Abstract:

Sweden is the country with the oldest Freedom of Information law in the world. The Freedom of Information Act is a symbol of national pride and a fundamental pillar of the country’s integrity system. Yet, criticisms have been raised that Swedish transparency has been weakened in the last decades. For some observers, a weaker principle of openness is associated with legal, administrative and political developments such as the influence of New Public Management ideas and the country’s membership in the European Union.

This paper examines the development of Swedish transparency in recent decades. It explores if and how the country’s transparency system has changed, either in its formal aspects or in its practice by administrative and political bodies. The paper identifies and analyzes relevant institutional changes in the formulation and implementation of the country’s freedom of information laws. The study is based on secondary sources, official documents, media reports and interviews with key informants. The empirical analysis provides needed knowledge about the current quality of Swedish transparency and the scope and implications of recent institutional transformations. Theoretically, the paper contributes to the literature on institutional change. It offers valuable insights into how enduring policy reforms may evolve and long-standing policies may be weakened in connection with contextual developments that influence actors and institutions and elicit institutional change.

1 I acknowledge financial support from the Swedish Research Council (Vetenskapsrådet, www.vr.se) for making this study possible.
**Introduction**

Access to government information is seen today as an important institutional component of modern democracies. An increasing number of countries have in the past decades enacted Freedom of Information (FOI) laws. Sweden’s FOI-legislation has, on the other hand, been in place for centuries, long before democracy was established in the country. The Swedish principle of public access to information (also known as principle of “openness”, offentlighetsprincipen in Swedish) dates back to a period of parliamentary dominance known as the “Age of Liberty”. In 1766, the parliament enacted a law (“Ordinance for the Liberty of Printing”) that abolished preliminary censorship, opened the archives for researches, established the right of any member of the public to require and get copies of official documents, and permitted the reporting of central state activities (Roberts, 1986).

Through the following centuries, the FOI-system evolved into a complex system of rules (a number of them are included in the Constitutional laws) establishing a number of rights guaranteeing public access to information about state and municipal activities as well as the exceptions to these rights, which can only be justified to protect certain vital interests (Bohlin, 2010; Funcke, 2014). Thus, Swedish citizens and foreigners are entitled to access to data contained in official documents (allmänna handlingars offentlighet); to attend court hearings and the meeting of public decision-making bodies (förhandlingsoffentlighet); to express their opinions and communicate information, as well to seek and receive information and others’ opinions (yttrande- och informationsfrihet); and, public officials are entitled to disclose classified information to the press for publication without suffering any consequence (meddelarfriheten) (Bohlin, 2010, Regeringskansliet 2009).

The “openness” principle is an object of national pride and a fundamental cornerstone of the country’s integrity system. Yet, in the last decades, some voices have raised concern about the quality of the current Swedish transparency-system (Eriksson and Östberg, 2009). Some scholars have called attention to increasing legal exemptions to the principle of Access to Public Information, associated with legal and organizational transformations of the public

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2 According to the Freedom of the Press Act (one of Sweden constitutional laws), the right of foreigners to access official documents can be limited by law.
sphere and with Sweden’s membership in the European Union. (E.g. Althoff, 1995; Funcke, 2014). Other observers have pointed out some significant flaws in the implementation of offentlighetsprincipen, as bureaucratic delays in allowing access to official documents and the defective documentation of official activities (Ahlenius DN, 2004; Eriksson and Östberg 2009).

This paper examines the development of Swedish transparency policy in the last four decades. It explores if and how the country’s openness system has changed, either in its formal aspects or in its implementation by administrative and political bodies, or both. Drawing on recent theoretical work seeking to account for gradual institutional and policy changes, I look into allegations and evidence of policy changes in the formulation and implementation of two central components of the principle of access to information, namely the right of the public to access to official documents and the right of public officials to communicate classified information for publication (the aspects that have most often received critical attention when discussing legislation change). In this way, the paper aims to contribute to these relatively recent theoretical advances, providing worthy insights into how long-lived policies may evolve incrementally, as well as empirical evidence that supports or challenge the proposed models.

The empirical analysis is based on a variety of sources: secondary sources, official documents, media reports and interviews with key informants. The study is needed as empirical research on these issues has been scarce so far. In fact, we know very little about the quality and limits of transparency in Sweden and in other good performer-countries. Most recent research on Swedish transparency has mostly concentrated on the formal developments of FOI-legislation, sometimes with a focus on issues such as corruption and accountability. On the other hand, the dynamics of policy change and other aspects of the policy-making process have received considerably less attention.

The paper is divided in six sections. The following section presents the theoretical framework of the study. The third section describes more in detail the contents and scope of the rules right of public access to official documents and the freedom of public officials to communicate information to the press for publication. The fourth section introduce and
analyse existing evidence of relevant legal changes and of recently observed practices that have been considered to be detrimental (or beneficial) to the quality of the principle of openess and to its effectiveness as a guarantor of transparency and accountability. Finally, the last two sections of the paper discuss the main findings and present the conclusions of the study. Since the paper presents work in progress that builds on unfinished analysis of the collected data, the work herein and its conclusions are still preliminary. The conclusions should be refined and further supported by more comprehensive analysis of the research material.

**Public Policy and Gradual Institutional Change**

The Swedish Principle of Public Access to Information is a long-standing and popular policy. So far, there are no evident signs of radical or paradigmatic change concerning its most central components. We cannot see a dramatic shift in the overall policy goals, drastic institutional transformations or extensive disruptions in existing policy ideas, actors and institutions involved in policy-making. Existing criticisms regarding recent policy developments seem to be more about incremental changes in formal rules and practices that if cumulative through time can probably lead to a significant policy shift. In what follows, we will take a look to how this kind of development has been addressed in the literature on policy and institutional change, particularly in those contributions dealing with gradual institutional change.

The incrementalist perspective in policy studies finds its origins in the influential work of Charles Lindblom who developed it in response to the then-dominant view of policy-making as a rational process (Lindblom, 1959; Lindblom, 1979). This perspective considers that policy change results from a sequence of small incremental changes that add up and can lead to a drastic alteration of the status quo, i.e. a major policy change (Lindblom, 1979). While incrementalism has not lost its influence on policy analysis, other approaches have emerged that have successfully challenged its dominance, offering alternative or complementary views of the dynamics of policy-making and institutional settings.
Thus, Peter Hall has identified another pattern of change, the broad paradigm shift, which involves a radical alteration of the overall abstract policy goals. Once a policy paradigm is in place, it generates long periods of continuity; during which policies develop incrementally, until stability is altered (punctuated) by exogenous forces that trigger a new web of ideas affecting the direction of policy, and producing a paradigmatic shift (Hall 1993, Howlett and Cashore, 2009). The punctuated equilibrium approach shares this idea of periods of stability, at which policy changes incrementally. Policies are punctuated by occasional instances of radical change driven by social and political transformations that provoke a shift to a new equilibrium (see, for instance, Baumgartner, Jones and True, 1998). In the historical institutionalist literature, such rare instances of large changes are referred to as “critical junctures”, which are described as situations characterized by a relaxation of structural constraints on political action that increases the range of choices open to powerful actors as well as the probability that their choices will have a critical effect on political outcomes (Capoccia and Kelemen, 2007).

Recent theoretical developments have called attention to the dynamics and consequences of gradual institutional change. Researchers like Thelen, Mahoney, Streeck, and Hacker (to name some of the most representative exponents) do not reject the value of early theoretical models like “critical junctures” and “punctuated equilibrium” but they argue that their explanations are limited as the concept of change is reduced to the idea of the collapse of one set of institutions that is replaced with another set, overlooking that “institutions often change in subtle and gradual ways over time” (the quotation is from Mahoney and Thelen, 2010 p.1; see also, Hacker, 2005; Hacker, Pierson and Thelen, 2015; Streeck and Thelen, 2005).

The gradualist view of institutional evolution suggests instead that change often occurs beyond critical junctures, more frequently spurred by endogenous mechanisms than exogenous ones. Institutions understood as “distributional instruments” contain within themselves the possibilities for change (Mahoney and Thelen, 2010). As institutions have distributional consequences and implications for resource allocation, they are fraught with tensions that provoke institutional shifts. Moreover, rule interpretation, implementation and enforcement also produce dynamics of change. Institutional change can be expected to arise from some degree of openness regarding the interpretation and enforcement of institutions at
the implementation stage; “rules can never be precise enough to cover the complexities of all possible real-world situations” (Mahoney and Thelen, 2010, p.11). We need to pay attention to issues of compliance because incremental change may precisely occur in the “gaps” between the rule and its interpretation or/and its enforcement (Mahoney and Thelen, 2010).

If institutions often change gradually (as the gradualist institutional approach sustain), some central questions to be answered are: How institutions change? What modes of gradual change can be identified? And, when does each mode of change occur? Thelen and Mahoney (2010) identify four mechanisms of change (based on previous work from Streeck and Thelen (2005) and Hacker (2005), among others): displacement, layering, drift and conversion. They associate each mode of gradual change with a different contextual framework including a specific combination of political conditions (i.e. strong or weak veto possibilities depending on the power of veto players or the number of veto points) and institutional characteristics (i.e. low or high level of discretion in interpretation and/or enforcement). Each combination of a particular political condition and a specific institutional characteristic propels the emergence of a certain type of change agent (insurrectionaries, subversives, opportunists or symbionts in one of its two varieties), and where a certain kind of agent is successful, a specific mode of change is likely to follow. Let us now to describe more in detail the explanatory framework presented by Mahoney and Thelen in “Explaining Institutional Change – Ambiguity Agency and Power (2010).

To begin with, displacement involves the replacement of existing rules by new ones. The tempo of the process can be fast or slow depending of contextual conditions and the relative strength of the advocates of the old rules. This process of change is more likely to occur in contexts where challengers confront weak veto possibilities and where the level of discretion in interpreting and enforcing rules is low. The typical change agent is one who actively

3 A fifth type, “institutional exhaustion”, is presented in an earlier work by Streeck and Thelen (2005). Yet, these authors argued that “exhaustion” differs from the other four modes of change since it does not lead to change but to breakdown. This analytical difference may be the reason why it is not included in Mahoney and Thelen’s theoretical contribution (2010).

4 The presentation of the theoretical model is fundamentally based on Mahoney and Thelen (2010). If relevant, I refer to other contributions in connection with the text.
mobilizes against the institution to change it as quickly as he/she can (insurrectionaries), at the same time that those actors who oppose change are ill positioned to maintain the status quo because of weak veto possibilities.

Layering takes place when amendments, revisions or additions to existing rules alter the ways these rules structure behaviour. It frequently happens when institutional opponents are not able to change the original rules because of strong veto possibilities and where the room for discretion in interpretation or enforcement is small. Advocates of the status quo may success to maintain the rules, but they lack the capacity to prevent adjustment or the introduction of new rules. The amendment may be small but when small modifications accumulate they may alter the fundamentals of an institution over the long run. The typical agent of change is one who follows the institutional rules but who wants to displace them without showing its preferences for change (subversives). Subversives may promote new rules in order to indirectly change an institution or they may encourage other strategies of change as drift and conversion.

Drift occurs when rules are held in place but their effects changes due to external transformations that shift their context. For drift to exist, decision makers have to be aware of the changing contextual conditions and of the existence of alternative corrective rules, but they choose not to update the old rules, which impacts on the rule outcomes (Hacker, Pierson and Thelen, 2015). Drift is more likely to take place in contexts where veto possibilities are high and where a gap arises between rules and their implementation (high level of discretion). As external conditions change, institutional challengers may strategically decide to remain inactive in order to reduce (in this way) the traditional impact of an institution. The typical agent of change is one who seeks to preserve the institution but wants to use it for their own purposes (symbionts of the parasitic variety). Parasites may prosper in settings where expectations of rule compliance are high but where there is room for neglecting institutional enforcement.

In the conversion process of change, there is an active alteration of rules through reinterpretation or redeployment. This occurs in contexts where actors have high levels of discretion in rule interpretation and enforcement and where veto possibilities are low. When the ends of an institution are political contested, at the same time that there are ambiguities in
the interpretation or implementation of existing rules, institutional challengers may exploit institutional malleability and redirect the institution to serve new purposes or functions while rules remains formally in place (see also, Hacker, Pierson and Thelen, 2015). Conversion may also result from the rise of new political actors, who instead of replacing old institutions choose to convert them in order to serve new goals or functions. Typical agents of change are “opportunists” who are ambiguous about the continuity of an institution and rather use it for their own purposes than destroy or replace it. They may decide to preserve the rules (e.g. to avoid the costs associated with replacement), at the same time that they may not follow them. Symbionts of a mutualistic variety may also use conversion as a strategy of change, but they may instead violate the “letter of the law” to support its “spirit” since they wants the institution to survive.

The following table summarizes Mahoney and Thelen’s framework of gradual institutional change⁵:

<table>
<thead>
<tr>
<th>Characteristics of the Political Context</th>
<th>Characteristics of the Targeted Institutions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strong Veto Possibilities</td>
<td>Low Level of Discretion in Interpretation/Enforcement</td>
</tr>
<tr>
<td></td>
<td>High Level of Discretion in Interpretation/Enforcement</td>
</tr>
<tr>
<td></td>
<td>(Subversives) Layering</td>
</tr>
<tr>
<td></td>
<td>(Parasitic Symbionts) Drift</td>
</tr>
<tr>
<td>Weak Veto Possibilities</td>
<td>(Insurrectionaries) Displacement</td>
</tr>
<tr>
<td></td>
<td>(Opportunists) Conversion</td>
</tr>
</tbody>
</table>

Source: Mahoney and Thelen (2010), Table I.4., p. 28.

Using the above-presented theoretical framework for the purposes of this paper requires a reflection on some specifics of the object of analysis in this study: namely, public policy. The

⁵ The table is quite similar to table I.4. in Mahoney and Thelen ‘s contribution from 2010, but it has a slight modification concerning the use of parenthesis.
term “institution” includes in its denotation “public policies” (see, for instance, Capoccia, 2015). In the gradualist approach, “public policies” are conceived as “constituting formal institutions insofar as they embody legally enforceable rules, create new organizations with state-backed decision-making or enforcement power, or both” (Hacker, Pierson and Thelen, 2015, p. 183). Yet, as institutions, policies are “historically entrenched frameworks” including not only parliamentary legislation but also other formal rules (e.g. regulations, administrative guidelines and court decrees), historically established practices, routines, interactions values as well as cognitive maps (Capano, 2009, p. 18). To study policy change, we need –at least- to pay attention to formal rules and to the practices established at the implementation stage. As Mahoney and Thelen (2010) indicate, “matters of interpretation and implementation can have profound consequences for resource allocations and substantive outcomes” (p. 11). Analysts have to be clear concerning the empirical observable components of policy that are examined in the study (e.g. policy goals, policy instruments or participants), as well as to discern in the empirical evidence what has changed and what has remained the same (Capano, 2009; Real Dato, 2009).

If as stated before, both formal rules and practices need to be examined, we should be aware that they correspond to different levels or orders of policymaking, that is, (according to Real Dato’s categorization, 2009) the collective choice level and the operational level. The level of policymaking at which change occur has relevant implications for drawing empirically correct conclusions about the results of change processes. We cannot expect that changes in the general goals of policy or in the main types of policy instruments will have the same effects for the overall policy than changes in the specific ways that policy tools are utilized in practice (Howlett and Cashore, 2009).

6 Other scholars distinguish several levels or orders of policy making where change occurs (Hall, Howlett and Cashore, 2009). By taking into account the content of policy, Howlett and Cashore (2009) differentiate between a level of high abstraction, a programme level and the level of specific on-the-ground measures. These three levels of policy become six when they combine the mentioned categories with the dimension of “policy focus” distinguishing between changes in “policy goals” and “policy means” at each of the three levels of policy content.
Moreover, if we want to say something about the significance of policy change, we need to reflect on the results of policy change and its directionality (that is, how policy has moved in relation to the prevalent status quo). For Streeck and Thelen (2005), we have not only to consider the results of institutional change in terms of continuity or discontinuity but, we also have to examine if the process leading to institutional change has been incremental or abrupt (the characteristics of the process in terms of pace). They distinguish then between four different types of policy change outcomes (Streeck and Thelen, 2005):

- “Reproduction of policy by adaptation” occurs when the process of change is incremental and its result is policy continuity.
- “Gradual transformation of policy” happens when an incremental policy process leads to policy discontinuity.
- “Survival and policy return” occurs when an abrupt process of change results in policy continuity.
- “Breakdown of policy and replacement” happens when an abrupt process of change leads to policy discontinuity.

While Mahoney and Thelen (2010) describe how change is produced, Streeck and Thelen pay attention to the outcome of different processes of change. These distinctions allow for a nuanced analysis of particular instances of policy change inside the limits of the same policy. Even if the whole policy may be undergoing gradual change, it is theoretically possible that one (or some) of its main components becomes affected by an abrupt and dramatic disruption driven by exogenous factors. As some scholars have pointed out, it is important to have an open approach concerning the question of whether endogenous or exogenous factors lead to policy change. Policies, because of their complexity, are “necessarily multi-driven” (Capano, 2009, p. 27). They mix an array of ideas, interests, actors, institutions, rules, motivations and even rationalities which can make “a combinative causality” unavoidable (Capano, 2009, p. 27). Independently on the theoretical perspective endorsed, analysts have to be open to alternative answers than the proposed by their theories when they investigate the dynamics of policy change empirically.
In what follows, I will proceed with the empirical analysis that builds on the theoretical framework presented above. But first, we should give some attention to the two main components of the principle of openness studied in this paper.

**Public Access to Official Documents and the Freedom to Communicate Information**

The Principle of Openness regime consists of a complex system of rules encompassing mechanisms for guaranteeing the availability, accessibility, publicity and quality of information about state activities, as well as a number of rules that establish the exemptions to the principle of public access to information (Stechina, 2016). These rules are mainly contained in two of the fundamental laws of the Swedish Constitution (the Freedom of the Press Act and the Fundamental Law on Freedom of Expression) and in the Public Access to Information and Secrecy Act. This legislation is complemented with the provisions of other laws such as the Administrative Procedure Act and the Archives Act, which include provisions ensuring the availability of information and to some extent its quality.

As stated before, the right of the public to access to official document is an essential component of the “principle of openness”. Citizens (and aliens with some exceptions) are entitled to obtain and read official documents that have been drawn up, held or received by a public authority without unnecessary delays. The person who requires access to an official document does not need to identify himself or herself or to explain the reasons for the request. If the request is rejected or partially granted, the applicant has normally the right to appeal the decision before an appeals court (Kammarrätten). Public authorities are obliged to register the official documents they receive, to store them in archives, to document the information that is relevant for the judgment of a treated case, to maintain official files orderly and to manage them so that they are accessible to citizens (Regeringskansliet 2009, Sefastsson 2003). The basic rule is that official documents have to be stored, but official documents can be sorted out, and destroyed after certain time in accordance to what is legally established for each case.

The right to access to public information is subject to legally established restrictions. Firstly, not all documents produced by an authority are “official” documents (allmänna
handlingar in Swedish). Some documents such as drafts or working papers are not considered to be in the public domain if they are not used when the matter is finally decided (Regeringskansliet 2009). Secondly, some official documents are subject to secrecy, which means that the public cannot - under fixed time limits - read them totally or in part, and that public officials are not allowed to make them public (Regeringskansliet 2009). Exemptions to FOI are applied with regard to a number of interests that are protected by law, namely national security or international relations, central financial or monetary policy, inspections and controls of a public authorities, crime prevention and prosecution, the public economic interest, the protection of the personal or economic circumstances of private subjects and the preservation of wildlife or specific plant species (TF 2:2).

Everyone has the right to freely express themselves and to publish in printed manner, to tell - with some restrictions - what they know, to market and distribute publications, and to disclose information to the mass media for publication (Regeringskansliet 2009). Yet, this freedom is limited by duties of confidentiality stated in the Public Access to Information and Secrecy Act, either directly or by reference to another Act. The limitation does not apply, however, to state officials. The Freedom of the Press Act establishes the right of state officials to communicate secret information (but not the classified documents themselves) to journalists, the media or news agencies with the purpose of publication (meddelarfriheten). The media receiving the information is obliged to protect the identity of informants. Public authorities or agencies are legally prevented from trying to find out who the informant was or to punish him or her in any way. Yet, the anonymity of informants and their freedom of responsibility do not apply if the person providing the information commits severe crimes against national security or the state, intentionally discloses classified official documents for publication, or breaches duties of confidentiality specifically mentioned in the Public Access to Information and Secrecy Act (Chapter 16). A complex system of exemptions is formulated to protect some values that the legislator considers more important than the right to information.
Recent Developments in the Principle of Openness

The principle of openness is seen as a crucial component of Swedish democracy and a fundamental instrument for controlling corruption and other abuses of power (Andersson, 2011:92-93; Österdahl, 2016). Broad public consensus exists with regard to the historical, cultural and political significance of openness and transparency, but the overall direction of policy is not clear. As Petersson (2010, p. 169) notes, there has been, on the one hand, a long and profound general shift towards more openness in the public arena as a result of rising education, more independent media and a greater access to information. On the other hand, there are strong interests associated with objectives like state security and personal integrity that are pushing policy in the opposite direction, leading in the short and medium term to an increase in the number of restrictions on openness (Petersson, 2010, p. 169). This section examines this recent development. Let us begin with the analysis of formal rules shifts.

Changes in Formal Rules

After its enactment in 1980, the Official Secrets Act got more and more rules extending secrecy (Althoff 1995; Olsson, 2008). A study conducted in 2002 by the Swedish Union of Journalists noted that of the 194 amendments to the Act between 1992 and 2002, 74 of them entailed greater secrecy, 112 were of a neutral character, and only 8 established a relaxation of secrecy (Olson, 2002). A further study of governmental regulations on secrecy provided similar results regarding the direction and extension of the amendments (Olsson, 2008).

The Swedish Government Official Report reviewing the Official Secrets Act (SOU 2003:99) confirms the view that the act was continually changing. According to the report, this has to do with the rise of new activities requiring secrecy regulation. Secrecy was increased in new areas where the act became applicable, but it was rarely applicable in general. The report recognized that the official secrets act had expanded through time, “transparency has been limited in some way, either by applying secrecy to an enterprise that was previously entirely public or by tightening up the secrecy already applied to a particular enterprise” (SOU 2033:99, p. 42). The last situation occurred after problems arose in particular activities because of the spread of information in the public domain. For the
investigative committee, legislators have to weigh the interests of secrecy against the interests of transparency in every situation, to avoid “departing too far from the principle of public access to official records” (SOU 2003:99 p. 42). Yet, this principle seems not to have been applied systematically. Indeed, during his study of the amendments to the official secrets act between 1992 and 2002, the journalist Anders Olsson (2005) observed that the government accurately described all the benefits of expanded secrecy, but it did not discuss its disadvantages in the same extent.

The governmental report from 2003 also noted that extensive changes in the secrecy act had produced a complex and intricate system of rules that were difficult to understand and apply “even for trained lawyers”, as it was evidenced in the Justitie Ombudsman’s reports (SOU 2003:99, p. 109). The 2009 legal reform was then aimed at developing a more user-friendly law, to make secrecy rules “more understandable and easily applicable” (Regerings proposition 2008/09:150). It replaced the Secrecy Act from the 1980s with the Public Access to Information and Secrecy Act, placing the provisions on public access to official documents before the secrecy provisions, to emphasize in this way that disclosure should be the rule and secrecy the exception. The new act did not entail substantial policy changes compared to the former secrecy act, and many of the adopted revisions were of a linguistic, editorial or structural character (Zetterström, 2010).

Legal changes having implications for openness and transparency continued after the 2009 reform. They have concerned amendments to the secrecy act, as well as other policy changes having indirect effects on the application of the principle of openness. The themes and interests that have most often prompted legal reforms leading to increased secrecy are international and European cooperation, personal integrity, economic policy and national security. For instance, legal reforms have restricted access to passport and driver's license photos, to income data, to information about private property through public records, and to the backups of official documents that since 2010 are no longer available to the public (Dagens Nyheter, 2013; Olsson, 2010).

Critiques argue that greater secrecy seriously compromise the watchdog role of the media. Some journalists are particularly critical to current limitations on the access to information as a result of the implementation of the Personal Data Act and numerous special
Registry laws enacted after the mid-1990s. A registry act regulates the establishment and implementation of one or more important registers primarily in the public domain (Wahlqvist, 2004). These laws typically describe the information the authority may collect, for what purposes it is used and what “terms” authorities have to use when they search information in the databases (Olsson, 2006). Journalists are, for instance, prevented from receiving information if this has to be retrieved by using other search words than the established in the corresponding act. For Olsson (2006), these laws constitute “transparent protective walls” that are built around authorities, without any major public debate or legislative recognition of how this legislation affects the exercise of the principle of openness.

Archivists and other experts have expressed concern about other aspect of registry acts; namely, regarding some provisions establishing the destruction and “weeding” of official records after a certain time, when the information is not longer needed (Gränström, 2004; Norberg, 2004; Seipel, 2004). The general purpose of these acts and the Personal Data Act is to protect people from violations to their personal integrity when - in accordance with the EU protection data directive - personal data is processed. Yet, it has also been argued that individual integrity is better protected when information is stored, since the destruction of information reduces citizens’ possibilities of demanding state accountability for its actions in the future (Norberg, 2004, Olsson, 2010). Secrecy regulations or the stipulation of clear exceptions to the document-weeding process (as some acts stipulates) are superior solutions than its total destruction, since the latter precludes any later reconstruction of events and clearly affects future openness and transparency with regard to those events (Wahlqvist, 2004; Öman, 2004).

One of the greatest challenge to the Swedish right of access to official documents is EU-legislation as there is clash between the rules protecting personal data at the EU level and the Swedish interest of preserving a strong principle of openness in accordance to the country’s legal and cultural traditions (Österdahl, 2016). Sweden’s membership in the European Union has indeed entailed extensive legislation changes in the area of openness and secrecy. A report from the constitutional legislative committee (KU, 2013/14: RFR:17) shows that secrecy rules have been amended on 65 occasions between 1995 and 2012 as a result of the country’s accession to the European Community. The study detected 82 amendments to the
current openness and secrecy act (2009:400) between 2009 and 2012, of which 53 involved substantive contents, and among these provisions, 20 of them have been made in direct connection with one or more EU acts. In turn, the former secrecy act (1980:100) had been modified on 45 occasions because of EU-legislation between 1995 and 2009. A majority of the amendments in both acts have affected existing provisions where openness had been the rule, and 19 provisions have entailed restrictions on the right of officials to communicate and publish information. Yet, not all the changes have lead to greater secrecy. For instance, the report indicates that openness was presumed in 28 of the amendments affecting substantive contents of the current act, and a relaxation of secrecy happened in three occasions. Still, the overall development indicates a clear advance of secrecy.

An important limitation to the principle of openness that has sparked considerable reaction from its advocates is a legal reform from 2013 that has considerably increased secrecy in foreign affairs. The amendment modified the public access and secrecy act establishing that documents received or gathered by a Swedish authority from a foreign body as a result of binding EU legislation or international agreements have not to be disclosed if it can be presumed that Sweden’s possibility of participating in the cooperation established in the binding instruments would deteriorate if the information is released (Prop 2012/13:192). The Swedish authorities have then to make an independent assessment of the impact that the divulgence of information is likely to have for further cooperation. The purpose of the amendment was to ensure that Swedish authorities can meet the international obligations of confidentiality and secrecy, to the extent required to Sweden to participate in international cooperation (Prop 2012/13:192). The centre-right government and the Social Democrats in opposition maintained that the amendment should be seen as a technical solution in a context of increasing international negotiations (freedominfo.org, 2013); a legal specification that allows to circumvent the need to modify the openness and secrecy law every time it becomes necessary to enter into an agreement involving consent of confidentiality (Algottson, 2013).

The decision to classify information is now based on foreign legal principles, which is contrary to the Swedish early official position of not accepting the originator’s right to decide if a document can be released (freedominfo.org, 2014; Österdahl, 2015). For political scientist Carl-Göran Algottson, this amendment may be a de facto constitutional change.
(Algotsson, 2013). Another problem is that the new rule is a general clause that gave public officials a wide room of discretion (a “rubber paragraph” in the words of Nils Funcke, 2015) for deciding and interpreting if an official document has to be classified or not, at the same time that it is known that public officials tend to be on the safe side regarding disclosure decisions. Parliamentarian Peter Eriksson explained that much more information “can now be classified if it has some connection to an international agreement like the EU treaty or other free trade agreements” (Erikson, 2014, my translation). Thus, “what can be seen as a small trail can become a motorway”, since about half of all legislation in Sweden result of the country’s commitments within the European Union (Erikson, 2014, my translation).

Two political parties, the Greens and the Left Party, voted against the amendment in Parliament. A few interest groups and stakeholders had previously expressed some opposition to the law, and only the Green parliamentarian Peter Eriksson did not support the bill in the Constitutional Committee. Eriksson, who was the head of the Constitutional committee at the time of the reform, could not understand how this could happen, “how could such an amendment be carried out without any proper public debate before it was too late”, and how could government representatives claim that the amendment was just a specification of early practices (Erikson, 2014). For Erikson and other analysts, this reform represented the end of the Swedish crusade for openness in the international context (Algotsson, 2013; Erikson, 2014; Freedominfo.org 2013).

Although more limited in their scope, later legislation changes have mostly followed the same tendency to increase secrecy than previous rule changes. One of these amendments establishes an important restriction to the freedom to communicate information for publication. Informant protection is not longer valid for all informants, but now is limited to those cases where information has been communicated or acquired in Sweden (Funcke, 2014). By 2016, a new bill has been introduced in Parliament which proposes that the social security number of public employees will be secret; a provision that according to investigative journalists would reduce their ability to scrutinize potential abuses of power and irregularities in the public sector (Dagens Nyheter, 5 March 2016).

The former secretary of the Freedom of Expression committee and journalist, Nils Funcke (2014c), criticizes the former government’s decision to carry out reform proposals
involving limitations to the Freedom of Expression and the openness principle, and not to follow those recommendations of the Freedom of Expression committee that would have strengthened these principles. He has expressed great concern about those restrictions on the freedom of public officials to communicate information to the press for publication, a right that has been described as a safety-valve against mismanagement and corruption (2014b). Funcke (2014a) is also concerned by the fact that some amendments have departed from Swedish basic legal principles giving veto-powers to the EU-commission regarding the disclosure of certain documents. This goes against the Swedish general principle that the authority which holds the document decides about its disclosure.

Until now, the focus of the study has been on formal rule changes in the field of openness and secrecy legislation. Yet, important institutional changes have been carried out in other policy areas, with implications for the scope and implementation of the principle of openness. Scholars have, for instance, associated a weaker freedom of information with new public management reforms in the public sphere (Andersson 2011, Lundquist 2012). Information laws do not accommodate well to new organizational forms based on public-private partnerships. A study on public-private partnership in Scandinavia and Australia indicates that, even if governments do not intend to limit transparency, the consequence of private sector involvement in public service and infrastructure provision is usually less transparency (Greve and Hodge 2011). When public sector services are contracted out to the private sector, employees do not enjoy the same protection than public employees. They cannot raise the alarm about irregularities and public abuses by leaking confidential information to the media without punishment (Lundquist 2012, Publikt 2015). As some examples of mismanagement in the private sector become publicly known, the public debate intensified and many voices were heard calling for an extension of the freedom to communicate information to private employees working in state financed activities (Journalistförbundet, 2015). The possibility has been recently investigated by a governmental committee (SOU 2013:79). In September this year, the government has sent a draft bill on this matter to the Council on Legislation (Lagrådet), which is the authority responsible for scrutinizing those bills that the government intends to submit to Parliament. The bill proposes to extend the freedom to communicate information to the press for publication to all the employees in schools, healthcare and social
services, which are totally or partially state financed (Dagens Nyheter, 2016). The law proposal is expected to be approved soon. The reform will mean a considerable increase in openness in the realm of public financed activities.

Changes in Policy Practice

In spite of advanced legislation, long experience in the exercise of transparency and a political culture that privileges openness, an increasing number of observers, analysts and experts have in the last decades identified some significant deficiencies in the exercise of transparency. A first group of problems have been generated by the implementation of some new rules. Typical examples are those associated with the proliferation of the already mentioned registry laws that establish procedures and rules that complicate access to information and may cause information loss (Granström 2004). Technical developments in the last decades have in many ways facilitated access to information, but contrary to what it can be expected, they seem not to have improved public access to official records. For instance, citizens have been denied the right to receive copies of official documents in digital form and informational systems and procedures are not designed for facilitating citizen insight (Olsson, 2008).

The principle of openness is weakened when public authorities and officials ignore its rules, depart from them, do not apply them, circumvent them, or violate them. Diverse studies carried out by journalists, journalist students, researchers and interest organizations help us to identify relevant obstacles to the exercise of transparency and openness. A recent contribution shows that many authorities neglect to include the “freedom to communicate information for publication” in their internal policy documents, and that in many of the cases where references exist, the principle of openness have been described clearly wrong (Publikt, 2016). Some studies have investigated how authorities respond to requests of access to official documents, without informing them about the purpose of the enquiry. The results evidence a great variation in the practice of transparency and openness. Thus, a research study, conducted at the Department for Journalism, Media and Communication, University of Gothenburg in 2007, showed, for instance, that one of five state agencies circumvented Swedish law on the right to access to official information (DN, 2014). According to a study
carried out by Kristoffer Örstadius at the newspaper Dagens Nyheter in 2010, only half of the 322 authorities involved passed the test. In the other half, some authorities responded after many weeks’ delay, nearly 20 of them claimed that the document were not in place, and 13 authorities did not answer at all, among them the appeal courts whose task is to handle appeals from citizens who are not satisfied with the outcome of a request of access to a public document (Örstadius, 2010, DN 2010). These studies evidence how many state agencies do not follow some important rules of the principle of openness, such as the requirement to promptly respond to requests for access to official documents and the requirement that the requester has the right to remain anonymous (JMKs öppenhetstest, 2016; Publikt, 2013; Svf, 2016; Örstadius 2010).

The former head of the earlier Swedish National Audit Office (Riksrevisionsverket), Inga-Britt Ahlenius has call attention to another problematic aspect of the practice of transparency and openness, namely the lack of documentation. She alerts about “empty archives” in the public administration, missing documents and a culture of oral decision-making (Ahlenius, 2004). For Ahlenius, “openness and transparency are not the same thing; a transparent administration with open archives but without documents, provides no insight” (Ahlenius, 2004:17, my translation). She suggests that the generous principle of openness leads in practice to limited documentation and to decision-making behind closed doors. Ahlenius’s statements has been controversial, but she calls attention to an important problem, that of deficient documentation. The archivists and subsequent former heads of the Government Offices archive, Bo Hammarlund and Rune Hedman (2004) observe that most working material, as well as particularly sensitive material, is not sent to the archives for storage. Yet, they consider that the solution is not less openness, but to establish an obligation to preserve the information that is needed for guaranteeing accountability and the possibility of giving a correct picture of important events to posterity (2004). A group of legislators who wrote a special opinion in the investigative process leading to the new secrecy law draw also attention to the issue of deficient documentation (Särskild yttrande, SOU 2003:99). Their main conclusion was that the government had to take responsibility for initiatives with a view to improving the documentation of state activities (Särskild yttrande, SOU 2003:99).
The Committee on the Constitution (Konstitutionsutskottet, KU), the Parliamentary Ombudsmen (Justitieombudsman, JO), and the Chancellor of Justice (Justitiekanslern, JK) are institutions with oversight and investigative functions, which have more than occasionally criticized the government and public authorities for how they handled the principle of openness. For instance, in its 2012 yearly examination report, the Committee on the Constitution expressed strong criticism to the government and some of its ministries for breaching the principle of openness on diverse occasions during the examined year, as well as for disregarding the negative consequences of a bill for the exercise of the freedom to communicate information for publication (2012/13:KU20; Publikt, 2013).

The Parliamentary Ombudsmen (Justitieombudsman, JO) is the institution that has most regularly criticized public authorities for failures in the implementation of the principle of openness (e.g. JO-beslut, 2013-03-27). The Parliamentary Ombudsmen are responsible for ensuring compliance with the law; and as such, they also listen to complaints regarding FOI-rules. Every year, hundreds of people turn to the office because they consider that a public authority has acted improperly when they requested access to official documents. If they are right, the Parliamentary Ombudsman in charge issues a public statement to criticize the involved agency. Yet, this oversight agency cannot change the original decision that blocked the disclosure of a document. For this purpose, citizens have to turn to the appeal court. As the court has a very long turnaround time, many citizens prefer to turn to the JO instead. However, for journalists, who work within very short time frames both instances are unsatisfactory since the process before the Parliamentary Ombudsman also takes a long time, that is a year or more (Interview with Kristoffer Örstadius, 2016).

According to a report from the Swedish Union of Journalists, complaints before JO regarding disclosure of public documents have increased markedly between 2001 and 2011; and the same has happened with the number of critical statements issued by JO in the same period. JO criticisms to state agencies regard mostly authorities’ delay in processing citizens’ requests for document disclosure (Journalistförbundet). The table in the Appendix presents data from the Justitieombudsman’s office, which indicates a clear rising pattern of both citizen’s complaints and JO’s critical statements over the years. It is possible to interpret this evolution in at least three ways. Firstly, the implementation of the principle of openness has
changed for the worst. Secondly, citizens have become increasingly aware of the importance of the principle of openness and of what constitute a rule breaking situation. Thirdly, reality is a combination of the other two alternatives. The last interpretation makes more sense as, on the one hand, there is clear evidence that policy practices are gradually changing in relevant ways but, on the other hand, there has also been a general increase in the attention that media and people in Sweden and abroad give to issues such as corruption, transparency and accountability, which may explain at least some part of the rising pattern in the number of complaints.

**The Principle of Openness and Gradual Policy Change**

Drawing on the previously presented theory of gradual institutional change, I will now analyze the evidence presented in the preceding section to answer the posed questions of if and how policy change has taking place. Special attention will be given to theoretical relevant aspects such as the patterns of change, the character of the actors involved and the likely factors triggering incremental shifts.

There is not doubt from the previous presentation that the Swedish policy of public access to information has predominantly shifted in the direction of less openness during the last four decades, both in its formal aspects and its practice. Changes in formal rules have been generally small, but many. The reform of the secrecy act did not entail a great transformation in substantial terms, since the two acts differ more in their structure and language than in their contents. Indeed, displacement (a total replacement of rules) was not observed during the analyzed period. The dominant pattern of change as regards formal rules has been that of *layering*, which took place by means of successive amendments, revisions, and the addition of rules to existing ones that remained in place.

Two patterns of legal change can be identified, one of extension of secrecy to new areas where the openness and secrecy act became applicable, and a pattern of expansion of secrecy by the tightening up of already existing secrecy rules. In terms of levels of policy change, the constitutional rules protecting openness were only marginally changed during the studied period. Most amendments affected the secrecy act first and the openness and secrecy act later,
as well as related legislation. While the bulk of the reforms have not consequences for the most abstract level of policy (regarding goals and general principles), some analysts were concerned about the implications of certain amendments for the basic principles of policy. One of these amendments was the previously described expansion of secrecy in foreign affairs, in cases where a cooperation agreement might be at stake. The amendment adopted the originator’s right to decide if a document can be released, precluding the long-lived Swedish basic principle that the authority holding the document has to decide about its disclosure.

When layering occurs, the main agents of change are the legislators who promote and carry out the legal reforms. According to the theory, they are expected to act as “subversives”, who want institutional change, follow the rules, and do not reveal their preferences for change. The extended legitimacy of the openness principle makes it difficult to assume that the Swedish legislators want to change the openness rules. Yet, there is some evidence that for many legislators this may be the case. Thus, from 2005 has the organization of Newspaper Publishers (Tidningsutgivarna, TU) carried out a yearly Sifo-survey asking the Swedish parliamentarians a number of questions aimed at detecting their positions regarding potential reforms to the freedoms of information and expression. Many parliamentarians have responded positively to statements which in practice mean that these freedoms need to be restricted. For instance, in 2007 more than half of all parliamentarians endorsed the idea that the freedoms of information and expression need to be limited in certain situations. Over 70 percent of all parliamentarians wanted, for example, to establish restrictions to the media coverage of celebrities and to the rights of police officers to communicate information for publication, while remaining anonymous. The same year, the newspaper Expressen decided to ask each parliamentarian personally how he/she related to the freedoms of information and expression. The answers differed from those in the survey. In the interviews, almost all parliamentarians claimed that they did not want to establish restrictions to the freedoms of information and expression.

For some analysts, the contrast in the answers depended on differences in the formulation of the questions, as the newspapers’ questions were more concrete and directly related to the FOI-legislation than the survey’s questions (Expressen, 2007). Some critical observers
considered that the divergences have instead to do with the fact that parliamentarians knew that their answers will be published with their names and pictures: In the words of one representative for the Newspaper Publisher organization: “one cannot avoid the question whether there is a hidden agenda” (Mynewsdesk, 2007). If the latter alternative is closer to reality, then many parliamentarians correspond quite well to the description of “subversive” provided by Mahoney and Thelen (2010). On the other hand, it may be possible that many parliamentarians act like “opportunists” in concrete situations, showing no clear preference regarding policy change. This seems to be a likely interpretation when observing how the political elite act in relation to openness questions. While they recognize the value the political tradition of openness, they do not prioritize it when it collides with other interests deserving protection like national security, international cooperation or personal integrity (Svenska Dagbladet, 2015).

What about the conditions for change? Can we see in Sweden the contextual and institutional conditions that according to the theory produce subversive strategies and triggers policy change through layering? The answer is affirmative with regard to the contextual conditions. There are powerful veto players preventing dramatic policy changes of the principle of openness. To begin with, the political constellations of the last two decades with minority governments governing through coalitions increase the number of veto players in the political system (according to Tsebelis, 1995). Moreover, the strong historical, cultural and symbolic value of the principle of openness opens for broad popular and elite coalitions to support the principle of openness beyond the legislative arena. Since the media is often the leading advocate of the principle of openness, we can expect that strong media resistance to dramatic policy changes will have the potential of expanding the oppositional coalition in both the social and political arenas. As regards the degree of discretion in interpretation and enforcement, the answer is twofold. Firstly, the principle of openness is protected by constitutional rules that constitute a solid legal ground for impeding legislation leading to more drastic policy changes. Given the reduced space for discretion, layering is the more logic option for changing legislation. Secondly, there is a complex array of rules able of producing ambiguities and difficulties in interpretation and enforcement at the operational
level of policy. A high level of discretion in implementation may prompt conversion and drift rather than layering at this policy stage.

While layering is the dominant mode of change associated with legal developments in the last decades, it is also possible to detect an instance of “temporal drift” that deserves some attention. The involvement of the private sector in public financed activities such as schools, healthcare and elderly care have entailed organizational changes with implications for the scope of application of the principle of openness. Private employees working in public-sector activities that have been contracted out to private actors do not enjoy the same legal protection than public employees working in the same type of activities. Most significantly is that they cannot leak information for publication to the media without risking to be punished. The privatization of the public sector have then entailed a reduction of the area of application of the principle of openness, as well as a serious impediment for whistleblowing activity, which would help to detect mismanagements and irregularities in privately managed activities that are publicly financed. This situation requires a corrective policy change. Still, such a rule change has not happen yet, but it is under way in the short run.

The described circumstances meet the elements of drift that evolves from the neglect to adapt and update an institution/rule to a changing environment. Drift occurs in contexts with strong veto possibilities (that should impede a change of the rules) and high level of discretion. In the examined case, legislators wanting institutional change did not have sufficient discretion to promote displacement, but they are able to promote change by inactivity. Now it is those who want to preserve the principle of openness, which has to mobilize for change (see Hacker, Pierson and Thelen, 2015), which may in part explain why the reform has taken so long time. According to the theory, the typical actor is the parasitic symbiont who uses the institution for his own benefit. Here, again it is hard to recognize the Swedish parliamentarians in the description of someone who is mainly looking for his/her own good. As stated above, parliamentarians did support reductions of openness but this often happens because they prioritize other interests and values, normally of a general character (e.g. personal integrity, international cooperation and state security).

As regards changes in practices, we need to distinguish between those shifts in the principle of openness that are associated with the introduction of new rules or the
amendments of all ones, and those changes produced by the actions of administrative agents who departs from the letter of the law, circumvent it or violate it. In the first case, we are again in a situation of layering. For instance, in the case of registry laws, new rules were added up to the FOI-legislation with implications for practices connected to disclosure procedures and the storage of documents.

On the other hand, we have observed in the previous section how authorities circumvented the principle of openness in numerous ways. While it is not the case overall, there are some important tendencies pointing to failures in implementation and enforcement that have to be taken seriously. There are indications of a shift in policy practices that involve legal breaches and irregularities. The patterns followed by these practices seem to be closer to the description of the “conversion” process of change, which entails an active alteration of rules through reinterpretation or redirection. Yet, in the situations of deviant practices examined in the previous section, rule alteration did not happen because of a strategic redirection of the rules towards new ends, as the theory envisages. Instead, what we observed were a series of irregularities and rule-breaking practices including the preclusion, violation, circumvention, departure or partial application of rules, without apparent redirection to new ends. The causes of rule breaking seem to be varied. Previous research have identified a number of reasons at the organizational level that explain to some extent why some authorities circumvent FOI-rules; they are: a feeling of organizational vulnerability because of increased national and international exposure; a change of values according to which citizens are seen as customers; fair for external oversight and control; incompetence and lack of knowledge about relevant rules: abuse of power and cynicism in relation to the principle of openness (Burman, Eriksson and Fredrikson, 2007)  

Yet, a very relevant question is how can conversion be possible? Public officials are able to circumvent legal rules when there are weak veto possibilities inside and outside their organizations. Indeed, the patterns observed seem not to be the product of individuals alone but the results of prevailing views inside the organizations regarding how to act in the implementation of the principle of openness. Furthermore, there are few external instances of

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7 Internal workload is another reason that is argued as a reason for irregularities in implementation.
oversight and control and they are relatively weak in the Swedish case. They are limited to a few institutions including the Parliamentary Ombudsmen, the Committee on the Constitution, the Chancellor of Justice the General Audit Agency, and the Court of Appeals, not all having the same jurisdiction.

In addition, the high complexity of the FOI-system secures a great deal of discretion in interpretation and enforcement. According to Mahoney and Thelen (2010), these kind of contextual and institutional characteristics favor the rise of opportunists, who are ambiguous about rule change and prefer to preserve the rules and use them for their own purposes than to replace them. It is not evident that the Swedish bureaucracy wants to change the rules of the principle of openness, but it is clear that many public officials circumvent sometimes its rules. This probably indicates an ambivalent position of public officials regarding the principle of openness. For some observers, many flaws in the implementation of FOI-rules are evidently associated with organizational changes in the public administration that entailed the entry of new actors to take care of institutional communication, namely public relations officials, communicators and press and information officers. It is argued that its main functions are to inform citizens and to facilitate public access to information, but in practice their functions seems to be to protect authorities from outsider scrutiny and to minimize damage when something goes wrong (Burman, Eriksson and Fredrikson, 2007; Publikt, 2015). This description corresponds quite well with the characteristics that opportunists have in the conversion process of change as described in the gradualist literature. Yet, in the Swedish case, they seem to pursue collective interests rather than their own gains.

Conclusions

Despite the popularity of the principle of openness in Sweden, and its continuing historical and cultural significance, there have been a series of developments in its rules and practices that have the potential to lead to more dramatic institutional and operational transformations in the future. This paper has presented evidence of relevant gradual changes during the four last decades through layering, drift and conversion, in both formal rules and practices, and towards greater secrecy.
The two dominant modes of change have been layering and conversion. Layering occurred through successive and numerous legal changes of the FOI-rules, a few of them having an impact on some core rules of the openness system. Secrecy was extended to new activities that required regulation and expanded through the tightening up of existing rules. Conversion occurred at the operational level where implementation practices departed from legal rules limiting openness to citizens and journalists. The two processes together stand for a considerable shift toward less openness, that is, they resemble the outcome that Streck and Thelen (2005) called “gradual transformation of policy”.

Nevertheless, it is important not to overstate the significance of policy change. The principle of openness is still quite alive, and enjoys considerable popular support. While formal rules changes were observed at all the levels of policy, the constitutional rules remain mostly unchanged which is a sign of the relatively vitality of the Swedish Principle of Public Access to Information. Moreover, the temporal and reversible character of the observed drift process suggests that there are still important social and political forces struggling for the survival of openness. A majority of the legal shifts and predatory practices observed had to do with the right of public access to official documents and not with the freedom of public officials to communicate information for publication to the press. The security valve of the Swedish FOI system is still safe. It has also suffered some amendments in the direction of greater secrecy, but most of its institutional design remains intact. A considerable shift towards openness is expected to take place soon, which will extend the right of public officials to communicate information for publication to the press to private employees working in publicly financed activities. All these observations call for caution at the time of interpreting the implications of the observed changes. Gradual change is continuously evolving and we need to follow its path to reach more stable conclusions about the scope and direction of policy change.

Theoretically, the study evidenced the strengths and weaknesses of Mahoney and Thelen’s theory of gradual institutional change. The model offers fruitful entry points for the analysis of public policies, and it allows drawing valuable conclusions about the modes and the dynamics of change. However, the theory appears limited for the analysis of the agents of change. It rests on a too narrow conception of human nature assuming that actors’
preferences and strategic actions are fundamentally guided by rational considerations and self-interest. It also assumes that actors are shaped by contextual and institutional factors that are reduced to only two aspects, namely, the level of discretion and the existing veto possibilities. Such theoretical simplifications do not apply well to the complexities of the Swedish context. Swedish political actors have their own individual preferences and interests, but many of their decisions seem to take into account elements and priorities of a more collective character like the country’s interests, international commitments, ideological aspects and value-conflicts, which do not fit well in the proposed theoretical framework. The model should therefore be more open as regards the factors conditioning human action as well as regarding the drivers of change.

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Appendix: JO- issues and decisions in the area openness and secrecy (Source: JO)

<table>
<thead>
<tr>
<th>Year</th>
<th>Registered</th>
<th>Finished</th>
<th>Including criticisms</th>
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