to the islands. Furthermore, considering that China did not argue for their restoration in the aftermath of the war, hardly means they acquiesced to Japan’s claim and ensuing use of them.

468 Ibid. 89-91, 124
In 2010, the Japanese coast guard found a Chinese fishing trawler in the disputed area around the islands. The trawler was asked to depart the area, but instead collided with the coast guard ship. Japan subsequently arrested the Chinese captain. This sparked the re-emergence of the dispute.\textsuperscript{470} Then, in 2012, the former governor of Tokyo, Shintaro Ishihara, escalated the dispute, as he tried to purchase the islands for Tokyo.\textsuperscript{471} This ultimately resulted with the coast guards of China and Japan partaking in brinkmanship on the high seas. Prior to the unilateral foreign policy aspirations of one private Japanese citizen [Ishihara], and the 2010 incident, the Japanese government was preventing development on them in an effort not to provoke China—a distinction that suggest Japan acknowledged the dispute and as such did not claim unilateral ownership. This non-confrontational policy had been effective and would have let future generations address the issue at a more opportune time. A notion originally fronted by Chinese President Deng Xiaoping:

\textit{It does not matter if this question is shelved for some time, say ten years. Our generation is not wise enough to find a common language on this question. Our next generation will certainly be wiser. They will surely find a solution acceptable to all.}\textsuperscript{472}

Instead through Ishihara’s unilateral bid for the islands, he was able to drag Japan along with him, and ultimately facilitated the orchestration of a regional crisis that has no immediate end in sight; rather than seeking a diplomatic solution looking to set a demarcation line bilaterally, a solution that worked for

Norway and Russia. This solution would include compromise, and more importantly, it would serve as a stepping stone in restoring trust and confidence between China and Japan. This in turn would enable a much needed thawing of relations to tackle the historical issues plaguing the relationship. Instead this confrontation of hard power has brought the threat of armed conflict back to Northeast Asia. It seems the threat of what further escalations might bring keeps the peace.

Ironically, China and Japan was able to reach an interim solution that had inherent similarities to the Norway-Russia solution as well as elements of the Åland and Denmark-Germany solutions in June, 2008. The agreement: Cooperation between Japan and China in the East China Sea, was the result of a meeting in May the same year between the Japanese Prime Minister Yasuo Fukuda and Chinese President Hu Jintao. They issued the following statement where they “resolved to face history squarely, advance toward the future, and endeavor with persistence to create a new era of a ‘mutually beneficial relationship based on common strategic interests’ between Japan and China.” They furthermore announced that they would align their relations with the trends of the international community “and together forge a bright future for the Asia-Pacific region and the world while deepening mutual understanding, building mutual trust, and expanding mutually beneficial cooperation between their nations in an ongoing fashion into the future.” The agreement of June was a first concrete step towards a delimitation agreement between China and Japan. It also included the joint extraction of hydrocarbons from the disputed seabed whilst the two governments moved

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473 See footnote 418 on page 155.
474 Ministry of Foreign Affairs of Japan, Cooperation between Japan and China in the East China Sea (June, 2008).
476 Ibid.
477 Cooperation between Japan and China in the East China Sea.
towards a comprehensive resolution. Furthermore, as it was explicitly announced in the May statement that the two governments would find a solution to the historical contentions as well, the process moving towards the latter stages V and VI on the Kacowicz and Archer scale had begun. Until Ishihara’s unilateral 2012 undertaking obliterated this movement towards stability and reconciliation, and instead set in motion a rapid deterioration of relations between the two countries. Considering the nationalist upswing in Japan and the simultaneous undermining of Article 9 and opening for collective self-defense, the current deadlock has no immediate end in sight. Nevertheless, the 2008 agreement does show that there is capacity within the countries for reaching an amicable solution based in compromise and goodwill amongst peoples.

Henceforth and eventually, when the situation stabilizes in the future and becomes conducive to broaching another attempt at resolution, the 2008 agreement will surely be revisited. Another avenue for solving the territorial dispute, could be a condominium based solution, as what has been suggested for Hans Island between Canada and Denmark. It is worthy of being explored by China and Japan; not only looking at the suggestions for solving the Hans Island dispute, but also in how Canada and Denmark relates to the dispute. Both China and Japan have pandered to a nationalist sentiment that the islands belong to them, and ultimately losing sight of a bilateral solution, in lieu of a solution based in arbitration. And a bilateral solution will inevitably require compromise unless hard power is applied; a surefire recipe for regional disintegration and disaster.

As was the case for Norway-Russia, as well as for China and Japan in 2008, interim solutions towards development are also possible. Norway-Russia exploited the Barents Sea fishing grounds while negotiations were ongoing. Similarly, China and Japan had started that process, yet were incapacitated by nationalist sentiments with realpolitikal consequences in 2012. Alternatively, or in combination with a solution from the Nordic Region, would
be to place the islands outside military application as was done with the Åland Islands. This would guarantee for a peace centered on the geographical locality of the dispute, while a solution to ownership is pursued. A servitude of the Pinnacle Islands, akin to the Åland Islands, would in the very least, give stability and put an end to the brinkmanship between China and Japan over the islands.

9.1.1.2 The Liancourt Rocks

The Liancourt Rocks, are two rocky outcroppings in the Sea of Japan (Japanese Name) or the East Sea (Korean name). They are administered by South Korea which keeps a coast guard post there. The islands are rich fishing grounds and might have natural gas deposits. South Korea claim it can trace ownership of the islands back to 512 AD. This claim is furthermore backed with evidence of Korean consistent presence on the islands. While Japan traces use of the islands to the seventeenth century as used by fishermen. The islands and Korea were annexed in 1905 by Japan. Phil Haas states that Japan furthermore claims that prior to 1905 the islands were terra nullius. Haas further highlights 1) for the Japanese claim: the San Francisco Peace Treaty as part of the Japanese evidence of its ownership; a claim with no mention in the treaty; and 2) for the South Korean claim: the 1945 Potsdam declaration which defined and delimited Japan after its surrender, as well as the Supreme Commander of the Allied Powers in Japan (SCAP) Directive 667. This directive according to South

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480 Ibid.
481 The San Francisco Peace Treaty was the peace treaty between Japan and the allied powers with the notable exception of China, the Koreas, and the Soviet Union.
Korea orders Japan in “decreeing the cessation of Japanese control over various non-adjacent territories from Japanese jurisdiction.”

While the territorial dispute seems sterile on paper, it takes on a wholly different character amongst the peoples, especially for South Koreans. In 2012, Japan proposed to take the dispute to the International Court of Justice (ICJ). South Korea unequivocally rejected the offer, stating that “Dokdo is clearly part of Korean territory historically, geographically and under international law, and no territorial dispute exists ... The Japanese government’s proposal to take the Dokdo issue before the ICJ is not worth attention.” It is interesting that South Korea refused this offer as their claim is likely stronger than Japan’s. Yet, it exemplifies how interconnected the dispute is with the historical issues that have been left to worsen. And it further shows the difficulty that arises when these deeper contentions do not reach a conclusion. Instead, the regional actors cater to nationalist sentiments in order to garner popular support that inevitably further sours their relationship.

The dispute is structurally similar to the preceding Pinnacle Islands’ dispute and as such can seek similar Nordic comparisons as presented in the former

482 Haas, "Status and Sovereignty of the Liancourt Rocks: The Dispute between Japan and Korea."
483 The Korea-Japan Friendship Year in 2005 marked one century since Japan annexed Korea and 60 years since World War II ended. The year would however mark anything but friendship between the two countries as mass demonstrations broke out in South Korea over the Liancourt Rocks in response to Japanese assertions over ownership of the islands. By the year’s end, South Koreans had burned Japanese flags; video games which themes centered on repelling Japanese invaders were made; further compensation for the sex-slaves were demanded; a Liancourt Rock bank branch was set up; the islands got mobile phone coverage; self-immolation took place; fingers were cut off; riot police protecting the Japanese embassy was firebombed; and the Japanese ambassador’s home was attacked with flaming arrows. Card, "A Chronicle of Korea–Japan ‘Friendship,’".
dispute. While seeking a resolution to the conflict, joint exploitation of resources could occur. Japan furthermore, with a likely weaker claim, has already shown its willingness to a solution by arbitration. South Korea has probably little or nothing to lose by agreeing to such a solution. However, as the impact of the conflict has taken a human toll in South Korea, a search for a bilateral solution is preferable. The Åland Islands solution could be a good fit for the Liancourt Rocks, in that Sweden and Finland were coerced by the arbitrator into finding a solution they both could live with. Japan and South Korea could preempt the need for an arbitrator and seek such a solution voluntarily.

9.1.1.3 The Kuril Islands

Japan and Russia has a territorial dispute over the Kuril Islands, four islands that are located north of Japan. The islands were occupied by Russia after the Second World War and the southernmost is just a few kilometers from Japan. According to Japan however, the disputed islands did not form part of the territory they ceded to Russia in the settlement of World War II. Because of this dispute Japan and Russia has not signed a peace treaty ending the Second World War. Where the “Japanese government has consistently argued that it is willing to conclude a peace treaty only if Russia agrees to return the four islands. For its part, Russia has steadfastly refused to transfer all four islands to Japan.” There has been elements of improving relations over the Kuril Islands. As the inhabitants were repatriated to Japan after the Soviet annexation, visa-free travel has been implemented through an exchange program for people with ties to the islands from both Japan and Russia.

486 This program was not however a product of only goodwill between the countries. Russia initially agreed to Japanese visits to the Kuril Islands only with
This territorial dispute has so far been the least destructive for Japan as Russia has been willing to negotiate over the return of the two southernmost islands. This was first broached in 1956 with the signing of the Japan-Soviet Joint Declaration that restored diplomatic ties between the countries. The Japanese however, did not accept anything less than the four islands.\(^{487}\) In 2004, Russia again made this offer, now as a compromise; and again Japan was not willing to agree “as domestic politics militate against any deal on the islands other than the four-island solution”\(^{488}\)

By 2014, Russia announced that it was undergoing military drills on the disputed Kuril Islands.\(^{489}\) This move angered Japan which had initiated top level talks in 2013 between Prime Minister Shinzo Abe and Russian President Vladimir Putin on resolving this dispute.\(^{490}\) The negotiations have not resumed since. Russia has furthermore begun to upgrade its military hardware on the islands, thereby increasing its military presence in Northeast Asia, and will consequently ignore Japanese ire.\(^{491}\)

Japan’s position regarding the Kuril Islands has thus been one that disregards any form of compromise and squandered several opportunities to reach such a solution. As highlighted in some of the Nordic cases, accepting the visas, which Japan feared would be a tacit recognition of the islands as Russian. Thus the result was achieved by an intergovernmental agreement for the visa-free travel scheme. Brad Williams, "The Russo-Japanese Visa-Less Exchange Program: Opportunities and Limits," *East Asia* 20, no. 3 (2003).


\(^{490}\) Prime Minister of Japan and His Cabinet, *Press Conference by the Chief Cabinet Secretary (Excerpt)*, pt. 2014 August 18 (2013); ibid.

relinquishment of territory is a bitter experience, but in so doing ultimately will lead to reconciliation.

9.1.2 The Second World War: History as Contention

The Northeast Asian Region has been and is in a latent conflict steeped and rooted in World War II history. Numerous atrocities were committed during the Second World War upon the peoples of Northeast Asia under Japanese occupation. These atrocities were, but not limited, to the following: 492 Chemical and biological weapons testing on civilians and prisoners of war in concentration camps; the use of chemical and biological weapons in war; mass rape and mass killings of civilians as well as disarmed soldiers; disregard for the Geneva, Hague, and other conventions to which Japan was a signatory; human trafficking; forced labor; and the sexual slavery of women. Japan furthermore carried out atrocities upon its own populace that included the forced suicides of civilians in Okinawa by the Japanese army. 493

These atrocities in Northeast Asia did not however, get closure in the aftermath of the war. Memories and narratives only serve their purpose if they


493 Atrocities were also carried out on the Japanese by the United States. The world witnessed the indiscriminate and devastating effects of nuclear weapons with the two nuclear bombs dropped on Hiroshima and Nagasaki. As well as the firebombing Japanese cities, which was implemented under General Curtis Lemay, who after the war stated that “if we’d lost the war, we’d all have been prosecuted as war criminals.” James G Blight and Janet M Lang, The Fog of War: Lessons from the Life of Robert S. Mcnamara (Rowman & Littlefield, 2005). 113
are passed on and collectively kept alive to function as lessons for future
generations. Thus they have the ability to either tie peoples together, or in the
case of Northeast Asia drive them apart. In Northeast Asia, a schism is
forming in the remembrance of the Second World War; a development unlike
that in Europe. On the surface, this focus on remembrance is similar to the
greater European experience, whereby commemorating a shared narrative of
the Second World War has been and is an integral part in keeping the
memories of atrocities committed alive.

However, unlike the European postwar experience, where there is a historical
consensus on what occurred during the war and those that dispute this
veracity belong to the fringes of society, it can be argued that the Northeast
Asian experience is a polar opposite. Here, this memory has become a
frequent focal point for conflict and vitriolic rhetoric amongst neighboring
countries. There is no clear consensus between Japan and its victims, and
then, not even with regards to the term itself; who were actual victims and
who were not.494 This disagreement of historic fact has taken on a value
centric discourse that continuously propagates contentions and sustains the
regional state of negative peace.

To contrast this line of argument over the shared memories of the Second
World War with Europe, by using the example of holocaust denial, the two
regions are dissimilar. Whereas in Germany especially, and Europe generally,
those denying the holocaust are found on the societal periphery. They are
frequently met with ridicule and in some countries imprisonment and/or

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494 SW Cheong, *The Politics of Anti-Japanese Sentiment in Korea* (London:
Peter Hays Gries, "Nationalism, Indignation, and China's Japan Policy," *SAIS Review*
25, no. 2 (2005); and Erica Strecker Downs and Phillip C Saunders, "Legitimacy
Those in Japan denying and sowing doubt on the atrocities committed on civilians and prisoners of war in Japanese occupied territories during the Second World War are part of the mainstream debate. They include prominent politicians, academics and other interest groups who partake in the national discourse on the wartime aggression. They contend that there are several historic events that either did not occur or were benign in nature. Three of these topics relating to the war history in particular are 1) regarding the sex-slaves, or comfort women, 2) the massacre that took place in Nanking, and 3) the Yasukuni Shrine were the war criminal are interred and that serves as a place of pilgrimage for the Japanese. Japanese Prime Minister Shinzo Abe’s obfuscation of the issue on whether Japan was the aggressor during the Second World War angered China and South Korea in 2013. He stated that the definition of aggression has neither been established in academia nor in the international community. A view that took the opposing position of former Prime Minister Morihiro Hosokawa who stated the following on aggression:

You can obviously define 'aggression' in any number of ways, depending on context. But if you have any common sense, you just cannot say in good conscience that Japan was not the aggressor when Japan did in fact cause tremendous anguish and loss of life in China, Korea and Southeast Asian nations in order to protect its own interests. I knew my opinion was going to invite heated controversy.

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497 Comfort women in Japanese is: Jyūgun-ianfu (軍慰安婦). Roughly translated as recreational woman serving the military.
Prime Minister Abe however, was hoping to shift the focus away from Japan as a war-prone country towards Japan as a peaceful member of the international system. This enables him, in his efforts to amend Article 9, to make Japan “normalize”; i.e. to remilitarize.

The first contention which is at the forefront of the current manifestation of regional conflict is concerning the comfort women and how Japan is treating their legacy. In April 2013 the mayor of Osaka, Toru Hashimoto, defended the enforced sexual slavery of the comfort women stating that “a comfort women system is necessary. Anyone can understand that,” in relation to the much needed rest required by soldiers who are risking their lives in war. For him, this was seen to be as true during the Second World War as it is now, going on to suggest that the United States military apparatus should implement a similar system in order to reduce rapes in the countries hosting American military bases. Prime Minister Shinzo Abe stated in 2007 that the comfort women were not coerced into serving the Japanese armed forces, and in 2014 he set up a government panel whose very purpose was to amend the Kono statement’s acknowledgement that the comfort women were coerced and forced into sexual slavery by the Japanese military. The statement further recognized the human trafficking of women to comfort stations in countries occupied by Japan and their continued retention there. The plan of amending the Kono statement was abandoned under American pressure, as the US was seeking greater cooperation and better relations between Japan and South Korea.

501 The Kono statement was the first acknowledgement and apology by the chief-cabinet secretary of Japan to the comfort women. It further gave credence to South Korea who had suffered the most under this system. Alexis Dudden and Kozo Mizoguchi, "Abe’s Violent Denial: Japan’s Prime Minister and the Comfort Women," Asia-Pacific Journal (2007).
The second contention is between primarily Japan and China, but carries over to other countries as it sets a precedent for how Japan tackles atrocities committed during World War II. Nanking, then capital of China, stands out as the center of an especially brutal massacre that occurred during the occupation of China. Significant evidence exist that shows that the occupying Japanese forces killed thousands of disarmed soldiers and civilians during the course of six weeks after the city fell on 13 December 1937.\textsuperscript{503} While it is generally accepted in Japan that the incident took place, the focus has been shifted to arguing about the intention behind the invasion and the numbers of casualties; and there is no national day of remembrance for the victims.

The readiness of the German public to accept the Holocaust legacy contrasts strikingly with the long-lasting refusal of postwar Japan to admit national responsibility for Japanese war crimes in China or Korea during the Second World War. The Nanking massacre are among the most horrible and brutal episodes of genocide in this century, but they had not been mentioned in official speeches by political representatives of postwar Japan. Only recently, as a result of long negotiations, did the Japanese government concede to war crimes committed by individual soldiers, and it signed a document containing an official excuse for the war crimes in Korea.\textsuperscript{504}

The third contention, also rooted in history and related to the problem over the comfort women and the Nanking massacre, and with realpolitikal consequences both for the region and Japan is the Yasukuni Shrine in Tokyo. Here 14 \textit{Class A war criminals} are interred.\textsuperscript{505} Amongst those enshrined there

\textsuperscript{503} T. Brook, \textit{Documents on the Rape of Nanking} (University of Michigan Press, 1999); and Rosenman, "The Spawning Grounds of the Japanese Rapists of Nanking."

\textsuperscript{504} J.C. Alexander et al., \textit{Remembering the Holocaust: A Debate} (Oxford University Press, 2009). 119

\textsuperscript{505} The charges against the Class A war criminals were levelled at those who were part of the conspiracy to start and wage war: \textit{Crimes against Peace}. Class A war criminals came from the upper echelons of the military and government.
is Hideki Tojo, the prime minister and minister of war for Japan during the Second World War. To this place politicians and ministers—even prime ministers including Shinzo Abe—\(^{506}\) come to “pray for peace” and to pay their respects.\(^{507}\)

South Korean President Park Geun-hye said … ‘Japan should try to right past wrongs’ … ‘Relations between South Korea and Japan can steadily develop only when these issues are correctly resolved,’ Park said in a speech marking “Liberation Day,” the holiday marking the end of Japan’s 35-year colonization of the Korean Peninsula.\(^{508}\)

One can only speculate how Europe would react if German Chancellors prayed for peace at graveyards with Nazi war criminals or places of symbolic importance for Nazi Germany in a similar appeal for peace.\(^{509}\) German

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\(^{508}\) Ibid.

\(^{509}\) When Jörg Haider’s Austrian right wing party (FPÖ) entered a coalition government in 2000, Austria was met with sanctions from European Union member states. Haider was accused of harboring Nazi sympathies and making light of the holocaust. Michael Merlingen, Cas Mudde, and Ulrich Sedelmeier, "The Right and the Righteous? European Norms, Domestic Politics and the Sanctions against Austria," JCMS: Journal of Common Market Studies 39, no. 1 (2001).; Instead German Chancellors come to places where atrocities took place in remembrance to the victims of German atrocities. German Chancellor Willy Brandt’s symbolic Warschauer Kniefall in the Jewish ghetto in Warsaw where he fell to his knees commemorating the uprising there in 1943. Thereby he acknowledged and apologized to the victims of German atrocities and the Holocaust. "Willy Brandt in Warschau, Kniefall Vor Der Geschichte," Spiegel Online, 2010-12-03, 2010, accessed 29/03/2016.
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A politician Hans-Ulrich Klose stated that “through the double catastrophe of the two [world] wars, the Germans transformed themselves from a violent society into a post-heroic society ... Many Germans say that we're the ones who learned the lessons of history and that others still have to learn those lessons.”

Even though Japan has offered apologies and recognized its role in the war, it has been unable to do so by a unified diet acting on behalf of the Japanese nation. By not recognizing its de facto guilt at the parliamentary level, China and South Korea continues to ask for a unified show of remorse and an official apology. Ironically, this has led to Japan expressing a sense of apology fatigue. This does not imply that the Japanese have not been sincere in the apologies given, rather that within the higher echelons of government, there exists discord that epitomizes the obfuscation of the Japanese position regarding its wartime history. The continual spiral of apology and subsequent reversal sows doubt on the sincerity of these very sincere apologies. Instead of aggressively seeking any form of reconciliation that would put these contentions to rest once and for all, this cyclical pattern that maintains the negative peace continues. In lieu of China and South Korea unilaterally forgiving Japan in an effort to move forwards, the burden of reconciliation falls on Japan.

511 An apology is an action that shows contrition and should indicate an acceptance of offences committed. This in turn should further demonstrate a change in behavior where denials and whitewashing of history does no longer occur.
9.2 Considerations and Summation

This overall continuing state of negative peace is not conducive for transforming the region. And while it persists, the danger of latent conflict developing into something larger is ever present, and maintains a pattern that could educe further disintegration of the region. To avoid once and for all and end the possibility of this occurring, a regional shift is necessitated. At present, the region is securely rooted in stages I through IV of Kacowicz and Archer's zones of peace. A development in this zone of peace from the current condition of simmering tensions, towards the eventual stages V and VI, and thus the formation of a security community, should be considered and which implementation should furthermore be attempted. This process might bear fruit in the future, initiated by interim measures and that will require sagacious perseverence on the part of all parties; as everything attempted thus far has failed, the wisdom of hindsight provides ample sagacity. Having been stuck in a condition centered on animosity and conflict for several decades, this shift will prove difficult and problematic to facilitate and will require long term commitments from the countries comprising this regional complex. As a consequence of the long-standing and potentially dangerous dysfunction of interstate relationships in the Northeast Asian region, a new paradigm is essential to address these deep-seated problems. For this purpose, the Nordic solutions can be studied regionally in Northeast Asia to address the how in ending the current paradigm paralysis.\textsuperscript{513}

\textsuperscript{513} Regarding the current “paradigm paralysis” experienced in the region, Gavan McCormack offers another insight into this background. He argues that it was strategically planned by the United States in the Second World War II settlement as ownership of the disputed islands was left intentionally vague. “These disputed territories served ‘as ‘wedges’ securing Japan in the Western bloc, or ‘walls’ dividing it from the communist sphere of influence.’ Again in 1972 by leaving unresolved the question of ownership of the Senkaku islands when returning Okinawa to Japanese administration, US Cold War planners anticipated that the Senkakus would function as a ‘wedge of containment’ of China. They understood that a ‘territorial dispute between Japan and China, especially over islands near Okinawa, would render the US military presence in Okinawa more acceptable to
The principal issues facing the region are rooted in its history. These issues fuel the underlying conflict structure of the region. And to effectively deal with this, the focus should be centered on reaching a consensus on the Second World War history. Attempts have been made with the apologies such as the Kono statement, or the bilateral initiative in 2008 between China and Japan. However, hardline stances on all sides causes the region to prolong the conflict cycles, hampering the onset of a transformation to a security community on a par with the Nordic countries.

It is of a lesser important to ponder the differences between the Nordic and Northeast Asian Regions. As they are geographically distant, and thus have no common history, as well as being ethnically, culturally, politically and demographically different, it becomes easy to dismiss a search for commonality. However, it is in the principles from the Nordic solutions, that commonality can be found. And as social reality is a construct, it can be deconstructed. As such, while inherent discrepancies in political systems exist between China and Japan, the same was the case for neutral Finland and the Soviet Union, which during the cold war was able to keep the peace and develop the relationship. And this was possible in spite of the Finns being aligned with Nazi Germany in the Second World War and as such fought the Soviets over territory in the war.\textsuperscript{514} Political geographer Anssi Paasi explores Japan." The events of 2010 proved them far-sighted." This would prove doubly so by the 2012 escalation. (In text citations: Kimie Hara, \textit{Cold War Frontiers in the Asia-Pacific}, 2007, p. 188.; and Kimie Hara, "The post-war Japanese peace treaties and China's ocean frontier problems," \textit{American Journal of Chinese Studies}, vol. 11, No. 1, April 2004, pp. 1-24, at p.23.) McCormack, "Small Islands–Big Problem: Senkaku/Diaoyu and the Weight of History and Geography in China-Japan Relations 小さな諸島--大きな問題---尖閣/釣魚と日中関係における歴史と地理の重さ・ Japanese, Korean and Chinese Texts Available." 

\textsuperscript{514} Finland, as Japan, in relation to its wartime past, has had difficulty in coming to terms with its own crimes. However, rather than denying it, Finland kept silent. Yet, that silence has time and again been broken to address the wrongs of the past within Finland. The internal history of Finnish crimes goes back to the civil war where torture, mass executions, and massacres were committed by both the
the complicated relationship between Finland and the Soviet Union in the postwar period, due to its position as a “western” country that bordered the Soviet Union. As such, Finland “belonged to the neutral but disputed camp between the Eastern and Western blocs.” While, the almost 1300 km long border between Finland and Russia was strictly controlled and cross-border activity limited during the cold war, Finland’s economy was highly dependent on bilateral trade with the Soviet Union. This economic trade aspect of the Finnish-Soviet relationship has been, and is the case between China and Japan. Paasi further highlights how after the cold war, Finland was

Reds and the Whites; the revenge of the victorious Whites was particularly vicious, placing thousands of captured Reds in de facto concentration camps in which thousands perished. This has been increasingly documented in Finland and become part of the public discourse breaking with the former silence. Moving to the Second World War, Finland cooperated with Nazi Germany. In 1941, Finland invaded the Soviet Union in Eastern Karelia, and place the Russian population in concentration camps. Finland also sent Jews to German concentration camps. On this historical background that was shaped from 1918 to 1945, Finland stands as the only Nordic country in which this occurred. For the nation, it has dealt with it in general silence; facing it was painful and clashed with the national rhetoric of heroics. What is of note though, is that when the silence breaks, which it has done periodically with increasing frequency, Finland’s past is never denied and never subject to revisionism. This black stain on Finland is thus increasingly being dealt with internally. Tom Gullberg, "The Holocaust as History Culture in Finland," Historicizing the Uses of the Past: Scandinavian Perspectives on History Culture, Historical Consciousness and Didactics of History Related to World War II 6 (2014). 45-56; For the Second World War, Denmark makes a good contrast. The Danish rescue of their Jewish citizens is exceptional in a European context: The Danish underground got involved in saving them and “thanks to the proximity of Sweden 7,200 Jews and some 700 of their non-Jewish relatives were transported to safety in the course of three weeks in October 1943 … A total of 482 Jews, mostly elderly and sick, were caught and deported to the camp of Theresienstadt [a German concentration camp]” "The Rescue of Denmark’s Jews," Yad Vashem. The World Holocaust Remembrance Center, accessed 28/03/2016. http://www.yadvashem.org/yv/en/righteous/stories/historical_background/denmark.asp.


Ibid.
instrumental in initializing the *Northern Dimension* policy of the EU. This policy focused on 1) cooperation and economic benefits to lower the traditional barriers of power politics between west and east, and 2) to bring Russian energy resources to the EU. This resulted with bringing Russia closer to Europe and as such the policy became part of the overall security policy of Europe. Finally, Paasi shows how Finland and Russia was able to form closer bonds from the *Neighboring Area Cooperation* agreement of 1992. 517 This agreement developed the formerly restricted border area with cross-border initiatives “to open up routes, establish connections and develop the economy in the border area.”518 The Finns were able to initiate rapprochement with Russia, a process that was cautious and gradual. And as 2008 exemplifies for China and Japan, very little is necessitated to upend and stop such a process once it has had its cautious beginning.

What the Nordic cases present is not merely regional solutions, they represent difficult choices that were highly unpopular, but that also ultimately proved successful because they transcended the incompatibility of opposing principles and values. The region saw the mobilization of the peoples, playing to nationalist sentiments that stood rooted in a long history of violence, and still eventually was able to *reconcile, defer, accept (or acquiesce), and respect* the inherent differences that normally leads to conflict. As such they refute traditional realist positions in international relations.

The Nordic Peace exemplifies how cycles of not only belligerence, but also antagonistic disagreements, have come to an end. The substance of this thesis arguably shows the importance of imaginative solutions to contentious issues. The Nordic region, presents as a region at peace with its conflictual past in having deferred to and accepted the difficult and bitter aspects of the Nordic solutions. Sweden deferred to the will of the Norwegian people and

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accepted Norway’s secession. Denmark and Germany redrew the border, thus breaking the inviolable territorial integrity and implemented minority rights in the border area. Both Finland and Sweden acquiesced to and accepted the ruling of the League of Nations in regards to the Åland Islands; a solution that saw the territorial integrity of Finland respected and the self-determination of the Ålanders guaranteed for thus reconciling these opposing principles. Furthermore, the Åland Islands are party to international law safeguarding its demilitarized status and neutrality; a decision no one deferred to as it was desirable to all. Contrasting this to Japan and the Pinnacle Islands, where brinkmanship prevails in the absence of an agreed ruling in international law. The islands could be placed under a similar internationally guaranteed demilitarized status that would surely de-escalate the situation at present. This would furthermore create an opportunity that would enable a different approach to find a solution. Instead Japan is dismantling the constitutional peace mechanism, Article 9, that has had an active part in keeping stability in Northeast Asia. Accordingly, China argues that it has kept Japan from becoming a regional threat again. Thus, while Japanese governments defers to Article 9, they do not accept it; i.e. embrace it. Without the subsequent acceptance, a Japanese transcendence that would be beneficial towards regional reconciliation has been hindered and instead formed part of the prevailing revisionism and obfuscation. With strong territorial assertions on both sides, alongside a weakened Article 9 in Japan, both could escalate the conflict on equal terms as Japan would, in all but the word, have normalized. Consider then, how the countries in Northeast Asia, struggle in moving towards a much needed transformation in regional engagements.

519 Article 9 has functioned as a regional counterweight to the negative peace. As the peace clause has been important, yet passive in its function in keeping a peaceful coexistence regionally, it is not only recognized, but also supported, by Japan’s former victims in the region. See: Amy King, "China’s Response to Japan’s Constitutional Reinterpretation," East Asia Forum, 2014, accessed 31/08/2016.
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It would thus be prudent for Japan to refrain from asserting all potential island claims and instead focus on the feasibility of a successful outcome to each territorial dispute. A triage approach would allow Japan to set priorities in a region where assertive states are beginning to aggressively flex their nationalist territorial claims. 520

The Nordic cases show compromise, through which no tangible “loser” is created, and wherein all ultimately “triumph.” This Nordic success is exemplified with the joint exploitation of marine resources and hydrocarbons in the Barents Sea after the Norway-Russia boundary was delimited; a very similar success to that which was squandered in 2012 by the termination of the 2008 agreement between China and Japan.

And while for the Nordic Region, those solutions based in international arbitration have proven successful, for Northeast Asia, and especially the Liancourt Rocks, the ICJ does not appear as neither a desirable nor viable option. Considering how tempers flared during the Korea-Japan Friendship Year, unless the underlying issues of the unresolved history of the Second World War are addressed in a manner satisfactory to all, an ICJ solution would likely make the situation worse as the real prospect of such a decision would produce one side winning while the other loses. This would at present ultimately lead to an increase of tensions in an otherwise fragile state of affairs. 521 And as Bowman points out, a novel solution should be attempted; and novelty is a mainstay of the Nordic solutions.

As novelty is represented in the Nordic cases, the opposite is true for Japan and its relations in Northeast Asia. In order to tackle the current impasse, the Japanese have not been able to effectively deal with their history. Jennifer

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521 “The countries could adopt a novel solution where Japan recognizes Korean sovereignty in exchange for arbitration over the accompanying issues of resource and boundary rights.” ibid.
Lind argues that for Japan, dealing with the historical contentions should not be emulated by German contrition, as a nationalist backlash is resultant to such movements.\footnote{Jennifer Lind, "The Perils of Apology: What Japan Shouldn't Learn from Germany," \textit{Foreign Affairs} (2009).} She points to what occurred after Murayama’s apologies: “When liberal parliamentarians proposed a landmark national apology in the form of a Diet resolution, prominent conservatives denied, justified, and sometimes even glorified Japan’s past violence.”\footnote{Ibid.} She states—while praising later German contrition—that Japan should rather emulate Konrad Adenauer, Germany’s first Chancellor after World War II, who acknowledged the German war crimes. Adenauer’s acknowledgements makes a “safer middle ground between denial and contrition.”\footnote{Ibid.} From her position, Japan becomes seemingly infantilized and unable to recognize its own past. And while a middle ground would be an improvement over near-yearly gaffes and improprieties by Japanese politicians, it shows how not effectively dealing with the past has hampered reconciliation regionally and domestically. This can be contrasted with and contradicted by Nordic acquiescence and acceptance of bitter and painful cases. In the dissolution of the union between Norway and Sweden, war was a possibility, and for Sweden, relinquishing Norway was no easy choice. However, the union by its very existence formed a barrier for not only further integration, but also for eventually developing better relations. And granted, that this case is lacking in atrocities, it nevertheless shows how by acquiescing to and respecting a condition and situation that is both hard and difficult, leads to rapprochement. Furthermore, Finland, as well as Germany (during the Adenauer period), both of which committed atrocities during the war, have shown that while either being initially silent [Finland], or by initially acknowledging atrocities without being contrite [Germany], they have never denied their past wrongs. This has led to the onset of reconciliation and acceptance over a very brutal part of their historical legacies.

\footnote{Jennifer Lind, "The Perils of Apology: What Japan Shouldn't Learn from Germany," \textit{Foreign Affairs} (2009).}
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The Nordic Region has also been able to reconcile that which is irreconcilable. While for the Nordic countries, this has been manifested by the more concrete and tangible aspects, such as self-determination and territorial integrity, it nevertheless shows that such opposing principles can be overcome. And that could arguably be said to be a hard feat to accomplish. An accomplishment, which Northeast Asia has not been able to reach, by disputing historical events that are well documented; such as the plights of the comfort women or the atrocities of Nanking. In the reconciliation of opposing ideas, the Nordic region was also able to defer to authority. And as there is an international consensus—even in Japan apart from the more extreme positions of some—there is a moral lesson from the Nordic ability to accede to something not wanted or hoped for. The Åland Islands saw Sweden and Finland having to come together to find the best solution. The two countries were on opposing sides, but as part of the process behind the solution, they could see the benefit of coming together in forming the autonomy laws for the Ålanders. Thus Finland, which initially had treated the Ålanders well, would have to further acquiesce to Sweden partaking in writing a domestic law. Denmark and Germany offers another example of how one country treating a minority well creates goodwill in the other. Instead, across Northeast Asia there is a distinct disconnect between former victims of Japanese aggression and Japan. As such, Japan could look to the Åland solution, the Schleswig solution, or better yet: Finland. By looking at Finland, Japan could see how a Nordic country has dealt with the difficulty in coming to terms with its past atrocities; yet by never denying them, and by increasingly confronting them in a national discourse taking place in academia and the national media, has in turn brought the constructive dialogue into the home.

There are dissenting voices in Japan to obfuscation, revisionism and denials of history. Hitoshi Motoshima, a former mayor of Nagasaki, said in 1997, the year after the Atom-bomb Dome in Hiroshima was designated a World Heritage Site, that it should not have been selected as such “because it
makes light of Japan’s role as an aggressor during World War II." He goes on to point out that this was the position held by the United States and China in their opposition to this designation. Instead Motoshima said that the first thing Japan should do “is to apologize to China and others (who were victims of Japan's aggression)” to start the reconciliation process. Kenzaburo Oe, who won the Nobel Prize for Literature in 1994, also argues from a position that suggests Japan has a moral obligation to start this process of rapprochement, while lamenting a lack of dialogue.

The sense among Japanese intellectuals that Japan's compensations to the Chinese are incomplete, their feeling that Japan has not managed to make a fresh start, to effect a true reconciliation with its neighbors, distorts Japan's self-image. I have no intention of belittling the efforts of Japanese physicians, engineers and young people who do volunteer work in various countries of Asia, but even these admirable Japanese are not entirely free of psychological scars, which can't be healed through moral dedication.

For the Japanese to be able to regard 21st-century Asia not as a new economic power rivaling the West but as a region in which Japan can be a true partner, they must first establish a basis that would enable them to criticize their neighbors and be criticized in turn. For this, Japan must apologize for its aggression and offer compensation. This is the basic condition, and most Japanese with a good conscience have been for it. But a coalition of conservative parties, bureaucrats and business leaders opposes it. The resolution of remorse for Japanese conduct during World War II was supposed to apologize for the calamities the war brought to Asian nations, but it was watered down. And this most likely confirmed distrust of Japan.

Japan and the Japanese must work for rehabilitation in Asia. In the history of our modernization in general but, in particular, in the war of aggression that was its peak, we lost the right to be a

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526 Ibid.
part of Asia and have continued to live without recovering that right.

Without that rehabilitation we shall never be able to eradicate the ambivalence in our attitude toward our neighbors, the feeling that our relationships aren't real. If I believe these feelings might nonetheless be overcome, it is not because I expect our Government to change its attitude drastically, but because I find that true remorse is quietly but deeply internalized among common people.527

Oe, in his conclusion, suggests that the social reality of Japan and the image of the self is reflecting the antithesis of the opinions held in the power echelons of Japanese governments. Thus by this notion of his, there exists the conditions necessary for reconciliation to occur. The solutions of the Nordic Region were based in deferring, accepting or acquiescing, and respecting a condition, circumstance, or situation that was not what was initially sought or desired. And while the cases here do not highlight directly comparable aspects, the principles that underlie the solutions highlight something tangible that transcends nationality, identity, cultural, and political differences. The Nordic Peace thus presents possibilities that can be further studied in Japan and regionally in Northeast Asia to seek novel third way solutions based on its transformation and pathway to peace.

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10 Closing Remarks

The Nordic Peace is not an accomplished task. It is a continual process without end. As it stands at present, it is facing new challenges, as it will in the future. It is however, arguably, well equipped to handle future trials as it stands on a foundation of principles that are not necessarily self-evident or visible, but that have become inherent constituent parts of the peoples of the region. The history has shown that through perseverance, the gradual transformation of the region, that occurred became something tenable that the challenges of today will unlikely wither away. Oftentimes crises were forced upon the region, sometimes without predictable outcomes, but by adhering to solution that produced the least harm, these were overcome. In order to achieve this, the principle of acceptance and the subsequent embrace of a result, favorable or not, would work towards building stronger regional security through cooperation and later a consensus based reality.

The region has thus on those bases, attained high integration without the need for a union to cement cooperation. This aspect of the integration becomes significant as it shows a region’s full potential without a necessitation of amalgamation. Thus, how cooperation for mutual benefit can be attained, whilst maintaining plurality and not homogeneity, is shown by the political and security alignments of the Nordic countries; i.e. as long as they do not pose a threat to each other, they can do as they please. Accordingly, the Nordic Peace is in the last stage of Kacowicz and Archer’s zones of peace and has formed a pluralistic comprehensive security community. As Northeast Asia has fulfilled the first and second stage, as the conflicts between the countries are of a non-violent nature and as such “peaceful,” the region has potential for moving forward towards stage three. It has shown capacity for

528 The conflicts of the Middle East, and especially Syria has put the region, and Europe, under strain from the influx of people fleeing war. Nonetheless, within the region, Sweden has especially stood out in accepting and welcoming refugees who are fleeing war.
doing so by different uni-, bi-, and multilateral actions, and crucially, when such movements towards reconciliation have been made, they have always been met with goodwill. While the process towards regional reconciliation will be difficult and take time, such a time will occur, as the status quo is inevitably unattainable in the long run.

For the Nordic Region, more than two centuries have passed. The principles of the Nordic Peace are now anchored in the core of the Nordic national identities that in turn form the backbone of the Nordic Peace. As the Nordic timeline has progressed, the focus of tackling conflicts has turned towards converging on cooperation in all areas that touches the human dimension of the Nordic countries. One recent example is the restitutions made to the indigenous peoples for the cruel treatment they suffered at the behest of the governments that represented them. And this is still an ongoing process that faces challenges by the central governments over their inherent rights. Consequentially, this also includes the possibility of another secession in the Nordic Region; a secession that could see the independence of Greenland from Denmark with the formation of the world’s first indigenous country.529 Whatever the future holds for the Nordic Region, what brought it to where it stands at present took time, trust, perseverance, and not least hope.

529 Nuttall, "Self-Rule in Greenland-Towards the World's First Independent Inuit State."
In brutal strife
your sword and shield shall be
belief in life
and human dignity.\textsuperscript{530}

- Nordahl Grieg
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Appendices

Appendix One

Denmark-Germany – the Schleswig-Holstein Issue: Two Wars, a Loss of Territory, Irredentism, Plebiscite, the Redrawing of a Border, and Minority Rights 1864-1920 (& 1955)

Bonn-Copenhagen Declarations

Notification concerning the general rights of the German minority

On behalf of the Government, the Prime Minister and Foreign Minister submitted to the Danish Parliament (Folketing) on 1 April 1955 the following declaration on the general rights to which persons belonging to the German minority in South Jutland are entitled:

Desiring to promote peaceful relations between the population on both sides of the Danish-German border and thus also the development of friendly relations between the Kingdom of Denmark and the Federal Republic of Germany and referring to Article 14 of the European Convention on Human rights, pursuant to which the rights and freedoms set forth in this Convention shall be secured without discrimination in respect of association with a national minority the Royal Danish Government issues the following declaration confirming the legal principles already applicable to this minority - as also set forth in the declaration made by the then Danish Prime Minister Hans Hedtoft to representatives of the German minority in Northern Schleswig on 27 October 1949 (the so-called Copenhagen Note):

I.

Under Danish law the Basic Law of the Kingdom of Denmark of 5 June 1953 and other Legislation - every citizen and thus also every member of the German minority regardless of the language which he uses shall enjoy the following rights and freedoms:

1. The right to inviolability of the liberty of the individual;
2. equality before the law;
3. freedom of faith and of conscience;
4. the right to freedom of expression and freedom of the press;
5. freedom of assembly and association;
6. the right freely to choose his occupation and place of work;
7. inviolability of the home;
8. the right freely to establish political parties;
9. equal eligibility for any public office according to his aptitude, qualifications and professional achievements, i.e. in the case of civil servants, employees and workers in the public service no distinction may be made between members of the German minority and other citizens;
10. the right to general, direct, equal, free and secret elections, which shall also apply to local elections;
11. the right to have recourse to the court if he considers that his rights have been violated by public authority;
12. the right to equal treatment, pursuant to which no one may be disadvantaged or favoured because of his parentage, his language, his origin, or his political opinions.

II.

In execution of these legal principles it is herewith stated that:

1. It shall be possible freely to profess one's loyalty to the German people and German culture and such a profession of loyalty shall not be contested or verified by an official authority.
2. Members of the German minority and their organizations may not be hindered from speaking and writing the language of their choice. The use of the German language in courts and administrative agencies shall be governed by the relevant legal provisions.
3. General schools and (also specialist) adult education centres as well as kindergartens may, in line with the relevant legal provisions, be set up by the German minority pursuant to the principle of the freedom of teaching in force in Denmark.
4. Since, under local Legislation, the committees of local representative bodies are set up on the basis of proportional representation, representatives of the German minority shall be involved in committee work in proportion to their numbers.
5. The Danish Government recommends that the German minority be duly taken into consideration within the framework of the rules in force on the use of radio.
6. In respect of assistance and other benefits from public funds on which a discretionary decision is taken, the members of the German minority shall not be treated differently from other citizens.

7. In respect of public notifications the newspapers of the German minority should be duly taken into consideration.

8. The special interest of the German minority in fostering contacts with Germany in the religious and cultural as well as in specialist fields shall be acknowledged.

The Danish Parliament (Folketinget) approved this declaration by decision of 19 April 1955.

Ministry of Foreign Affairs 7 June 1955, H.C. Hansen

Statement of the Government of the Federal Republic of Germany concerning the rights of the Danish minority.*)

Desiring to promote peaceful relations between the population on both sides of the German-Danish border and thus also the development of friendly relations between the Federal Republic of Germany and the Kingdom of Denmark and considering the obligation under international law into which the Federal Republic of Germany has entered by virtue of its accession to the European Convention on Human Rights in respect of the obligation not to discriminate against national minorities (Article 14), the Government of the Federal Republic of Germany issues the following declaration in the spirit of the principles, also laid down in the Basic Law of the Federal Republic of Germany, to which the Government of Schleswig-Holstein referred in its declaration of 26 September 1949:

I.

Like all citizens, the members of the minority shall enjoy the rights guaranteed in the Basic Law of the Federal Republic of Germany of 23 May 1949. Within the framework of the Basic Law they shall have the following rights in particular:

1. The right to inviolability of the liberty of the individual;
2. Equality before the law;
3. freedom of faith and of conscience;
4. the right to freedom of expression and freedom of the press;
5. freedom of assembly and association;
6. the right freely to choose their occupation and place of work;
7. inviolability of the home;
8. the right freely to establish political parties;
9. equal eligibility for any public office according to their aptitude, qualifications and professional achievements; in the case of civil servants, employees and workers in the public service no distinction may be made between members of the Danish minority and other citizens;
10. the right to general, direct, free, equal and secret elections, which shall also apply to regional and local elections;
11. the right to have recourse to the court in the event of their rights being violated by public authority;
12. the right to equal treatment, pursuant to which no one may be disadvantaged because of his parentage, his language, his origin or his political opinions.

II.

In execution of these legal principles it is herewith stated that:

1. It shall be possible to freely to profess one's loyalty to the Danish people and Danish Culture and such a profession of loyalty shall not be contested or verified by an official authority.
2. Members of the Danish minority and their organizations may not be hindered from speaking and writing the language of their choice. The use of the Danish language in courts and administrative agencies shall be governed by the relevant legal provisions.
3. In respect of financial assistance and other benefits from public funds on which a discretionary decision is taken, members of the Danish minority may not be treated differently from other citizens.
4. The special interest of the Danish minority in fostering contacts with Denmark in the religious and cultural as well as in specialist fields shall be acknowledged.

III.

The Federal Government gives notice that the Government of Schleswig-Holstein has informed it of the following:

1. Since, under local legislation, the committees of local representative bodies are set up on the basis of proportional representation, representatives of the Danish minority shall be involved in committee work in proportion to their numbers.
2. The Government of the Federal German state recommends that the Danish minority be duly taken into consideration within the framework of the rules in force on the use of radio.
3. In respect of public notifications the newspapers of the Danish minority should be duly taken into consideration.
4. In Schleswig-Holstein general schools and (also specialist) adult education centres as well as kindergartens may be set up by the Danish minority in line with the relevant legal provisions. At schools where teaching is in Danish adequate teaching shall be given in the German language.

Parents and persons legally responsible for a child's education may decide freely whether their children are to attend schools where teaching is in Danish.

*) Thus the statement is published in "Der Bundesanzeiger", no. 63, 31 March 1955 and in "Amtsblatt für Schleswig-Holstein", 23 April 1955. 531

531 "Bonn-Copenhagen Declarations."
Appendix Two

Finland-Sweden – The Territorial and Irredentist Predicaments of the Åland Islands 1809-1921

The Åland Islands

Peace Handbooks, Vol. VIII

The Islands Question
Arguments and Considerations

Having traced the history of the dispute about reunion down to a recent date, we pass to the arguments which have been brought forward by the parties concerned, and to certain general considerations which have a bearing on the problem.

(a) Historical. – The Ålanders claim that from the beginning of their history down to 1809 the Islands were part of the kingdom of Sweden; the Finns, that throughout their history they have been part of Finland. In a sense, both are right. Except for brief periods, the Islands have always been administered as part of Finland; but for more than six centuries Finland itself was part of the Swedish kingdom. Strictly speaking, however, the Islands have never “belonged” to Finland, for Finland was never an independent or sovereign State till two years ago. The Islands have “belonged,” first to Sweden, and subsequently to Russia. It may be argued – though it does not appear that the Finns have made this point – that the Russian (Soviet) Government, when recognizing the independence of Finland, transmitted to the Government of Finland its rights – rights derived from conquest – over the Åland Islands. The rights of Russia are, or were, clear enough, for they were unconditionally recognized by Sweden in 1809. But this is a point of law rather than of history.

(b) Geographical. – It is argued that the Islands are geographically part of Finland; and it can hardly be denied that, at least geologically, they are so. The sea between Åland and the mainland of Finland is nowhere more than 60 ft. deep, whereas Åland is separated from Sweden by a
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channel of great depth – the Ålandshaf – sinking in parts to 900 ft. Moreover, Åland is connected with Finland by a large number of rocky islets-about 80 of which are inhabited. Further, the sea to the eastward, being very shallow, freezes every winter, so that communication by means of the ice is, at that season, generally easy; whereas the deep sea to the westward does not freeze, on the average, more than about once in ten years. These facts point, undoubtedly, to a close geographical connection between Åland and Finland.

On the other hand, it should be observed that, while Mariehamn is equidistant from Åbo and Stockholm (70 miles), Åland is far nearer to Sweden than to Finland. The western sea is only 25 miles wide at its narrowest point, while the eastern is at least twice that width. Moreover, while the eastern sea is so studded with rocks and islets that navigation cannot but be somewhat dangerous except in clear weather and daylight, the western sea is unobstructed and large vessels can make the passage to Mariehamn in safety by day or night and in any weather. The consequence is that Åland, while linked – under water – with Finland, is actually more in touch, for commercial and other purposes with Sweden.

It is also to be remembered that between Åland and Finland there is a comparatively deep channel, called Skiftet, which divides the archipelago into two parts. It runs nearly north and east, passing to the west of the Kökar group and east of the Brandö group. In a map of Åland, dated 1714, this channel is marked as the boundary (in the northern part of its course), between Åland and Finland; but in the southern part the boundary deviates from the channel and includes the Kökar group in Åland. In another map of Åland dated 1789, Skiftet is marked as passing to the east of the Kökar group. It is noteworthy that in this map, as well as in two other old maps – one of Norway, Sweden, and Denmark, the other of Denmark and Sweden – the Åland Islands are colored like the neighboring province of Sweden, and unlike Finland.

(c) Ethnographical. – The population of the Islands is variously reckoned at from 25,000 to 27,000. These are almost all of Swedish descent, the only exception worth mentioning being a few Finns who inhabit some of the islands in the south-eastern part of the archipelago. Dr. Holsti, in the Memorandum already referred to, allows that the population is Swedish, but regards them as only a small portion of the total Swedish population of Finland, from which (he says) they are not to be distinguished ethnographically any more than geographically.
(d) Economical. – The trade of the Islands is mostly with Sweden. The
authors of the Memorandum already quoted state that the relations of
the Islands with Sweden since 1809 have been much closer than those
with Finland, and that most of their produce is sold at Stockholm.
Fresh-water fish is mostly sent thither; salted herrings go to Finland
and Reval [Tallinn] as well as to Stockholm.

(e) Strategical. – The danger for Sweden of a naval base on the Islands in
the hands of a hostile Power is obvious; and such considerations were
all that counted in the Åland question from 1809 to 1917, when that
question was merely one of fortification. When one considers that fast
torpedo-boats stationed at Bomarsund [town in Åland] could reach
Stockholm in four or five hour, and that the capital of Sweden could be
bombarded by a grosse Bertha [howitzer] placed at the western
extremity of Åland, it is clear that the Swedes have some cause for
anxiety.
It is not, however, for Sweden only that a navalised Åland constitutes a
danger. The Islands holds the key to the Gulf of Bothnia, for
submarines lurking in its many fiords could absolutely close the
entrances to that sea, which extend northwards for nearly 400 miles.
Moreover, if Bomarsund [town in Åland], Reval [Tallinn, Estonia] and
Libau [Liepāja, Latvia] were in the hands of a single naval Power or
confederation of States, they would appear to constitute one of those
triangles to which naval strategists attach such importance, and would
dominate the whole of the Baltic.
Lastly, under this head, it is argued by the Finns that Sweden has no
more right than Finland to control the Gulf of Bothnia, the shores of
which are equally divided between them. This may be conceded; but
the argument cuts both ways. The two rights cancel each other, and
leave the field open to other arguments.

(f) Self-determination. – The wishes of the population most nearly
concerned have been generally recognized, in similar cases, as the
most important factor. Of the nature of these wishes there can be no
doubt. Writing in 1854, Léouzon le Duc says (op. cit.): “Swedish by
origin, the Ålanders are so at heart. They love Sweden, which gave
them their language, their institutions, and their religion.” From this
attitude they have never swerved. Their desire for reunion with Sweden
has been shown by the all but unanimous vote of the people and has
been expressed in numerous appeals. So far as has transpired, no
voices in Åland have been raised on the other side.
It appears that the Svecoman [Swedes] population in Finland, numbering some 400,000 souls, objects to the separation. This is not surprising, for, though the Islanders form but an inconsiderable accession to the Swedish bloc in the Diet of Finland, the Swedish vote would, pro tanto, lose by their secession.

It is also argued on the Finnish side that to apply the doctrine of self-determination to so small a district and to so minute a fraction (one seventeenth) of the Swedo-Finn population is to reduce the doctrine to an absurdity; and that, if applied on behalf of the Ålanders, it should also be granted to the Svecomans. Such an application would obviously be impossible.\footnote{Aaland Islands. 28-32}
Decision of the Council of the League of Nations on the Åland Islands

INCLUDING SWEDEN’S PROTEST

1921
Original English Version

September 1921

League of Nations Official Journal

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IV.
MINUTES OF THE FOURTEENTH MEETING OF THE COUNCIL, JUNE 24TH.

All the Representatives of the Members of the Council, and the Secretary-General, were present.

M. BRANTING, representing Sweden, and M. ENCKELL, representing Finland, came to the Council table.

Mr. FISHER reminded the Council that the day before he had submitted certain fundamental principles concerning the Aaland Islands Question. Today, these general ideas had received the unanimous approval of the Council, with the exception, of course, of the two parties to the dispute.

Mr. Fisher then read the following draft resolution; -

“The Council at its meeting of June 24th, 1921, having regard to the fact that the two parties interested in the fate of the Aaland Islands have consented that the Council of the League of nations should be called upon to effect a settlement of the difficulties which have arisen, and that they have agreed to abide by its decision;

“After consideration of the Report of the Jurists which the question of the competence and of the decision of the Council, of September 20th, 1920, which recognised the aforesaid competence;
"And having reviewed all the geographical, ethnical, political, economic and military considerations set forth in the memorandum of the Rapporteurs, who undertook a thorough enquiry upon the request of the League of Nations;

"But having recognised, on the other hand, the desirability of a solution involving a maximum of security both for the population of the Islands and the parties concerned,

"Decides

"1. The sovereignty of the Aaland Islands is recognised to belong to Finland;

"2. Nevertheless, the interests of the world, the future of cordial relations between Finland and Sweden, the prosperity and happiness of the Islands themselves cannot be ensured unless (a) certain further guarantees are given for the protection of the Islanders; and unless (b) arrangements are concluded for the non-fortification and neutralisation of the Archipelago [Author's emphasis].

"3. The new guarantees to be inserted in the autonomy law should specially 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.

"4. The Council has requested that the guarantees will be more likely to achieve their purpose, if they are discussed and agreed to by the Representatives of Finland with those of Sweden, if necessary with the assistance of the Council of the League of Nations, and, in accordance with the Council’s desire, the two parties have decided to seek out an agreement. 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. In any case, the Council of the League of Nations will see to the enforcement of these guarantees.

"5. An international agreement in respect of the non-fortification and the neutralisation of the Archipelago should guarantee to the Swedish people and to all the countries concerned, that the Aaland Islands will never become a source of danger from the military point of view. With this object, the convention of 1856 should be replaced by a broader agreement, placed under the guarantee of all the Powers concerned, including Sweden. The Council is of the opinion that this agreement should conform, in its main lines, with the Swedish draft Convention for the neutralisation of the Islands. The Council instructs the Secretary-General to ask the governments concerned to appoint duly accredited representatives to discuss and conclude the proposed Treaty.

Viscount ISHII said that he agreed with the text presented by Mr. Fisher.
M. HANOTAUX, the Marquis IMPERIALI, M. QUINONES DE LÉON, Mr. WELLINGTON KOO, M. HYMANS, and M. DA CUNHA said that they also accepted the text presented by Mr. Fisher.

[Sweden’s Protest] M. BRANTING read the following declaration:

"On behalf of the Swedish Government I have the honour to make the following statement: –

"It is with a feeling of profound disappointment that the Swedish nation will learn of the Resolution of the Council of the League of Nations. "In supporting the cause of the people of the Aaland Islands before Europe and the League of nations, Sweden was not influenced by the desire to increase her territory. She only wished to support noble and just aspirations and to defend the right of an absolutely homogenous island population to reunite itself to its mother-country, from which it had been detached by force, but to which it is still united by the ties of a common origin, a common history, and a common national spirit. This population has declared to the whole world its unanimous wish not to be bound to a country to which it had been joined by force of arms alone.

"The Swedish Government had hoped that an institution, which was established to assist in the realisation of right in international relationships, would have favoured a solution of the Aaland question in conformity with the principle of self-determination, which, although not recognised as a part of international law, has received so wide an application in the formation of the New Europe. It had hoped that the Aalanders would not be refused the rights, which have been recognised in respect of their Slesvig [Schleswig] brothers, who belong, as do the Aalanders, to the Scandinavian race. It had hoped that, in the very special case under consideration, in which right appears so evident, and in which the wishes of the population have been expressed with such unusual unanimity, the League of Nations would have filled, at least on this occasion the rôle of the champion and defender of right, and thus, by its first decision, would have proclaimed the dawn of a new international order.

"To-day, when the decision of the Council has frustrated that hope, the Swedish Government is obliged to express the fear that the Council has grievously shaken the confidence that the peoples, particularly those who, like Sweden, have long been striving to accomplish international law, have had in the League of nations – an institution brought into being to make that law supreme in the world. If the League is to fulfil the great task entrusted to it by the Covenant, it is absolute necessary that it should possess that confidence.
"The Swedish Government is not of opinion that the settlement of the Aaland question which is suggested by the Council is likely to confer upon the Baltic area the peace that is desired. Nor yet is it of opinion that a population as homogenous as that of the Aaland Islands, of whose wishes so little account has been taken, can add to the strength of a country to which it is attached against its unanimous desire.

"Sweden is ready loyally to recognise that the decision of the Council has the force given to it by the Covenant. But Sweden will not abandon the hope that the day will come when the idea of justice shall have so permeated the conscience of the peoples, that the claims inspired by such noble motives and a national feeling as deep as that of the population of the Aaland Isles will be triumphally vindicated. Thus it will make its voice heard, and will at last have justice done to it."

M. ENCKELL said that he accepted the Council's decision.

The PRESIDENT noted the declarations which had been made.

M. HYMANS proposed that the conversation between the Representatives of Sweden and Finland and himself should begin on the day following, in order to find a common ground of agreement regarding the guarantees.

M. BRANTING thought that in view of what had happened at this meeting there was little chance that the meeting between the two parties under the presidency of M. HYMANS would have any result. In that event, the Council would pronounce its judgement in accordance with the terms of the Resolution which it had adopted.

Mr. FISHER asked M. Branting if the Swedish Government accepted, under protest, the Council's resolution.

M. BRANTING stated that the Representatives of Sweden had already replied to that question on the day before when they had said, in the name of their Government, that "it was ready loyally to recognise that the decision of the Council had the force given to it by the Covenant". This sentence would also be found in the protest of the Swedish Government, which had just been read.

M. VAN HAMEL, Director of the Legal Section of the Secretariat, was asked to make certain observations on the legal aspects of the question.

M. HANOTAUX desired that a discussion should not take place, at present, on the legal aspect, which was not yet ready to be discussed. A result had
already been reached, and the Representatives of the parties in the dispute and M. Hymans would meet on the following day. The discussion on the legal aspect could be opened when the Council had received M. Hymans’ report.

The Council adopted M. Hanotaux’s proposal.
The Åland Agreement in the Council of the League of Nations

1921

Original English Version

September 1921

League of Nations Official Journal

701

V.
MINUTES OF THE SEVENTEENTH MEETING OF THE COUNCIL, JUNE 27TH.

All the Representatives of the Members of the Council were present. The Secretary-General attended.

Spain was represented by M. DE REYNOSO, and Brazil by M. BLANCO.

The Representatives of Finland and of Sweden took their seats at the Council table.

M. HYMANS said that the Council had agreed at a previous meeting that the best method at arriving at a solution of the question of guarantees would be to endeavour to obtain an agreement between the Representatives of Finland and of Sweden, with the assistance of a Member of the Council. A consultation had taken place under his chairmanship, and he desired to submit the result of this consultation in the form of a definite text, which, if adopted by the Council, would be annexed to its resolution taken at a previous meeting on June 24th.

The text containing the agreement, which had been reached by the two parties, was then read:

"1. Finland, resolved to assure and to guarantee to the population of the Åland Islands the preservation of their language, of their culture, and of their local Swedish traditions, undertakes to introduce shortly into the Law of Autonomy of the Åland Islands of May 7th, 1920, the following guarantees:
"2. The Landsting and the Communes of Aaland Islands shall not in any case be obliged to support or to subsidize any other schools than those in which the language of instruction is Swedish. In the scholastic establishments of the State, instruction shall also be given in the Swedish language. The Finnish language may not be taught in the primary schools, supported or subsidized by the State or by the commune, without the consent of the interested commune.

"3. When landed estate situated in the Aaland Islands is sold to a person who is not 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 that 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.

"4. Immigrants into the Aaland archipelago who enjoy rights of citizenship in Finland shall only acquire the communal and provincial franchise in the Islands after five years of legal domicile. Persons who have been five years legally domiciled in the Islands shall not be considered as immigrants.

"5. The Governor of the Aaland Islands shall be nominated by the President of the Finnish Republic in agreement with the president of the Landsting of the Aaland Islands. If an agreement cannot be reached, the President of the Republic shall choose the Governor from a list of five candidates nominated by the Landsting, possessing the qualifications necessary for the good administration of the Islands and the security of the State.

"6. The Aaland Islands shall have the right to use for their needs 50% of the revenue of the land tax, besides the revenues mentioned in Article 21 of the Law of Autonomy.

"7. The Council of the League of Nations shall watch over the application of these guarantees. Finland shall forward to the Council of the League of Nations, with its observations, any petitions or claims of the Landsting of Aaland in connection with the application of the guarantees in question, and the Council shall, in any case where the question is of a juridical character, consult the Permanent Court of International Justice."

533 Legislature of the Åland Islands
The council unanimously approved the terms of this agreement, and decided that it should be annexed to its resolution of June 24th. The Council expressed its gratitude to M. Hymans for his assistance in the work which had resulted so successfully.

The Representatives of Finland and Sweden withdrew.
Convention Respecting the Non-Fortification and Neutralisation of the Aland Islands

1921
Original English Version

Signed at Geneva, October 20, 1921; ratifications exchanged at Geneva, April 6, 1922.

The President of Germany, His Majesty the King of Denmark and of Iceland, the Head of State of the Republic of Estonia, the President of the Republic of Finland, the President of the French Republic, His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, His Majesty the King of Italy, the Head of State of the Republic of Latvia, the Head of the Polish State, and His Majesty the King of Sweden, having agreed to carry out the recommendation made by the Council of the League of Nations in its resolution of the 24th June, 1921, with a view to the conclusion of a Convention between the Powers interested for the non-fortification and neutralization of the Aland Islands, in order to guarantee that these islands shall never become a source of danger from the military point of view,

Have resolved for this purpose to carry out, without any restriction, the intention of the engagement undertaken by Russia in the Convention of the 30th March, 1856, relative to the Aland Islands, annexed to the Treaty of Paris of the same date;

And have appointed the following as their Plenipotentiaries:

For Germany:
M. Oskar Trautmann, Counsellor of Legation;

For Denmark:
M. Herman Anker Bernhoft, Envoy Extraordinary and Minister Plenipotentiary at Paris; and
Captain Henri Lucien Erik Wenck, Chief of the Staff of the Danish Navy;

For Estonia:
M. Antoine Piip, Minister for Foreign Affairs;

For Finland:
General Oscar Paul Enckell, Chief of the General Staff of the Finnish Army;
M. Rafael Waldemar Erich, formerly President of the Council of Ministers, Professor in the Faculty of Law at the University of Helsingfors;
M. Carl Enckell, Envoy Extraordinary and Minister Plenipotentiary at Paris;
For France:
M. Jean Gout, Minister Plenipotentiary of the first class;
For the British Empire:
Mr. John Duncan Gregory, C.M.G., Counsellor of Embassy, Head of Department at the Foreign Office;
For Italy:
M. Arturo Ricci Busatti, Minister Plenipotentiary of the first class;
For Latvia:
M. Michael Walters, Envoy Extraordinary and Minister Plenipotentiary at Rome;
For Poland:
M. Szymon Askenazy, Envoy Extraordinary and Minister Plenipotentiary, Delegate to the League of Nations;
For Sweden:
M. Eric Birger de Trolle, Provincial Governor, formerly Minister for Foreign Affairs;
Baron Erik Teodor Marks von Würtemberg, President of the Court of Appeal of Svea, a former Minister;

Who, having deposited their full powers, found in good and due form, have agreed upon the following stipulations:-

ARTICLE 1.
Finland, confirming, to the extent requisite, in so far as she is concerned, the declaration made by Russia in the Convention of the 30th March, 1856, regarding the Aaland Islands, annexed to the Treaty of Paris of the same date, undertakes not to fortify the part of the Finnish archipelago called "the Aaland Islands."

ARTICLE 2.
I. The term "Aaland Islands" in the present Convention means all the islands, islets and reefs situated in the stretch of sea bounded by the following lines:-
(a.) On the north by the parallel of latitude 600 41' N.
(b.) On the east by straight lines joining successively the following geographical points:-
The Nordic Peace

1) lat. 60° 41´,0 N and long. 21° 00´,0 E of Greenwich
2) " 60° 35´,9 N " 21° 06´,9 E " 
3) " 60° 33´,3 N " 21° 08´,6 E " 
4) " 60° 15´,8 N " 21° 05´,5 E " 
5) " 60° 11´,4 N " 21° 04´,4 E " 
6) " 60° 09´,4 N " 21° 01´,2 E " 
7) " 60° 05´,5 N " 21° 04´,3 E " 
8) " 60° 01´,1 N " 21° 11´,3 E " 
9) " 59° 59´,0 N " 21° 08´,3 E " 
10) " 59° 53´,0 N " 21° 20´,0 E " 
11) " 59° 48´,5 N " 21° 20´,0 E " 
12) " 59° 27´,0 N " 20° 46´,3 E " 

(c.) On the south by the parallel of latitude 590 27´ N.
(d.) On the west by straight lines joining successively the following geographical points:-

13) lat. 59° 27´,0 N and long. 27° 09´,7 E of Greenwich
14) " 59° 47´,8 N " 19° 40´,0 E " 
15) " 60° 11´,8 N " 19° 05´,5 E " 
16) Middle of Märket rock
    lat. 60° 18´,4 N and long. 19° 08´,5 E " 
17) " 60° 41´,0 N " 19° 14´,4 E " 

The lines joining points 14, 15 and 16 are those fixed by the "Description topographique de la frontière entre le Royaume de Suède et l'Empire de Russie d'après la démarcation de l'année 1810, corrigée d'après la révision de 1888."

The position of all the points mentioned in this Article is that shown generally in the British Admiralty chart No. 2297, dated 1872 (corrected up to August 1921); however, for greater precision the position of points 1 to 11 is that shown in the following charts: Finnish charts No. 32, 1921, No. 29, 1920, and Russian chart No. 742, 1916 (corrected in March 1916).

A copy of each of these different charts is deposited in the archives of the permanent Secretariat of the League of Nations.

II. The territorial waters of the Aaland Islands are considered to extend to a distance of three nautical miles from the low-water mark of the islands, islets and reefs not permanently submerged, delimited above; nevertheless, these waters shall at no point extend beyond the lines fixed in paragraph I of the present Article.
III. The whole of the islands, islets and reefs delimited in paragraph I and the territorial waters defined in paragraph II constitute the "zone" to which the following Articles apply.

ARTICLE 3.

No military or naval establishment or base of operations, no military aeronautical establishment or base of operations, and no other installation utilized for war purposes shall be maintained or created in the zone described in Article 2.

ARTICLE 4.

Subject to the provisions of Article 7, no military, naval or air force of any Power shall enter or remain in the zone described in Article 2; the manufacture, import, transport and re-export of arms and war material therein are strictly prohibited.

The following provisions shall, however, be applied in time of peace:

(a.) In addition to the regular police force necessary for the maintenance of order and public security in the zone, in conformity with the general provisions in force in the Finnish Republic, Finland may, if exceptional circumstances require, send into the zone and keep there temporarily such other armed forces as shall be strictly necessary for the maintenance of order.

(b.) Finland also reserves the right for one or two of her light surface warships to visit the islands from time to time, which can, in this case, anchor temporarily in these waters. In addition to these ships, Finland may, if specially important circumstances require, send into the waters of the zone and keep there temporarily other surface vessels, which must in no case exceed a total displacement of 6,000 tons.

The right to enter the archipelago and to anchor there temporarily can be granted by the Finnish Government to only one warship of any other Power.

(c.) Finland may fly her military or naval aircraft over the zone, but, except in cases of force majeure, landing there is prohibited.

ARTICLE 5.

The prohibition to warships of entering and remaining in the zone described in Article 2 does not restrict the freedom of innocent passage through the territorial waters. Such passage shall remain subject to existing international rules and usages.

ARTICLE 6.
In time of war, the zone described in Article 2 shall be considered as a neutral zone and shall not, directly or indirectly, be used for any purpose connected with military operations.

Nevertheless, in the event of a war effecting the Baltic Sea, it will be permissible for Finland, in order to assure respect for the neutrality of the zone, temporarily to lay mines in its territorial waters, and for this purpose to take such measures of a maritime nature as are strictly necessary. Finland shall at once notify such action to the Council of the League of Nations.

ARTICLE 7.

I. In order to render effective the guarantee provided in the preamble of the present Convention, the High Contracting Parties shall communicate, either individually or jointly, with the Council of the League of Nations, so that it may decide upon the measures to be taken either to assure the maintenance of the provisions of this Convention or to repress any violation thereof.

The High Contracting Parties undertake to assist in the measures which the Council of the League of Nations may decide upon for this purpose.

When, in fulfilment of this undertaking, the Council shall have to make a decision under the above conditions, it will summon the Powers which are parties to the present Convention, whether Members of the League or not, to attend. The vote of the representative of the Power accused of having violated the provisions of this Convention shall not be necessary to constitute the unanimity required for the Council's decision.

If unanimity cannot be obtained, each of the High Contracting Parties shall be authorized to take any measures which the Council by a two-thirds majority recommends, the vote of the representative of the Power accused of having violated the provisions of this Convention not being counted.

II. In the event of the neutrality of the zone being imperilled by a sudden attack either against the Aaland Islands or across them against the Finnish mainland, Finland shall take the necessary measures in the zone to check and repulse the aggressor until such time as the High Contracting Parties shall, in conformity with the provisions of the present Convention, be in a position to intervene to enforce respect for the neutrality of the islands.

Finland shall report the matter immediately to the Council.

ARTICLE 8.

The provisions of the present Convention shall remain in force in spite of any changes that may take place in the present status quo in the Baltic Sea.

ARTICLE 9.
The Council of the League of Nations is requested to bring the present Convention to the notice of the Members of the League, in order that the legal status of the Aaland Islands, an integral part of the Republic of Finland, as defined by the provisions of this Convention, may, in the interests of general peace, be respected by all as part of the actual rules of conduct among Governments.

With the unanimous consent of the High Contracting Parties, the present Convention may be submitted to any non-signatory Power whose accession may in future appear desirable, with a view to the formal adherence of such Power.

ARTICLE 10.

The present Convention shall be ratified. The protocol of the first deposit of ratification shall be drawn up as soon as the majority of the signatory Powers, including Finland and Sweden, are in a position to take this step.

The Convention shall come into force for each signatory or adhering Power at the date of the deposit of its ratification or instrument of adhesion.

The deposit of ratifications shall take place at Geneva at the permanent Secretariat of the League of Nations, and any future instruments of adhesion shall also be deposited there.

In faith whereof the plenipotentiaries have signed the present Convention and have affixed their seals thereto.

Done at Geneva, the twentieth day of October, one thousand nine hundred and twenty-one, in a single copy which shall remain deposited in the archives of the Secretariat of the League of Nations, and of which a certified copy shall be sent by the Secretariat to each of the signatory Powers.

(L.S.) TRAUTMANN.  (L.S.) JEAN GOUT.
(L.S.) H. A. BERNHOFT.  (L.S.) J. D. GREGORY.
(L.S.) WENCK.  (L.S.) A. RICCI-BUSATTI.
(L.s.) ANT. PIIP.  (L.S.) M. WALTERS.
(L.S.) O. ENCKELL.  (L.S.) S. ASKENAZY.
(L.S.) R. ERICH.  (L.s.) ERIC TROLLE.
(L.S.) CARL ENCKELL.  (L.S.) E. MARKS VON WÜRTEMBERG.

Procès-verbal of the deposit of Ratifications of the Convention relative to the Non-Fortification and Neutralization of the Aaland Islands, signed at Geneva, October 20, 1921, between Germany, Denmark, Estonia, Finland, France, the British Empire, Italy, Latvia, Poland and Sweden.

In execution of Article 10 of the Convention signed at Geneva on the 20th October, 1921, the undersigned have met at the Secretariat of the
League of Nations in order to proceed in agreement with the Secretary-General of the League to the deposit of ratifications and to place them in his custody.

The instruments of ratification being produced, and being found on examination in good and due form, have been entrusted to the Secretary-General of the League of Nations to remain deposited in the archives of the League.

The Secretary-General of the League of Nations will inform the contracting Powers of the deposit of the instruments of ratification made subsequently by States signatories of the Convention which are not in a position at this date to carry out this formality.

The same procedure shall be adopted in regard to every adherence which shall take place according to the terms of Article 9 of the Convention.

In faith whereof the present procès-verbal has been drawn up.

Done at Geneva, the 6th April, 1922.

For Germany:
   DR. NASSE.

For France:
   P. DE REFFYE.

For Denmark:
   H. DE RICHELIEU.

For the British Empire:
   H. STANFORD LONDON.

For Finland:
   CARL ENCKELL.

For Sweden:
   ADLERCREUTZ.

ERIC DRUMMOND, Secretary-General
   of the League of Nations.
Appendix Three Norway-Russia: Delimiting the Boundary in the Barents Sea 1970-2010

Treaty between the Kingdom of Norway and the Russian Federation concerning Maritime Delimitation and Cooperation in the Barents Sea and the Arctic Ocean

The Kingdom of Norway and the Russian Federation (hereinafter “The Parties”),
Desiring to maintain and strengthen the good neighbourly relations,
Bearing in mind the developments in the Arctic Ocean and the role of the Parties in this region,
Desiring to contribute to securing stability and strengthen the cooperation in the Barents Sea and the Arctic Ocean,
Referring to the Agreement between the Kingdom of Norway and the Russian Federation on the Maritime Delimitation in the Varangerfjord area of 11 July 2007 (hereinafter “the 2007 Agreement”) and desiring to complete the maritime delimitation between the Parties,
Aware of the special economic significance of the living resources of the Barents Sea to Norway and the Russian Federation and to their coastal fishing communities and of the need to avoid economic dislocation in coastal regions whose inhabitants have habitually fished in the area,
Aware of the traditional Norwegian and Russian fisheries in the Barents Sea,
Recalling their primary interest and responsibility as coastal States for the conservation and rational management of the living resources of the Barents Sea and in the Arctic Ocean, in accordance with international law,
Underlining the importance of efficient and responsible management of their hydrocarbon resources,

Have agreed as follows:
The Nordic Peace

Article 1

1. The maritime delimitation line between the Parties in the Barents Sea and the Arctic Ocean shall be defined as geodetic lines connecting points defined by the following coordinates:

1. 70° 16’ 28.95” N 32° 04’ 23.00” E
   This point corresponds to point 6 of the delimitation line as defined in the 2007 Agreement.

2. 73° 41’ 10.85” N 37° 00’ 00.00” E
3. 75° 11’ 41.00” N 37° 00’ 00.00” E
4. 75° 48’ 00.74” N 38° 00’ 00.00” E
5. 78° 37’ 29.50” N 38° 00’ 00.00” E
6. 79° 17’ 04.77” N 34° 59’ 56.00” E
7. 83° 21’ 07.00” N 35° 00’ 00.29” E
8. 84° 41’ 40.67” N 32° 03’ 51.36” E

The terminal point of the delimitation line is defined as the point of intersection of a geodetic line drawn through the points 7 and 8 and the geodetic line connecting the easternmost point of the outer limit of the continental shelf of Norway and the westernmost point of the outer limit of the continental shelf of the Russian Federation, as established in accordance with Article 76 and Annex II of the Convention.

2. The geographical coordinates of the points listed in paragraph 1 of this Article are defined in World Geodetic System 1984 (WGS84, at epoch 2001.0).

3. By way of illustration, the delimitation line and the points listed in paragraph 1 of this Article have been drawn on the schematic chart annexed to the present Treaty. In case of difference between the description of the line as provided for in this Article and the drawing of the line on the schematic chart, the description of the line in this Article shall prevail.

Article 2

Each Party shall abide by the maritime delimitation line as defined in Article 1 and shall not claim or exercise any sovereign rights or coastal State jurisdiction in maritime areas beyond this line.

Article 3

1. In the area east of the maritime delimitation line that lies within 200 nautical miles of the baselines from which the breadth of the territorial sea of mainland Norway is measured but beyond 200 nautical miles of the baselines from which the breadth of the territorial sea of the Russian Federation is measured (hereinafter “the Special Area”), the Russian Federation shall, from the day of
the entry into force of the present Treaty, be entitled to exercise such sovereign rights and jurisdiction derived from exclusive economic zone jurisdiction that Norway would otherwise be entitled to exercise under international law.

2. To the extent that the Russian Federation exercises the sovereign rights or jurisdiction in the Special Area as provided for in this Article, such exercise of sovereign rights or jurisdiction derives from the agreement of the Parties and does not constitute an extension of its exclusive economic zone. To this end, the Russian Federation shall take the necessary steps to ensure that any exercise on its part of such sovereign rights or jurisdiction in the Special Area shall be so characterized in its relevant laws, regulations and charts.

**Article 4**

1. The fishing opportunities of either Party shall not be adversely affected by the conclusion of the present Treaty.
2. To this end, the Parties shall pursue close cooperation in the sphere of fisheries, with a view to maintain their existing respective shares of total allowable catch volumes and to ensure relative stability of their fishing activities for each of the stocks concerned.
3. The Parties shall apply the precautionary approach widely to conservation, management and exploitation of shared fish stocks, including straddling fish stocks, in order to protect the living marine resources and preserve the marine environment.
4. Except as provided for in this Article and in Annex I, nothing in this Treaty shall affect the application of agreements on fisheries cooperation between the Parties.

**Article 5**

1. If a hydrocarbon deposit extends across the delimitation line, the Parties shall apply the provisions in Annex II.
2. If the existence of a hydrocarbon deposit on the continental shelf of one of the Parties is established and the other Party is of the opinion that the said deposit extends to its continental shelf, the latter Party may notify the former Party and shall submit the data on which it bases its opinion.

If such an opinion is submitted, the Parties shall initiate discussions on the extent of the hydrocarbon deposit and the possibility for exploitation of the deposit as a unit. In the course of these discussions, the Party initiating them shall support its opinion with evidence from geophysical data and/or geological data, including any existing drilling data and both Parties shall make their best efforts to ensure that all relevant information is made available for the purposes of these discussions. If the hydrocarbon deposit extends to the continental shelf of each of the Parties and the deposit on the
The continental shelf of one Party can be exploited wholly or in part from the continental shelf of the other Party, or the exploitation of the hydrocarbon deposit on the continental shelf of one Party would affect the possibility of exploitation of the hydrocarbon deposit on the continental shelf of the other Party, agreement on the exploitation of the hydrocarbon deposit as a unit, including its apportionment between the Parties, shall be reached at the request of one of the Parties (hereinafter “the Unitisation Agreement”) in accordance with Annex II.

3. Exploitation of any hydrocarbon deposit which extends to the continental shelf of the other Party may only begin as provided for in the Unitisation Agreement.

4. Any disagreement between the Parties concerning such deposits shall be resolved in accordance with Articles 2-4 of Annex II.

**Article 6**

The present Treaty shall not prejudice rights and obligations under other international treaties to which both the Kingdom of Norway and the Russian Federation are Parties, and which are in force at the date of the entry into force of the present Treaty.

**Article 7**

1. The Annexes to the present Treaty form an integral part of it. Unless expressly provided otherwise, a reference to this Treaty includes a reference to the Annexes.

2. Any amendments to the Annexes shall enter into force in the order and on the date provided for in the agreements introducing these amendments.

**Article 8**

This Treaty shall be subject to ratification and shall enter into force on the 30th day after the exchange of instruments of ratification.

DONE in duplicate in Murmansk on 15 September 2010, each in Norwegian and Russian languages, both texts being equally authentic.

For the Kingdom of Norway For the Russian Federation
Annex I

to the Treaty between the Kingdom of Norway and the Russian Federation concerning Maritime Delimitation and Cooperation in the Barents Sea and the Arctic Ocean

Fisheries matters

Article 1
The Agreement between the Government of the Kingdom of Norway and the Government of the Union of Soviet Socialist Republics on co-operation in the fishing industry of 11 April 1975 and the Agreement between the Government of the Kingdom of Norway and the Government of the Union of Soviet Socialist Republics concerning mutual relations in the field of fisheries of 15 October 1976 shall continue to stay in force for fifteen years after the entry into force of the present Treaty. After the expiry of this term each of these Agreements shall remain in force for successive six year terms, unless at least six months before the expiry of the six year term one Party notifies the other Party about its termination.

Article 2
In the previously disputed area within 200 nautical miles from the Norwegian or Russian mainland technical regulations concerning, in particular, mesh and minimum size of catches set by each of the Parties for their fishing vessels shall apply for a transitional period of two years from the day of entry into force of the present Treaty.

Article 3
Total allowable catches, mutual quotas of catches and other regulatory measures for fishing shall continue to be negotiated within the Norwegian-Russian Joint Fisheries Commission in accordance with the Agreements referred to in Article 1 of the present Annex.

Article 4
The Norwegian-Russian Joint Fisheries Commission shall continue to consider improved monitoring and control measures with respect to jointly managed fish stocks in accordance with the Agreements referred to in Article 1 of the present Annex.
Transboundary Hydrocarbon Deposits

Article 1
The Unitisation Agreement between the Parties concerning exploitation of a transboundary hydrocarbon deposit, referred to in Article 5 of the present Treaty, shall provide for the following:

1. Definition of the transboundary hydrocarbon deposit to be exploited as a unit (geographical coordinates normally shown in an annex to the Agreement).

2. The geographical, geophysical and geological characteristics of the transboundary hydrocarbon deposit and the methodology used for data classification. Any geological data used as a basis for such geological characterisation shall be the joint property of the legal persons holding rights under the Joint Operating Agreement, referred to in paragraph 6 a) of the present Article.

3. A statement of the total amount of the hydrocarbon reserves in place in the transboundary hydrocarbon deposit and the methodology used for such calculation, as well as the apportionment of the hydrocarbon reserves between the Parties.

4. The right of each Party to copies of all geological data, as well as all other data of relevance for the unitised deposit, which are gathered in connection with the exploitation of the deposit.

5. The obligation of the Parties to grant individually all necessary authorisations required by their respective national laws for the development and operation of the transboundary hydrocarbon deposit as a unit in accordance with the Unitisation Agreement.

6. The obligation of each Party
   a) to require the relevant legal persons holding rights to explore for and exploit hydrocarbons on each respective side of the delimitation line to enter into a Joint Operating Agreement to regulate the exploitation of the transboundary hydrocarbon deposit as a unit in accordance with the Unitisation Agreement;
b) to require the submission of a Joint Operating Agreement for approval by both Parties, as well as to issue such approval with no undue delay and not to unduly withhold it;
c) to ensure that the provisions contained in the Unitisation Agreement prevail over the provisions of the Joint Operating Agreement in case of any discrepancy between them;
d) to require the legal persons holding the rights to exploit a transboundary hydrocarbon deposit as a unit to appoint a unit operator as their joint agent in accordance with the provisions set out in the Unitisation Agreement, such an appointment of, and any change of, the unit operator being subject to prior approval by the two Parties.

7. The obligation of each Party not to withhold, subject to its national laws, a permit for the drilling of wells by, or on account of, the legal persons holding rights to explore for and produce hydrocarbons on its respective side of the delimitation line for purposes related to the determination and apportionment of the transboundary hydrocarbon deposit.

8. Unless otherwise agreed by the Parties, the obligation of each Party not to permit the commencement of production from a transboundary hydrocarbon deposit unless the Parties have jointly approved such commencement in accordance with the Unitisation Agreement.

9. The obligation of the Parties to determine by mutual agreement in due time before the production of hydrocarbons from the transboundary hydrocarbon deposit is about to cease, the timing of cessation of the production from the transboundary hydrocarbon deposit.

10. The obligation of the Parties to consult each other with respect to applicable health, safety and environmental measures that are required by the national laws and regulations of each Party.

11. The obligation of each Party to ensure inspection of hydrocarbon installations located on its continental shelf and hydrocarbon activities carried out thereon in relation to the exploitation of a transboundary deposit, the obligation of each Party to ensure inspectors of the other Party access on request to such installations, and to relevant metering systems on the continental shelf or in the territory of either Party, as well as the obligation of each Party to ensure that relevant information is given to the other Party on a regular basis to enable it to safeguard its fundamental interests, including inter alia those related to health, safety, environment, hydrocarbon production and metering.

12. The obligation of each Party not to alter the right to explore for and produce hydrocarbons awarded by one Party, which applies to a field that is subject to unitisation in accordance with the Unitisation
The Nordic Peace

Agreement, nor to assign it to other legal persons, without prior consultation with the other Party.

13. The obligation of the Parties to establish a Joint Commission for consultations between the Parties on issues pertaining to any planned or existing unitised hydrocarbon deposits, providing a means for ensuring continuous consultation and exchange of information between the two Parties on such issues and a means for resolving issues through consultations.

Article 2
The Parties shall make every effort to resolve any disagreement as rapidly as possible. If, however, the Parties fail to agree, they shall jointly consider all options for resolving the impasse.

Article 3
1. If the Parties fail to reach the Unitisation Agreement referred to in Article 1 of the present Annex, the disagreement should as rapidly as possible be resolved by negotiations or by any other procedure agreed between the Parties. If the disagreement is not settled within six months following the date on which a Party first requested such negotiations with the other Party, either Party shall be entitled to submit the dispute to an ad hoc Arbitral Tribunal consisting of three members.
2. Each Party shall appoint one arbitrator, and the two arbitrators so appointed shall elect a third arbitrator, who shall be the Chairperson. The Chairperson shall not be a national of or habitually reside in Norway or the Russian Federation. If either Party fails to appoint an arbitrator within three months of a request to do so, either Party may request that the President of the International Court of Justice make the appointment. The same procedure shall apply if, within one month of the appointment of the second arbitrator, the third arbitrator has not been elected.
3. All decisions of the Arbitral Tribunal shall, in the absence of unanimity, be taken by a majority vote of its members. The Arbitral Tribunal shall in all other matters determine its own rules of procedure. The decisions of the Arbitral Tribunal shall be binding upon the Parties and the Unitisation Agreement referred to in Article 1 of the present Annex shall be concluded by them in accordance with these decisions.

Article 4
1. In the event that a failure to reach agreement concerns the apportionment of the hydrocarbon deposit between the Parties, they shall appoint an independent expert to decide upon such apportionment. The decision of the independent expert shall be binding upon the Parties.
The Nordic Peace

2. Notwithstanding the provisions contained in paragraph 1 of this Article, the Parties may agree that the hydrocarbon deposit shall be reapportioned between them.