

Autonomy and the European Island Regions
A Categorisation of the Autonomy of Island Regions in Europe
Draft

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Autonomous Islands in Europe

What is autonomy and how is it implemented in Europe today? The word autonomy has been used in many different ways depending on what discipline you are studying, but also depending on how you define it. For example in Europe the term is used to define the state of government both for the Basque in Spain, Scotland in the United Kingdom and Greenland in Denmark as well as for the future status of Kosovo in Yugoslavia. One way to find out how the term is used is to study the autonomous regions and compare them with each other. Thereby we can get a deeper knowledge on the different meanings of the word autonomy. When we look for the different autonomous regions in Europe we will find that many of them are island regions. We have the Åland Islands in Finland, the Faroe Islands and Greenland in Denmark, the Isle of Man and the Channel Islands in Britain, Azores and Madeira in Portugal, Sardinia and Sicily in Italy and the Balearic and Canary Islands in Spain. This paper aims to compare the use of the term autonomy to see how it has been implemented towards the island regions in Europe in order to categorise the different autonomous island regions from out the meanings that the word has been given in the constitutions of the European countries. I will argue that the term autonomy is used with different meanings in the constitutions and that the degree of autonomy varies from only the degree of a federal state to an almost independent state. I choose to study the constitutions since that is where the distribution of competence between the state and the autonomous region is set up. I will therefore also include such legislations that in some way contribute to defining the competence between the two. This paper will only discuss autonomous island regions in Europe today.

Why island studies? Islands have always fascinated people and over the last decades there has been an increased interest in the small island regions of the world. Newitt argues that islanders often develop a feeling of affinity due to the isolated position, something that Sutton and Payne points out together with a desire to maintain their own tradition and special identity.¹ This is also something that Dag Anckar finds when he studies the independent process of the Åland Islands. He argues the ethnic nationalism of Åland is likely to be understood as a consequence of its smallness.² Robert T. Holt and John E. Turner published one of the first stud-

¹ Hadenius (1992), s. 124; Sutton & Payne (1993) s. 584 f.

² Anckar (2000) s. 79.

ies on the island subject in 1969. In their article *Insular politics* they argue that islands tends to develop a sensibility of dominance. By studying the case of Ceylon, Japan and Great Britain they see three strategies through which islands can act. Either they tend to occupy mainland territory in order to feel secure, or they give their active support to one of the actors in the conflict in order to maintain the power balance and thereby stop an invasion. The third strategy for an island to act is to find an ally outside the region to avoid a regional great power from invading the island.³ Dag Anckar argues against Holt and Turner that their conclusions are too general and implies that the island possess a great army, which is not the case for most island regions. Instead he points at the attraction that island regions have on land-based countries.⁴

In 1990 Martin Ira Glasser published a research study called *Neptune's domain* where he mainly deals with the geopolitics of the sea. In his study he also deals with islands and island regions but he focuses on the sea and does not say anything about the geopolitics of islands.⁵

Over the last few years a number of island studies has been published. Several research programmes has emerged. "The North Atlantic Islands Programme" and "An Island Living" are two projects that are working interdisciplinary at the University of Prince Edward Island⁶.

Island regions often have had a strategic value, for instance the Channel Islands in the wars between England and France to the 17th century, the Azores for the trade with the New World from the 15th century to our day's etc.⁷ In a study on neutralized and demilitarised regions in Europe Christer Ahlström finds that seven of them are island regions. In Scandinavia we find the Aland Islands and Svalbard, in the Mediterranean we find Corfu, Paxos, Lemnos, Mytilene, Chíos, Sámos and Dodecanese Islands and in Croatia the Pelages Islands.⁸ Only a few of them are still demilitarised and neutralized and only the Aland Islands and Svalbard has reached autonomy.

³ Holt – Turner (1969) s. 233 ff.

⁴ Anckar, Dag (1982) s. 158 ff.

⁵ Glassner (1990) s. 1 f.

⁶ See Baldacchino & Greenwood (2001) and Baldacchino & Milne (2000)

⁷ For further reading on the strategic value of these islands see Lempière (1974) and Pacheco Amaral (1992)

⁸ Ahlström (1995) s. 27 ff., 44 ff och 50 f.

In this paper I will thereby exclude all constitutions of land-locked countries in Europe. This means that I will only look at 30 of the 43 independent states of Europe⁹. A list of the European countries is given in table 1.

Table 1: The European countries

| Coastal countries | | Land-locked countries | Island countries |
|--------------------------|-------------|------------------------------|-------------------------|
| Albania | Lithuania | Andorra | Iceland |
| Belgium | Monaco | Austria | Ireland |
| Bosnia-Herzegovina | Netherlands | Belarus | Malta |
| Bulgaria | Norway | Czech Republic | United Kingdom |
| Croatia | Poland | Hungary | |
| Denmark | Portugal | Liechtenstein | |
| Estonia | Romania | Luxemburg | |
| Finland | Russia | Macedonia | |
| France | Slovenia | Moldavia | |
| Germany | Spain | San Marino | |
| Greece | Sweden | Slovakia | |
| Italy | Ukraine | Switzerland | |
| Latvia | Yugoslavia | Vatican City-state | |

⁹ This is according to the geographical definition used in Sweden and most countries in Europe. If we consider the definition used in the OSSE there will be 52 or 54 independent states in Europe. This definition is also commonly used in the United States.

Autonomy

The United Nations' declaration on Human Rights declares that minorities have the right to autonomy or self-government on matters that concern themselves.¹⁰ According to Rudolph Bernhardt autonomy gives certain rights to minorities that differ from the majority in matters of language, culture or ethnic belonging.¹¹ Ruth Lapidoth argues that *A territorial autonomy is an agreement aimed at granting to a group that differs from the majority of the population in the state, but that constitutes the majority in a specific region, a means by which it can express its distinct identity.*¹² Autonomy can, according to Lapidoth, have different international elements. It can be established from an international institution. It can also be the result of an international agreement, as is the status of the Aland Islands and the resolution directed by the League of Nations in 1922. It may include international machinery of supervision, and finally it can have an ethnic affinity.¹³ Hurst Hannum argues that autonomy gives the region control over matters that are primarily of local concern. He also points out that autonomy is not equivalent to independence.¹⁴

Jan-Erik Lane and Svante Ersson points out that autonomy can imply both a state in a federal state as well as a region or municipality in a unitary state. Paradoxical the autonomy of a region in a unitary state can be more far-reaching than the autonomy in a federal state.¹⁵

Hans-Joachim Heintze divides autonomy in two categories - territorial and non-territorial autonomy. With the later he means cultural autonomy, such as the autonomy given to the Sami in Scandinavia. It can also be personal autonomy, i.e. autonomy given without pointing out any geographical territory, as is the case concerning the Danish minority in northern Germany. Finally it can be functional autonomy, again the Danish minority in Germany or the German minority in Denmark. Territorial autonomy is the kind of autonomy that is given to a certain geographical region, such as the decentralisation of administration in Corsica and the virtual separation from the law of state as in the Aland Islands.¹⁶

¹⁰ Article 31 – Declaration on Human Rights (FN).

¹¹ Bernhardt, Rudolph (1981).

¹² Lapidoth, Ruth (1997) s. 31.

¹³ Lapidoth, Ruth (1997) s. 29 ff.

¹⁴ Hannum, Hurst, s. 453 ff.

¹⁵ Lane, Jan-Erik & Svante Ersson (1994) 219 f.

¹⁶ Heintze, Hans-Joachim (1998) s. 8 ff.

Why is it then that some regions develop autonomy while others remain as an integrated part of the state? Kjell-Åke Nordqvist points at four types of autonomy. *Expedient autonomies* owe their autonomy to practical reasons, for example the distance between the United Kingdom and the Falklands Islands. *Historical autonomies* owe their self-government to historical facts, as is the case with the Isle of Man in the Irish Sea. *Organic autonomies* are those regions that have developed their autonomy over a long period of time, such as the case with Greenland. Finally *Seized autonomies* are those that have emerged out of a process of political mobilisation, for example the conflict between minorities in the Atlantic coast of Nicaragua who got their autonomy after a long series of negotiations.¹⁷

Christer Ahlström studies the areas in Europe that according to international treaties have been demilitarised and/or neutralized. He finds that several of these areas later or in connection with the international agreement have developed autonomy. For instance the Åland Islands were demilitarised and neutralized in 1866, after the Crimean War.¹⁸

When it comes to autonomy connected with island regions professor Dag Anckar points out that the geographical position of many islands tend to strengthen the solidarity between people with different cultural and ethnic backgrounds. This solidarity seems to have its origin in cultural integration, i.e. the fellow feeling, fellowship and the cultural homogeneity that develops over a long period of time, despite different origins. This also seems to be one major condition for developing autonomy. Since the inhabitants on the island identify themselves so strongly with each other they tend to dissociate themselves from the rest of the country, and thereby make greater demands for autonomy.¹⁹

The strategic value, often due to military strategic position or the existence of natural resources on the islands, tend to make them more desirable for intruders. This often forces them to choose between being dominated by a continentally based country or constantly being exposed to threats from the surrounding countries.²⁰

¹⁷ Nordqvist, Kjell-Åke (1998) s. 62 ff.

¹⁸ Ahlström, Christer (1995)

¹⁹ Anckar, Dag (1982)

²⁰ *ibid.* s. 156 f.

We can identify three different aspects concerning the ability to develop autonomy. Ahlström and Anckar talks about the strategic value and the ability to attract surrounding countries, while Bernhardt and Heintze emphasise the cultural aspects. Lane-Ersson and Nordqvist points out the geographical, historical and constitutional aspects as well as conflicts between a region and the state as reasons for developing autonomy. From out these different aspects we can divide the factors that contribute to a development of autonomy into two categories - those that origin from the region itself and those that stern from the surroundings.

The constitutions and the autonomous island regions

The island regions

In Europe today there are 30 coastal countries and in eleven of them we find island regions. Only some of these regions are mentioned in the constitutions and a few of them enjoys some form of autonomy. When we look through the constitutions of these countries we will find that in only five of them there are something mentioned about autonomous regions of any kind, Denmark, Finland, Italy, Portugal and Spain, see table 2.²¹

Table 2. Island regions in Europe

| Country | Region | Mentioned in The constitution |
|----------------|----------------|--|
| Denmark | Bornholm | No |
| | Faeroe Islands | Yes |
| | Greenland | Yes |
| Estonia | Hiiuma | No |
| | Saarema | No |
| Finland | Aland Islands | Yes |
| France | Corsica | No |
| | Guadeloupe * | No |
| | Martinique * | No |
| | Reunion * | No |
| Germany | Helgoland ☒ | No |
| Greece | Ionioi | No |
| | Kriti | No |
| | Nisoi | No |
| | Notio Aigaio | No |
| | Voreio Aigaio | No |
| Italy | Sardinia | Yes |
| | Sicily | Yes |
| Norway | Svalbard | No |

²¹ The Constitutions of the European Countries in this paper derives from the web page Constitutions of the World, <http://www.nhmccd.cc.tx.us/contracts/lrc/kc/constitutions-subject.html>, supported by the Kingwood College Library.

| | | |
|----------------|------------------------|-----|
| Portugal | Azores | Yes |
| | Madeira | Yes |
| Spain | Balearic Islands | Yes |
| | Canary islands | Yes |
| Sweden | Gotland | No |
| United Kingdom | Guernsey, Bailiwick of | # |
| | Isle of Man | # |
| | Jersey, Bailiwick of | # |
| | Orkney Islands | # |
| | Shetland Islands | # |
| | Western Isles | # |

- * Guadeloupe, Mayotte and Réunion is considered overseas departement (DOM Domination Outre-Mare).
- # The United Kingdom has no written constitution.
- ⊠ Helgoland is not considered as a region but enjoys a special statues in regard of the EUs taxation union.

As we can see in table two there are fourteen autonomous islands in Europe but only seven of these are mentioned in the constitutions. In one of the European countries, the United Kingdom, there is no written constitution. In the United Kingdom there are three island regions, Orkney Islands, Shetland Islands and the Western Isles. These three regions do not enjoy any autonomy except for the one that is enjoyed by the region of Scotland.²² Furthermore within the British Isles there are three regions that are not included in the United Kingdom. These regions are the Bailiwick of Guernsey and the Bailiwick of Jersey in the Channel Islands as well as the Isle of Man. The statutes of these three regions mostly derive from a number of historical circumstances and the relations between the three regions and the British government mostly derives from common law and they are not members of the European Union.²³

When we look through the constitutions and constitutional laws in the European Countries we will find several islands with some form of special agreements with the government or with regional organisations such as the European Union. One of these islands is the German Helgoland. According to the treaties of the EU Helgoland is not included in the taxation union. However the island has no political autonomy towards the German government or the federal

²² See MacKim (1992), s. 119-136; Lane-Ewrrsson (1994) s. 217 f. and Mawson (1998), s. 219-238.

²³ Bogdan, M (1988), s. 155 f; Loveridge, J. (1975) s. 1 ff.; Protocol No 3 on the Channel islands and the Isle of Man.

government in Schleswig-Holstein.²⁴ In the negotiations between the Norwegian government and the EU the islands of Svalbard was supposed to be excluded from a Norwegian membership in the union due to its special status in international law, according to which the island of Svalbard has a special status towards the Norwegian State and thereby it can be included in the group of autonomous islands in this paper.²⁵ Concerning the autonomy of Svalbard there is nothing mentioned in the Norwegian constitution.²⁶

Regarding the Estonian, Greek and Swedish regions the situation is quite similar. None of these regions are mentioned in the respective constitution and the powers of the regions are limited. The Estonian island regions of Hiiumaa and Saaremaa do not enjoy any autonomy towards the Estonian.²⁷ As for Greece the regions consists of smaller municipalities made up into larger areas. The constitution states, “The administration of the state shall be organized in accordance with the system of decentralization”.²⁸ The powers of the local authorities are limited and they are to be supervised by the state. As Lane and Ersson stated, “There is nothing of territorial autonomy or regionalism in general in Greece”.²⁹ One exception can be found however, the peninsula of Athos. This Holy Community gained autonomy due to its religious statues and is ruled by a non-secular authority.³⁰

In Sweden the regions has been traditionally weak. The local authorities have mostly to implement decisions taken by the government without having any real influence on the decisions.³¹ Since 1998 four regions, Gotland, Kalmar, Skåne and Västra Götaland, has been given special regional statues. Whether or not this has increased the power of these regions are still to be seen.³²

The powers of the French regions are quite limited and focuses mostly on questions concerning education, labour and culture and some economical questions.³³ In practise the powers of the *départments* and the municipalities limits the powers of the regions and their role is mini-

²⁴ (EEG) nr 2913/92.

²⁵ Protocol No 4 on Svalbard.

²⁶ Constitution of Norway, adopted on May 17th 1814.

²⁷ The Estonian Constitution

²⁸ The Greek constitution, Article 101.

²⁹ Lane-Ersson (1994) s. 219 f.

³⁰ The Greek constitution, Article 105.

³¹ Pierre (1997), s. 122.

³² See Kraft (2002), s. 10 ff; Ström (1999) s. 11 ff; SOU 2000:87.

mized to the one of co-ordinating and conducting regional development. As for Corsica the French government has started a process towards autonomy for the island. The overseas departments of Guadeloupe, Martinique and Réunion enjoy some autonomy due to their geographical position in Africa and the Caribbean.³⁴ Due to their geographical position there might be reasons to believe that the autonomy enjoyed by the DOM-regions in France might derive from other factors than the European ones, the French overseas regions will not be included in this study.

We thereby have found thirteen island regions that enjoy some form of extended autonomy in relation to the state. Let us now have a look at the powers of these island regions.

The power of the Autonomous Island Regions

In the five constitutions we find that they deal with the term autonomy differently. As we can see in table 1 the five constitutions were adopted between 1947 and 1999. In Denmark and Finland they were replacing elderly constitutions, in Denmark the constitution from 1849 and in Finland the one from 1917. In Italy, Portugal and Spain they were adopted after a period of dictatorship.

Table 3. The Autonomous islands in Europe

| Autonomous Islands Regions | Mentioned in the Constitution | Special legislation | Year adopted |
|-----------------------------------|--------------------------------------|----------------------------|---------------------|
| Aland Islands | Yes | Yes | 1922 |
| Azores | Yes | Yes | 1976 |
| Balearic Islands | Yes | Yes | 1975 |
| Canary Islands | Yes | Yes | 1975 |
| Faeroe Islands | Yes | Yes | 1948 |
| Greenland | Yes | Yes | 1979 |
| Guernsey, Bailiwick of | # | # | |
| Isle of Man | # | # | |
| Jersey, Bailiwick of | # | # | |
| Madeira | Yes | Yes | 1976 |

³³ Biggi (1992), s. 42 f; Lane-Ersson (1994), s. 217 f; Balme (1998), s. 182 f.

³⁴ Balme (1998), s. 181 ff.

| | | | |
|----------|-----|-----|------|
| Sardinia | Yes | Yes | 1947 |
| Sicily | Yes | Yes | 1947 |
| Svalbard | No | No | |

The United Kingdom has no written constitution.

Denmark is a unitary state with some autonomy for the municipalities. This is stated in Section 82 of the Danish Constitution. This autonomy however is only implemented under the supervision of the State.³⁵ According to Lane-Ersson the autonomy of the Danish local government varies from time to time depending whether decentralisation and variation or centralization and equality is emphasised.³⁶ In the constitution however there are two regions mentioned, the Faeroe Islands and Greenland. The relations between these two regions and the Danish State are settled in Law no 137 and Law no 577. There are no special chapter concerning autonomy of these two island regions in the Danish constitution. They are only mentioned five (Faeroe Islands) and six (Greenland) times on issues that involve elections, the Danish parliament and its procedure and membership.³⁷

In the special legislation that regulates the relations between Denmark and its two autonomous regions it says that the regions are entitled to decide on all domestic matters such as taxes, schools, health care, public administration etc. Matters that concern foreign policy and defence are subordinate to the Danish state.³⁸ The Danish constitution can only be changed with two similar decisions with an election in-between, followed by a referendum. The relations between Denmark and the two autonomous regions can only be changed in consensus.³⁹

As Denmark, Finland is considered as a unitary state. The regionalization process has been very slow in Finland and the regions have historically been governed by the State. Since 1994, when Finland joined the European union, the government has intended to expand the regional autonomy.⁴⁰ In Chapter 11 of the Finnish constitution it says in Section 120 that *the Aland Islands have self-government in accordance with what is specifically stipulated in the Act of*

³⁵ The Danish Constitution, Section 82.

³⁶ Lane-Ersson (1994) s. 217; 224.

³⁷ The Danish Constitution, Part IV, Section 28, 31 and 32; Part VII, Section 71; Part IX, Section 86; ; Lov Nr 137, 23. Marts 1948, om Færøernes Hjemmestyre; Lov nr 577, 29. november 1978, om Grønlands hjemmestyre

³⁸ Lov Nr 137, 23. Marts 1948, om Færøernes Hjemmestyre; Lov nr 577, 29. november 1978, om Grønlands hjemmestyre

³⁹ The Danish Constitution, Section 88;

⁴⁰ von Bergmann (2001) s. 39 f.; The Finnish Constitution, Chapter 11.

the Autonomy of the Aland Islands. Apart from this section the Aland Islands are mentioned in questions that concerns The Parliament and the Representatives, The President of the Republic and the Government, Legislation and Administration and self-government. The relations between the Aland Islands and the Finnish State are stipulated in law 1991:71.⁴¹

In the Act of Autonomy of the Aland islands the competence of the local authorities are regulated. It is stated that the region is entitled to decide on matters that concern domestic issues, some taxes, health care, social welfare, education, roads, labour etc. The Finnish state is responsible for the foreign policy, defence, ecclesiastical matters some taxes etc.⁴² The Finnish Constitution can either be changed if two similar decisions are taken with a general election in-between or by a 5/6 majority if it is considered urgent. The relations between Finland and Aland islands can only be changed in consensus.⁴³

The regional legislative power of the Italian regions includes urban and rural police, fairs and markets, local museums and libraries, town planning, tourism, hunting, fishing in inland waters, handicrafts etc. This is stated in Title V in the constitution and is specified in the regional legislations.⁴⁴ The right of taxation for the regions is stated in article 119 where it says that the regions shall be assigned their own taxes and shares of State taxes in relation to their need. The affairs of the regions can be divided into two categories, a small sector where the region has a real responsibility and a large sector that is determined by national taxpayers.⁴⁵ Concerning the role of the Italian regions in the European Union the regions still plays a modest role in the union. However some changes have been done to reduce the role of the state in the implementation of EU directives on issues connected to the regions.⁴⁶ In the Italian constitution there are 20 regions mentioned, two of these regions are islands, Sicily and Sardinia. In Title V, article 115 it is stated that *The Regions shall be constituted as autonomous territorial units with their own powers and functions according to principles established by the Constitution.* It is further stated that five of the regions shall enjoy particular forms and conditions of auton-

⁴¹ The Finnish Constitution, Chapter 3, Section 25; Chapter 5, Section 58; Chapter 6, Section 75; Chapter 10, Section 120; Act of Autonomy of the Aland Islands, adopted on August 16th.

⁴² Act of Autonomy of the Aland Islands

⁴³ The Finnish Constitution, Section 73-75.

⁴⁴ The Italian Constitution, Title V, Article 116-133; Statuto della Regione Siciliana; Statuto speciale per la Sardegna.

⁴⁵ The Italian Constitution, Title V, Article 119; Hine (1993) s. 263 ff.

⁴⁶ Pinelli (1999), s. 45 ff.

omy. The relations between the five regions and the Italian state are stipulated in the same Title. There is also special legislation set up for the five special regions.⁴⁷

Regarding the five special regions they have almost no extra authorities instead the main difference is that they were established earlier.⁴⁸ The Italian constitution, where the powers of the regions are set up, can only be changed with two decisions with three months in between and the latter one has to be taken with an absolute majority.⁴⁹ This guarantees the autonomy of the regions, but the regions themselves are not necessarily participating in this process.

In the Portuguese constitution there are two autonomous regions mentioned in Section VII, Article 227-236, Azores and Madeira. This Section also regulates the relations between the Portuguese State and the two island regions. Beside this section the two autonomous regions are mentioned in questions that concerns the Assembly of the Republic. There is also special legislation set up for the two island regions.⁵⁰

Under Section VII on the Autonomous Regions the powers and limits of powers of the two Portuguese autonomous regions are given. It says that the regions have the rights to legislate on matters that concern themselves. They are entitled to taxation in conformity with the law. They have also the right to participate in definition of polices concerning their territorial waters and to participate in the negotiations concerning international agreements that directly concern them. The limits of powers state that the regions are not allowed imposing restrictions on the passage of goods and persons between them and the mainland. It also says that a Minister of the Republic, who has the power to coordinate between the state authorities and the authorities of the regions, shall represent the republic in the region.⁵¹

Finally, in the Spanish constitution Chapter III talks about Autonomous Communities and their competence. Among these regions we can find two island regions, Canary Islands and

⁴⁷ The Italian Constitution, Title V, Article 115-133; Statuto della Regione Siciliana; Statuto speciale per la Sardegna.

⁴⁸ Hine (1993) s. 263 f.

⁴⁹ Italian Constitution Article 138-139.

⁵⁰ The Portuguese Constitution Article 5-6, 122 and 173; Section VII; Statut politique et administratif de la Region Autonome de Madeira, Loi no 13/91 du 5 juin

⁵¹ The Portuguese Constitution, Section VII; Statut politique et administratif de la Region Autonome de Madeira, Loi no 13/91 du 5 juin

the Balearic Islands. The tax system of the Canary Islands is also mentioned in the constitution. Furthermore there is special legislation set up for the autonomous regions.⁵²

In Title VIII on Territorial Organization in the Spanish constitution it is said that the autonomous regions shall be based on historical, cultural, economical and/or geographical reasons. The communities are responsible of their own institutions and regulations of their territory. Furthermore they are responsible for the infrastructure, the agriculture, the forests, the fishing in inland waters, the handicrafts, tourism, health and hygiene etc. However the communities have no competence concerning international relations, defence, administration of justice, the judicial system, customs, monetary system, maritime fishing, all the matters that are in the interest of more than one Autonomous region etc. Concerning taxation the regions are only entitled to their own taxes in order to fulfil their obligations.⁵³ The Canary Islands is an exception. They have lower taxes and are not a member of the Customs Union.⁵⁴ According to Lane-Ersson the competence of the Spanish regions are more similar to a semi-federal system.⁵⁵

The lack of constitution in the United Kingdom makes it difficult to find out the competence of the island regions. However the Westminster model of governing is founded on the idea of a sovereign parliament and does not admit any institutionalised autonomy.⁵⁶ This goes also for the three island regions that enjoy special statues towards the state. While Orkney Islands, Shetland Islands and Western Isles are parts of the United Kingdom. The Channel Islands and Isle of Man are still under the British crown. According to practise the three island regions Guernsey, Jersey and Man are entitled to decide on all domestic matters and foreign matters that are of their concern.⁵⁷ For instance the three regions are not members of the European Union.

⁵² The Spanish Constitution, Article 2, 143-158; Title XI, Article 3; Estatudo de Autonomía de Canarias; The Statute of Autonomy of the Balearic Islands

⁵³ The Spanish Constitution, Article 143-148; Estatudo de Autonomía de Canarias; The Statute of Autonomy of the Balearic Islands.

⁵⁴ Beautell (1992) s. 91 f. (1994) s. 214 f.; Protocol No 2 concerning the Canary Islands and Ceuta and Melilla.

⁵⁵ Lane-Ersson (1994) s. 213 f.

⁵⁶ Lane-Ersson (1994) s. 215 f.

⁵⁷ Bogdan (1988) s. 155 f.

Conclusion

What is autonomy? We have seen in this paper that the word autonomy is used in different ways in the five European constitutions. It can be used both as a limited form of self-governing, as is the case in Italy and Spain, as well as a more substantial form of autonomy. It all seems to depend on how the country itself has defined the word autonomy and the meaning of the word.

Table 4. The Grade of autonomy in the European autonomous island regions

| | | Lagstiftningsbehörighet | | |
|-----------------------|---------------|--------------------------------|--|-------------|
| | | Low | Medium | High |
| Egen kompetens | Low | Svalbard | | |
| | Medium | | Azores Balears Madeira Greenland Canary Islands Aland Islands | |
| | High | | Faroe Islands Guernsey Isle of Man Jersey | |

The table shows that....

In the five constitutions that have been studied we can see that the term autonomy is used in different ways. In the Danish, Finnish and Portuguese constitutions the term is used to describe an exception from the rule that the three countries are one unity. In the Italian and Spanish constitution the term is used to describe the status of all the regions in the two countries.

In four of the constitutions the autonomous regions are mentioned under a special Chapter, the Finnish, the Italian, the Portuguese and the Spanish constitutions. In the Danish constitution

there is not anything mentioned concerning the two autonomous regions and their legal status. However, the two regions are mentioned in six different articles stating that they are enjoying some form of special status in relation to the Danish state.

In four of the regions the autonomy does not originate from the islands themselves but from the regionalization process in the country, i.e. - the Balearic Islands and the Canary Islands that have benefited from the regionalization of Spain and Sardinia and Sicily that became autonomous regions in 1948 together with other peripheral regions in Italy.

All the six island regions have their own legislation based on the constitutions of their respective country. The powers of the regions are only stated in three of the five constitutions. In both the Italian and the Spanish constitutions the powers are restricted while in one, the Portuguese, the powers of the Azores and Madeira are more substantial. As for the powers of the Danish and Finnish autonomous regions we have to find the answers in the regional legislation. Here we find that the powers of the three regions also are substantial.

Three of the island regions do not enjoy fully developed autonomy, i.e. the Canarias, the Balearics, Sardinia and Sicily. Also the legislation concerning autonomy is not unique for the island regions. On the contrary the legislation is the same for all the regions in the two countries. This is not the case in Denmark, Finland and Portugal. The four regions in these countries enjoy a highly developed form of autonomy.

As for the constitutions only in four cases, i.e. Denmark, Finland, Portugal and Spain the autonomous island regions have an obvious possibility to influence any change regarding the autonomy of the region. Regarding the Channel Islands and the Isle of Man and their relations to the British state the island regions have the same possibility of influence. This is shown in the negotiations between these countries and the European Union. The island regions, except the Balearic Islands in Spain, had the right to decide whether to join the union or not. Four of the island regions chose to join the union.

The cultural aspect is emphasized in the Finnish and the Spanish constitution. In the Act of Autonomy for the Åland Islands two of the factors that the autonomy is founded upon are the Swedish language and culture. According to the Spanish constitution the autonomy is sup-

posed to be based upon historical, cultural, economical and geographical reasons. Nowhere in the five constitutions the autonomy are based on the strategic value, but it is mentioned in the Act of Autonomy of the Aland Islands.

Why is it then that some of the island regions have developed a more substantial form of autonomy while others have only a limited form of autonomy or none at all? To answer that question we need to get behind the word and find the factors that have contributed to the development of autonomy. The next step towards defining the word autonomy must therefore be to study the development towards autonomy in each island region.

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