

**NILS HEALITZ**

# **SWEDEN**

**A Modern Democracy  
on Ancient Foundations**

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# **SWEDEN**

## **A Modern Democracy on Ancient Foundations**

**By NILS HERLITZ**

Believing that journalists have done both the United States and Sweden a disservice in playing up Sweden as a democratic utopia and overemphasizing the importance of cooperatives, the author presents the facts as they appear to a Swedish publicist with a profound knowledge of the government and problems of his country.

Nils Herlitz is professor of public law in the University of Stockholm and a member of the upper house of the Swedish riksdag. He has written numerous books on Swedish history and government, published in Sweden.

To the English-reading public he now offers this succinct yet comprehensive survey of Swedish government and the essentials of its historical background. He has succeeded in presenting at the same time much of the spirit and the life of the Swedish people and their politics.

The aspects of Swedish life which Professor Herlitz treats are very little understood in foreign countries and should be taken into account by anyone who aspires to know the Sweden of today. His opening review of the historical development of the Swedish constitution may be studied with profit by all who are interested in government.

*(Continued on back flap)*

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*Professor of Public Law in the  
University of Stockholm*

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## FOREWORD

THE author of this concise and informative work on Swedish government, politics, and constitutional development visited the United States in 1938 to participate in the celebration of the tercentenary of the Swedish settlements on the Delaware. Previously known in America only by a relatively few scholars he won the friendship and respect of hundreds who met him and heard him speak, formally and informally, on his tour across the country.

Born August 7, 1888, Professor Herlitz entered the University of Uppsala in 1906. While obtaining there a liberal education he concentrated particularly in history, and became a protégé of the well-known Professor Harold Hjärne. Ten years after entering the university Professor Herlitz became a Doctor of Philosophy and also docent or instructor in history at Uppsala. In the following years he served not only as a university teacher but also for several years as secretary to the constitution committee of the *riksdag*, and, from 1919 to 1927, as leader of the *Stadshistoriska Institutet* (Institute of Municipal History). In the latter capacity he published in 1927 a collection of all the medieval privileges of the older Swedish cities. These contacts with the constitutional problems of both national and local governments, and with the practical problems of governmental administration, turned his attention more and more to constitutional and administrative law.

In 1920 he transferred from the University of Uppsala to the University of Stockholm. He was advanced to assistant professor of administrative law in 1925, and to pro-

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fessor of public law (constitutional, administrative, and international law) in 1927. This work also entailed the teaching of political science until 1935, but in recent years he has given his attention almost entirely to legal studies, and particularly to administrative law. In 1936 the University of Stockholm made him Doctor of Law *honoris causa*, and in 1938 he became editor of *Förvaltningsrättslig Tidskrift* (Administrative Law Review).

Many other activities of public importance to Sweden and to the northern countries have also drawn upon his energies and benefited from his counsel. In the highly successful efforts to draw the northern countries into closer cooperation he has performed numerous services, including the editing of *Nordisk Tidskrift* since 1922, assisting in the revision of history textbooks to promote better understanding, initiating a Nordic meeting in 1930 for the study of constitutional law and political science, and serving as secretary and board member of the Swedish branch of the society *Norden*. Since 1934 he has been a member of the county council of the Stockholm district. He is chairman of the Swedish National Defense League, and he recently became a Senator, that is to say, a member of the upper house of the Swedish *riksdag*.

These numerous public services, while giving him a deep insight into the government and problems of his country and keeping his studies and his teaching close to the realities of politics, have not prevented him from doing a prodigious amount of scholarly work. His publications comprise scholarly monographs in the field of history; treatises on administrative law, constitutional law, and constitutional history; expert reports on municipal courts and on the publication of government documents; textbooks on gov-

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ernment and constitutional history for the schools; several popular works on Swedish government; and a collection of essays on self-government. To know the government and the public law of Sweden one cannot neglect the reading of a number of his books.

To the English-reading public he now offers this comprehensive yet succinct survey of Swedish government and the essentials of its historical background. This work he wrote in English; the undersigned left the exposition very much as he wrote it, but made some changes here and there to make the text more understandable to American readers. On the whole we feel that he has achieved excellence—to have presented in so brief a work not only the essential facts of Swedish government but also so much of the spirit and the life of the Swedish people and their politics.

WILLIAM ANDERSON  
GEORGE M. STEPHENSON

*University of Minnesota*  
*March, 1939*



## PREFACE

IN CONNECTION with the celebration of the tercentenary of the first Swedish settlement in America the author was invited by several universities in the United States to lecture, in April and May, 1938, on the following topics: Constitutional Government in Sweden Three Hundred Years Ago and Today, Public Administration and Civil Service in Sweden, and Government and Citizen in Sweden. The present publication is based on these lectures, which have, however, been amplified and rearranged.

Many people have come to regard Sweden as a well organized and happy democracy and to take interest in its social, economic, and political conditions. This interest has perhaps centered in the social and economic developments there. In my lectures, however, I confined myself, as I do in this book, to the legal and constitutional foundations of Swedish life. Such references as I have made to social and economic conditions, of which I make no claim to expert knowledge, are only incidental.

I may, however, be allowed to emphasize that those aspects of Swedish life which I treat, though very little understood in foreign countries, should be taken into account by anyone who aspires to know the Sweden of today. To gain an idea of its life one must not neglect its political institutions, for they have influenced its social and economic conditions in a decisive way; and to explain the political institutions of today it was necessary to pay some attention to their historical growth during the centuries. Just as in England so in Sweden political and consti-

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tutional institutions are built on foundations laid in remote times. They cannot be properly understood unless the background is kept in mind.

As a matter of fact, the historical development of the Swedish constitution may be studied with profit also by those who are interested rather in the general aspects of government than in the particular institutions of Sweden. Swedish history has indeed a character of its own. The country has retained throughout the centuries, from primitive times, some elements of popular government and political freedom. What the European peoples learned in the nineteenth century from the American and French revolutions, and from constitutional government in England, was not altogether new to Sweden, which affords the rare spectacle of a modern democracy with direct roots in the Middle Ages. Its constitutional history is comparable to that of England, but other countries offer no clear parallels. The other Scandinavian countries, Denmark and Norway, have gone quite another way, passing through that stage of monarchic absolutism well known from general European history. Therefore the constitutional history of Sweden may claim a certain amount of attention not only for its own sake but also as an indigenous and original contribution to the practical experiences of popular government and political freedom.

In writing on Swedish political institutions for American readers, many of whom may look to my country for guidance in the difficult social problems of today, I feel obliged to make some qualifying remarks. When I was young many people in my country regarded the United States as something of a wonderland, where most of the social and political problems had been solved under the aegis of democracy,

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whereas Sweden seemed to be hopelessly behind in its development. The stream of emigrants going to the West confirmed, to that generation, the notion that there was something fundamentally wrong with the old country. This view was perhaps somewhat exaggerated. I am quite sure however that nowadays, on the other hand, many people overemphasize the value of Swedish performances in economic and social politics, in government and administration. As a Swedish citizen I know very well that in my country many things are not as they should be, and I have no desire to spread the idea that Sweden is a democratic utopia. It may be, however, that I shall not be able to make our faults, our difficulties, and our unsolved problems sufficiently clear. In attempting to give a short survey of the political institutions of a country and to explain them as a whole, as founded on the history of its people and as expressing its spirit, one can scarcely avoid laying more stress on the rationality of the institutions than on criticism and discussion. I must therefore ask the reader who may be struck by the lights of the picture always to remember that there are shadows too.

This is not meant to be a textbook of exact and exhaustive factual knowledge. I have felt I must instead try to grasp and emphasize those particular features that give the institutions of my country their spirit, their proper character. I realize that a more profound knowledge of American institutions might have enabled me to see more distinctly all the differences and points of similarity that would make the picture of Sweden clear to American readers. Undoubtedly I incur the risk of including things of which American readers will say "Well, that seems to be just like this country and a good many other countries too."

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On the other hand I may fail to emphasize, or even mention, facts that are important but that I am inclined to take for granted.

Some of these difficulties have, however, been overcome during my lecturing trip. On my visits to American universities I have had the advantage of meeting a great many professors and students interested in constitutional and administrative law, government, and public administration, and to discuss with them matters of common interest. These discussions, and the questions put to me after my lectures, have helped me greatly to understand both American institutions and the points of view from which Americans are likely to see the corresponding institutions of my country. For these frequent exchanges of information and ideas and the broader knowledge resulting from them I am profoundly grateful. They are for me among the most valuable results of my visit to the United States, and have been distinctly helpful to me in revising my lectures for publication.

I wish to express my thanks to the University of Minnesota Press for publishing this book. I should be particularly pleased if it enables some of the many students and graduates of the University of Minnesota who are of Swedish descent to know the country from which their forefathers came. It seems to me that if American scholars of Swedish descent come to take an increasing interest in Swedish institutions they may help answer a question of no little importance for both countries, a question I could not escape asking again and again when I came in contact with Swedish Americans: Have the Swedes who came to America, especially those who formed distinctively Swedish communities, large or small, brought with them anything from

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their old country—political or social forms, habits, or traditions? Has the political behavior that had developed in Sweden before their migration thereby influenced American life? I feel that my book will not be useless if it furthers or stimulates the study of such problems.

I am very much indebted to my friends Professor William Anderson and Professor George Stephenson of the University of Minnesota, who kindly undertook the heavy task of correcting my manuscript, particularly in respect to language.

NILS HERLITZ

*Harvard University*  
*June, 1938*

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