

**THE LEGAL AND POLITICAL SYSTEM OF FINLAND 1917-2000
AND ITS FUNCTIONING.**

LEGAL, HISTORICAL AND COMPARATIVE STUDY

Abstract

The main research goal of the doctoral dissertation was to examine the evolution of Finland's political and legal system and its practical functioning in 1917-2000. The paper consists of six chapters divided into subchapters. The first chapter is introductory. Finland's path to independence in 1917 was presented at the beginning. It was focused on the centuries of its dependence on the Kingdom of Sweden and then the Russian Empire. From the Middle Ages to the beginning of the 20th century, Finnish territory was treated as an inseparable part of Sweden and Russia, respectively. The chapter discusses the most important issues in the history of Finland that influenced the further development of its political culture and legal institutions (also after the Declaration of Independence and in the following decades). However, it was decided to omit specific issues in the field of Swedish and Russian domestic policy. Finland's status under the rule of the Kingdom of Sweden was discussed with particular regard to the policy of only those monarchs whose rule significantly influenced the situation of the Finns and their legal status. The period of Russian dependence required more extensive discussion. After the nineteenth century and the beginning of the twentieth century, it was a time of the most momentous shaping of the Finnish national consciousness and more advanced state-forming processes, which later resulted in Finland obtaining independence in 1917.

The second chapter presents the process of shaping the independence of Finland and its political and legal institutions since the announcement of the Senate Declaration of December 6, 1917. It was a key act that ultimately led to the Finnish state becoming fully independent of the Russian Empire. His consequence was the efforts of the Finnish authorities for recognition by the international community. Hence, basic aspects of both internal and external sovereignty were discussed. The events and consequences for this country and its civil war system from the first half of 1918 were not omitted. During the independence period, the political parties' activity intensified. As a result, this chapter presents also the development of the institutionalization of Finland's political life (with particular emphasis on the activities of major parties). Due to the fact that the Finnish party system is based on strong ideological foundations and thus is characterized by stability and continuity (since 1917) it was decided to discuss its

functioning also in the following decades (until 2000). This is also an introduction to the considerations on the subject of Finland's constitution, which is included in the following chapters.

The third chapter discusses the legal basis of the system in 1917-2000. Constitutional legislation was analyzed, detailing the solutions contained in individual legal acts, as well as the most important amendments, primarily affecting the final wording of a given norm. Where the changes were significant and significantly affected the functioning of the system, the entire amendment process was presented. In the files, where earlier changes were only of editorial nature, or less important for the functioning of the system, the final wording of the norm was presented, ignoring its detailed evolution. The essence of the debate revolves around four constitutional acts of the Republic of Finland: *the Form of Government* of 1919, *the Parliament Act* of 1928, *the Act on the High Court of Impeachment* of 1922 and *the Ministerial Responsibility Act* of 1922. The conclusion of the chapter contains the characteristics of the most groundbreaking reforms, which comprehensively and generally changed the content of a given act.

The fourth chapter examined the functioning of the Finnish political system in 1917-2000. The influence on its functioning of the executive, legislative and judicial power was presented. The executive power was discussed first. The terms of all presidents and the groundbreaking (basically most) cabinets of prime ministers were characterized, which significantly contributed to the achievement and stabilization of independence and reforms significantly affecting the functioning of the system in the political situation at the time. Next, the legislative and judicial authorities were analyzed. Due to the specific system of government, their role for the functioning of the system (in particular the judiciary) was not so leading.

The fifth chapter analyzes the reform of constitutional law, which resulted in the creation of a completely new and unitary legal act in 1999. Its provisions were not analyzed by discussing each of the norms in turn, but by dividing them into specific issues normalized in it. The main assumptions of the reform and the most important constitutional principles were discussed, with particular emphasis on the basic differences resulting from the adopted changes.

Finally, the sixth chapter provides a legal, historical and comparative analysis of Finland's political system in relation to the systems of selected European countries. It focused on legislative and executive power. First, the political and legal system of Finland is presented against the background of the Nordic countries, ex. Denmark, Iceland, Norway and Sweden. Then reference was made to authoritarian, socialist, democratic (Central European and Baltic) and finally totalitarian (the Soviet Union and Third Reich) countries. Thus, the concept of

combining the Finnish system with countries grouped by regions and political systems prevailing there was adopted. In addition, this category uses a division of modern times in the history of the system in accordance with the cesium proposed by Tadeusz Maciejewski, and according to which state systems should be discussed within the boundaries that marked the World Wars, followed by the transformation of the period around 1989.

In conclusion of the dissertation one can say that the legal analysis of the source material allowed to conclude that the political and legal system of Finland of the period 1917-2000 in terms of solutions was characterized by its own characteristic. In addition to the traditional, modern constitutional principles known in European and world constitutionalism, the influence of institutions developed primarily during the Swedish and to a lesser extent, but still Russian, is observed. These influences were manifested, *inter alia*, in establishing the strong political position of the head of state, a unicameral legislative body, a special procedure for amending the constitution, the possibility of adopting exceptional laws or the lack of typical constitutional court.

Keywords: constitutional law, history of law, constitutional history, Finland, constitution, constitutionalism, political system, republic, monarchy, legislative power, executive power, judiciary, president, parliament, civil war