



Cross-border activities in the Torne Valley: from pragmatism to judicialization?

Sami Pekola

Abstract

This article examines what the so-called legalization has meant for the cross-border activities between Finland and Sweden in the Torne Valley. The issue is viewed from the perspective of two regulatory processes that took place around the turn of the millennium: the establishment of a joint municipal body governed by public law and the replacement of the 1971 border river agreement with a new agreement between Finland and Sweden in the Torne Valley. The study uses a method that can be called history-oriented systematization and contextualization. This means that the study seeks to systematize the regulation and the material used in the preparation of the regulation, as well as to contextualize the regulation, i.e. to place it in its historical context. After the end of the Cold War, at least in the West, there was a belief that state borders would become less and less important and that we were heading towards a post-national era. There was also much discussion about the possibilities of realizing the idea of the so-called 'Europe of the Regions'. The study showed that the prevailing legal views at the time rather emphasized the importance of the border and made it more difficult to develop the cross-border activities in the Torne Valley. At the end of the article, it is discussed whether there has already been a certain transition from the judicialization of the turn of the millennium towards some kind of neo-pragmatism, which is perhaps increasingly influenced by the changing political realities.

Keywords: Cross-border activities, Nordic legal culture, judicialization.



© Author(s). This is an Open Access-article distributed under the terms given in CC-BY 4.0 (<https://creativecommons.org/licenses/by/4.0/>), which allows to copy and redistribute remix, transform, and build upon the material for any purpose, even commercially given that proper attribution is made, and indicated if changes were made, and that this licence is specified and linked to.