

Truth and consequence

By Professor Christer Jönsson,
translated through and commented by professor Dennis Töllborg

Introduction

In December 1997 the Swedish government gave the Swedish Council for Research in the Humanities and Social Sciences (HSFR) which are to deal with basic research the mission to start a scientific programme concerning Swedish military security and intelligence (MUST) from the end of 1920 up to the beginning of the eighties. The mission was rare, unusual, both as far as concerning the supposed object for the scientific research as its demarcations for time and room. It also concerned an area that for a long period had been the subject for political debate. The object, which was to be examined, is characterised by its closeness. It could be presumed that this would mean difficulties regarding the possibilities for the researcher to have access to certain material.

This so-called MUST-programme has, like some other later research-missions initiated by the Government, caused discussions both in HSFR and among scientists as a whole. The discussions have been around the collision between, on the one hand, the freedom of the science and, on the other hand, the right for the politicians to steer the research in directions that suit the political power at the time. The position from the HSFR is that the quality and gain of the research is depending on that the researcher has the right to freely decide the area for the research as well as the research projects aim, demarcations, method etc.

The discussion in HSFR finally led to that council decided to give the chairman of the MUST-programme, Professor Christer Jönsson, the mission to document the experiences so far from the MUST-project. The Swedish version, *Sanning och konsekvens*, was published in the end of august 2000. I early decided to have the manuscript translated to english, since I believe that this story tells scientists, especially in the field of intelligence, important knowledge of the myths and the truths about how the swedish model works in this field. As the reader can see and might already suspect from the Leanderaffair when the true story was revealed in 1997 (see Töllborg (ed.), *National Security and the Rule of Law*, Gothenburg 1997) there are severe differences between the seriousness with which Swedish power handles these questions and, for example, the MacDonald- (Canada) and Lund- (Norway) Commissions. This is also one reason why I have chose to follow the original manuscript and to it, in footnotes, invoke the comments I was allowed to make before the final manuscript was transferred to the publisher.

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Gothenburg in September 2000

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The HSFR receives a commission

During the 1990s, the Swedish Council for Research in the Humanities and Social Sciences, the HSFR, distributed some SEK 180 million a year to research projects. Most of the money was allocated to projects that had been initiated by the researchers themselves and were therefore based on their own curiosity – what we normally call basic research. A smaller percentage (around 30-35%) went to research programmes that had been selected in advance. The idea for launching these programmes could come from either the council itself or the government. When the HSFR decided to start a programme, it usually did so to stimulate research in important areas which were not thought to be receiving sufficient support within the framework of the traditional funding system (the Comparative culture research and Culture and society in Western and Central Asia are two examples). The government assignments involved socially beneficial areas such as labour market and youth research and research on the public sector. The common denominator when it came to both types of programme was that they were defined in an in-depth, thematic manner.

On 11 December 1997, when the government commissioned the HSFR to run a special research programme relating to the military intelligence and security services, the traditional pattern was broken in a number of ways. To begin with, the assignment was not thematic and general but was instead highly specific and strictly defined in terms of time and space; it related to Swedish military intelligence activities from the end of the 1920s until the beginning of the 1980s and nothing else. Secondly, this research assignment related to an incredibly politicised area. For many years, the domestic activities of the Swedish military intelligence and security services had been the topic of a lively and politically inflamed discussion, which had been fuelled by a number of different affairs – the IB (Swedish Military Intelligence Service) affair, the hospital spy affair and the Leander affair. A number of commentators therefore regarded this assignment as an attempt on the part of the government to remove this question from the agenda of the impending election campaign. The fact that the IB affair nonetheless assumed a prominent position in the debate prior to the 1998 election did not make the research assignment any easier.

In the third place, the subject of this research had a very special character, which hardly facilitated the research, to put it mildly. It is actually difficult to imagine two cultures that are more different than research and the security service. The emphasis the research culture places on total openness and freedom is diametrically opposed to the closed character and secrecy of the intelligence service. For the researcher, every restriction in access to information and material is an exception that requires a special explanation. For the intelligence service personnel, every relaxation in secrecy and inaccessibility is an exception that requires a special explanation. In short, established scientific methods and working processes are difficult to apply in this specific area.

This combination of unusual – if not unique – conditions made the assignment controversial in research circles from the very start. Should the research community agree to these terms? Should the assignment be seen as a political commission or as a unique opportunity to conduct research in an area that is otherwise not readily accessible? Different individuals gave different answers in the intensive discussions that followed in the coffee rooms at the institutes of political science, history and law and which were also conducted to some degree in the media. The HSFR had basically no choice; it is a government authority and its brief includes performing government assignments. However, the MUST (military intelligence and security service) programme has been the subject of constant supervision and countless discussions within the council. As this government assignment was followed by others of a similar specific and clearly-demarcated nature – research on the crimes against human rights perpetrated by the communist regimes and on Sweden and Nazism during the second world war – the desire to document the history of the MUST programme and the nature of the research process has been voiced with growing force by the council's members. This individual case is seen as being of major significance when it comes to research policy. It brings to the fore the fundamental issues of the balance between research-steered and client-steered research. Are the researchers themselves or the people financing the research best equipped to define the research problems? Moreover, the MUST programme raises questions relating to the relationship between politics and research. Can and should research assignments and grants be the solution to current political problems and dilemmas?

I have been commissioned by the HSFR to collate the experience that has so far been acquired in the MUST programme, even though the final chapter can still not be written. Even if I am not one of the researchers in the programme, I have followed it at close quarters as a representative of – and, since 1 July 1998, chairman of – the HSFR programme group. This means that, in addition to maintaining contact with the researchers, I have also had the task of representing the programme in dealings with principals and negotiating with the authorities when it comes to the researchers' working conditions. The researchers are not familiar with the whole truth when it comes to the Swedish intelligence service and, in just the same way, I cannot claim to be able to reveal the whole truth about the MUST programme. It is often said that what we read in traditional history books is the history of the victors. What I am attempting to do in this paper is to tell the – history of the losers – in a small yet basically important episode in Swedish research policy. As my account will demonstrate, I regard the programme as a game with many losers and few winners.¹ As I am writing from a research perspective, this is only a partial account and does not purport to be complete. My knowledge is especially limited when it comes to understanding the government's views and decisions during the various stages. If my account

¹ I agree that it is a game and also that there are many losers and few winners. What is more, the winners are probably individuals, while the collective group comprising citizens and the concepts of science and democracy are the two principal losers

triggers a debate on the fundamental issues – not only among researchers but also among politicians, it will have achieved its main purpose.

Dispelling the clouds of secrecy

During the autumn of 1997, the question of the registration of political opinions and affiliations once again appeared on the political agenda. New disclosures relating to the hospital spy affair in Göteborg in 1975 and the case of Torsten Leander, a carpenter who was refused employment at the Naval Museum in Karlskrona for security reasons, resulted in a growing call for a Swedish truth commission along the same lines as the one in Norway. Between 1994 and 1996, the so-called Lund Commission in Norway had scrutinised archives in detail and interviewed more than 500 of the people involved in its meticulous examination of the security service and its links to the labour movement. At the same time, a couple of historians had been commissioned to write the history of the security service. The chairman of the commission, Ketil Lund, was a high court judge and the commission secretariat, which had powerful resources, was made up of people specialising in archive searches and interviews. The commission also included a representative for the left-wing groups that had been subject to the registration of political affiliation, thereby strengthening its credibility. The Lund Commission's comprehensive report revealed that activities relating to registration and bugging had been run in the form of collaboration between the security police, the military intelligence service and the social democratic party. The parallels with Sweden were obvious and Lund became something of a mantra in the Swedish debate.

The social democratic government, together with the moderates (Swedish conservatives), quoted the different inquiries that had already been made into the intelligence and security services and rejected the call for an examining commission. In a parliamentary debate on 20 November, brought about by disclosures in the Leander case, the Minister of Justice, Laila Freivalds, announced a government initiative for a broad-based and independent research project relating to the Swedish military intelligence and security services from the 1920s up to and including IB to supplement the examination of SÄPO (the Swedish security police) conducted by the Registration Board that had been set up the year before. The participants in the debate were so busy arguing in favour of or against an examining commission that they hardly reacted to her announcement. The exception was the Christian democrat Rose-Marie Frebran, who asked what the government will do if the archives are missing. Will it then reconsider the decision that has already been made? Or will that decision still apply even if there are no documents to study or conduct research on?

On 11 December 1987, the government announced its final decision to commission the HSFR to conduct a five-year research programme with a total cost ceiling of SEK 20 million. An appendix, in which the government explained and clarified its view of this research assignment,

stated that the research should focus on the kind of activities the intelligence and security services may have run in Sweden which may have targeted organisations and individuals and that it is important that this research puts the intelligence and security services in their historical and social context. Although the assignment was to focus on military surveillance, the possibility that the security police (SÄPO) may also be involved when it comes to its involvement in IB cannot be excluded. Even if much of the data to which research with this orientation requires access may be subject to secrecy, the government expressed the view that the secrecy regulations should not need to hamper the research and referred to the government's right according to Section 14 § 8 of the Official Secrets Act to decree exceptions to this act. The appendix also implied very vaguely that the government was prepared to be generous in its assessments of any requests from researchers to utilise these rights.

The appendix indicated that the research would be characterised by both restrictions and opportunities. Any hopes the government may have had that this research project would silence the call for a truth commission were quickly dashed. In a contribution to *DN Debatt* (a newspaper column) on 13 December, a number of Swedish historians and other academics called for this research to be supplemented by a commission which would be able to interview all the people who had been involved in surveillance. They felt this was important as a result of the large holes that still remained in the written documentation. At the same time, they argued that the research should also include SÄPO's history and demanded that the archives should be opened for free research. The 18 authors of this article said that dispelling the clouds of secrecy was an imperative obligation to Swedish democracy.

The question had now been elevated to the leading arena of Swedish politics, alongside parliament, *DN Debatt*, where the three responsible cabinet ministers, Laila Freivalds, Björn von Sydow and Carl Tham, presented their response on 28 December under the proud headline 'We will open the archives'. Even if the headline typesetter's interpretation of the contents of this article can be discussed, this is nonetheless a key document, which radiates a real sense of goodwill, generosity and belief in the researchers. The ministers present a hypothesis that professional, free research has fewer limitations than a commission and therefore has greater potential to dispel the clouds of secrecy. They also claim that researchers should be given the chance to conduct interviews with the relevant individuals without being obstructed by the regulations pertaining to secrecy. The historians' request to open the archives is described as superfluous: it goes without saying that researchers should have access to the archives. The government promised to instruct the responsible authorities to assist the researchers and to adopt an extremely open attitude in the event of secrecy issues associated with the research landing on the government's table.

While the article sent positive signals to the researchers who were considering taking part in the research programme, there were also formulations that the people responsible at HSRF took to heart.

The HSFR now has to decide independently how the project is to be designed... Whenever the council decides during the planning of the project that new and specific government decisions are required in order to conduct the research in a satisfactory manner, we assume that the HSFR will present the government with proposals and detailed information on these points.

Not everyone was convinced by the three ministers. In a critical article in the cultural section of *DN* on December 31 1997 Wilhelm Agrell pointed out that the promises of a generous attitude to matters of secrecy were not balanced by any concrete pledges, that the proposed research did not cover the past fifteen years and that the government decision had not been preceded by any dialogue with the research community. He therefore regarded this research project as a fairly shameless attempt to use research for tactical political purposes, as a weapon against the call for a truth commission, which placed the researchers in the uncomfortable position of being a tool and a political supplier. In line with his public arguments, Wilhelm Agrell declined to apply for financing from the special HSFR funds. He can therefore represent the group of potential participants in the programme who were not prepared to accede to the government's terms.²

Nor did the government succeed in convincing the opposition parties by this action. The Left Party, the Environmental Party, the Christian Democrats and the Liberal Party continued to insist on a truth commission; the Environmental Party's spokesperson, Marianne Samuelsson, regarded the SEK 20 million in research funds as the price of silence. The Christ-Democrat Rose-Marie Frebran emphasised that the four political parties agreed on that a commission *not* should consist of politicians, but of lawyers, researcher in the historical field and people well-known for their integrity.

In short, from the very first moment, this research programme was controversial both scientifically and politically. An additional complication was the fact that the HSFR was not the only authority to be commissioned by the government on this issue. Back in November 1997, the Registration Board, the authority which keeps a check on SÄPO's registration activities, was commissioned to define the concrete effects of personal control on people seeking employment and people classified as requiring protection. In simple terms, it was a question of examining whether there were more Leander cases. In March 1998, the government commissioned the FUN, the Armed Forces Intelligence Board, the political controlling body for the intelligence service within the armed forces, to complement the research programme by making an analysis of the conditions governing access to source material and to identify the registers that have been used within the military intelligence and security services.

² Some researchers are invited, others are definitely not. It is possible that I am not the right man to assess this, but I have difficulty accepting that expertise was the only factor that determined the selection.

The HSFR goes into action

At the time in question, the chairman of the HSFR, who is appointed by the government, was Olof Ruin, Professor Emeritus of Political Science at Stockholm University. As the chairman of a council, he was unique as a result of his combination of in-depth experience of research and the world of research policy and confidence-filled relations with social democratic government circles. Never before had the government appointed a council chairman with such powerful roots in academia. Olof Ruin's double involvement and cross-border role was an important asset when it came to the HSFR's handling of a delicate matter.

The government's commission for the HSFR had been preceded by informal contact with Olof Ruin. He had a particularly close relationship with the Minister of Defence, Björn von Sydow, who had been a student and colleague at the Department of Political Science in Stockholm, and for many years he had also had a personal relationship with Carl Tham. On 19 November, two days before the government debate in which Laila Freivalds announced the plans for a research project, Carl Tham called Olof Ruin on behalf of the Prime Minister to find out how the HSFR would react to being given principal responsibility for this special research assignment. Ruin answered that an arrangement in which the provider of the funds decided on the research area but the researchers had complete freedom to ask questions and choose the angle of approach was feasible. The warning about the independence of the researchers was in fact a recurring theme on the part of the HSFR in the informal contact that was made on this matter.

The council was therefore prepared and in full readiness when the government decision was announced. A planning group was immediately appointed. In view of the special and sensitive nature of the research programme, Olof Ruin was appointed as chairman – a deviation from the council's standard practice of keeping council chairman outside the planning groups. Another member was the council's principal secretary, Anders Jeffner, another exception to established practice to underline the importance of the assignment. The other members were Eva Österberg, the history representative on the council, Hans-Heinrich Vogel, Professor of Public Law at Lund, and the undersigned as a representative for social science.

When the planning group held its first meeting on 22 January 1998, a number of interested researchers had already contacted the HSFR's secretariat and an application had been submitted even though no announcement had been made. The group held a detailed discussion on the different problems, dilemmas and conflicts the HSFR could encounter as an intermediary between principal and researchers. We came to the obvious conclusion that the council's

primary responsibility and obligation of solidarity was to the researchers in every situation of this kind.

With the government directive that the research programme was to start in 1998 and be concluded no later than 2002 as the starting point, the planning group drew up a time schedule and a budget. The group decided that an announcement should be made in February and, after a discussion relating to the interpretation of the government documents, Eva, Hans-Heinrich and I were asked to present a proposal for the themes or direction of the research programme in research speak rather than the bureaucrat speak of the government documents. In view of the short time available, the announcement would involve a notification of interest rather than complete project applications. Owing to the lack of time, the programme would have to be aimed primarily at established research groups.

Two other types of action were also taken at this first meeting. The first related to the obvious need for an inventory of the source material for the research programme. The researchers had to be given some understanding of the material that was available, its scope and accessibility. As a service measure for the entire programme, the council should therefore make sure that an inventory of this kind was conducted. The council secretariat was given the task of attempting to recruit a suitable person with archive skills. The other action was of an organisational character. The planning group was reinforced by the inclusion of a general representative at the HSFR, Ingemar Odlander. His in-depth insight into Swedish politics from a central journalistic angle would benefit the group. The group also decided to suggest to the council that the planning group's mandate should cover the period until the research funds were allocated. After this, a programme group of the standard HSFR type should take over the monitoring and co-ordination of the programme. This meant that the council chairman and principal secretary would no longer be members but could be co-opted whenever necessary. The other members of the planning group, including Ingemar Odlander, should be included in the programme group from 1 June 1998. In accordance with HSFR practice, the chairman of the programme group should have a seat on the council. This disqualified both Eva Österberg, whose mandate period on the council expired in the autumn of 1998, and Hans-Heinrich Vogel, who was not a member of the council. I was therefore proposed as chairman, a post I in no way wanted but, under the circumstances, had difficulty refusing.

At the planning group's next meeting on 5 February, we were pleased to note that Evabritta Wallberg, a keeper of the records at the Military Record Office, had agreed to accept the assignment of making an inventory of the source material and was prepared to begin work the moment the council made a formal decision. We also agreed on the design of the announcement. In the document which, after being approved by the council, was also submitted to the Department of Education, we made it clear that the HSFR did not regard this assignment as an analysis of an isolated Swedish phenomenon but presupposed that the research should put the intelligence and security services in a larger political, legal, cultural and ethico-existential

context and adopted an historical and international perspective . The announcement presented three broad themes which had already been discussed at our first meeting and which the combined projects should cover.

"The intelligence and security services as a legal-bureaucratic system and active unit. This brings to the fore a number of sub-issues relating to organisation and working methods, such as the design of the organisation at different stages, the Swedish organisation in relation to its counterparts in other countries, the way political signals and directives have been put into practice in bureaucratic terms, the way bureaucratic ethics were formulated, designed or were lacking in this context, what characterises the bureaucratic culture in this area. It is important to study the way interaction took place between the military security service and the police surveillance system, together with the information that some political forces directly utilised government or semi-government organisations for their own purposes. At the same time, the analyses must include the legal aspects of these activities; they must be studied against the background of the major changes Sweden's legal system underwent between the 1920s and the 1980s. [...]

"The character of society's fear. This relates to analyses of the supposed threats and understanding of reality that formed the basis for political decisions and civil servants' implementation of decisions relating to surveillance and registration during different periods all linked to the aspects of the social and cultural debate which in turn influenced politicians and civil servants. Interesting questions relate to the relationship, or contrast, between the supposed national and international threats.

" Those under surveillance during the war, the Cold War and in peace time. In this case, interest should focus not only on the politically clearly-defined risk groups but also on the degree to which and the way in which different groups and individuals, such as immigrants, homosexuals, peace activists, socially-critical artists and so on, were registered and monitored. A gender perspective is important and could perhaps be illuminating/revealing when it comes to patterns of thought at different stages: to what extent were women, for example, ever registered by the military organisation and for which reasons?

The announcement also stated that the HSFR was planning to allocate funds to three or four project groups in which established researchers took overall responsibility but which could also include younger researchers . According to the HSFR, the completion of the assignment was dependent upon contact between the project groups but not necessarily any central management . We also outlined a time schedule: the council was to receive notification of interest no later than 20 April and these applications would then be processed by the group at a meeting on 11 May. The council would then make its final decision on the allocation of funds at its scheduled meeting on 16 June.

Even if we made an effort to widen the perspective and issues compared with the government's original directive, the announcement was criticised by Wilhelm Agrell as a seemingly harmless document which, upon closer study and put in its context, assumes the increasingly unpleasant contours of political docility and a failure to defend the integrity of research (*DN* 13/3). In a controversial discussion with the HSFR's chairman, Olof Ruin, who, in an article in *DN Debatt* on 13 February, argued that the research programme had certain advantages compared with a truth commission, Agrell claimed that the research programme was light years away from the Lund Commission's complete and unrestricted access to all the available archive material. Ruin's response in *DN* on 20 March, where he stated that accusations of this kind should be refrained from until the actual research had got under way only led to Agrell characterising Ruin and thereby indirectly the HSFR the following day as the apologist of power. In actual fact, the members of the programme group were incredibly divided about the task we had been assigned. Opinions about the need for a truth commission differed, but we agreed that a research programme and a truth commission did not preclude one another. We were also jointly in favour of giving the researchers as much freedom and opportunity as possible independently to formulate the research issues that were at all possible within the given framework, which we all felt was far too restrictive. Within the council as a whole, which discussed the proposal for the text of the announcement at its meeting on 17 February, opinion was divided when it came to the government assignment. A number of members, led by the public representative Anders Björnsson, were negative and saw the assignment as unwarranted control and a political inability to leave things alone.

On 21 February, a few days after the announcement of the HSFR programme, the Left Party, Christian Democrats, Environmental Party and Liberals organised a hearing in Högalid Church in Stockholm about the registration of political views and affiliation and surveillance problems. The invited guests included Björn von Sydow, Jan Guillou and Stig Ekman. The call for an examining commission was the general theme and Björn von Sydow was forced to defend the government's research programme and explain why it was better than a commission. Many of the participants advocated a combination of research and commission. A poll, arranged by *Dagens Nyheter/Temo* at the same time showed that only one out of ten citizens believed that the Government really tried to find the truth about the surveillance of citizens. Apr. 45 % thought that a truth-commission ought to be set up. The distrust was mostly widespread among the liberal and left voters, but also among social-democratic voters almost half of them were in favour of a truth-commission (*Dagens Nyheter* 28/2). In short, the value and adequacy of the research programme was still a matter of dispute in the political arena.

It was at this point that the government decided to give the Intelligence Committee of the Armed Forces (FUN) an examination assignment. Olof Ruin had been contacted by the Ministry of Defence during the preparatory phase and asked for his opinion on two different proposals one in which the FUN independently and on its own responsibility was allocated an examination assignment and one in which co-ordination with the HSFR was emphasised. In his conversation

with Björn von Sydow, it was made clear that Göran Persson, Carl Bildt and Olof Johansson agreed that they did not want a commission but regarded the FUN assignment as the alternative. It also appeared that the Minister of Defence stood between the Prime Minister and the other two party leaders on the one side and the Minister of Education on the other, who wished to promote the role of the research council. Olof Ruin argued that the HSFR should have principal responsibility and that duplication should be avoided. He also pointed out the importance of the researchers being independent of the committee's activities but that they should still have the chance to use its material. Closer ties between the researchers and a political body were not desirable, but some co-ordination was necessary. The final document described the government assignment as a complement to the research programme but said nothing about co-ordination or the researchers' access to the material the FUN had been commissioned to gather.

Allocation of the SEK 20 million

At the end of the application period, a total of thirteen applications had been received. The programme group met in Lund on 11 May and the council then decided to allocate funds to three research groups which complied very well with the set requirements for a scientific approach, multidisciplinary collaboration and a combination of established and younger researchers. It appeared that these three projects together covered the themes we had outlined in the announcement. After receiving revised budgets from the proposed projects, the council decided on the following allocation of funds at its meeting on 16 June.

"Programme for research on Sweden and surveillance, with Associate Professor Karl Molin as the project leader, received a total of SEK 5 million. This project, which analysed the development of the surveillance system in an historical and international perspective, was based on a research partnership between historians in Stockholm and political scientists in Göteborg, the basis of which had been created during the previous project *Sweden during the Cold War* .

"The limits of tolerance, with Professor Kim Salomon as the project leader, was allocated a total of SEK 5 million. This research group, which was made up of historians, political scientists and sociologists at Lund University, focused on the groups who came under surveillance, the pictures of supposed threats that developed and the bureaucratic implementation of surveillance.

"Swedish security protection, with Professors Dennis Töllborg and Sven Erik Liedman as the project leaders, was allocated a total of SEK 3.5 million. Liedman's history of ideas sub-project focused on certain central concepts such as benefit to the state, while Töllborg's legal sub-project analysed surveillance as a legal/political system and its relationship to political and trade union organisations.

In addition, following a proposal by the project group, the council gave a grant of SEK 103,000 to Associate Professor Stig Ekman for the publication of a study which he had conducted as an expert study for the 1974 intelligence inquiry but which he had not previously been able to publish as it had been classified as top secret. In the spring of 1997, this ban was lifted on 200 pages, in December of the same year on a further 20 pages, while 40 pages are still classified. The HSFR felt it was important that this study was published as part of the MUST programme.

The project groups comprised a total of 26 researchers, six of whom were post-graduate students. In addition to project and publication support, the council set aside funds for future publication and the dissemination of results within the given budget framework of SEK 20 million.

The first important step in the HSFR's implementation of the government assignment had thus been taken. It should be pointed out that the project groups and the council's choice of projects, as in other contexts, was based on scientific criteria, even if the very special nature of the research area made it difficult to evaluate the theoretical or methodological support or the feasibility of the projects. It was, however, agreed on all counts that these three projects were those that succeeded most effectively in formulating a credible strategy for scientifically tackling the difficult questions the scientists faced. The council's decision also meant that the implementation, like that of other programmes in the future, was dependent on the independent researchers. The programme group and council nonetheless retained special responsibility for co-ordination between the projects and for monitoring developments to ensure that the government's promise that the researchers would have access to material was kept.

The archives are opened?

Evabritta Wallberg's work of defining the archive situation was far from straightforward and uncontroversial. One complication was that the Intelligence Committee of the Armed Forces, the FUN, had commissioned Sören Nilsson, administrative director of the Appeals Committee for the Total Defence, with the support of the government's assignment to the FUN, to identify the registers that had been used within intelligence and security activities, with complete access to the MUST (the military intelligence and security service at armed forces headquarters) archives. Wallberg was not granted the corresponding access to the MUST archives or the opportunity to collaborate with Nilsson. As early as 28 April, before the funds had been allocated, the chairman of the council, Olof Ruin, wrote a letter to the supreme commander in which he underlined the importance of the list that is currently being drawn up being complete and also including the archives at headquarters, if the HSFR is to perform the government assignment. An answer, dated 26 May, was received from the head of MUST, Major General Erik Rossander, in which he referred to a sub-report from Sören Nilsson which was expected shortly: The armed forces therefore suggest that the HSFR apply to the FUN to obtain the relevant parts of this report.

When the FUN s register inventory was presented in mid-June, the open part of the report contained nothing new. Evabritta Wallberg went so far as to characterise it as exceedingly limited in comparison with her own inventory on behalf of the HSFR. There was, however, a secret appendix which could be of interest, as Wallberg had not been given the chance to study the MUST archives on the spot. The HSFR therefore applied to the FUN completely in line with Rossander s recommendation to study the classified part of the report. On 7 July, FUN s rejection of this request was received, When it comes to the classified parts of the report submitted to the government, the HSFR can apply to the government if it wishes to study them .

The lack of courtesy and will to co-operate is perhaps associated with the dispute which arose during the summer between MUST and Evabritta Wallberg, in her capacity as the representative of the government archives, the Military Records Office s principal, relating to the ownership of reels of film recovered from the T office, the secret military intelligence service between 1946 and 1965. In any case, this prelude offered some clues to the nature of the obstacle course.

In this situation of deadlock, Erik Rossander s initiative to take part in a confidential conversation with me about the researchers working conditions in relation to the MUST archives came as a welcome opening. On 27 August, I met Rossander and several of his closest colleagues at the well-guarded MUST unit at headquarters. We had an open and constructive exchange of views, with MUST underlining the need to protect individual sources and taking account of foreign partners, while showing a definite will to help the researchers. Rossander and his colleagues stressed that, as MUST employees, they did not have free access to the archives and that the researchers could hardly expect better conditions (I later heard the same argumentation at SÄPO both organisations work according to the need to know principle). So the researchers could not be allowed to study the archives in total freedom but would instead have to order specific documents. We agreed that access to and the quality of the archive list of contents would be of decisive importance in these circumstances.

Even if no decisions were made and no minutes were kept at this meeting, it felt as though we had worked out something that resembled the Norwegian solution; in other words, that, after making the same promise to comply with the Official Secrets Act as MUST s own staff were obliged to do, the researchers would have relatively free access to the archive material they ordered, but that MUST would be given the opportunity to study in advance anything the researchers produced prior to publication. We also discussed the possibility of referring any disputes relating to access to or publication of sensitive material to bodies like the HSFR or FUN to avoid lengthy and time-consuming legal procedures. We agreed that the HSFR must first supply MUST with a list of all the researchers included in the programme, which would give them the status of permanent visitors and facilitate entering and leaving the well-guarded headquarters. I was finally shown the room with computers which MUST was in the process of organising for the researchers. There was no question of them having their own computers and network connections. Our discussion convinced me that the researchers storing sensitive

information on their own computers and exchanging information via e-mail would constitute an unavoidable yet basically insoluble problem from a security service angle.

It was also important to establish relations and find ways of collaborating with the FUN at an early stage. In its work of defining access to source material, the FUN had also had the chance to interview people who had worked for the intelligence and security services. So the question was how much access the researchers could have to the archive inventory and to this interview material. It would naturally be ideal if the researchers could participate and ask their own questions at these interviews. In the case of the FUN, it was I who took the initiative and I eventually succeeded in organising a meeting with the committee's chairman, Anders Björck, and its secretary, Björn Birath, on 22 September. Björck entertained me with anecdotes about the committee's activities, while I, with the obstinacy of a parrot, returned to my main questions about the researchers' access to the FUN material. One thing emerged very clearly from this conversation, namely that the committee's interviews were not taped but were documented in the form of brief notes and summaries. According to Björck, this was essential if people were to be persuaded to give information of any kind. He may be right, but this method in no way improved the opportunity for research. I was also given the clear impression of a lack of willingness to assist the researchers and a striking proprietary attitude when it came to the material the FUN had collected. In any case, Björck and Birath promised to raise the HSF's questions at the next meeting at the beginning of October. When the committee's decision was subsequently announced, it was not surprisingly negative: no researchers could be present at the interviews, no access to interview material or classified archives inventories.

The researcher who came in from the cold

I would like to break away from the chronological presentation to focus on one aspect of the research programme which became particularly clear during my conversation with Anders Björck, but which also figured in discussions with representatives from MUST and later with SÄPO: the attitude to Dennis Töllborg. He is a controversial individual who, over a period of years, persistently subjected the security service to close scrutiny. As the representative for Torsten Leander, he succeeded, after struggling and litigating for several years, in obtaining redress and some financial compensation. His revelations in the Leander case once again put the registration of political views and affiliation on the political agenda. Many of the people who felt they had suffered as a result of this registration turned to Töllborg to represent them in the struggle against the authorities (see, for example, the letter he wrote in response to all the people who asked him to help them, which was published in *FIB/Kulturfront* on 11-12 1998).

Töllborg is famous for direct and sometimes dramatic statements and is therefore frequently heard, seen and quoted in the media. The social democratic government has been the constant

target when it comes to his criticism of the Swedish surveillance system.³ It is obvious that, in view of this, Töllborg is not the favourite person at the Swedish Government Offices or the security service. His name can instead sometimes act as a red rag. Anders Björck, for example, expressed his deep distrust of Töllborg at our meeting; according to Björck, the security service, which had not registered Töllborg at this point, had not done its job.⁴ Töllborg's collaboration

³ I disagree with the assertion that the conflict has been with the social-democratic Government. During the years Sweden have had Governments of different colours, not the least during the time the Leander case was pending in the European Court of Human Rights. The target has not been the different political party or any special political party, the target has been the hypocrisy the *different coloured Governments* have had in common in this field.

⁴ Björck is a former minister of defence in the conservative government (under prime minister Carl Bildt) and has now for quite some time been the chairman of the FUN, whose primary task is to be the citizens (including Töllborg, I hope) guarantee that the intelligence bodies are loyal to the democratic values that are, for example, expressed in our constitution and other legislation. What I mean is that one has to draw conclusions about both what constitutes the concept of 'civically reliable' and what does not, on the basis of Björck's statement. Moreover, it must be possible to draw conclusions about the way the intelligence bodies understand what is advisable and what is not possible on the basis of what Björck says here and, finally, about which person/s was/were fundamentally responsible for giving the intelligence bodies the orientation they have clearly had from the start. One might perhaps go so far as to say that conclusions should be drawn about the intelligence organs' non-explicit primary orientation and mission.

with the far left⁵ naturally contributes to the picture of a controversial researcher upon whom suspicion has frequently been cast.⁶

⁵ This is a common picture I don't know where it comes from, apart from the concept of 'guilt by association'. I have never collaborated with the far left in any real sense – the closest I ever came was the formation of a Palestine group in Göteborg in the mid-1970s and I still feel very bad about the extreme left's involvement in it (see Töllborg, *Den säkerhetspolisiära verksamhetens särdrag*, *Materialisten* n:o 4/1996). They did not care in any way about the actual issue and the entire group fractionated like Stalinists, in such a way that I not only left the group but also heartily – so heartily that both Leander and Åmark can undoubtedly describe their personal experience of it – came to detest this type of anti-democratic advantage-taking. My contempt for Gun Schyman and all the naughty things I said about Baude are probably public knowledge nowadays. It is, however, correct that Marja and I were married by a then member of *kpml(r)*, Sven Nyström – the leading social-democrat and former county governor Per Nyström's son and later my colleague at the department, both properly registered by SÄPO – who is now a top civil servant at a government agency. Is it this to which the rumour refers? Or is it the fact that I have helped people on the extreme left wing who have found themselves in difficulty – if it is, then I have naturally collaborated with the far left to the same extent as famous Swedish defence lawyers like Silbersky collaborates with arsonists, Claes Borgström with serial killers and the Vinge firm of lawyers with the mafia. May I therefore reiterate that my only party-political involvement has been a brief period of membership of the Centre Party, I have helped all the parties (including the moderates but excluding the social democrats, since the latter have never asked unlike the moderates) with everything from writing proposals to anything else of relevance. Otherwise, I have only been a member of a trade union – a SACO (Swedish Confederation of Professional Associations) union for the past 15 years – and a member of various sporting organisations, most recently as chairman of the Swedish Laser Sailing Association, an Olympic class of which the King of Sweden is an honorary member, with very, very few extreme left-wing members. However, I do know communists – in exactly the same way that I know moderates. I also know some good people who are communists and some good people who are moderates, but I have also encountered evil ones of both kinds. What is more, I plan to continue to reply to everyone who asks me for help and to help everyone who is good and needs help, regardless of political colour. But, I admit, I am damned tired of all the crap that is talked.

⁶ I do admit that I have some difficulties with the concept 'controversial'. I have never, neither nationally nor internationally, had my research results questioned, quite the reverse. I am regarded – outside Sweden, thank God – as outstanding in my field, I am one of the three international experts who are being used and quoted as experts in the reformation of Eastern Europe's security police forces (a project funded by Soros, the EU, the Helsinki Committee) and so on. I know there are many people who think it is sad that this is the case, but no lawyers in this field, nor any social scientists in the area have any form of independent authority based on expertise. I have only received one poor review, of *Under Cover* (Norstedts Juridik 1990), a book which by the way is the source in the National Encyclopedia and also used as course literature by SÄPO. The person who reviewed it was in a bad mood, which is perhaps not so strange. He had been the secretary of one of the famous SÄPO commissions and my book made it clear that they had missed more than a mentally-retarded, blind person would have done if he or she had tried. My dissertation was approved 5-0, I became an associate professor almost immediately and so on and so on. So I am definitely not controversial – on the other hand, the subjects which I am one of the very few to dare and still dare to bring up are damned controversial. However, this does not make *me* controversial – surely it is the cowards who are controversial in every reasonable sense of the word, not the people who are not afraid to deal with socially-

At the same time, he is the only lawyer to have conducted in-depth studies of these fringe areas of the legal system. What is more, he has top-class international contacts in his special area. Even if critical voices have been heard in legal circles in relation to his research,⁷ he has contributed with great pathos and commitment to the large pieces of the puzzle we currently hold, despite our limited knowledge of the surveillance system. To put it somewhat cynically, the HSFR faced a dilemma of the type normally described by Americans as *damned if you do, damned if you don't*, when it dealt with Töllborg's application. If he was not allocated funds, the media would definitely talk about a scandal: the only researcher in the area of whom the general public are aware feels that he has been passed over and accusations that the committee was following government instructions would have been unavoidable. If, on the other hand, he was allocated funds, there was a fear that the government's explicit goodwill towards the researchers might be less pronounced.

The programme group was aware of the dilemma, but we allowed ourselves to be led by scientific considerations rather than political ones. It was the quality of Töllborg's application that justified the granting of funds. Moreover, the lawyer in the group, Hans-Heinrich Vogel, gave the project his full support. The only problem with Töllborg's outlined project was that it did not strictly comply with the time framework the government had specified and it focused on SÄPO rather than the military intelligence service. The fact that, in spite of this, we unanimously recommended project support was due in part to the desire the council felt to put up cautious civil resistance. Hans Hederberg expressed this very well in his article on the culture pages of *Svenska Dagbladet* on 9 August 1998, 'The research council attempted to play with the formulations back in February and since then the individual researchers have twisted the project still further so that SÄPO has become the focal point; an obstruction to the government, which is essentially necessary'.

Within certain camps, it is still felt that the problems relating to access to material may have been associated with the presence of individuals who were unpopular in the government's eyes

relevant issues. Or... as suspicion has definitely been cast upon me, a relevant question is by whom and definitely why? Is not this the central issue and is there not a risk that the myth will become a reality if people claim that I am controversial, indirectly stating that my research results can be questioned? Isn't this a common tactic by both the Security Police and the responsible persons with political power and, if so, what does it say us?

⁷ If critical voices have been heard in legal circles when it comes to my research, the source should be quoted. I know that Gösta Welander and Gun Hellsvik are two lawyers who have not wanted the *area* to be researched, at least not by someone who took the job seriously, but once again: it is not my research results of which they are critical on any grounds that have been defined or even implied, what they criticise is the fact that professional research is being conducted in this area by someone who has no thoughts of self-preservation. Critical voices of this kind surely have nothing to say about me and my research results, which says a great deal about the intellectual and moral worth of these critical voices. See further, *Töllborg Medborgerligt pålitlig?* (Civic reliable? Norstedt Juridik 1999) and *About this you may not speak* (Töllborg, forthcoming, december 2000)

among the researchers to whom the HSFR allocated funds. The government decided to allow the council to select the researchers on the basis of scientific criteria rather than itself appointing researchers in whom it felt confident. It should be noted that the Norwegian government in the corresponding situation did precisely the reverse and itself appointed a couple of trustworthy historians. On the one hand, they were supported by the government and therefore had a better chance of obtaining access to material. On the other hand, it is perhaps easy to present arguments of political control and research to order. My view, which is shared by many members of the HSFR, is that the Swedish government initially made the correct choice when it gave the HSFR responsibility for selecting research groups on scientific criteria. However, it then became extremely difficult for the government to accept the consequences of this decision and keep its promise of unrestricted access to the material to which the research assignment related, regardless of which researchers were involved following the HSFR's selection process. Instead, we found ourselves being part of a diffuse half-measure in which the government's intentions have been the subject of speculation and suspicion.

IB in the election campaign

If the social democratic government had thought that the initiative to set up a research programme would remove the IB question from the election campaign, it was mistaken. The question was brought up at different points during the summer of 1998, not least after the leading social-democrat Sten Andersson's involvement under the heading 'We were fighting dictatorship with IB' in *Aftonbladet* on 17 August, a move that is still very difficult to explain. Andersson, who was the social democratic party secretary between 1963 and 1982, claimed that IB was set up because SÄPO was not regarded as being able to distinguish between communists and leftist social democrats and that leading conservative politicians supported its creation. The article was a showdown with the Swedish communists who were thought to have been acting on Moscow's behalf in the 1950s and 1960s. 'We have nothing to be ashamed of, nothing to hide', Sten Andersson stated and asked the chairman of the Left Party, Gudrun Schyman, to put all her predecessors' cards on the table. At the same time, he expressed his confidence in the HSFR's research programme: 'Independent research is the best way of discovering the truth'.

The reply from Gudrun Schyman the next day emphasised the demand from the Left Party on a Truth Commission – if STASI in former East Germany could open their archives and Norway have such a Commission, also Sweden ought to be able to have one – without even mentioning the HSFR research programme. The following day, the leader of the Moderate Party, Carl Bildt, continued the debate in *Aftonbladet*. According to him, the creation of a party-oriented organisation with party loyalty as the criterion carried with it a definite risk that the limits between the exterior defence of Sweden and the interior defence of social democracy would be seen as undefined. He regarded Sten Andersson's intervention as a mystery: 'I want an election campaign that focuses on jobs tomorrow rather than one that hangs out the

social democrats dirty washing in these areas. However, the social democrats have now brought out their washing themselves, so washing has now been put on the agenda . Bildt did not share Andersson s confidence in the research programme: waiting for its results means delaying and hampering the discussion which Sten Andersson s intervention in particular makes even more urgent .

So the research programme became a weapon in the election campaign. This could perhaps be seen as something positive, in that it attracted far more attention than other research programmes and made the HSFR known in wider circles. This attention was, however, seldom coupled with any real understanding of the conditions under which this research was being conducted. The politicians attitude to the research programme ranged from exaggerated confidence to cynicism, while the journalists attitude was characterised by impatience and a hunger for sensation. It would not be true to say that the researchers were given any more peace in which to work when they undertook their task late in the summer of 1998.

The researchers move into action

Back on 19 December 1997, a week after the government gave the research assignment to the HSFR, Dennis Töllborg wrote to the government requesting that the archives that were of importance when it came to elucidating Sweden and surveillance should be exempt from the regulations governing classified information. When the projects had been selected and the funds allocated, the three main project leaders, Karl Molin, Kim Salomon and Dennis Töllborg, once again demanded a government decision which would give the researchers free access to the relevant archives in a joint letter to Minister of Education Carl Tham, dated 2 September 1998. They also defined in detail what they regarded as *free* access to this archive material:

At the present time, there is limited access to some of the relevant archive material which means that the volumes that have been ordered are checked before being handed over and information about the people who have provided the information (sources) is then removed or concealed. The result of this time-consuming procedure is that the researchers opportunity to understand and evaluate these activities, which is the overall theme in the government s decision to set up a special research programme, is undermined. We are well aware of the importance of protecting sources and understand that the modern material in particular must be handled with care, but we do not feel that the procedure that has been adopted thus far is acceptable. Free access to the archives must also enable the researchers to use all the available records and other search pathways leading to the archives, even those that have previously been denied, and to use any material they find there without restriction.

After Karl Molin took part in a radio programme, in which selected parts of the letter were also quoted, Carl Tham contacted him and invited the researchers to a discussion on 17 September, a week before the election. The Minister of Education expressed a real understanding of the researchers call for access to the archives. During the conversation, he put forward the idea that

one way of guaranteeing the researchers access to the material and search pathways would be to give some of the researchers seats on the Registration Board. This would circumvent the difficult process of changing or granting exemptions from the Official Secrets Act.

On 24-25 September, the HSFR summoned all the researchers in the three projects to a planning conference at the Södergarn conference centre. In addition to offering an opportunity for contact and co-ordination between the project participants, this conference also provided an opportunity to discuss the archive situation with Evabritta Wallberg, whose detailed and useful report was now available. Among other things, she stressed the problem of distinguishing between foreign and domestic or military or civil material. She also felt that it was impossible to understand the criteria upon which the archives had been sorted and that the meaning of source (individual or organisation) was unclear.

Professor Knut Einar Eriksen, one of the historians who had been involved in defining Norwegian intelligence activities, also took part. He described his experience of research work and stated, among other things, that the political control had been insignificant and that the Norwegian researchers had been able to interview the people involved, who had been released from their vow of silence. He regarded the fact that the Norwegian research programme worked in parallel with an examining commission as an advantage in that the commission acted as a door opener ; conflict had, however arisen at the publication stage, when the commission wished to subordinate the researchers and pump them for information. After some tough negotiations, solutions that satisfied both groups were found. In addition, Eriksen was able to give the researchers some clear advice, based on the Norwegian experience. Among other things, he underlined the importance of establishing confidence-filled relationships with the representatives of the activities that were being investigated and of having contact persons at the archives.⁸

⁸ Me and Lars-Olof Lampers really made real attempts to establish confidence-filled relationships like this. It worked with the Registration Board. When it comes to SÄPO, we had some excellent meetings, at which we methodically approached one another and were involved in a mutual process of give and take. It worked well until the manuscript of my then forthcoming book (*Med borgerligt pålitlig?*) and the parallel handling of people asking to see their files started to be an issue. When it comes to the book, my foreword makes it clear that I thought and still think that it was ludicrous for them to refuse to allow their names to be used as references, since they are publically known. This has since been reinforced by a number of absurd decisions, the latest in which I was able, by quoting the Official Secrets Act, to find out how many people were employed, together with the age and gender distribution, as of 1 January 2000, but, for reasons of national security, could not obtain the corresponding data as of 1 January in 1965-1999. With attitudes like this, I am finally predisposed to agree with a current cabinet minister, who has seen many SÄPO files, when he said that SÄPO consists either of idiots or malicious individuals . This is the first time in twenty years that I have felt that an explanation of this kind is applicable. Lars-Olof and I did our utmost to set up a dialogue, we followed the advice from HSFR and did everything we could, but the attitude of SÄPO and the powers that be finally made it untenable. I am not, however, opposed to making another attempt this is the only

In my own brief introduction, I reported on my conversations with MUST and FUN and attempted to emphasise the positive signals MUST had given when it came to the researchers working conditions. At the same time, I expressed my opinion that the special nature of the research assignment called for diplomacy on the part of the researchers and that we stood to gain very little from confrontation. I saw it as my task as chairman of the programme group to infuse a measure of cautious optimism. In hindsight, I should perhaps regard this as exaggerated.

The second day of the conference focused on project presentations and discussions on interaction between the projects. The practical problems relating to access to the archives and interviews played a prominent part in these discussions, as did the restrictive framework of the government assignment. The time limitations were seen as being particularly problematic. The researchers considered different methods for influencing the government, as they felt its active involvement was necessary in order to create reasonable prerequisites for the completion of the assignment. Olof Ruin was asked to discuss with Carl Tham the possibility of releasing the interviewees from their vow of silence, as the Norwegians had done, and the researchers nominated Sverker Oredsson and Janne Flyghed as their representatives on the Registration Board, in the event of Tham's suggestion being implemented.

Lawyers, lawyers, lawyers...

The months after the Lidingö conference were frustrating. The cabinet minister who has displayed the greatest interest in and understanding of the researchers' problems, Carl Tham, disappeared from government circles after the election. The council was therefore also deprived of the informal channel between him and Olof Ruin. The Tham idea about representation by researchers in the Registration Board showed up not to be anchored and didn't even become known to the Board. If it had, it would however probably have been rejected anyway, according to what representatives for the Board later told me.

Shortly after the meeting with the researchers, I was called by Erik Rossander, who informed me that MUST's lawyers had taken a closer look at the arrangements we had agreed upon at the previous meeting and had a number of comments that we needed to discuss at a new meeting. So, on 19 October, I once again found myself at headquarters. This time the meeting was of a more formal nature than the previous one – it was held in a conference room instead of Rossander's office and minutes were kept. Rossander began by presenting the armed forces' official view of the government assignment and stated, to quote from the minutes, that the

way finally to bring any order to the situation – but conversations have to be based on honesty, frankness, respect and ambition. None of these four requirements can even be met by SÄPO at aspirational level and they probably feel secure in this position, especially as it appears to have the approval of the powers that be (cf. Björck above and the fact that he is still FUN's chairman). We were diplomatic, they were looking for confrontation.

appendix to this government assignment provides no support for the rules being applied in any way other than the normal way. This means that any request to study a public document must be dealt with on the basis of the current rules . He also informed the meeting that representatives from MUST and SÄPO had basically the same view of the way the matter was going to be handled (in other words, the lawyers from the two authorities had been in contact and agreed upon a joint approach).

I was then treated to a detailed review of the act relating to security protection (1996:627) by a lawyer from the security department, based on a well-prepared series of overhead transparencies (all with the well-known A Swedish tiger payoff). I was even given paper copies of the overheads as an aide-mémoire. The main message was that the current legislation was very restrictive about what could be released, that all the documents that were released had to be sifted through, checked in advance and, whenever appropriate, edited (which could take as much as three months) and that, in the absence of government directives stating otherwise, MUST would be applying the established interpretation of the legislation which, as I pointed out at the meeting, contained a number of loose formulations. The formal minutes state that Professor Jönsson expressed his anxiety that it could take too long from the time a researcher requests access to a public document until the researcher actually obtains access and that Professor Jönsson is planning to contact the government if the application of the rules is unclear at any time .

We entered into a more detailed discussion on two points. These were the opportunity to put the researchers in security classes and restrictions. The act relating to security protection specifies three different security classes with varying access to classified material. Class 1 comprises those who are involved on a large scale in operations and are allowed to access information that is classified as secret , Class 2 comprises those who are involved in operations on a scale that is not insignificant and are allowed access to information classified as secret , while Class 3 comprises those who are otherwise allowed to access information classified as secret and which is of importance to national security if it were published and is not solely insignificant (the looseness of the formulation is all too clear). The government decides who is to be put in security Class 1, while the authority decides on Classes 2 and 3. Any security classification results in a register check. After a discussion about the authority which could possibly be responsible for putting the researchers in the lower security classes (could the HSFR, in its capacity as an authority, do so, for example?), we agreed that it would be appropriate for the HSFR to consult the government for a decision on security classification and register checks.

One way in which the armed forces can pass on secret information to researchers is to define so-called restrictions in accordance with Section 14 § 9 of the Official Secrets Act. A restriction limits the researcher's right to pass this information to someone else or use it. At the meeting, MUST's lawyers made it clear that there are some types of information which cannot generally even be released with restrictions. They include information relating to sources, including

intermediaries; the obtaining of information; the objective, purpose, orientation and capacity for obtaining information; the method by which information is obtained and the methods by which it is processed. According to the presentations, possible restrictions for other classified information included giving the armed forces or MUST the opportunity to give their views on security before the results of the research were published, that classified material should not be copied and should be kept in a safe place and that research material containing secret information should be destroyed once the research was completed. Questions relating to register checks and restrictions had been discussed at the conference in Lidingö, when the researchers appeared to be only too ready to test these routes to freer access to the archives.

The relationship between MUST and SÄPO was made even clearer when, just one week later, I was invited to a discussion with SÄPO representatives at police headquarters in Stockholm where the message was the same. Once again, the act relating to security protection and possible restrictions were the focal points of their introductory presentation (which also made it clear that they were well aware of the lecture I had received from MUST). The subsequent conversation revealed that about 90% of the material relating to the 1970s and 1980s was classified, that the routes for searching for SÄPO material were very limited and that the lack of staff for advance scrutiny and at MUST would result in long waiting times before the researchers' orders were dealt with. According to the SÄPO representatives, the situation would probably be made even more difficult on 1 April 1999 when a new and less restrictive Official Secrets Act could be expected to increase the demand for archive material from journalists and others. According to SÄPO, answers to several of the questions from the research projects could hardly be expected as there were no equivalent search pathways to this material, but the representatives promised to invite the project leaders for a discussion of the researchers' working conditions.

At the meetings at MUST and SÄPO, the lawyers were in the seat of honour. My approach on both occasions, when the tone became overly aggressive and the suspicious attitude towards the researchers became clear, was to remind my counterparts that this was not a question of a group of researchers insisting on snooping in their secret archives but that we were actually attempting to perform a government assignment. I assured them that, if the HSFR had been given SEK 20 million for new research without any specification, we would not have chosen the intelligence service as our first priority. I also promised to pass on all the problems they had identified in relation to the research assignment to our principal, the government. It now became clear to all of us in the project groups and the HSFR's management team that the time had come to contact the government to obtain some clarification of our working conditions.

A letter can mean so much

After a couple of rounds of editing, the HSFR's letter to the government was ready to be sent on 4 November. To underline the importance of the matter, both I and the chairman of the council,

Olof Ruin, signed the letter. We identified six different problems which need to be solved if the research is to be performed on the scale and in the forms the assignment requires and which call for action on the part of the government . The description of the problems was therefore accompanied by a request for the necessary government decision.

(1) *Time situation.* To solve the problem of long waiting times for ordered material, we requested two types of action greater resources, which had to be seen as an issue for the government and the authorities, and improved search pathways. We pointed out that the researchers risked ending up in an untenable Catch 22 situation: without reliable catalogues and search pathways to the archives, it is impossible to know which documents are relevant; with wide and insufficiently precise orders for material from the archives, they risked being given the answer that the current organisation of the archives did not permit the retrieval of documents according to the researchers categories . So the HSFR made the following request that the government should consider the opportunity to reduce the processing times at MUST and SÄPO by changing the current rules or issuing special directives or in some other way and that it should issue directives which would allow the researchers to study the archive overview that was being drawn up on behalf of FUN .

(2) *Security classification.* We argued that the principal, the government, should take responsibility for putting the researchers in security classes and the subsequent register checks and requested that the government should put the researchers who had been given assignments within the programme in the highest possible security class .

(3) *Restrictions.* We noted that some of the restrictions which related to the handling of classified material were reminiscent of the HSFR s own ethical rules for handling personal details within research projects. At the same time, we pointed out the problems that are associated with the researchers use of computers as a working tool and asked the government to issue uniform directives for storing and keeping secret information in this context and for handling this information once the research assignment was completed .

(4) *Time limits.* We issued a warning that the vague latter time limit for the government assignment (beginning of the 1980s) could cause problems, firstly because some of questions in the project called for access to later material and secondly because the vagueness in itself could become something of a stumbling stone in the dialogue between the researchers and the archive authority . The HSFR therefore requested that the government should make the time limits relating to access to archive material more precise .

(5) *Interviews.* Referring to the experience acquired in the Norwegian research programme and the FUN s refusal to allow researchers to participate in the interviews with representatives of the relevant activities, the HSFR requested that the government should release people in these circles from their vow of silence in relation to the researchers.

(6) *Settling possible disputes.* To avoid the additional loss of time which would result if every dispute relating to access to material or the publication of material that was obtained was handled by legal bodies, the HSFR asked the government to agree to handle disputes of this kind in its capacity as principal.

Finally, we emphasised how important it was for decisions to be made on the above points as quickly as possible and stated that we were prepared if necessary, to enter into discussions with representatives from the ministries in question (education, justice and defence) to explain the problems that have emerged in more detail and discuss possible solutions .

We received a relatively swift response to the last of these points, in that Olof Ruin and I were summoned to a discussion at short notice at the Ministry of Education on 26 November. It was attended by representatives from the three ministries, including the legal directors at the ministries of education and defence. We were asked for further explanations of the various requests the HSFR had made and the discussion once again focused quite heavily on the current legislation, with which we were fairly familiar at this point. As political scientists, Olof and I felt obliged to point out to our opposite parties that, in our view, the question was *political* and not administrative or legal. Attempts to solve the researchers problems must be kept within the current guidelines but, as it was precisely this that was causing the problems, we were looking forward to an answer to our question from the people with political responsibility within the government. We expressed the hope that the other people involved in the discussion would pass this message upwards.

On 14 December, the HSFR received an answer from the new Minister of Education, Thomas Östros. In his letter, Östros said that pending the government s correct handling of the requests , he was willing to provide some more general views of the questions raised in the letter . His letter was full of goodwill and optimism about the opportunities to conduct the research assignment successfully. Östros admitted that the handling of documents in accordance with the current guidelines could be seen as a relatively roundabout process and expressed his understanding of your view that the procedure for releasing the documents will be time consuming . One formulation This research project can be seen as something that is new in principle and it could take time to find the right ways for free research and what are largely secret operations to collaborate would have been a serious contender for the political understatement of the year award, if such an award had existed.

Östros letter actually contributed very little that was new. He referred to the government s decision on 2 December to hand over a large part of the FUN s register inventory and thought that it was hardly likely that classifying a small part of this inventory would make it any less useful. He indicated that, in its official document placing appropriations at the disposal of the authorities concerned for 1999, the government would be instructing the armed forces to give support to the HSFR and continuously report to the government on the resources that had been

allocated to provide this support. He also held out the prospect that SÄPO's legal expertise would be reinforced to accelerate the handling of the researchers' orders. Moreover, he referred to the government's forthcoming decisions; it is not for me ... as an individual cabinet minister to answer the direct requests that were made in the letter .

The political pressure increases

We received no further response to our request in 1998. At around the turn of the year, however, questions relating to intelligence operations and the research programme figured in the media and on the political agenda. The FUN's final report, *Presentation of certain information relating to the military intelligence and security services*, which was presented at the end of November 1998, was covered by the media, not always in positive terms. One of its greatest critics, Wilhelm Agrell, wrote in *DN* on 5 December, *There is a curse on the IB affair. Every time one of the people who were most closely involved assures us that everything has now been reported and nothing is being kept secret, their words reverberate with the opposite message* . In the FUN's case, according to Agrell, the next to last page of the report admits, almost in passing, that the committee did not follow up information about surveillance from the commercial sector, the trade union movement and the political parties, for example, which supplied the decisive argument in favour of a truth commission .

The Registration Board report, which was published a few weeks later, came to the conclusion that it was no possible to give a conclusive answer to the question of whether there had been other Leander cases on the basis of an examination of the data in the records; the nature of the jobs that had been applied for also had to be assessed. In a comment on *DN*'s leader page on 23 December, Johannes Åman mentioned the FUN's and registration committee's credibility problems they are far too powerfully identified with the government to be regarded as independent examiners and the insufficient backing that had been given to the researchers, *What else remains for the social democrats than to set up a truth commission?* .

Nor had the call for a truth commission had not been abandoned in the political arena. In January 1999, the government announced that the question of an examining commission would be the subject of discussions among the party leaders. The Prime Minister, Göran Persson, justified this change of course by saying that had it become clear that the set-up we chose in the autumn of 1997 was not going to create a broad-based belief that these activities had been scrutinised in detail . *I have no wish to drag this question with me into the next century,* he added.

At the same time, the media spotlight was turned on the research programme by Janne Flyghed's defection . My reason for using the inverted commas is that Flyghed had not begun his work in Karl Molin's project but had found himself in the enviable position of being able to choose

between taking part in this project or some other externally-funded project with better research conditions and more reliable publication potential. It is hardly surprising in this situation that he chose the latter. At the same time, he chose with the HSFR's blessing, it should be added to dramatise his defection to increase the pressure on the government to accede to the researchers' requests. If we are not given the chance freely to study the material, there is a risk that our research will be part of a cover-up project, he said in a statement to the press.

As Flyghed's action attracted a great deal of coverage both in the press and on radio and TV, attention once again focused on the problems associated with the research programme and the government's passive approach. The HSFR welcomed the large headlines, but, at the same time, it was forced to admit that they sometimes failed to give a correct picture of the true situation. Take *DN*'s headline on 5 January as an example. IB inquiry close to collapse. Researchers defect. Firstly, what was involved was research, not an inquiry. Secondly, it related to the intelligence and security services in a wide sense, not simply the IB affair. Thirdly, there was no risk that the entire programme would collapse, only Flyghed's involvement. Fourthly, and finally, there was no question of a defection, as has already been explained otherwise everything was correct!

Meeting at Rosenbad

In this turbulent atmosphere, all of us at the HSFR were still waiting for the government's promised reply to our letter. It took until the end of January 1999 for any further reaction to be received. I was then summoned once again at very short notice to a meeting at the Ministry of Justice in Rosenbad. The date, 26 January, happened to coincide with a two-day meeting with the HSFR at Näsby Castle in Täby. This was the first meeting with the newly-elected council, with Jane Cederquist as the new chairperson. So, late in the afternoon of the first day, I was obliged to leave the meeting place, which very fittingly had a military past. My taxi driver disproved the old hypothesis that the fastest route between two points is a straight line, in that, by zig-zagging through the rush-hour traffic in Stockholm, he got me to Rosenbad in good time before the appointed time of the meeting. While I waited to be admitted, I was able to watch the porters rolling out the red carpet, which could perhaps be interpreted as a good omen but in reality was associated with a visit by some foreign dignitary later that evening!

The meeting had been called by and was presided over by Annika Brickman, head of the police and prosecution unit at the Ministry of Justice. This meeting, which was held in her office, was also attended by several of her colleagues from the ministry, together with a couple of representatives from the Ministry of Education and one from the Ministry of Defence. I interpreted the fact that the latter was a young, recently-employed woman, who had not yet received her identity papers and therefore had some difficulty getting past the guards at Rosenbad, as an indication that the issue was no longer regarded as a top priority at the Ministry

of Defence. Otherwise the signs were that the matter was now being dealt with by the Ministry of Justice in consultation with the Ministry of Education. The lawyers were once again well represented in the group that squeezed into the well-filled office. Some representatives from SÄPO also attended. Even if several of the faces were familiar from previous meetings relating to the research programme, it felt a little strange to be the only representative of all the researchers in whose daily trials I was only indirectly involved. My suggestion that active researchers should be included in the meeting, which I had put forward when I was contacted by phone and mentioned that I had already agreed to attend the HSFR meeting, had, however, been rejected in a friendly yet firm fashion.

The short notice also meant that I had not had time to prepare myself in detail for the meeting at Rosenbad, the purpose of which had not been clarified. Fortunately, in my contact with one of the research groups a few days before the meeting, I had been informed of a concrete case in which a researcher had been denied access to the SÄPO material he/she had requested and I had been sent the entire decision by fax. When the meeting at Rosenbad was opened and I was asked to summarise the HSFR's and the researchers' situation and the background to the letter to the government, I was able, instead of making a long presentation, to circulate two documents, the cabinet ministers' article in *DN* from December 1997 with the headline 'We are going to open the archives' and SÄPO's decision relating to the request to study documents from Lars Björlin, one of the researchers. The second of these documents had an appendix, which listed in 16 closely-typed pages all the pages in the requested document which had not been released as they were said to contain source data or information relating to SÄPO's activities.

I had imagined that the contrasting effect of the two documents would illustrate far more effectively than any words the gap between the principal's promises and the researchers' actual situation. Frowns, muffled sniggers and worried grunts among the participants and the red faces of the SÄPO representatives indicated that this was correct. SÄPO's lame attempts to explain had little effect and the meeting then focused very largely on the way SÄPO, with reinforced resources, a more generous interpretation of the guidelines and assistance to the researchers when it came to search pathways to the archive material could facilitate the performance of the research assignment. We agreed that it was now important that the researchers' tested the system as extensively as possible by placing orders for material and taking advantage of the assistance SÄPO had promised. I subsequently realised that one of the purposes of this meeting had been the ministry's desire to teach SÄPO a lesson in the HSFR's presence. This impression was confirmed when, two months later, the three responsible cabinet ministers published an article about the research programme in *DN Debatt* with the headline 'We are now exerting pressure on SÄPO' (more on this below).

At the meeting, I stated that the HSFR expected a final answer from the government and that we had already been waiting far too long. Representatives from the Ministry of Justice, who were clearly primarily responsible for the matter, assured me that we could expect an answer within

the next two weeks. We also had a short discussion about the researchers' attitude towards a possible examining commission. The only thing to emerge was that the discussions between the party leaders could be expected to take several months.

The next morning, when I reported my conversations to the council, I put forward two conclusions which I had drawn from the developments between our letter and the Rosenbad meeting. Firstly, it appeared that no one in government circles wanted to take the initiative and principal responsibility in the matter. At this point, Björn von Sydow had a number of other overriding problems with the Swedish defence to contend with and Thomas Östros had his hands full managing the difficult inheritance from Carl Tham. According to all the rumours that had reached us, Laila Freivalds was the cabinet minister who had been least enthusiastic about the idea of a research programme from the very start. For a time, we were hopeful that Britta Leijon, as the person responsible for democracy issues at the Ministry of Justice, might also be given responsibility for our assignment, but a phone call with her made it clear that this was not to be. This lack of responsibility and action on the part of the government, which we had witnessed over the past few months, resulted in a great deal of responsibility being placed on the civil servants at the ministry. It was my decided impression that they were troubled by this delegation of authority and that, like us, they realised that this was a question that had to be dealt with politically and not at administrative level. My second conclusion, which was partly dependent on the first, was that the HSFR could probably not expect a positive response to its letter to the government.

Back to square one

The second of my conclusions proved to be completely correct and the Ministry of Justice's predictions proved totally incorrect. It took two months rather than two weeks for the government's answer to the HSFR's letter to arrive, on 31 March 1999 – almost five months after we requested a speedy decision in our letter! The government's decision came from the Ministry of Justice and was signed by Laila Freivalds. It was openly and completely negative. I quote the first paragraphs:

The government rejects the request to place the researchers who have been given assignments within the HSFR's research programmes relating to military intelligence and security services in security classes.

The government rejects the request to release individuals with in-depth knowledge and awareness of the military intelligence and security services from their vow of silence in relation to the researchers.

The government will take no action when it comes to the HSFR's request for

directives to the military intelligence and security services
uniform directives for storing and keeping classified information which has been released to the researchers when it comes to restrictions and the handling of information after the research programme is completed
a more precise definition of the time limits for access and archive material
an undertaking to handle disputes relating to secrecy and
changes to the Official Secrets Act (1980:100) .

Throughout the response, the reasons for these decisions were said to be the legislation relating to classified information. So what we were treated to was yet another playing of the gramophone record we had already listened to ad nauseam during the previous six months. Naturally enough, the researchers wondered why it had taken five months to come up with this routine response. It is hardly surprising that expressions like delaying tactics , obstruction and betrayal were used in the discussions at the HSFR and among researchers. An alternative explanation could be that the delay was the result of decision-making problems. Neither of these explanations is flattering to the government.

Håkan Arvidsson, an historian at Roskilde University in Denmark and a member of the Lund project, interpreted the government's action in cynical terms.

In hindsight, it is difficult not to suspect that the whole idea of a research project was nothing other than a piece of evasive action in an election campaign that was quite challenging on its own. By passing the buck to a group of independent researchers, the government avoided a headache that could have been extremely painful. The price of this manoeuvre was ludicrously low, just twenty million – a trifle in modern election campaigns. At the same time, the cost was not even charged to the party coffers but could be covered in its entirety by tax revenue. (*Moderna tider*, no 7, 1999)

If the government's response moved the research programme back to square one, another government decision a few days earlier totally changed the rules of the game. After many ifs and buts, an examining commission had been set up. At the same time, the project researchers and government representatives had communicated in public via *DN Debatt*. So let us now take a short step back in this chronological report.

Researchers' worries and government assurances

In an article in *DN Debatt* on 9 March, six of the researchers in the programme – Ulf Bjereld, Stig Ekman, Rune Johansson, Karl Molin, Kim Salomon and Klas Åmark – expressed their worry that the forthcoming examining commission would be an excuse for the government not to solve the researchers' problems and that the examining commission was going to be set up

at the expense of the research programme . They described the researchers' working conditions with the long waiting times, deletions in requested documents and lack of access to the archives. The researchers are being forced to wait in a queue where they have to compete for attention with journalists and others who also want to know whether documents are classified . The authors of the article laid the blame fairly and squarely on the shoulders of the government and not on the civil servants at the archive, who were following the routines governing classified information while referring to current legislation. It is instead the government who, by changing the current rules or issuing special directives, must open the archives to the researchers and make shorter handling procedures possible. The research sextet also made it clear (with an obvious allusion to Östros' letter) that promises in principle that the government is planning to create the prerequisites to enable the research assignment to be performed successfully were no longer sufficient.

One immediate result of this article was that two members of parliament the following day addressed questions to the government on the basis of the six researchers' arguments in *DN*. In a question aimed at the Prime Minister, Göran Persson, in parliament, Johan Lönnroth, a member of the Left Party, asked, 'What action is the government going to take to solve these problems which are based on the legislation governing classified information?'

Rose-Marie Frebran, a Christian Democrat, addressed a similar question to the Minister of Justice, 'What action is the Minister of Justice planning to take to ensure that the researchers have access to the archives they need?'. Symptomatically enough, it was Laila Freivalds and not Göran Persson who provided a joint answer to both questions on 19 March. The arguments and formulations were largely the same as those in the government's response to the researchers in *DN Debatt* a week later, a subject to which I shall be returning.

The researchers' action was also covered by other parts of the daily press. A TT interview with Ulf Bjereld, one of the authors of the *DN* article, in which he said among other things that the government lacks the political power to convert its proud political ambitions into concrete directives and changes, was reproduced in several newspapers, including the social-democratic *Arbetet Nyheterna*. In its leader on 12 March, the liberal *Gäfle Dagbladet* spoke of 'sabotage against the research assignment the government itself said was so important'.

As has already been mentioned, cabinet ministers Laila Freivalds, Björn von Sydow and Thomas Östros replied in *DN Debatt* on 27 March. Their article, which basically followed Freivalds' answer in parliament and also bore traces of Thomas Östros' letter to the HSFR (his understatement of the year was, for example, reproduced verbatim), began with a tribute to independent research. The government has not been involved in any way in the design of the programme and it will be conducted in accordance with scientific principles and methods. This research is also independent in that there are no ties to the authorities or individuals who have been involved in intelligence and security service activities. The cabinet ministers regarded the

fact that these activities were being subjected to scientific evaluation which can be performed without any control on the part of the state and which is being conducted without needing to glance sideways as an important credibility issue.

When it came to the project leaders' fears that an examining commission would be set up at the expense of the programme, the cabinet ministers were eager immediately to reassure the researchers and declared that they had basically the same views as the authors of the article.

The setting up of a commission does not mean that the HSFR's assignment has been changed. This research programme is needed and will run in parallel with the commission's work.

Referring to the crucial issue of access to the archives and delays, they protested that the government had naturally not made any promises to change the rules so that the researchers would have free access to the archives. Unlike the researchers, they refrained very carefully (and quite understandably) from making any reference to the government troika's article in *DN* in December 1997, where a promise was made that the legislation relating to classified information must not be allowed to stand in the way of this research. The article continued with the cabinet ministers expressing the optimistic belief that a closer examination of the information that has thus far been classified would reveal that it was now possible to publish it. They also referred to the opportunity to release information with a special restriction. At the same time, they emphasised that SÄPO's archives were a living record or intelligence record which was especially sensitive from an integrity angle.

The authors rejected the picture of passiveness on the part of the government that has been created by the six project leaders' article. The subsequent description of the government's previous and future action included instructions in the near future to SÄPO, corresponding to those previously issued to MUST, to support the HSFR's research programme, reinforced staff resources at both archives, special contact persons for the researchers and the FUN's and Registration Committee's inquiry material. According to them, this demonstrated that the government was helping to facilitate the research and was acting in different ways to reduce the processing times. The picture editor at *DN* appears to have shared the researchers' scepticism regarding the hopeful and satisfied message in this article as he decided to allow the text to be accompanied by photographs of the three cabinet ministers with unusually stern and worried expressions.

Impressed No, nor are the researchers. This was Mats Linder's laconic comment in *Svenska Dagbladet* on 1 April on the exchange between the researchers and the cabinet ministers. Some of the researchers told the press that they were planning to leave the programme. It is not acceptable for professional researchers to allow themselves to be used as a political alibi for a government which, without meaning it, claims that it is interested in free and open research about skeletons in the cupboard, said the leader in *Göteborgs-Posten* on 31 March. This prompted an angry reply from Laila Freivalds in *GP* two weeks later, where she repeated the list

of government action from the article in *DN* and ended by expressing her hope that the work that is now in progress will lead to the security services activities which are designed to protect the constitution being fully clarified once and for all .

On 31 March, the government gave the promised assignment to SÄPO. After referring to the problems encountered by the research programme, the setting up of an examining commission and the new legislation relating to classified information which would come into effect on 1 April, the responsible cabinet minister Laila Freivalds issued the following relatively unspecified instructions.

As the government sees it, the situation calls for measures to make it easier for the researchers, within the framework of the assignment the government has given the HSFR, to study documents held by SÄPO which could be of interest for their research and which can be released after being checked from a security angle. SÄPO should therefore allocate special resources to ensure that the call for speed is met when SÄPO deals with the HSFR s requests to have access to archive material which is relevant to the HSFR s research programme on the military intelligence and security services. SÄPO should also report regularly on the support resources that have been allocated and how the work of obtaining archive material is progressing.

Finally an examining commission

On 25 March – in other words, the day before the article written by the three cabinet ministers appeared in *DN* – the government set up a commission to examine the security services. As chairman, it appointed the Swedish Lord Chamberlain Gunnar Brodin, while the other members were Anders Knutsson, the former Chief Justice of the Supreme Court, Anita Klum, general secretary of the voluntary organisations fund for human rights, and Ewonne Winblad, a former TV journalist, now a media consultant. The Ministry of Justice s press release also made it clear that another person would – shortly – be proposed.

The commission s examination period stretched from the end of the second world war to 31 August 2001, when the commission s work was to be completed. The press release referred briefly to the HSFR s research programme and stated that the examining commission can collaborate with researchers in the programme and make its own decision on suitable forms of collaboration .

The project researchers and the HSFR were naturally prepared for this decision. The six researchers article in *DN* was a preventive move designed to ensure that the research programme was not overshadowed by a commission, which had been a political bone of contention for some time. Another initiative in the same direction was the agreement that was reached by the HSFR s programme group at a meeting on 11 March to submit a proposal to the government relating to the forms of collaboration between the research programme and the

commission. The letter, to which Hans-Heinrich Vogel and I were asked to put the finishing touches and which was based on the assumption that the commission was likely to be set up, was ready to be sent when the commission actually became a reality. After a couple of logical changes at the last moment, it was sent on 26 March.

In this letter, we stated that the HSFR's and the examining commission's assignments were largely the same. If two such extensive research and analysis assignments are to be conducted simultaneously and basically relate to the same source and working material held by the authorities, there is a great deal to be gained if the HSFR researchers and the examining commission do this work in close contact with one another; otherwise the work will be made more difficult for everyone involved if the collaboration is less than complete. Future lack of clarity regarding skills and expertise and the division of work should therefore be avoided. The HSFR therefore requested that the directives to the examining commission should particularly emphasise the fact that the commission is to conduct its work in close contact with the HSFR researchers and that the relationship and forms of interaction between the two government assignments should be clarified.

We also pointed out in our letter that mutual openness and exchange of information rather than secrecy should characterise the relationship between the commission and the researchers. The HSFR assumes that the working conditions and material access will be the same for the researchers and the examining commission. We also expressed the hope that whenever necessary, such as when it came to interviewing people who could provide information, the work would be prepared and done together. In addition to the three relevant ministries, the letter was also sent to the chairman of the examining commission, Gunnar Brodin.

As early as 9 April, we were given the chance to discuss the new situation at a meeting at the HSFR with representatives of the programme group, the project researchers and the commission. The commission was represented by Gunnar Brodin and Anders Knutsson. We had an open discussion and identified the possible forms of collaboration which both parties thought were desirable. The starting point was the joint understanding that the commission would be given the access to the archives that the researchers lacked, while the researchers had the factual expertise the commission lacked. Needless to say, no formal agreements could be reached at this early stage, but Gunnar Brodin promised to invite us to new discussions as soon as the commission was at full strength, had premises and had started its work in earnest. It is incidentally worth noting that the meeting between the researchers and the commission had come to the attention of a number of journalists and Brodin and I made a joint statement underlining the will to collaborate that characterised our meeting. However, this was clearly not regarded as newsworthy as it never reached the media. The reaction of the reporter from the news programme, *Dagens eko*, who called me to ask about the meeting, was a good illustration. After listening impatiently to my speech about our willingness to collaborate, he interrupted me with a

question about whether other people were going to leave the programme. When I denied that this was the case, he lost interest and ended the conversation.

The press reaction to the combination of a research programme and an examining commission was generally fairly cool and sometimes markedly sceptical. Back in January, when Göran Persson announced the possibility of setting up a commission, the leader in *Dagens Nyheter* warned readers that the foundations had been laid for disappointment and continuing suspicion. The reason was thought to be the government's previous monkeying about, the limited success of commissions on other issues and the government's bungling of the research programme. The leader in *Göteborgs-Posten* on 31 March can be used to represent the cynics, In view of the long and pitiful previous history, there is good reason to suspect that the government is expecting the researchers to do a far more thorough and better job than the members of the commission but that it is hoping that the commission's work will be less thorough and less revealing.

The proposed legislation relating to the authority of the examining commission was sent to the HSFR for its comments. As has so often happened in recent times, the referral period was incredibly short, only a few weeks. The HSFR's response stated that if the examining commission is not to encounter the same problems as the researchers and if it is to perform its assignment, the proposed legislation is necessary. At the same time, the desire was reiterated for the HSFR researchers and the commission to do their work in close contact and offer one another the opportunity to study source material, information and the results that were produced.

The HSFR was obliged to wait until 16 June for a reply from the government to the letter relating to forms of collaboration, which was signed by Laila Freivalds. It only repeated what we already knew, namely that, in its directives, the government had chosen to hand over the design of close forms of collaboration with the researchers to the commission. It mentioned, for example, that the commission was to decide on the extent of the archive studies it wished to make and what it wished to pass on to the researchers with the important addition, The release of documents by the commission must be preceded by a secrecy examination in accordance with the current secrecy legislation. The contrast to the commission's right to obtain information without being obstructed by secrecy, which was stipulated in the text of the law, was not touched upon in the letter, but it was nonetheless made abundantly clear.

The dilatory approach which characterised the government's handling of this letter and previous letters from the HSFR also applied to the finalisation of the Security Service Commission, as it was officially known. It took the government until August to appoint the historians Alf W Johansson and Karl Molin as members of the commission. Please hold! could very easily be used as the motto for the way the government and the relevant authorities handled the problems in general and the research programme in particular.

At this point, some people had grown tired of waiting. In the July issue of *Moderna tider*, Håkan Arvidsson, a member of the Limits of tolerance project wrote that many people have started to believe that research on the archive in question has never been anything but an illusion. On 27 July, Klas Åmark had announced that he was leaving the project. In the letter in which he resigned from his assignment, which was sent to the HSFR with a copy to the Ministry of Justice, he wrote, It is clear that the government does not or does not want to understand what is required for serious scientific research in this area. In June, when Dennis Töllborg handed in the manuscript for his book *Civically reliable? Swedish security protection in a state of change* to the Nordstedt publishing house, he declared that he no longer felt able to take a salary from the HSFR project. In the preface to his book, which was published later in 1999, he wrote that the government and SÄPO put a definite stop to future research; you cannot really take a salary when the subject of your research is blocked with such force and by such forces. Lars Olof Lampers, one of the researchers who had done the most regular and most successful digging in the archives, was recruited during the summer to the Security Service Commission as the examining secretary. When Karl Molin joined the commission, he was obliged to leave his post as leader of the programme for research on Sweden and surveillance and was succeeded by Ulf Bjereld. The research leaders were being thinned out.

At this stage of the presentation, there is every reason to change perspective and examine the everyday life of the researchers instead of following, as has been the case until now, the relatively unsuccessful attempts at different levels to provide them with better access to the archives and improve their working conditions. How did the research programme appear to the individual researchers? What success and frustration is associated with this unusual research assignment?

The everyday life of researchers

Lars-Olof Lampers is probably the researcher who succeeded in getting the most from the archive material. In connection with his thesis on the hospital spy affair in Göteborg, he had already succeeded in producing new findings from the archive material and in interviewing a number of key individuals and winning their confidence. In his work for the HSFR's research programme, he and Dennis Töllborg followed our Norwegian colleagues' advice to work to create confidence-filled relationships with representatives of these activities and the archive staff. With his previous knowledge, he was also able to request relevant and illuminating material. In those cases in which he was refused material, he demanded a legal evaluation with some success. For example, the Svea Court of Appeal found in his favour when he questioned the extension some archives had made to the 15-year limit for the classification of material from the IB trials. In spite of his relative success as a researcher, Lampers now admits, with the access he has to the archives as an employee of the Security Service Commission, that the researchers in the research programme actually never had a chance of examining sensitive

questions in detail. The civil servants who, under the powerful influence of their professional culture, are incredibly restrictive about releasing material to outsiders, including researchers, have no chance nowadays to refuse the commission the material it requests. So the difference in the quality of the material the commission gets to see and what is supplied to the researchers is enormous, according to Lampers.

Other researchers have also experienced the restrictive attitude of the people responsible for the archives in full measure. On 21 July 1999, Henrik Oscarsson, a political scientist from Göteborg, whose sub-project 'Supposed national threats and the military intelligence service in Sweden' is part of the project on Sweden and surveillance, submitted a request to study a large number of volumes from the MUST archives. This request has been considered on a number of occasions, the first two months later and the latest on 31 January 2000 – six months later. The various appendices with lists of material that is wholly or partially classified has become a volume in itself.

In their sub-projects, two other political scientists from Göteborg, Ulf Bjereld and Cecilia Malmström⁹, focus on the way the intelligence and security services handled the terrorist threat during the 1970s. Bjereld has concentrated on Palestinian terrorism, while Malmström has focused on West-German terrorism. Both these groups were responsible for spectacular terrorist acts in different parts of the world and, as they had support groups within the radicalised Swedish left-wing movement, there was widespread anxiety that international terrorism would spread to Sweden. Bjereld and Malmström want to examine the threat situation which was the starting point for the Swedish intelligence and security services, the strategies which were formulated and the action that was taken against Swedish support organisations. Both these researchers have encountered considerable problems when it comes to obtaining access to the relevant archive material.

In November and December 1999, Ulf Bjereld requested a number of documents from the MUST archive. The processing time was relatively short – just under two months – but only around 40 per cent of the documents he requested were released. In addition, the vast majority of these documents had restrictions and deletions. On 29 February 2000, he appealed to the Stockholm Administrative Court of Appeal. The verdict was announced in May; the court failed to grant his request in any of the cases. Cecilia Malmström's request for archive material from MUST was submitted on 22 December 1999. The first decision, which was made on 31 March 2000, resulted in only a fraction of the documents being released, several of them with restrictions. She has also appealed against this decision.

MUST's reasons for not releasing documents or releasing them with deletions and restrictions follow the general pattern which is based on the legislation governing classified information.

⁹ Soon afterwards becoming a member of the European Parliament, I guess Malmström has left the project

The reasons for restrictions in accessibility include the possibility that information about sources or military units, even in the form of codes or numbers, may be included. Personal details are sometimes quoted as another reason for these restrictions. Information about sources may be important when it comes to assessing the quality of intelligence, but this type of information is generally of secondary importance to the research assignment. The reason that is sometimes given that the documents contain information about these activities is far more problematic. It can relate to the intelligence and security services' methods of gathering information, handling instructions, the orientation of activities, personnel and foreign collaboration. Precisely what this research assignment primarily focuses upon! How can the researchers perform their assignment, if the intelligence and security services, using the loosely-formulated wording of the Official Secrets Act to support them, are allowed to withhold their own activities from examination?

One of the members of the Stockholm part of the project relating to Sweden and surveillance was Ulf Carlsson, a post-graduate student, who subsequently changed his surname to Eliasson. His project covered 'The Swedish surveillance system 1931-48'. Considering the time limits, one might have thought that there would be less difficulty when it came to obtaining access to archive material. His two requests for material from the MUST archive, which were submitted in January 1999, have been the subject of a series of decisions, the latest dated 24 January 2000 more than a year after the original request was made. It, too, contains all the reasons for restrictions that have already been discussed. His request to study documents from the SÄPO archive has taken even longer to process: it was submitted at the end of 1998 and the latest in a series of decisions was made on 24 February 2000. In this case, there are fewer restrictions relating to access to material and they apply primarily to source information. SÄPO's reasons on this point are fairly detailed:

It is only natural that, in its work, the security intelligence service is dependent on information from intelligence services in other countries and other sources. If it were to be generally believed that SÄPO releases information about sources, it is highly probable that the collaboration with other intelligence services would be made more difficult. Furthermore, the recruitment of sources would be impossible. In view of this, SÄPO feels that releasing information about sources would contravene the regulations governing secrecy in relation to the total defence and to police activities.

Svante Lundberg, a sociologist, who is part of the 'Limits of tolerance' project at Lund University, has applied for material from both SÄPO and MUST for his sub-project which relates to the security service's attitude to political refugees and their potential danger and to Swedish sympathisers with exile groups. He is particularly interested in the Latin-American refugees of the 1970s. Like other researchers, he has received a friendly reception from the staff but has had problems with long waiting times and initial difficulty obtaining help to find access routes to the material. Of the SÄPO material he has requested thus far, access has only been granted to German court documents relating to the case of Norbert Kröcher in 1977, which he was allowed to read on SÄPO premises in Malmö. From MUST, he has eventually obtained

about a third of the requested material. There is an interesting pattern when it comes to the granting and rejection of his requests. Most of the documents to which he has been given access relate to the late 1960s and early 1970s. From 1973, when the flow of refugees from Chile became extensive following the coup against Allende, most of his requests have been rejected. Not only has he been denied access to the material which is of the greatest relevance to the direction of his research, most of the material that has been released can best be characterised as rubbish . If this is representative of the rest of the archive material, the quality of Swedish intelligence has real problems.

The list of the researchers trials and tribulations could be made much longer, but this sample should suffice to illustrate that the real-life situation is far removed from the government s initial assurances of open archives. Everything takes far too long, far too little is released, the quality of what is released is dubious, the researchers have no chance to assess how representative the material to which they are given access is and the chance of obtaining more openness by appealing to legal bodies appears to be infinitesimal.

The security service commission and the research programme

A new meeting involving the HSFR s programme group, project leaders and representatives of the security service commission took place on 24 March 2000. The commission was represented by Karl Molin who, with his previous experience as research project leader within the programme, can be regarded as a double agent and its principal secretary, chief magistrate Fredrik von Arnold. In spite of my initial attempts, in my capacity as the chairman of the meeting, to stress that the commission and the research programme were not adversaries but had basically the same aims, the discussion eventually focused on a number of worrying aspects relating to striking asymmetries and relations between the two.

The differences when it comes to access to the archives is particularly striking. The researchers situation has not improved, rather the contrary. A decision in the Supreme Administrative Court on February 14th gave legal support to the restrictive interpretation of the Official Secrets Act which is represented by MUST and SÄPO. The members of the commission, on the other hand, receive the material they request without prior examination relatively quickly (even on the same day). The researchers who were present were also able to state that the archive staff explain the delay in handling their orders by the need to first serve the commission.

As the discussion revealed, the differences in the working conditions of the commission and the researchers can sometimes have bizarre consequences. For example, Dennis Töllborg, in his capacity as supervisor, has had difficulty communicating with former project member Lars-Olof Lampers who, in his new role in the commission, has taken a vow of secrecy when it comes to precisely the kind of information that relates to their joint research assignment.

At the same time, it became clear that the commission required the assistance of the researchers to complete its assignment. Two types of assignment for the researchers were outlined at the meeting; the commission needed held with limited research which did not basically require access to classified material and researchers could be incorporated in the commission and thereby obtain free access to the archives under a vow of secrecy. The second type of assignment brings to the fore the kind of problems that are difficult to resolve when it comes to the researchers' opportunity to use the knowledge they acquire in their capacity as adjunct commission members either about individual events or more widespread patterns in their research projects. Moreover, in cases like this, the researchers must be checked personally. As it later emerged, it is not possible to be a Danish citizen, like Professor of History Kim Salomon. He had been considered as a member of the commission, but his foreign citizenship put a stop to that. Another result of the researchers being involved with the commission was that the projects would have to expect some delays in relation to the original plans. In all, the commission estimated that some six to eight researchers could be given assignments of some kind. In spite of the problems, the fact that collaboration had finally been established was very positive.

One aspect that was brought up and became the subject of some discussion at the meeting was the fact that the commission had adopted the HSFR's questions and themes to a striking degree. There was now a risk of duplication (even if the work was being done on different terms). Some form of division of labour was needed and both sides expressed the desire for a forum of some kind to make a dialogue possible between the researchers and the commission. As I write, discussions between the commission and individual researchers on possible assignments are in progress.

Some final thought

Writers like Franz Kafka or Joseph Heller would almost certainly be able to find some literary inspiration in the situation that I have described. The route to the truth the principal claimed to be interested in uncovering has not been direct and uncomplicated but has instead been made up of a number of labyrinths characterised very powerfully by features of a Catch 22 type. At the beginning, I stated that I wanted to write a story about the losers and I saw the development of the research programme as a game with many losers and few winners. I would like to conclude by developing this perspective, then asking why things turned out the way they did and finally speculating to some extent about the future of the programme.

As I see it, the three principal losers in this story are the government, the researchers and the general public. The government can be seen as a loser in that it threw away the chance to lance an old political boil, in spite of having an obvious opportunity to build on the well-planned, consistent and credible Norwegian strategy in a corresponding area. The original decision to run a research programme had clearly not been the subject of a detailed analysis of the consequences

(perhaps an inappropriate and obsolete concept in view of the current decision-making tempo and the emphasis on action) and the improvisations and manoeuvres that then followed have only served further to illustrate the gap between the early promises and the practical action. As a result, the political opposition has not been silenced or allowed itself to be convinced of the government's goodwill. The question has in no way been removed from the political agenda. The belief in the potential of free research , which the government's representatives averred in their article in *DN* in December 1997 and in several other contexts, has been shown to be rhetoric rather than a genuine belief. The government has therefore lost credibility in the eyes of the researchers. In short, the government has not shown sufficient political courage in this problematic and difficult matter.

The researchers are the other main losers in this drama in that they embarked upon a difficult and controversial area of research, with the government's optimistic declarations in connection with the assignment as their starting point, only to discover that they would never be given the chance to do what they had planned. At the same time, the researchers who took part in the programme have been criticised for adaptability and research to order by their colleagues who chose to remain outside. In addition to the frustration of the project leaders, which has already been described, this has also increased the level of scepticism at the HSFR when it comes to specified government assignments of this type. If it eventually happens that the researchers are made the scapegoats because the truth about the registration of political beliefs and affiliations in Sweden was never uncovered, the defeat will be total. In spite of the fact that the social sciences and humanities are being forced to survive on increasingly limited funds, the government should realise that it will be difficult in future to recruit researchers for kamikaze assignments like MUST.

Finally, the general public must be seen as a loser – the general public to which different government documents on this issue so frequently refer. For example, the initial decision to run a research programme refers several times to the enormous public interest in seeing these questions analysed in detail and, in his letter of December 1998, Thomas Östros wrote that there was powerful public interest in seeing the research programme implemented as planned . With the restrictions that have been imposed on the research programme, this public interest , channelled via the mass media, is unlikely to be satisfied.

So how can we explain the fact that the process that began with a government assignment to the HSFR took these turns and left so many losers in its wake? In my area, political science, most models for political processes are based on a assumption of rationality in the form of an objective-means approach. It is assumed that political decision-makers decide on the objective or objectives of political action and then, after detailed analyses of the consequences, choose the means which it is thought will best help these objectives to be realised. Models like this are difficult to apply to the government's action in the MUST case. An alternative political science

model, which stresses the uncertainty and allows greater scope for coincidence, is the so-called garbage-can model.

The garbage-can model can be used for decision-making situations which are typified by incompatible and undefined preferences, as well as uncertainty about the means available. The people participating in the decision-making process do not begin from given, cohesive preferences but use a trial and error method. According to the garbage-can model, political decisions in situations of this kind can be seen as a result of four different, partly independent flows: problems, solutions, participants and decision-making occasions. The flow of problems contains all the worries and anxieties a large variety of players are interested in putting on the political agenda. Different players are interested in participating in the process with their favourite problems and favourite solutions. The flow of decision-making occasions contains the times at which the political machinery is expected to produce something which demonstrates the ability to act. In the same way as the total contents of a garbage can depend on the day on which the garbage is collected, individual political decisions are dependent upon the contents of the different flows on a given occasion – hence the name garbage-can model .

The flows of problems, solutions, participants and decision-making occasions can meet in different and sometimes unexpected ways. Just as computers can be regarded as systems which are constantly looking for new problems, there are in the political sphere a number of ready-made solutions waiting for suitable problems, for participants who require a political platform or for decision-making occasions, such as the budget process, which open the door to initiatives. In short, the garbage-can model deviates from the dominant concepts of rational decision-making and leaves real scope for the game of coincidence.

It often requires a dramatic event – or a focusing event, as it is also known – for decision-makers to see that there is a problem. If this event is given large-scale media coverage, political bodies are often forced to take notice of the problem. A comparison can be drawn here with an earthquake: it is useful if the first seismic activity is followed by a number of aftershocks of a small yet significant size, if media attention is to be kept alive and people are to be forced to remember and reflect on the original event. This way of reasoning can also be applied to the question of the registration of political beliefs and affiliation by the intelligence service. During the autumn of 1997, the Leander case and new revelations in the hospital spy affair once again turned the spotlight on the old question of registration. Pressure was exerted on the social democratic government, as the previously unexamined aspects of these activities were associated with the party's role. Different players in the political arena began pushing the question of a truth commission according to the Norwegian model; some of them were driven by a genuine desire to get closer to the truth, others saw the issue as a chance to squeeze the government. During the process, new revelations and incidents, regardless of whether they involved burnt archives, researchers leaving the programme or newly-discovered victims of registration, acted as the aftershocks that kept the question on the political agenda.

The setting up of truth commissions has subsequently been seen as a standard solution, when it comes to dealing with controversial political phenomena from the past. With the Norwegian precedent fresh in people's minds, the call for a commission dominated the debate relating to the registration of political views and affiliation in the media and in political arenas. The social democrats committed themselves at an early stage to their resistance to a commission and were supported by the moderates. In spite of this, the question continued to assume a prominent position in the political debate and threatened to dominate the forthcoming election campaign. At this point, a research programme appeared to be an attractive solution, as it was clear that something had to be done. Decision-makers frequently believe that in the longer term more research can produce solutions to most problems. What is more, promoting and funding research programmes is an attractive solution for politicians, as this demonstrates the ability to take action, as well as being uncontroversial. The fact that research takes a long time to conduct can be yet another advantage from the political decision-maker's viewpoint, especially if it is a question of keeping a sensitive issue off the political agenda. In the best case scenario, research projects can put an end to controversies without identifying winners or losers.

It is in much the same way that the government's decision in December 1997 can be reconstructed. The decision to set up an examining commission in March 1999, despite the previous social democratic resistance, can also be explained in 'garbage-can' terms. The question of registration continued to maintain a central position in the flow of problems. At the same time, the parliamentary situation after the 1998 election had led the social democratic government to choose to collaborate on an increasing scale with the Left Party and the Environmental Party, two of the most vociferous advocates of a truth commission in the flow of participants in the political process. In the light of this, the concession can be seen as an understandable reaction to the contents of the garbage-model flows at this particular time.

Even if my interpretation of the government's action can naturally be discussed, it is clear that the present situation is the result of a series of concessions to political pressure. The combination of a research programme and an examining commission reflects a reactive rather than proactive government policy. It also means that the research programme and the commission are not two integrated components in a cohesive, well-planned and consistent strategy.

So what is going to happen to the research programme? Greek dramas often feature a *deus ex machina*, a deity who uses the machinery of the theatre to descend onto the stage and resolve all the conflicts when the play becomes overly complicated. A divine character who can put everything right cannot be hoped for in this case. What is more worrying is that there is clearly no one in worldly government circles who feels any involvement or responsibility. It is clear that the government has no intention of acting to improve the researchers' working conditions, in spite of repeated pressure from the HSFR and the researchers themselves.

The relationship between the research programme and the commission has still not been clarified. What is completely clear, however, is that the researchers' involvement in the commission's work is going to result in delays to the research projects and that difficult problems still remain to be resolved when it comes to the way the researchers will be able and will be allowed to handle the material to which they are given access as aides to the commission.

While it is easy to be pessimistic about all the difficulties and obstacles the programme has encountered, it should not be forgotten that research is actually being conducted in the different projects. There can be no talk of the programme having crashed, as the media have repeatedly claimed. There is no question that the programme is going to produce some interesting research results, especially when it comes to contextualising the intelligence and security services – in other words, putting them in a wider political, legal, social and history of ideas context. On the other hand, we can hardly expect the kind of revelations and detailed analysis the journalists and general public as a whole would perhaps like to see. In short, with their current working conditions, the researchers have no opportunity to examine these activities in the kind of detail the government's declarations in connection with the introduction of the programme may have indicated. Klas Åmark, who left the programme in June 1999, put it like this in a debate article in *Svenska Dagbladet* on 27 February 2000, 'Some material will be uncovered, but the questions that are especially important from a democratic angle, the ones that create traumas, will not be answered in a satisfactory manner'.

Despite his cynical interpretation of the government's motives (see above), Håkan Arvidsson summarised the research situation in the summer of 1999 in cautiously optimistic terms. According to him, the government's overly smart calculations were hardly likely to produce the anticipated results. His analysis is still valid and very much worth quoting.

Many sub-projects in the government's research programme are not dependent on classified material and can be conducted in open archives. Moreover, many of the sub-projects that are dependent on classified material can be completed even if this will be more difficult. All research is a kind of jigsaw puzzle and, the more pieces that are missing, the more difficult the puzzle is and the more unsure the results. However, there are methods which, on the basis of the appearance of the clock-face, can influence the working of the actual clock. They have been successfully tested in the past, first and foremost within kremlinology but also in democratic societies, even if this has taken place less frequently. It is a question among other things of using a very large number of interviews and comparative studies of the text of inquiry and commission reports to identify the type and scope of the relevant activities. (*Moderna tider*, July 1999)

Even if this publication primarily expresses the researchers' dissatisfaction with the government's handling of a controversial assignment, the final words when it comes to the

research programme can still be taken from the novels in the weekly magazines of the past, To be continued !

And the 21th of September 2000 the minister of justice Freivalds resigned with immediate effect (due to a strange affair buying an apartment). 6 days later, September 27th, the Examining Commission and the researchers in the HSFR-project met in Stockholm in order to discuss forms for co-operation and to decide how the work is to be distributed between the Commission and HSFR . The meeting was decided before anyone even had the slightest idea of that we might have a new minister of justice at the time of the meeting, but it is when I (Dennis Töllborg) writes this the morning of September 27th still written in the stars what, if anything, this might mean.