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REGERINGSKANSLIET

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**Ministry of Justice  
Stockholm, Sweden**

# **SUSTAINABLE DEMOCRACY**

## **Policy for Government by the People in the 2000s**

Report of the Government Commission on Swedish Democracy

Official Government Reports-SOU 2000:1

English translation 12 September 2000 of the recommendations made by the Government Commission on Swedish Democracy in their final report.



# Policy for government by the people for the 21<sup>st</sup> Century

*Development is not uncontrollable. It is in the nature of democracy that it is not determined by fate. Nor does it lie in someone else's hands. Therefore, it is not only individual measures but also the overall political will that has importance for how society will develop.*

Democracy is not immutable. The institutions of democracy are fragile in the sense that they take a long time to build up but can collapse significantly more quickly, not least through violence. However, de-democratisation can also creep forward, by small but conscious adjustments of important details of the structures. Without anyone really wanting it to happen, the institutions of democracy can thus lose their efficacy and their norms. This can take place by critical development being neglected or by political representatives consciously or recklessly misusing the confidence of citizens.

We lay down certain fundamental objectives for the future development of democracy and furthermore propose a democracy policy for the long-term enhancement of government by the people in Sweden.

Numerous proposals are given in our various documents. Some of them are presented in this report. Refer to our documents for more comprehensive discussion and statistical information. However, it was not part of our terms of reference to examine in detail the proposals, though we expect that this will be conducted through a separate procedure.

It was not actually our main task to present a number of concrete pro-posals in order to resolve problems with government by the people. We have refrained from proposing seemingly simple solutions and measures. The research that we have compiled gives, in our opinion, no cause to believe that any simple operative intervention would remedy the inadequacies that we consider to be most central in government by the people in Sweden.

Instead, we have consciously placed the emphasis on the formulation of a fundamentally sound perspective to increase the citizens' participation, influence and involvement in the development of society in the 21<sup>st</sup> Century. We do this on the basis of moral argumentation. We hope that it provides a good basis for future deliberations and concrete measures.

## The moral foundations of democracy

We have chosen a moral ground to defend democracy. It is founded on a conviction that all people are of equal value. In contrast to every other idea about the structure of society, democracy accepts and proceeds on the basis that we are different and should be allowed to be so. We should not need to be adjusted. The most important word in democracy is neither spelled "I" nor "you", but "we" – inter-dependence upon each other and a duty to solve our conflicts peacefully and democratically.

It is of the greatest importance to reinforce the personal democratic values of citizens – the citizen spirit, often referred to as 'civicness' – and within this framework to create the greatest possible scope for them to jointly govern themselves. Citizen spirit is based on certain characteristic properties that citizens can cultivate and practise, for example critical rationalism (the wish to involve oneself in various issues, question and understand how others reason, etc.), civil obedience (obedience to the rule of law) and solidarity (altruistic approach to co-citizens, empathy).

## Government by the people in Sweden

Representative democracy constitutes the basis for government by the people in Sweden. It is in the interaction of representative democracy with citizens' experiences and desires that the development of government by the people is determined. In the many meetings between citizens the virtues and norms that a democracy both requires and aims at are formed.

The political parties play a key role in representative democracy by constituting links between citizens and political power, balancing various interests and assuming responsibility for the structure of political power. The parties do not by any means comprise the exclusive links between citizens and political decision-making. The media and organisations and networks of various kinds are to an increasing extent involved in the forging of opinion and mobilisation.

Our starting point is that government by the people in Sweden should contain a substantial element of self-organisation, decentralisation and self-administration. Scope is thereby given for diversity in participation and a large measure of pluralism and autonomy.

Politics must also realise its limitations and concentrate its work on areas where these values and control systems are superior to those of the market, civil society and the family. We must be able to expect mutual respect both by political representatives and, for example, of business on the basis of a realisation that both benefit from the proper operation of the other system. Representatives of politics and finance must at various levels intensify their efforts to conduct a dialogue with mutual respect.

The aim of government by the people is neither a large state or large local authorities but a society of individuals, who are bound together by a citizen spirit that keeps alive faith in justice and solidarity.

Our defence of democracy is thus based on moral principles. However, our view of democracy does not involve the content of decisions, only the forms.

## 1. Reinforce democratic awareness

Sustainable democracy requires that democratic awareness is enhanced on the part of citizens and its representatives. The objective is that every citizen be given power to control his or her own conditions of life and be afforded an opportunity to develop skills to resolve his or her conflicts together with others in a democratic spirit. The political projects of citizens will diverge and become increasingly fragmented. This makes it even more important to reinforce a citizen spirit and to create democratic institutions with the capacity to resolve conflicts reliably. The fundamental issue that must gain broad acceptance by all, and which requires to be frequently mentioned in a wide range of social contexts, perhaps actually relates particularly to support for this moral stance: 'The equal value of all people'.

Teaching about democratic awareness must be further improved. This responsibility must be borne by everyone but some have a particularly great responsibility: Public education and research has traditionally been strong in Sweden as regards increasing knowledge about society and democracy and to nurture citizens in democratic awareness. Government by the people in Sweden continues to have a great need for independent research and public education, kept autonomous from the state.

### Schools

We wish to emphasise in particular the responsibility of schools to prepare growing citizens for participation in the major issues of democracy. They must enhance knowledge about and understanding of competing social and historical perspectives and their consequences – and themselves comprise a democratic environment that tolerates dissension. What makes democracy is not that we are in agreement but that we are entitled to disagree and are even encouraged to do so. The education system is a central meeting place for different cultures and points of view. We can here develop a capacity for dialogue and mutual respect on the issues that bind us together: How should we associate, how should society be formed, and how should we resolve conflicts without violence or threats of violence?

Contemporary history and its social consequences, for example the dreadful acts of nazism and communism together with the modern racist world of ideas, is not merely another school subject, but involves problematic civic and moral

issues that call for in-depth treatment as an obvious part of the School syllabus. However, schools should not only have the task of *teaching* about democracy, morals and critical thought (including the communication of news by the media). They must also be a democratic arena; pupils must experience democracy in practice.

## Open public fora

Our results show that several public fora for political discourse must be opened. In pace with globalisation, the tendency to prepare policy through negotiation, for example, results in inadequate opportunities for citizens to obtain access to information and demand accountability. It is necessary to allow more citizen groups, rather than particularly resourceful lobbyists, to participate in the design of the system of rules on an increasing number of levels. In this respect IT can create opportunities both for receiving important information and for participating in discussions.

IT can also improve contact at other political levels between citizens and decision-makers. We consider that it is important, for example, to look for methods for using IT in order to publicise views presented by consultative parties and increase the opportunities for citizens to have insight in and opportunities to influence bases for decisions, for example in conjunction with environmental impacts analyses.

It is also important for the sake of political equality that everyone has access to the resources that are required to utilise this new technology.

Libraries also have an important role in creating awareness and involvement in the democratic process. Libraries are also important for public discourse.

The media absorption of politics has also shown to have consequences that do not favour democratic awareness. When political debates are integrated in the same media and programmes as entertainment and political discourse is assessed on the basis of entertainment value, this tends to make politics banal. When debate programmes contrast stereotypical conflicts between "the people and the power" and journalists assume roles as interpreters for the powerless people, there is a risk that the sound scepticism about people holding power will be transformed into contempt.

It is indeed of vital importance that the independence and freedom of the media are protected, but this freedom also carries responsibilities. Good journalistic ethics are indispensable for the well-being of citizens.

Awareness must also increase within the parties so that they do not alienate themselves from their members. The parties will be disarmed by elected representatives largely participating in meeting activities. In order to retain and develop their important role in representative democracy, the parties need to develop new fora, renew the forms of activity and develop a policy that is

immediately relevant to citizens. There is also an obligation on the parties to foster new generations of elected representatives who will be able to assume responsibility for dealing with the political decision-making processes.

## 2. Develop participation

Government by the people in Sweden must continue the endeavour to attain a high turnout of voters in all elections that are held, including the European election. The Swedish welfare state is based on strong public support, which is ultimately manifested by high levels of election participation. If election turnouts continue to decline, there is a risk that the legitimacy of public decision-making diminishes and that the broad public support for the welfare state will be jeopardised.

At the same time we wish to prevent an elitist democratic development, where government by politicians is allowed to become a substitute for government by the people and where democratic activities are concentrated around the election day. All citizens should be given an opportunity to participate in broad discussions both prior to decisions being made and between elections. Our view is that political equality cannot be attained without every citizen having access to such places and equal conditions in order to utilise these opportunities. If everybody does not then utilise his or her opportunities but transfers power to a few, then that is another matter.

We recommend a participative democracy with reinforced features of the deliberative democracy theory. This means that every citizen must be afforded greater opportunities for participation, influence and involvement. However, in order to participate, citizens must believe that it is meaningful to involve themselves. Indeed, the more citizens learn that participation yields influence, the greater the probability that they will continue to participate, and *vice versa*. Citizens' feeling of involvement – or lack of involvement – is the result of the experience that they (and others) have of participating and trying to exercise political influence.

Unfortunately, investigations show that rather few citizens consider it meaningful to attempt to participate. Citizens consider that democratic institutions, not least those with elective representatives, are inadequately sensitive.

### Increase political quality

We cannot yet say that there is equal citizenship in Sweden. Citizen participation, influence and involvement differ between various groups of society. The class gaps remain. Women are indeed *formally* equal with men, but cannot yet act at all levels in society on the same conditions as men. Equal opportunity work must thus continue with undiminished energy.

We also see a continued exclusion of numerous groups of young people. Their political interest is channelled not through the established political structures, but is often manifested through other forms, for example, new social movements and in sub-cultures. It is important that the bodies already established cultivate the interest that young people show and create opportunities for dialogue.

There are other conflicts that to an even greater extent cause concern: People with foreign backgrounds, in particular those with non-European backgrounds, and unemployed people, in particular the long-term un-employed, are the great losers of the 1990s as regards political mobilisation. Both these groups have, in all contexts, lower participation and lower involvement than the population as a whole. Furthermore, during the 1990s the gap between these groups has increased dramatically. Today, there is a wide exclusion among these groups. In time, this will mean that we have an increased proportion of citizens who are *permanently* excluded from political decision-making. From the viewpoint of democracy such development is unacceptable.

We therefore consider that extraordinary efforts must be made to increase ethnic integration. The labour market has an important role in this work. The role of work in the integration process can hardly be emphasised enough. Set against this background it is disturbing that discrimination appears to have such a serious effect in that particular area.

To be heard and taken seriously in all situations and viewed as an equal citizen with the same democratic rights as others is fundamental. This also applies to people with disabilities. It is not the disability as such that creates the handicap but the inaccessibility of society.



## IT in the service of democracy

IT can also be used to reinforce civil society and to promote participative democracy. The new information technology has potential to broaden opportunities for citizens to participate in and influence problem formulations and discussions before decisions are made by elected assemblies. National and local policy should in the first instance be directed at developing techniques and methods for such participative democracy with the support of IT.

One should consider whether and to what extent the new information technology can stimulate political interest and participation. Trials with Internet-based voting should be conducted in some local authorities. Alternatively, the technology can be used in conjunction with school elections in one or more schools.

The problem that must be resolved is how voters can prove their identity in a reliable manner so that election cheating is made impossible and elections kept secret. Furthermore, one must be able to guarantee the functions performed by electoral officers, namely to ensure that no political influence takes place in connection with the casting of votes itself or that no unauthorised electors vote.

## Register blank votes

Indeed a blank vote does not provide a basis for distributing seats. But it should nevertheless be regarded as active participation in the election. Therefore, it must be reported as a blank voting slip and not be regarded as invalid for election administrative purposes.

## Lobbyists should not be registered

Although some reasons speak in favour of registering lobbyists, we are of the view that this would result in an official authorisation of exclusive power-holders; a new form of corporate exclusiveness would be created for a particular group of citizens. The democratic rights of every individual to influence politicians would be in jeopardy of devaluation, as requirements for being registered could inhibit citizens who wish to express their opinions but who are not registered. This would comprise an impediment for new-entrant citizen groups.

## Civil society

To make use of ideas and involvement is of great importance. Therefore, the state and local authorities must promote the interest displayed by various citizen associations; in the work of the popular movements, in local development groups, in service user committees, in cooperatives, in the new social movements, etc.

The increasing pluralism in Swedish society requires that the state and local authorities provide various groups with an opportunity for autonomy, by self-government, concerning activities that are central for them.

We see today that the relationship between the public sector and autonomous citizens' associations is not completely without problem. Public decision-makers demonstrate in some cases an inclination to meddle and a tendency, in their role as financiers, to over-involve themselves in the activity. In the relationship with other groups, inadequate sensitivity is sometimes demonstrated. This applies not least to those forms of involvement that are developed by, among others, young people, for example new social movements.

The public sector must recognise the pluralism of autonomous citizen associations that exists in society independently of the state. Citizen participation expresses itself in many ways. The state and local authorities should therefore promote the right of assembly by, for example, ensuring that there are inexpensive and appropriate premises. Associations should also be regularly invited to have a dialogue with the public sector in order to make use of their important involvement both fully and in the long term.

Public authorities must proceed on the basis that citizens are capable, that they understand and that they seek the best for everyone. Traditional ideological impediments to giving citizens power must give way. Vital social movements should be allowed to grow and create scope for self-determination.

## Representative democracy and direct democracy

It is in civil society in which elected representatives and parties have historically had their roots. We seek greater capacity for local self-determination, which is not only orientated towards the local councils but aims to re-establish contact with the local citizenship tradition. With the strong state centralisation that we have had in Sweden, local striving for autonomy aimed at jointly dealing with common issues has sometimes been over-shadowed. There is reason here for collective self-criticism. Parties and also popular movements have sometimes behaved as if their survival was dependant upon their relationship with the state rather than their relationship with their own members.

As the value of representative democracy is disputed, it is not only particularly important to emphasise the importance of a rich and vital social capital but to also

create supplementary opportunities for exercising direct democracy. We are aware that the relationship between direct and indirect democracy is contradictory and complicated.

Our long-term effort is to provide greater scope for creative and autonomous meeting-places also outside the organised representative democracy. Assumption of responsibility for joint issues does not mean that it becomes less difficult for representative democracy. But representative democracy is supported both directly and indirectly by participation increasing in various ways. Indeed, the more people who in various ways prepare the political decision, the greater the quality of the decision will be. To participate also provides competence and a sense of responsibility. This reinforces the desire to promote the common benefit. It is therefore desirable that many political discussions are held. More self-determination and direct democracy actually means that representatives should be prepared to meet sometimes highly articulate and resourceful citizens and groups of citizens who may question both their motives and their forms of decision. Provided that such meetings can be held in a democratic atmosphere, the legitimacy of those elected will probably increase.

## The political parties

It is not a function of a government commission to prescribe a remedy for the ailments of the parties. As these have such a central role, we have nevertheless had cause to analyse their development also.

The parties demonstrate an inadequate capacity to adapt to new conditions for political work. Developments in membership numbers, participation in meetings and recruitment are devastating – the parties obviously find it increasingly difficult to attract citizens. With the unique position that the parties have in government by the people in Sweden, the increasing problem for the parties to fulfil their functions is not only a question for the parties themselves, but also to a great extent a problem for citizens and democracy. In order to reinforce representative democracy, the parties must develop both ideas and working forms that match the needs and requirements of citizens.

Sweden has minimal legal regulation and control of party finances. The ethical responsibility has traditionally been vested in the parties themselves. In the surrounding democratic world, legal control and access to information about party finances have increased, not least in the European countries. Important reasons underlying this reform include corruption scandals, problems of legitimacy and in some cases also pressures through strong public opinion. The awareness that the finances of the parties no longer can be regarded as an internal matter has increased. Their operations are to an increasing extent financed by public appropriations. The question of openness and access to information about financing of parties and candidates is of great importance for creating confidence in

politicians and politics in a broad perspective. Therefore, we propose that their financing is reported publicly and that work on examining the preconditions for such reporting is initiated as soon as possible.

### 3. Strong self-government

In order to make political participation more meaningful, local self-government should be expanded above all else. One means of ensuring scope for action by the local authorities is to provide local self-government with stronger constitutional and legal regulation with opportunities for legal review. The advantage of making the local authorities a more interesting and relevant arena for political influence is that many citizens will thereby be offered more meaningful opportunities for exercising influence in issues that are important to them. This would also involve an attempt to vitalise representative democracy by providing local politics with a clearer link between party work, elections and demands for accountability.

Broader local self-government may, among other things, re-establish the local level as a vital base for conducting national and European policy. By involvement and participation in local matters, citizens have a chance both to obtain knowledge about and utilise experiences from a broader base.

Furthermore, we consider that greater opportunity should be created for directly providing scope for other democratic organisations to independently resolve conflicts and arrange their common affairs in a matter that is bene-ficial for citizen spirit.

Citizens must be given greater direct opportunity for democratic organisation in order to constructively resolve the problems that prevail in certain geographic or operational parts of the local authority. This may involve associations of various kinds, local development groups, entrepreneurs within the social sector and other forms of operations or contact committees. Our ambition is thus to extend the political arena for citizens, not the local authorities.

#### Local referenda

For some time citizens have had a formal opportunity to initiate local referenda. But their initiatives are seldom listened to by the assemblies. It is not credible to have such a blunt instrument for influence by citizens. It must therefore be more difficult for assemblies to refuse to arrange referenda.

#### Separate election days and extra local authority elections

The strongest argument in favour of separate election days is related to the election movements having a mobilising effect on voters, not least the party organisations. Long mandate periods involve a risk that activities will lose tempo. At the time of

Riksdag elections there is an increase in the proportion of voters who feel that they are supporters of a party compared with between the elections. There is also a risk that the party organisations will experience a dip for a couple of years following the election.

The seriousness demonstrated by our party and election surveys means that we attach particular importance to this argument. We are of the view that, in the situation of imminent collapse in which the Swedish party system now finds itself, there is reason to carefully consider several ways to stimulate party work and local political discussions. Separate election days may be one way of resolving the problems associated with long mandate periods. But, and this is important, it is a great challenge for the local party work to develop in the long-term local elections in such a manner that particularly those citizens who feel strongly excluded consider the elections meaningful.

The way in which citizens' election behaviour has developed can be said to have weakened the arguments that previous investigations have presented against such a reform. As we previously reported, voters are capable of distinguishing the local authority elections to an increasing extent by splitting their votes between the Riksdag, county and municipal elections. We also observed that voters to an increased extent vote for parties that only stand for election in local elections. Furthermore, we are of the view that during the most recent decades the local authorities have become increasingly important for citizens. Their independence as opposed to the power of the state has increased in certain respects. All this means that citizens have obtained increased interest in detaching the local elections from national politics.

In other words separate election days would further emphasise the function of accountability at general elections. Opportunities of voters to identify where the political issues are being dealt with and to demand accountability for the policy would be facilitated. Municipal and county issues would then have a better chance than presently for having an impact in the election. This applies also to a great extent to regional development issues and the elections held for regional parliaments. Separate election days would facilitate involvement by voters in local issues.

Separate election days would also be in line with the personal vote; a reform where demands for accountability are more manifest in the relationship between the voters and the elected. According to the Committee for Government by the People, separate election days would mean "accountability on the part of local elected representatives on the basis of their programmes and actions. In this way citizen influence on local decisions is increased".

## Municipal division and municipal district boards

Furthermore, it is also our opinion that there is no democratic desirability in establishing several levels within representative democracy. On the contrary, we envisage a great danger in overburdening the party-based democracy.

We can also conclude that attempts regarding municipal district boards have primarily succeeded in bringing elected representatives nearer to senior operational officers. Unfortunately, advances relating to political influence by citizens are not as manifest, according to the evaluations that have been conducted to date. We do not exclude the possibility that this may be related to the boards, despite the understandable democratic motives, nevertheless comprising a democratic anomaly because they are indirectly elected. They act on the mandate of the citizens but do not provide them with any opportunity to demand their accountability.

Our fundamental view is that the difficult conflict of objectives between economic survivability and efficiency on the one hand and citizenship influence on the other hand should be resolved by dividing local authorities. There would thereby be obtained a cohesive accountability for taxes and operations within the local authorities. But at the same time a feeling of solidarity must be increased, so that, for example, the great socio-economic segregation of the major cities does not have an unjust impact as regards distribution of resources.

### Direct elections to city and municipal district boards

If the municipal divisions of various kinds are not considered to be reasonable, the municipality should introduce direct elections to municipal district boards in order to increase transparency and the opportunities for citizens to decide who will represent them.

Irrespective of whether there are indirectly or directly elected city or municipal district boards, the scope of diversity should not be so extensive that it jeopardises the right of citizens to equal public service.

### Create more politically appointed assignments – but spread them

We see politically appointed assignments disappear with anxiety. Increasingly fewer people are thereby given the opportunity to shoulder an important citizen task. For the same reasons we view seriously the tendency to have multiple engagements. It is important that endeavours are made to increase the number of politically appointed assignments and to spread them. In this way the risks for the misuse of power that accompany a concentrated and long-term holding of power are also counteracted.

### Let more people train in democratic decision-making and assumption of responsibility in service user bodies

In the chapter on democracy, which focused on fundamentals, we have provided reasons for the recognition of a diversity of forms of operation where democratic leadership can be trained and developed. We are of the view that it is important that such bodies are created, but a prerequisite for this happening is that there is a desire to have dialogue and to learn on the part of local authority representatives.

### Make use of existing institutions for participants

The local authorities already have at their disposal opportunities to offer citizens increased participation in political processes. The planning and building legislation is an example of legislation that provides citizens with opportunities to influence social structure and development.

### Resource centres for local mobilisation in urban environments

Relying on our investigations concerning an increase in political inequality between citizens with foreign backgrounds and other Swedes, we wish to emphasise the need to develop new kinds of joint bodies within the fields where political exclusion is extending. We have noted with satisfaction the extraordinary initiatives that are being taken throughout Sweden by local authorities, non-profit-making organisations, corporations and others in order to oust marginalisation with participation. It is important that experiences of this kind are documented and disseminated. It is just as important as the work that is being conducted by the Popular Movements Council for Rural Development that there is corresponding work that encourages, evaluates and develops forms of participation and influence within cities and major municipalities. Resource centres for local mobilisation should therefore be supported at national level.

### Democracy assistance

It is of central importance for Sweden's efforts to at all levels develop democracy and human rights within the framework of development cooperation. This should be done both through the UN and by bilateral development cooperation agreements. A particular problem concerns the large number of people who are refugees, whose political and civil rights are very weak. Individual organisations and political parties, as well as national and local authorities in Sweden, play an important role. By collaboration with their equivalents in other countries, democratic culture can be reinforced.

### Reforms in the UN

There are proposals for measures to improve democratic control at global level. One of the most thoroughly examined exists through The Commission on Global

Governance. It proposes among other things a system for individuals, minorities and voluntary organisations to be able to have their issues placed on the agenda of the United Nation's Security Council. There are also proposals for an Economic Security Council linked to the UN with the aim of increasing democratic influence and control as regards the development of the world economy. Initiatives are also proposed for a reform of the political security council and also for reinforcement of international law. We are of the view that these reform proposals should have great importance in the Swedish UN policy.

## 4. Increase institutional accountability

Elected representatives decide about different values – health care, school, social services, security, etc. These are then specified and distributed by complicated multi-level control. Many different hierarchical levels and networks of various kinds exist. Confidence in the Swedish political system ("service democracy") is largely dependent on how efficiently these value distributions are conducted.

In the chapter on democracy we have asserted that this aspect should not be overemphasised. But from the point of view of citizens it is fundamental that representative democracy is served by institutional systems that are open and can be held accountable. This gives a clear indicator to citizens about the proper lines of communication and whom is to be held accountable. But it is also important to develop a security system that protects citizens from harm through errors and mistakes on the part of the authorities.

### Reinforce the independence of the authorities

Our conclusion on democracy policy as regards government administration deals primarily with making provision for systems where officers are guardians of democracy – characterised by a citizen spirit. We urge that the independence of the government administration should be maintained or reinforced as far as it is possible.

### Authorities shall not devote themselves to lobbying and forming public opinions in their own interest

An authority is charged with the tasks determined by the Government. It is not one of its functions to propagate for the expansion of its own field or for particular political control. The task of the authority is instead to assess, among other things, whether or not the demands that are presented by organised interests are justified.

We therefore consider that it is questionable for authorities to be members of lobbying organisations that conduct competing lobbying activities in relation to the state.



## Develop a public ethos – a democratic professionalism

As we have seen, the government administration is an environment of conflicts between objectives that are all very important. On the one hand, democratic values, such as political democracy and public ethics should be realised. On the other hand, economic values, such as rationality, productivity and efficiency should be created. Every public system should care for the whole. There is a multi-dimensional citizenship perspective regarding the business that is conducted with citizens' tax funds.

## Independent statistics that are free of charge

A citizenship interest supports having independent statistics that provide persons involved in public life with free information bases for analysis, debate and decisions.

## Provide committee work reasonable operational preconditions

Also from our own experiences we would like to show cause for the Swedish Committee System being given reasonable operational preconditions for delivering sustainable solutions to difficult policy problems. The issue involved relates not least to having sufficient time to produce, analyse and balance professional reports to provide sound information bases for policy decisions.

## Clarify division of responsibilities

Further efforts must be made to provide increased clarity in the division of responsibilities between national bodies and between these and the local authorities. The disorder often experienced by citizens must be recognised as sufficient reason to intensify work on creating transparent structures of power and accountability. The comprehensive system of rules must be more clear, the rules of the game plain and control consistent. Balance must prevail between the state and local authorities as regards responsibilities and financial conditions.

## Assist citizens to have access to information, among other ways via IT

Virtually all parts of government administration are to an increasing extent drawn into a complex of multi-level controls and negotiation processes that are difficult to understand. This has radically altered the forms of work of the authorities. This creates, as we have previously shown, a democratic dilemma. In any event this means that we do not see any upper limit for the efforts of the authorities to provide citizens with increased openness and access to information. To publicise all important documents via Internet, as in Denmark, represents a step in the right direction, albeit small.

## Reinforce opportunities for the individual to obtain a remedy

In pace with increased responsibility for the rights of the individual, the local authorities must improve their quality as a state governed by law. The public authorities should internally ensure quality by, among other things, finding ways of dealing with complaints more efficiently.

In a social machinery that is increasingly difficult to understand and subject to rapid change it is important to protect the integrity and legal security of individual citizens and minority interests. The fundamental values of democracy call for increasing activity. We therefore welcome the legal, non-parliamentarian control of policy provided through, among other ways, the incorporation of the European Convention on the Protection of Human Rights and Fundamental Freedoms

resulting from membership of the EU. Against the background of our democratic theoretical respect for human inviolability, this kind of judicial review represents a step forward. We are of the view that this will not in practice circumvent the opportunity of the majority to realise a politically justified project. On the basis of our fundamental view, it is also natural that the more autonomous local authorities must be given increased responsibility for satisfying the legal security of the individual citizen.

## Reinforce legal quality assurance

The tempo of political decision-making is on the increase. The risk can thereby increase for appropriate regard not being taken for the requirements for a state governed by law in relation to legality and certainty. Efforts aimed at obtaining the most comprehensive and all-round basis possible for decisions should therefore be intensified so that the rights of citizens are not put aside.

The state has reason to develop safer systems for external supervision and judicial control to protect the rights and integrity of citizens. Further efforts should be made, not least in a difficult to comprehend negotiation and network-based decision-making, to assure protection of citizens against the mistakes and injustices committed by authorities.

One means of doing this would be to abandon the so-called 'obviousness requisite'. According to this rule, the courts or other public bodies may not apply a regulation that violates the Constitution or a superior statute. If the Riksdag or the Government has decided the regulation, the application of the rules is only permissible if the error is obvious (Instrument of Government Chapter 11, Article 14).

To abandon the requirement of obviousness would thus provide the courts with greater opportunities to disregard a statute that contravenes the Constitution or an ordinance that contravenes a statute.

The conclusion can be drawn from our studies that there are tendencies for Europeanisation to undermine the meaning of the requirement of obviousness. EU membership has meant that EC law is automatically given precedence over Swedish law. As regards EC law, no scope is allowed for failing to disregard a national rule that violates EC law. Furthermore, increasing Europeanisation and the influence of EC law appears to make the Swedish courts more inclined to consider that the requirement of obviousness as satisfied.

We are generally of the opinion that there is reason to reinforce legal control of public decision-making. We do not believe that any other constitutional model is better able to attribute public decisions greater legitimacy.

## Communicator protection in all public financed activities

In a situation where public financing of private operations is increasingly common – within healthcare services or environmentally hazardous activities for example – it is important to extend and reinforce the protection of communicators in the same way for private employees. Democratic values and ethical principles are just as important when other interested parties take over publicly financed operations.

## Regional democracy

It is a challenge for the political parties to develop relevant and interesting systems that can provide citizens with meaningful processes to resolve central joint problems in the regions. In the long run, rules of the game for partnership and networking must be developed. The work that is now being conducted should not neglect the opportunity to disseminate power or to involve new and other citizen groups. The new partnership, which is an endeavour to incorporate leaders from various sectors of society should not neglect the legitimate requirements of citizens for transparency, space and demands for accountability. It is important that the various sources of public mandates are clarified. Regional development should not result in local self-government being undermined.

We are of the view that direct elections to regional bodies should be arranged. We also recommend that citizens are afforded an opportunity to decide by referenda on proposals concerning new county boundaries.

## Democratisation of EU cooperation

Facilitating and developing democratically reputable policies in the light of globalisation or EU membership does not provide democratic credibility either. The Commission is therefore providing some general guidelines. They are structured so that they actively utilise the democratic opportunities presented by globalisation and EU membership but as far as possible fend off the associated hazards to democracy. Special arrangements are called for regarding an initiative for the determination of a Swedish perspective, enjoying popular support, concerning the lines upon which the EU should develop in the long term on the basis of democracy issues. A special parliamentary commission should be assigned to investigate the issue. This work should be conducted with maximum openness and aim to engage a broad range of social groups in a discussion about the future organisation of the EU.

## 5. Evaluate government by the people

To create knowledge about how government by the people operates is of great value for its development. By research, evaluation and audit we can obtain a basis for reflection and common learning.

## Audit

Elected persons should be examined in an impartial manner. The independence, credibility and impact of auditors are of decisive importance. In public activities, audit should be as autonomous as possible in relation to the political decision-makers. The auditors appointed by the Riksdag should be given a reinforced role. An independent auditor should be appointed in the local authorities by the assembly, but under such conditions that the auditor's impartiality cannot be questioned.

## Protect the independence of research

Without an independent status, the state administration cannot supply a credible basis for debate and decisions. Its role in this respect is of importance. This of course applies to a particularly great extent to the state research institutions, where signs of increased control raise questions. Unless research is allowed to remain autonomous in relation to politics and the market, government by the people will lose one of the primary foundations for an open society.

## Multi-disciplinary democracy research

It is thereby important to continuously monitor and measure how political institutions fulfil the quality criteria regarding government by the people. For this purpose we propose five multi-disciplinary democracy research programmes. Scope should thereby be provided for independent research about the development of government by the people, concerning among other things the role of the media in democracy.

We consider that there is also a continuous need to develop democracy policy reforms in the interface between research and politics. It is therefore necessary to also have some meeting place between research and politics. We therefore propose that an independent group of experts is appointed which can operate as a think tank and procure information bases for democracy reforms.