CHAPTER 1

Introduction

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When Karl Popper published his famous work *The Open Society and Its Enemies* (1945) there was evidence that representative democracy did not imply the end of history. Majority rule, despite being mediated by the principle of representation, had been blatantly misused and allowed for the persecution of various minorities, while constitutional checks and balances often proved insufficient for controlling political leaders. Moreover, the democratic system in Weimar Germany and many other places had failed to shield itself against authoritarian usurpation. At the close of World War II, it was clearly understood that if democracy was to be more than a formal system for aggregating popular will, it must be capable of protecting individuals and groups from the powers vested in the state by the majority, that is, by ‘the people’. As a consequence, representative democracy has been increasingly complemented – and to some extent even sidelined – by what scholars call ‘monitory democracy’ (Keane 2009) or ‘audit society’ (Power 1997; Ivarsson Westerberg and Jacobsson 2013).

In Western societies of today, there is a consensus that power should be publicly scrutinized and held accountable with regard to both universal principles and local norms. While still opposed by numerous public actors worldwide, both within and without the West, this consensus is rapidly evolving into a broad ‘universal’ ideal as well as a programme of specific precepts for global policy change. Media and civil society organizations increasingly exercise this function, and have become significant forces in the operation of modern society. As a consequence, today statehood and good governance is closely associated with various forms of external and internal control: ‘open government’ is the order of the day for managing national affairs and international relations. Openness on the part of power holders is meant to facilitate the transparency that enables monitors and auditors to do their job. Electronic network media of the traditional type, such as broadcasting and the rapidly evolving Internet, lend strong support to the global spread of the ideal of openness. Nevertheless, a digital divide may still remain within and between certain countries, in addition to new modes of deception and surveillance that challenge the emerging ideal of open and accountable power.

While openness continues to proliferate as an ideal, its numerous paradoxes are also becoming increasingly visible. In particular, there is a tension between
openness as an intrinsic social value, and openness as an instrument of governance (Heald 2006; 2012). This results in a degree of reflexivity between the instrumental and intrinsic elements of openness. However, the current elitist reformulation frames openness as a feature of modern leadership and reduces it to a tool of governance doctrine. Thereby, the intrinsic values of openness – and the multi-vocal, culturally diverse, and often conflicted debate about competing aims of openness – gets obscured by the fixation with the instrumental aspects of openness as set forth in the global transparency discourse. This book seeks to shift the focus from the theme of efficiency toward that of responsiveness. However, rather than presenting a one-sided view, supplanting one imbalance by another, it aims at a synthesizing and historically grounded perspective. It begins with two assumptions: (1) Openness is a revealing trait of political culture, and (2) the limits and paradoxes of openness are as instructive as its positive promise of an accessible, free, and responsible political and economic order. This becomes apparent when we examine its recent transformation from legal principle to universal ideal.

The Nordic countries, in particular Finland and Sweden, are the empirical focus of this volume for several reasons. Those states are committed to a political culture that is often expressed by common reference to a principle of ‘Nordic openness’.1 They are able to discuss a range of issues in a comparatively uniform context, and in an environment with particular affinity to the idea of openness. The Nordic dedication to openness is based on the principle of public access to official records that dates back to the Swedish Freedom of Information Act (*tryckfrihetsförordningen*) of 1766, the first such act in the world.2 A second pillar is the political process connected to commissions of inquiry that prepare public policy in close interaction with stakeholders. This plays a prominent role in Sweden, but is also relevant in the Finnish and Norwegian context (Pedersen and Lægreid 1994, 253–257). Already in the

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1 The respective terms are nordisk öppenhet (Swedish), pohjoismainen avoimuus (Finnish), norsk åpenhet (Norwegian), and nordisk åbenhed (Danish). In these cases the ‘Nordic’ is used interchangeably with the respective national attribute. The principal scholarly works are those by Erkkilä (2010; 2012); see also his contribution in this volume.

2 Engl. translation: ‘His Majesty’s Gracious Ordinance Relating to Freedom of Writing and of the Press’. For background articles, see Mustonen (2006). The Act was also in force in what later became Finland (see further Anderson 1973). The second freedom of information act was the *Código de Organización Política y Municipal* of Colombia (1888). Otherwise, freedom of information legislation has been a post-war phenomenon, although it has been discussed in Denmark and elsewhere since the nineteenth century (Knudsen 2003, 70). For a genealogy of freedom of information acts in Western countries, see Erkkilä (2010, 8) and for their spread to the Global South, see Darch and Underwood (2010).