

Peter Forsskal: Goettingen prodigy and author of one of the least known jewels of Enlightenment literature ¹

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¹ This paper is a revised version of that presented at the Goettingen Academy of Sciences, 13th December, 2013, <<http://www.peterforsskal.com/documents/Plenarsitzung-Einladung.pdf>>

The author thanks most sincerely those people who have been central to Project Forsskal: Thomas B. Riley, who invited me to give a paper ('History of the Idea of Transparency in Europe') at a conference in Budapest in 1992; there I met Czech lawyer Karel Kodeda who first told me about Forsskal; Theresa Tolmie McGrane, Maria Lindstedt and Maria's grandmother, Agnes Jansson, all of whom made the first-ever (unpublished) translation from Swedish to English of *Thoughts on Civil Liberty/Tankar om Borgerliga Friheten*; and members of Project Forsskal, see, <http://www.peterforsskal.com/about.html>. In this paper, the family name appears both as "Forsskal" and "Forsskål".

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Introduction

More than 250 years ago – in 1759 to be precise – Peter Forsskal wrote in his *banned* pamphlet, *Tankar om Borgerliga Friheten/Thoughts on Civil Liberty*,²

...it is also an important right in a free society to be freely allowed to contribute to society's well-being. However, if that is to occur, it must be possible for society's state of affairs to become known to everyone, and it must be possible for everyone to speak his mind freely about it. Where this is lacking, liberty is not worth its name.

This commitment to and emphasis on freedom of expression and freedom of information is the *leitmotif* of his thinking and action and the preconditions for the creation of an enlightened public opinion, the aim of the Enlightenment. Thomas von Vegesack writes, 'Forsskål was a representative of that movement, one of the most prominent ones in Sweden.'³ The geography of the Enlightenment is a matter of scholarly debate. For example, as regards Scotland, it has been said that 'During the 18th century, Scotland experienced such an intellectual, cultural and scientific flowering that the French philosopher Voltaire remarked that 'we look to Scotland for all our ideas of civilisation.'⁴ For even more "peripheral areas", it has been noted that, 'One crucial question of further research concerns the form of Enlightenment thought and culture in the fringes of Europe around the core area, from Spain and Italy in the South, via Eastern Europe and Russia to the Scandinavian North.'⁵ Whatever, Forsskal's contribution places him not only in the top rank of northern European Enlightenment thinkers but also, as Thomas Munck writes (about the text),

it is of particular historical interest as one of the earliest contributions to the growing interest in civic rights in Enlightenment Europe – *written well before either the American or the French revolutionaries compiled their own declarations of rights*.⁶ (emphasis added)

² See, <http://www.peterforsskal.com>

³ See, <http://www.peterforsskal.com/thetext.html#commentary>

⁴ See, *Northern Lights - the Scottish Enlightenment*, <http://enlightenment.nls.uk/>

⁵ See, Artemyeva T, Oittinen V, and Mikeshin M (eds), *The Northern Lights: Facets of the Enlightenment Culture*, The Philosophical Age. Almanac. Issue 36 2010, https://helda.helsinki.fi/bitstream/handle/10138/24837/Philosophical_Age_36.pdf?sequence=2, p 9

⁶ *Scandinavica*, Vol 51, No.1, 2012, Reviews, <http://scandinavica.net/2012-1.php>

Peter Forsskal's life-span – 31 years- was short, even by the standard of his time.⁷ It was, however, a spectacular one, encompassing a breadth of subjects and areas that would simply be unimaginable in today's world: natural history; exploration; promoting, experientially, enlightenment thinking/values; and pure philosophy. What, though, is known about him as a person?

Forsskal - the person⁸

He writes about himself,

I was born in Helsinki on 11 January 1732. My father is Dr Johan Forsskål who now [1756] occupies the office of Consistory Assessor at Stockholm and Pastor of the church of Mary Magdalen. I was first of all educated at home by my father; afterwards I learned my basics with my maternal uncle Dr Jacob Hartmann who is now the Sub-Librarian of Åbo Academy. Under his guidance I enrolled at Uppsala University and joined the Uplands nation in 1742.⁹

Being enrolled at Uppsala University, aged 10 was not unusual for the times as around 30% of students were under 15. He studied languages; theology; and natural sciences, becoming especially interested in botany. However, he decided to leave Uppsala, finding the atmosphere there rather restrictive and went to continue his studies at the Georg-August-Universitat Goettingen, signing in on 13th October 1753.¹⁰

Despite his formidable intellectual bent of mind, Forsskal was the very opposite of an ivory-tower, armchair, professional philosopher or scientist. He disapproved of scholars burying

⁷ On July 11th 2013, the 250th anniversary of his death, Jonas Nordin (a member of Project Forsskal) published an article about him and his legacy in *Svenska Dagbladet*, http://www.svd.se/kultur/understrecket/forsskal-lade-grunden-for-det-fria-ordet_8336690.svd; see also, Bjorn Wiman's article in *Dagens Nyheter*, <http://www.dn.se/kultur-noje/bjorn-wiman-tand-ett-ljus-i-helgen-for-en-av-upplysningens-hjaltar/>, 3rd November 2013

⁸ Marjatta Rautiala, 'Family background of Peter Forsskål', http://www.peterforsskal.com/documents/Linnean_27-1_March_2011_complete_web_24_Feb.pdf; see also <http://www.ikfoundation.org/ifacts/peterforsskal.php>. No evidence of Forsskal having a "personal life" is known to the present author

⁹ See, <http://www.peterforsskal.com/gottingen3.html>

¹⁰ The Goettingen years are dealt with in the penultimate section of this paper. Fredrik Thomasson points out that the town was a 'frequent destination for Swedish students and scholars.' and that the University was rather 'secularized', the Theology Faculty not being so central to its life or in a position to control or censor other Faculties, *The Life of J. D. Åkerblad: Egyptian Decipherment and Orientalism in Revolutionary Times*, Chapter 2, p 24, <http://bitly.com/17eUkU8>

themselves in their theories or their offices and shared the opinion expressed by David Hume that,

Learning has been as great a Loser by being shut up in Colleges and Cells, and secluded from the World and good Company...Even Philosophy went to Wrack by this moaping recluse Method of Study, and became as chimerical in her Conclusions as she was unintelligible in her Stile and Manner of Delivery. And indeed, what cou'd be expected from Men who never consulted Experience in any of their Reasonings, or who never search'd for that Experience, where alone it is to be found, in common Life and Conversation? ¹¹

Two examples illustrate the point. First, when a landed proprietor claimed in a magazine that one kind of cereal could be changed into another through plant breeding, Forsskal not only wrote six contributions in the same magazine to demonstrate the absurdity of that assertion, but also, just to make sure, performed a trial cultivation. ¹² Second, the Danish King's expedition (*infra*) took months to really get going because of bad weather. But, in his travel diary Forsskal writes,

One might well imagine that my calling and disposition as a natural historian would not have found much scope on the wide expanse of a tempestuous sea during the severest months of winter. These seasonal storms gave us plenty to worry about before we could start making learned investigations. But I could never have survived by staying idle even though this was only the beginning of a journey which was expected to yield the most remarkable discoveries when we eventually reached our destination. ¹³

So, he set about assessing the degree of salinity in seawater,

Establishing the degree of salinity of seawater is a science as yet in its infancy and requires chemical analysis rather than a hydrostatic approach. So I can't take responsibility for the accuracy or otherwise of the results I achieved with my water-tester, a phial with a weight attached and a tube graded in proportion, so that the phial (so I've been told), sinks lowest in clean fresh water; ending one degree higher for every quintin of salt dissolved in one skålpund of water. According to this analysis, the Baltic at Copenhagen contained 2½ quintins of salt for every skålpund of water. At Helsingør the difference was very uneven and

¹¹'Of Essay Writing' in *Essays, Moral and Political*, 1742, Volume 2, <http://www.sacred-texts.com/phi/hume/of4.txt>

¹² See, <http://www.peterforsskal.com/thetext.html#commentary>

¹³ Translation by Silvester Mazzarella of *Resa till lycklige Arabien - Petrus Forsskåls dagbok 1761- 1763* and published as the third of five items in IK's 'The Linnaeus Apostles' volume 4, pages 281-380, Hansen, Lars (editor-in-chief), *The Linnaeus Apostles – Global Science & Adventure*. 8 vols. 11 books. London & Whitby: The IK Foundation & Company, 2007-2012. [Volume 2-7 (9 books)]; see <http://www.ikfoundation.org/ibooks.>; the diary's content is actually a copy in another's hand, and was first published as *Resa Till Lycklige Arabien. Petrus Forsskåls Dagbok 1761-1763. Med Anmärkningur Utgiven Av Svenska Linné-Sällskapet. [With a Portrait.]* Utg. av A. Hj. Uggla, Uppsala, Svenska Linné-Sällskapet (UPSALA) 1950.

uncertain because of water constantly being shifted by the current from one sea to the other. The result was sometimes 2½ quintins, sometimes 3 quintins. The value of these experiments was much reduced by the realisation that salt is not the only thing that mixes with sea water. But so long as tests are conducted with the greatest possible care they are not entirely without value; even if they cannot be considered anything more than a first introduction; they may point the way to knowledge that may come to be of the greatest importance in future.¹⁴

Finally, hugely telling, Forsskal writes in his travel diary that although a ‘thorough knowledge of the local language, geography and history is the most suitable preparation for a traveller to any country’, in his situation (given the potential for encountering ‘audacious’ and ‘predatory’ Arabs in the interior of the peninsula),

...it needed something more than a mere craving for novelty for anyone to dare to undertake such a journey...a heroic temperament was needed as well; *one had to be prepared to give one’s life in the service of science*. This sort of attitude is seldom found among those who devote themselves to learning; they find it more acceptable to consume their health and strength in the more relaxed atmosphere of their book-lined studies.¹⁵ (emphasis added)

After Forsskal’s death, his mentor Carl Linnaeus received seeds, sent earlier. Linnaeus named the species of nettle *Forskålea tenacissima* after his pupil.¹⁶ Emeritus Professor Gerhard Wagenitz, professor of systematic botany, Georg-Augustus-Universitat Goettingen, regards this as rather complimentary, as it means the plant – and therefore Forsskal – was capable of surviving even in inhospitable environments (the species having rather tough fibres). Finally, his Georg-Augustus Professor, Johann Michaelis, who had recommended him for the expedition, wrote,

I have never known a greater doubter and a more headstrong disputant as he. In fact he had very often made me tired with his doubts and disputes...¹⁷

In sum, Peter Forsskal seems to have been intellectually brilliant; a natural “doubter” especially regarding claims about the natural world; capricious; prone to anger; spirited; headstrong; stubborn; disputatious; and easily provoked. A contemporary assessment can be gleaned from the blurb for the *2013 Forsskal Symposium* at Uppsala University. It bills him as ‘The provocative scholar’ and goes on,

¹⁴ *ibid*

¹⁵ *Ibid* p 1

¹⁶ <http://www.wildflowers.co.il/arabic/picture.asp?ID=2186>

¹⁷ J.D. Michaelis, *Lebensbeschreibung*; for Michaelis himself, see, <http://www.uni-goettingen.de/en/104130.html>; see also

http://www.jewishvirtuallibrary.org/jsource/judaica/ejud_0002_0014_0_13821.html

A characteristic of Forsskål was his ability to question established practices and authorities, he was troublesome, and, some might even say provocative in his relation to the authorities¹⁸

What, though, really comes across most strongly about Forsskal is that he was a person of the highest scientific integrity, devoted to the pursuit of *scientia*. He argued so tenaciously with people, seeming always to want the last word, but only because he was committed to scientific truth and expected no less of everyone with whom he came into contact. When the third edition of *Dubia (post)* was published in 1760, the title page noted additional notes and supporting pieces, many of which document the scholarly reaction to the thesis and Forsskål's response to criticisms.¹⁹

Finally, Michaelis' summation about Forsskal was that,

I knew in general, that he did not easily yield belief, without being compelled by good reasons, and that he was a lover of the truth; and his dissent from my philosophy was to me a pledge, that out of deference to my opinions and views, he would never suppose himself to hear or see anything in the East, which he did not really hear and see.²⁰

Forsskal - natural scientist and explorer

Dubbed one of Carl Linnaeus' (later, Carl von Linne) "disciples" or "apostles", Forsskal is best known globally as a natural scientist.²¹ The results of his efforts in that department, made whilst he was a member of the Danish Expedition (*post*) between 1761 – 1763, can be seen in the

important natural history collections by Forsskål in Statens Naturhistoriske Museum [Natural History Museum of Denmark], Mainly [sic] the Herbarium Forsskålii, which can be searched on <http://plants.jstor.org/> with 'Collector:Forsskål'. Duplicate specimens of some of Forsskål's plant collections are located in the Botanical Museum of the University of Lund, the Herbarium of the Natural History Museum, London, and the Herbarium of the Christian-Albrechts Universität zu Kiel (Herbarium Universitatis Kiliensis). Forsskål's 'fish herbarium' is accessible on http://www.zmuc.dk/verweb/peter_forsskaal/peter_forsskaal.html. A number of other preparations of animals from the expedition are also preserved with the

¹⁸ See, <http://www.uppsalaforum.uu.se/events/>

¹⁹ See, <http://www.peterforsskal.com/gottingen2.html>

²⁰ From *Fragen an eine Gesellschaft gelehrter Manner u. s. w.* Franckf. 1762, quoted in *Biblical Repository and Classical Review*, fn 23, Appendix, p 654

²¹ See, <http://goran.waldeck.se/Ento3E.htm>

zoological collections of the Museum; unfortunately all birdskins from the expedition were lost before reaching Denmark.²²

The expedition²³ was commissioned by Frederi(c)k V, King of Denmark, its purpose being to make 'as many discoveries for science as is possible.'²⁴ The very idea of sending an expedition to 'Arabia Felix',²⁵

...saw the light of day in a speech at the Göttingen Academy delivered by Johann David Michaelis on the 10th of November 1753. Indeed in many ways the expedition was a Northern European project of the eighteenth century enlightenment with its principal intellectual influences coming from Göttingen, Copenhagen and Uppsala, its sponsorship from Frederik V, the King of Denmark-Norway 1746-1766, and its leadership and administration from his ministers of state, J.H.E. v. Bernstorff and A.G. v. Moltke. However, the conceptual birth of the idea of the expedition passed unnoticed in 2003.²⁶

Stig Rasmjussen notes that Michaelis,

suggested to the head of the Tydske Kancelli (the Foreign Ministry), Johann Hartwig Ernst von Bernstorff, that the king send an expedition to those unknown lands, ostensibly known since ancient times as Arabia Felix - 'Pleasant Arabia'. Michaëlis substantiated his proposal by looking at things from the point of view of the Bible: "The nature of this land is rich with a potential which is unknown to us: It's history goes back to the earliest of times; it's dialect is different from that of Western Arabia with which we are familiar, and knowing that it is this form of Arabic, which we learned, that has been the most important tool to date in

²² See, Ib Friis, Michael Harbsmeier and Jørgen Bæk Simonsen, 'Introduction', in Marita Akhøj Nielsen (ed), *Early Scientific Expeditions and Local Encounters - New Perspectives on Carsten Niebuhr and 'The Arabian Journey'*, Royal Danish Academy of Sciences and Letters 2013, p 9

²³ See, C. Niebuhr, *Travels through Arabia and Other Countries in the East*, Robert Heron (trans), Edinburgh 1792, see <https://archive.org/stream/travelsthrougha00conggoog#page/n6/mode/2up>; see also, *Biblical Repository and Classical Review*, conducted [sic] by Edward Robinson, second volume, part VIII, No 1, Life of Carsten Niebuhr, by his son B G Niebuhr, p 593 and Appendix, Andover 1832, <http://bitly.com/HcN4zy>

²⁴ Preamble to the *Royal Orders*, <http://www.kb.dk/en/nb/samling/os/naeroest/cneksp.html>. For a well-known account in 'a kind of written documentary fiction' form, see Thorkild Hansen, *Arabia Felix: The Danish Expedition of 1761-1767*, Collins 1964; ironically, Hansen died during a voyage in the Caribbean. However, Hansen's work has been criticised as '...also the source of much misinformation and the reason for the widely held misconception that the expedition was a complete and tragic failure – all its scientific collections lost, its other scientific results forgotten and the many sacrifices of its members made in vain', see, op.cit., fn 22, p 9. See also, Jan Marten Ivo Klaver, *Scientific expeditions to the Arab World 1761-1881*, The Arcadian Library, in association with Oxford University Press 2009, Ch 1, 'Pehr Forsskål and the Danish Expedition of 1761-1767'; for Frederick V, see <http://www.danmarkskonger.dk/king45.htm>

²⁵ *Arabia Felix*, (Latin: "Happy, or Flourishing, Arabia") in ancient geography, the comparatively fertile region in southwestern and southern Arabia (in present-day Asir and Yemen), a region that contrasted with Arabia Deserta in barren central and northern Arabia and with Arabia Petraea ("Stony Arabia") in northwestern Arabia, <http://www.britannica.com/EBchecked/topic/31586/Arabia-Felix>

²⁶ op.cit., fn 22, p 8

understanding the Hebrew language, what illumination can we not expect to be cast over the Bible, the most important book of ancient times, by learning the Eastern Arabian dialects as well as we know the Western?"²⁷

Article X of The Royal Orders (there were 43 Orders – or Instructions - drafted by Professors at the University of Copenhagen) give an explicit directive on how the members of the expedition were to approach Islam and its adherents, and is, thus, of some contemporary interest,

All members of the company shall show the greatest courtesy to the inhabitants of Arabia. They are not to raise any objections towards their religion, more than that, they shall give no indication - not even indirectly - that they despise it; they shall refrain from that which is the abomination of the inhabitants of Arabia. And also, as necessary in the course of their tasks, should proceed in such a manner as to draw the least attention as possible, shrouding anything which might arouse the suspicion among the ignorant Muhamedans that they were searching for treasure, practicing sorcery, or spying with the intention of harming the country. They must never awaken the Arabs' insatiable jealousy or vengeance through bestowing European liberties upon women, or embarking upon intrigues of a similar nature. So far as it is the intention of these instructions to remind them of the simple demands of morality, it is thus forbidden for them to cast attention s of any kind of love upon such persons, married or unmarried which might arouse the oriental desire for revenge. They must never, no matter how severely provoked, exclaim in terms of abuse, or when under the protection of public authorities, defend themselves by physical means. Experience shows how dangerous it can be in countries where the Muhammedan religion rules and where the insult of a Musselman is avenged by the death of the slanderer. And since such an event might bring unpleasantness upon the other travellers, We do not simply gravely warn against them, but indeed forbid such rash acts outright. He who acts in contradiction to these directions, and thereby brings upon himself such misfortune, can We do nothing for but leave him to his fate, and We do not oblige the other members of the company to take such steps on his account as to put themselves at risk²⁸

Forsskal was appointed to the expedition as its natural scientist on the recommendation of Johann David Michaelis. He had been requested by Bernstorff to provide the name of a traveller in the natural history area,

Here the choice was made at once, as soon as the letter was opened. I could not find a better man than Forskaal [sic], a Swede by birth, who had studied natural history in his own country and become acquainted with the Linnaean system; had been my hearer in all my lectures, and consequently understood just what a traveller in the East had to do; had made

²⁷Stig Rasmjussen, *The Arabian Journey 1761 -1767*,
<http://www.kb.dk/en/nb/samling/os/naeroest/cneksp.html>

²⁸ Ibid

as much progress in Arabic as Von Haven when he left Goettingen, and perhaps more; learned easily everything which he undertook; was withal a great doubter, and did not believe on light grounds; and who. Beside all these qualifications, was a man of firm health and undaunted courage.²⁹

Michaelis' overture, however, met with some initial reluctance,

...it was somewhat difficult to engage him. When I first wrote to him, he was desirous of remaining in his own country; and his father too made objections to this distant journey. I wrote to him again, and represented to him not only the interesting and encouraging prospects which this journey opened for him; but also, that in consequence of what had taken place, he could hardly hope for preferment in his own country. I knew already so many of the circumstances, that my suggestions made an impression upon him. He accepted the appointment, and that just at the right time.³⁰

From Rasmussen, we know that

On January the 4th, 1761 the expedition set out. Their route took them via Constantinople and Alexandria to Cairo and then further, down the Red Sea to Yemen. They remained in Yemen from December 1762 until the end of August 1763. Two members of the company died in Yemen (von Haven and Forsskål), apparently of malaria. The four remaining members sailed to Bombay. Two more of them, however, died during the voyage (Baurenfeind and Berggren). In Bombay the fifth fatality (Kramer) occurred leaving Niebuhr as the only survivor. He continued, via Oman to Persia and then through Iraq and Syria to Palestine, with a small detour to Cyprus. From Jerusalem, his route took him to Constantinople and then on through Eastern Europe to Copenhagen where he arrived on November the 20th, 1767.³¹

What is noteworthy is the continuing interest in the expedition as well as Forsskal's role and activities. This will guarantee to both extend and deepen his reputation and further knowledge about his botanical and other achievements. Several items illustrate the point.

First, Ib Friis, Professor at the Botanical Museum and Library (now part of the Natural History Museum of Denmark) organised a symposium at the Royal Danish Academy of Sciences on the occasion of the 250th anniversary of the departure of the Danish-funded expedition to Arabia. This has resulted in a publication, *Early Scientific Expeditions and Local*

²⁹ *Biblical Repository and Classical Review*, fn 23, p 651

³⁰ *Op.cit.*, fn 20, p 652; the reference to 'what had taken place' refers to the fall-out from Forsskal's self-publication of *Tankar*; see also, fn 94

³¹ See, fn 27; first stops were at Marseilles and also a week in Malta; see, for the latter, George Zammit Maempel, 'The Arabian Voyage of 1761-67 and Malta: Forsskål and his Contribution to the Study of local natural History', *Proceedings of History Week* 1992. (1992)(35-76)
<http://www.geocities.ws/thierenswilliam/proceedingsofhistoryweek1992/thearabianvoyageof.pdf>

Encounters - New Perspectives on Carsten Niebuhr and 'The Arabian Journey'.³² The

Introduction notes that

Lawrence J. Baack's contribution analyses how the *Arabian Journey* was transformed from the initial strong focus on biblical philology to an emphasis on the natural sciences, cartography, cultural geography, epigraphy and archaeology: This shift took place in parallel with a change of the expedition from being an essentially Euro-centric project to a project with interest in the sciences and the Middle East in their own right. The personalities of the three principal investigators had a major part in this change, and the paper explores the roles played by the participants, the contrasting character of their encounters with Middle Eastern peoples and cultures, and the varied robustness of the disciplines they pursued in the field. Thus the priorities and practices of the expedition changed as the expedition proceeded through the countries of the Middle East, and more and more of its members died.³³

Second, is the forthcoming (2014) book by the afore-mentioned Lawrence J Baack, *Undying Curiosity: Carsten Niebuhr and the Royal Danish Expedition to Arabia, 1761-1767*. It promises much, no less than a 'book-sized study of the planning and carrying out of the Danish expedition and of its results and scientific importance' which will engender '...[R]eal change in Anglophones' view of Carsten Niebuhr and the *Arabian Journey*'³⁴ Baack, in a recent article, sums up Forsskal's achievements,³⁵

Forsskal is noteworthy for his... outstanding contributions to the botanical and zoological knowledge of the Middle East, specifically Egypt and the Arabian Peninsula, principally Yemen. His biological work stands out for the large number of species identified, its attention to detail, the expansiveness of his descriptions, his knowledge and use of Arabic and his early ideas on plant geography. Forsskal's research in the marine biology of the Red Sea was also pioneering. His publications and collections represent the single greatest contribution to the knowledge of the natural history of the Middle East in the eighteenth century and are still valued by scholars today. His skill in retaining local terminology in Arabic and his respect for the contributions of local inhabitants to this work are also worth noting

³² <http://www.royalacademy.dk/Early-Scientific-Expeditions-and-Local-Encounters.aspx?ID=788>

³³ op.cit., fn 22, p 20

³⁴ Ibid., p12

³⁵ L.J. Baack, 'A naturalist of the Northern Enlightenment: Peter Forsskal after 250 years', *Archives of natural history* 40.1 (2013): 1–19, <http://www.eupublishing.com/doi/abs/10.3366/anh.2013.0132>. Baack is a retired professor of European History, specializing in Germany and Scandinavia. From 2003–11 he was a Visiting Scholar at the University of California, Berkeley

In Friis' opinion, 'The work of Niebuhr and Forsskål did much to change the way scientific expeditions met the local population, and that is one of the points of the [sic] book.'³⁶

Finally, there is a new project funded by the Humanities in the European Research Area (HERA is a partnership between 21 Humanities Research Councils across Europe and the European Science Foundation). The project is *Encounters with the Orient in Early Modern European Scholarship* and aims to,

...document the scholarly European encounter with Oriental culture between c 1500-1800. The 'Orient' explored in this context is, first of all, a Biblical Orient, covering the religious area of Islam, Eastern Judaism and Christianity. Interest in this cultural, religious and linguistic area arose from Scripture Studies and theological and missionary concerns with the Eastern Churches and Islam. These delineate the early modern concept of 'Orient', and also determine our use of the concept. In a number of case studies, conferences, and exhibitions, the project will explore the early modern scholarly European encounter with the Orient.³⁷

One of the principal researchers, Professor Bernd Roling (FU Berlin, Institut für Griechische und Lateinische Philologie) writes,³⁸

Our research, which takes place in Berlin (Bernd Roling) and Jyväskylä (Outi Merisalo), will mainly focus on Forsskal's role in the history of early oriental and biblical studies, but of course we are interested in the figure [sic] as a whole. In our Hera-project we are going to work on the wide-ranging circle of early modern Swedish orientalists, combining biblical and natural sciences, and for sure Forsskal was a key figure in all different branches.

Forsskal - 'Radical Enlightener'³⁹

Forsskal expressed his socio-political thinking in an - admirably brief – pamphlet, entitled, *Tankar om Borgerliga Friheten*.⁴⁰ The *uncensored* version is just 21 paragraphs long. Of note is that the version translated by Project Forsskal is not only the first-ever

³⁶ Personal email to the present author, 27th March 2013

³⁷ For HERA, see <http://www.heranet.info/>; the launch conference is on 16th November at Leiden University, <http://400yearsarabic.weebly.com/learning-arabic.html>

³⁸ Personal email to the present author; Roling states that there will be a PhD project on Peter Forsskal; for Roling, see <http://www.geisteswissenschaften.fu-berlin.de/we02/institut/mitarbeiter/Professoren/roling/index.html>

³⁹ The phrase is taken from Vesa Oittinen's chapter, 'Peter Forsskål, a Radical Enlightener', in Wolff Charlotta, Kaitaro Timo and Ahokas Minna (eds.), *The Enlightenment* (Peter Lang 2012), p133

⁴⁰ Thomas Munck writes 'So few 18th century Swedish political tracts are available in translation that the present publication [sic] is in itself an important landmark.', op.cit., fn 6

translation from Swedish into another language but also is made from the uncensored manuscript. It was recovered by Gunilla Jonsson, who notes,

Forsskål's manuscript is preserved in the National archives of Sweden, call number Kanslikollegiet, Inkomna skrivelser, Serie EXII:18, universitetsärenden 1706-1785. The Censor's changes were inserted in the manuscript by Forsskål's hand but in a different ink than the original was written with. Oelreich's "imprimatur" on the last page seems to be made with the same ink, so one may assume that they worked together on the changes.⁴¹

The title has been translated into English as *Thoughts on Civil Liberty*.⁴² He sought to promote not an individualistic/libertarian conception of liberty-rights but a social-liberal one which would foreground the (pre)conditions for the formation of an "enlightened general public" and secure the conditions for all to contribute to the life of the community. The text has a '...strong emphasis on economic as well as social issues' defining 'individual freedom and civil liberty broadly, subject only to the interests of society as a whole' and warns of

the 'threat posed by "those who are the most powerful ... by dint of their positions, estate or wealth". The best defence of civil liberty, he argued, was a combination of limited government and "unlimited freedom of the written word". In the uncensored version Forsskål also argued that true religion could speak for itself, without the need for protection through censorship.⁴³

The work was printed and published by Lars Salvius⁴⁴ in Stockholm on November 23rd 1759; on the 23rd November 1759, it was banned.⁴⁵

Forsskal had returned to Uppsala from Goettingen and in May 1759, Uppsala University Philosophy Faculty refused to publish his text, *de libertate civilii*. He appealed –

⁴¹ Gunilla Jonsson, <http://www.peterforsskal.com/thetext.html#about>

⁴² See, <http://www.peterforsskal.com/thetext-ge.html>; the German translation is 'Gedanken über die Bürgerfreiheit', made by Gabriele Schrey-Vasara and originally published (completely independently of Project Forsskal) in *Jahrbuch für finnisch-deutsche Literaturbeziehungen*, 2006, p 35. Gabriele Schrey-Vasara writes in a personal email to the present author '...[for the] 2006 issue of our Jahrbuch, focussing on Finnish philosophy, we asked a scholar from Greifswald university, PhD Carola Häntsch, to propose a representative choice of texts written by Finnish philosophers und until then not published in German. Among the texts she suggested was Forsskal's Tankar. (Forsskal considered a Finn, since he was born in Helsinki). As one of the editors I had the pleasure to translate this remarkable text.' However, note that the German translation on the Project Forsskal website does include the censored material, the whole being translated by Gabriele Schrey-Vasara; for Schrey-Vasara, see <http://kaantopiiri.fi/en/profile/255-gabriele-schrey-vasara>

⁴³ Munck, op.cit., fn 6

⁴⁴ See <http://runeberg.org/nfcd/0296.html>

⁴⁵ For the front cover of Salvius' print of *Tankar*, see http://www.djshaw.co.uk/forsskal_edsh.htm; for the proclamation banning publication, which was not published until 28th February 1760, see <http://www.peterforsskal.com/firstedition.html>

unsuccessfully - to the Royal Chancellery.⁴⁶ The Faculty's opinion was that the theme of the planned dissertation was 'very delicate'. The Chancellery went further, citing its 'dangerous principles', e.g., advocating the benefits of religious freedom and publicly questioning religious beliefs as well as urging the abolition of privileges. This last was one of the most contentious issues during the so-called Age of Liberty (1719 – 1772).⁴⁷ Forsskal's opinion was that 'Each and every inhabitant should have a reasonable share in public burdens and benefits'.⁴⁸

Forsskal reacted in a characteristically bold and fearless manner to these rebuffs, deciding to privately commission Salvius to print and copy the work. Thus, he simply by-passed the academic and bureaucratic gatekeepers, turning instead to the general reading public – rather in the manner of contemporary politicians using social media to circumvent mainstream media. Moreover, in doing so, the work would be published in Swedish, thus gaining an even wider audience; University texts were published only in Latin.

Niklas von Oelreich,⁴⁹ the Censor Librorum, passed the text, albeit with some changes and cuts. These concerned the most radical demands for freedom of religion and the printing press as well as certain references to the current political situation. In several instances, it meant that the original formulations were rendered rather more vague, e.g., criticism of the guild system.

The key differences between the censored and the uncensored versions are that,⁵⁰

- there are numerous, though inconsequential, differences in spelling
- § 7, in which the original contains an embryonic description of what we have today, namely a law with clearly defined crimes that may occur in printed texts and may be punished under the law -- but not censored beforehand and, after the censor's intervention states that such things should be prevented, which opens the door for keeping the censorship institution -- naturally, as the censor wanted to keep it

⁴⁶ Kungliga Kansliet, see, <http://www.kb.se/english/find/bibliographies/government/>

⁴⁷ See, Michael Roberts, *The Age of Liberty: Sweden 1719-1772*, Cambridge University Press 2003

⁴⁸ See, <http://www.peterforsskal.com/thetext.html>, para 12

⁴⁹ See, <http://runeberg.org/nfbt/0282.html>

⁵⁰ As set out by Gunilla Jonsson, personal email

- original § 8 disappeared altogether in the censored version. It is rather short and just states that divine revelations, society and laws cannot suffer from such a freedom, as truth will always prevail when it may be defended with equal means
- § 9 (8 in censored version) the reference to Denmark, as a nation where the lack of freedom has led to riots, is gone
- in § 10 (9 in censored version) the reference to Swedish publications supporting the statement that judges are not always impartial is gone
- in § 11 (10 in censored version) the original has an enthusiastic description of the fortunate state of Pennsylvania, thanks to its freedom of religion. This is of course gone altogether
- On the whole, the censor inserted a great number of expressions and small words that make the text vague, like a number of suggestions instead of the unambiguous, clear statements of the original.

Unsurprisingly, the Royal Chancellery was displeased with Forsskal. But, it decided to be content with a warning to the author, not least because by then he had become a member of the Danish King's expedition and about to leave Scandinavia for several years and also because it did not want to completely suppress such a lively mind. However, in order to preserve its authority it had to do something. So, it ordered that all copies of the book should be retrieved and taken out of circulation.⁵¹

Linnaeus, Forsskal's mentor, then Vice-Chancellor of Uppsala University, was the one ordered to retrieve the copies which Forsskal had taken to Uppsala for distribution that November day. However, it seems that Linnaeus did not try too diligently to comply with the order. Only about 10%+ (the figure of 79 is cited⁵²) of the 500 copies printed were found and confiscated. Thanks to the *Linnaean Correspondence*, summaries of relevant letters, giving more detail, are available,⁵³

(i) 30th November 1759

⁵¹ One account states 'burned', but this seems unverified, see, http://islam-natmus.e-museum.dk/tema_4/Forsskaal.asp

⁵² E.g., Thomas Von Vegesack, 'Out of the 500 printed copies of Thoughts on Civil Liberty only 79 were confiscated and destroyed.' <http://www.peterforsskal.com/thetext.html#commentary>

⁵³ <http://linnaeus.c18.net/>, translated by Sten Hedberg, Assistant Librarian, Uppsala University (ret'd)

Linnaeus has got a letter from the Chancellor of the Uppsala University [Carl Diedric Ehrenpreus]; the letter is dated 29 November 1759 instructing Linnaeus, then vice chancellor, to effect the withdrawal of a book by Forskåhl [Peter Forsskål with the title "Tankar om medborgerliga friheten" [*Tankar om borgerliga friheten*]. Linnaeus reports that he has approached Forsskål, who told him the names of those to whom he has distributed the work, and Linnaeus has also sent officials to collect the copies available in Forsskål's residence and at the bookseller. 13 copies are sent with this letter to Ehrenpreus. A letter from Forsskål [to Ehrenpreus], where he promises that he will go to Stockholm without delay, is enclosed.

[On the back of the letter from Ehrenpreus there is a list, written by Linnaeus, with the names of the recipients and the number of copies they have received]: Linnaeus has got two for himself

(ii) 4th December 1759

Linnaeus reports to the Chancellor of the Uppsala University [Carl Diedric Ehrenpreus the further process of the issue about Forskåhl's [Peter Forsskål's work *Tankar om borgerliga friheten*. Linnaeus had already sent Ehrenpreus 13 copies with his first report on November 30. After further diligent investigation, Linnaeus has now collected 52 more copies and he sends them with this letter.

Since Ehrenpreus had instructed Linnaeus to proceed with great caution, Linnaeus has to report that he has not been able to exercise his full authority as vice chancellor. So, for example, he has refrained from asking Ehrenpreus if he has to ask those who have received copies if, and in that case to whom, they might have forwarded copies. This would have made the withdrawal more complete.

At the end of the letter, Linnaeus gives a list of recipients of in all 52 copies of the work

However, as Thomas Von Vegesack states,

The other copies circulated amongst those interested and many manuscript copies are known to have been made. The ban had only contributed in making the book more sought after.⁵⁴

Michaelis claims that he bears a good deal of the responsibility for Forsskal's willingness to express himself so robustly, writing,

I learned Swedish of him [Forsskal], and said to him once, that the Swedish *Vriheet* (freedom), was something wholly different from our *Freiheit*; in Sweden no one could utter his opinion aloud, much less print it; and that was what we call slavery. This was under the domination of the so-called *Huthe* [the two political tendencies, the Hats and the Caps, DG]

⁵⁴ <http://www.peterforsskal.com/thetext.html#about>; David Shaw (member of Project Forsskal) has listed the surviving copies of the first and second editions, see, <http://www.peterforsskal.com/firstedition.html>

Our conversation afterwards turned very often upon this point. What I said, fell into so good a soil, that it bore fruit, an hundred fold. After his return to Sweden he attempted to maintain the freedom of the press; he wrote and printed, and that too against the dominant party. This made a great noise; and he lost his hopes of obtaining any preferment in Sweden. Indeed, it is related, that a person of high standing, having sharply reprimanded him for his writings, in consequence of his persevering contradiction let fall something about the danger of losing his head. 'True' replied Forsskal, 'but not now'; exhibiting at the same time his appointment from the Danish government to the Arabian expedition which he had just received ⁵⁵

However, Dr. Hans Erich Boedeker ⁵⁶ is of the opinion that Forsskal might also have been strongly influenced by Gottfried Achenwall. ⁵⁷ This view is also expressed by Torsten Steinby. ⁵⁸ Thus, it appears as if Michaelis might have given himself too much credit for Forsskal's thinking on this issue.

Amongst the many values and ideas expressed in *Tankar* are:

- the right of appeal against flawed judicial sentences
- fairer taxation
- The nobility's reserved rights to higher offices should be abolished
- the guild system should be reformed
- schools for the children of the common citizens established
- maximum (not absolute) freedom of expression: the only alternative to violence is freedom of the printing press. 'A wise government would rather let its subjects express their displeasure with pens than with other weapons'

⁵⁵ See, op.cit., fn 23, p 652, quoting from *Lebensbeschr*, p 65; In something of a coincidence, Michaelis's book, *Compendium Theologicae Dogmaticae*, published in Göttingen 1760, was forbidden in Sweden by the Kanslikollegium in early November 1760

⁵⁶ <http://www.uni-goettingen.de/de/418610.html>

⁵⁷ See, http://en.wikipedia.org/wiki/Gottfried_Achenwall

⁵⁸ See, Torsten Steinby, *Peter Forsskål och Tankar om borgerliga friheten* (Helsingfors, Hufvudstadsbladet, 1970); see also, Vesa Oittinen, 'Peter Forsskål, der radikale Aufklärer', filosofia.fi/.../Vesa%20Oittinen,%20Peter%20Forsskal

Finally, he wanted public transparency, or “open government”. Nothing, he wrote, concerning the ‘domestic welfare’ should be withheld from ‘the eyes of the inhabitants’ - not for its own sake, or to satisfy idle curiosity, but because it is ‘also an important right in a free society to be freely allowed to contribute to society’s well-being. However, if that is to occur, it must be possible for society’s state of affairs to become known to everyone...’

A second edition of *Tankar* was published in 1792.⁵⁹ Gunilla Jonsson has published an account about whom she thinks published it - Bengt Holmén, bookseller and publisher in Stockholm (1731 - 1794) - as well as a comprehensive table comparing the two editions.⁶⁰ Factors contributing to the publication of this edition were the French Revolution and the adoption in Sweden of a new law on the freedom of the printed word (July 11th 1792). The second edition has an extended title, *Thoughts on civil liberty, on account of the principle of freedom among the French, which is now so much discussed/ Tankar om borgerliga friheten, i anledning af den nu så allmänt omtalade frihets-principen hos fransoserna; and ‘a note to § 6, which, as Thomas von Vegesack suggests, most probably has been added to soften the criticism of the king in this paragraph and of absolutism in the preceding one.’*⁶¹

Tankar, the 1766 Law and the Principle of Openness

The arguments in the text, coupled with the refusal to publish *Tankar* and its post-printing ban, were of major significance. All contributed to the process which resulted in the adoption of the world’s first freedom of information law in 1766, the *Tryckfrihetsförordning*. Whilst it would be extreme to say there is a direct, mono-causal connection, it is more than reasonable to suggest a relationship of association.⁶²

⁵⁹ The first advertisement for it appeared on 10th December 1792, see, <http://www.peterforsskal.com/secondedition.html>

⁶⁰ See, <http://www.peterforsskal.com/secondedition.html> and <http://www.peterforsskal.com/differences.html>

⁶¹ <http://peterforsskal.com/secondedition.html>

⁶² Rolf Nygren suggests that, in addition to Forsskal, Anders Schonberg and Gustav Cederstrom should be celebrated, see, ‘The citizen’s access to official records – a significant principle in Swedish Constitutional life since 1766’, in *Die Zugänglichkeit von Parlamentsakten und die audiovisuellen Materialien in Parlaments- und Parteiarchiven - Access to parliamentary records and audio-visual materials in archives of parliaments and political parties*, <http://uu.diva-portal.org/smash/record.jsf?pid=diva2:57284>. The present author would also mention Anders Nordencrantz. John Keane, discussing David Hume’s essay ‘Of the Liberty of the Press’, cites Forsskal: ‘Sweden’s path-breaking Freedom of the Printing Press Act 1766 was anticipated by Peter Forsskal’

The 1766 law is usually referred to as the “Freedom of the Press Act”.⁶³ This is misleading. There was no developed “press” in the sense of a media industry in mid-eighteenth century Sweden (as was the case elsewhere). The accurate translation of the title is: *His Majesty’s Gracious Ordinance Relating to Freedom of Writing and of the Press*.⁶⁴ The connotation of the word “press” (from the Swedish ‘tryck’ in the law’s title) is the *printing press*. “Tryck” means something that is pressed, as in the mechanism involved in printing, the printing press or “the presses”. Regarding it being an “Ordinance”, Jonas Nordin explains that

...the status of a "Förordning" was inexact at this time. It generally referred to a law issued by the executive power, i.e. the King in Council, but in the case of the freedom-of-print act it was expressly stated that it was issued by the king "after having heard the humble opinion of the Estates of the realm", i.e. the Diet. Then again, this is the way laws were normally promulgated during the so-called Age of Liberty (1719-1772)⁶⁵

The Ordinance addresses two main topics. First, it deals with the *abolition of prior censorship*, albeit not absolutely. The authorities did not differentiate between various forms of printed matter - books, pamphlets, newspapers etc. – but, there were some specific topics which were to still to be protected from negative expression, namely, (a) attacks on the evangelical faith and the word of God; (b) attacks on the Constitution and the fundamental laws; and (c) attacks on the King, the Council, or any ruling power in other countries. These exceptions seem extensive, but, practically, they were of little consequence. The political climate did not favour infringements of (a). The effect of the law was to release a flood of pamphlets discussing the laws and government decisions which lasted until King Gustavus III’s *coup d’état* in August 1772.⁶⁶ He was careful enough not to reintroduce prior censorship; the printer was made legally responsible for everything he

(Keane quotes *Tankar* para 9) , J. Keane, *Democracy and Media Decadence*, Cambridge University Press 2013, p 219, fn 9. The person most publicly feted as the ‘father’ of the law is Anders Chydenius, see, <http://www.chydenius.net>. See also, Maren Jonasson, Pertti Hyttinen (eds), *Anticipating the Wealth of Nations: The Selected Works of Anders Chydenius 1729- 1803*, Routledge 2011, Part 2, *Pioneering Freedom of Information*

⁶³ See, e.g., even the Riksdag’s own website, <http://www.riksdagen.se/en/How-the-Riksdag-works/Democracy/The-Constitution/The-Freedom-of-the-Press-Act/>

⁶⁴ The only English translation of the 1766 Ordinance known to the present author is that made by Peter Hogg, former Head, Scandinavian Section, British Library, http://www.chydenius.net/pdf/worlds_first_foia.pdf; see also, David Goldberg, ‘Justice in a Cold Climate’, <http://www.city.ac.uk/centre-for-law-justice-and-journalism/projects/working-papers>

⁶⁵ Personal email to the author

⁶⁶ Thomas von Vegesack notes, ‘... In the years 1767 through 1772, when Gustav III took power back from the Riksdag, no fewer than around 80 periodical publications and almost 2000 political publications were issued. During a single year, 1769, no less than 138 economic pamphlets were published. In the same period, Sweden also got its first two daily newspapers.’, <http://www.peterforsskal.com/thetext.html#commentary>

printed and could be prosecuted afterwards for just about anything the King disliked. This power was not used very often, but it proved to be very effective in chilling public debate.

The significance of the first aspect of the 1766 Ordinance is explained by Jonas Nordin,

Before 1766 you were allowed to print everything that was expressly lawful to print; after 1766 you were allowed to print anything that was not expressly forbidden. This may sound like a mere technicality, but it was in fact a world of difference between these two approaches. In reality, it was an application of Montesquieu's revolutionary and liberal concept of liberty: "Liberty is a right of doing whatever the laws permit, and if a citizen could do what they forbid he would be no longer possessed of liberty, because all his fellow-citizens would have the same power." (Spirit of the Laws, 11:3.)⁶⁷

Second is the topic that is of truly global significance compared with the first aspect⁶⁸ and is the great legal and governance revolution introduced by the law of 1766: the legalisation of the principle known as the "*offentlighetsprincipen*", the "general principle of openness" (or, perhaps "publicity"). Gunnar Axberg suggests that it is 'more or less hopeless to find a proper word in English, since the principle is both complex and unique and in that sense not translatable'. He suggests the phrase, 'the publicity principle.'⁶⁹

Politically, the purpose of this element of the law was to give the public (in reality, the opposition groups in the Riksdag) a better view of how the state was run. Conventionally understood, freedom-of-information laws are a means of legally compelling public authorities (e.g., central and local government) to disclose information they hold. Significantly, though, the 1766 law contains several sections pertinent to the issue of making the *administration of justice* more transparent and giving the right to publish legal and judicial information - there are several sections which specifically mention court and legal information in addition to what would be included more conventionally as official documents. The law prescribes that the categories of documents stated in the law were to

⁶⁷ Personal email to the author, 3rd June 2011

⁶⁸ In England, the 1643 Licensing Order had already "lapsed" in 1694/5

⁶⁹ Gunnar Axberg, 'Access to public documents', lecture, 3rd May 2011, Brussels, at a conference arranged by the Council of Europe Commissioner for Human Rights, <http://bitly.com/15VDyc4>. It is reprinted (as revised) in *The Swedish Parliamentary Ombudsmen Report* (1 July 2010 to 30 June 2011) (Summary in English), http://www.jo.se/Global/%C3%84mbetsber%C3%A4ttelser/2011-12_eng.pdf. In the book of the conference, the topic is treated by Anders Olsson, 'Access to Official documents', in *Human Rights and a Changing Media Landscape*, Council of Europe 2011, <http://www.coe.int/t/commissioner/Activities/themes/MediaFreedom/MediaLandscape2011.pdf>; see also, Johan Hirschfeldt: '1766 års tryckfrihetsförordning och offentlighetsprincipens utveckling', *Förvaltningsrättslig Tidskrift*, 1998, <http://johanhirschfeldt.wordpress.com>. "Openness" is celebrated by the Swedish Government as *the Swedish value*, see <http://www.sweden.se/eng/home/society/government-politics/facts/openness/>

be public examinable by each and every citizen, and 'when requested, shall immediately be issued to anyone who applies for them, on penalty of the provisions in the following paragraph.'⁷⁰

One perennial question is, what explains the fact of Sweden being the birthplace of the legalisation of the principle of openness? What, if anything, is unique about Swedes or Sweden? One possible explanation is that mid-18th century Sweden evolved a parliamentary or "mixed" form of Government, namely, Monarch; Council of the Realm; and Diet (Riksdag) which was composed of four estates: Nobles, Clergy, Burghers and Peasants. Furthermore, there were two main "parties", the Hats and the Caps, both tendencies existing within each estate.⁷¹ This meant that each grouping had information that the others wanted to access, particularly government-held information which the opposition wanted to get its hands on. Australian judge, Michael Kirby, suggests that, in general,

At the heart of freedom of information legislation is an idea about the form of one's government. Initially, in the history of English-speaking peoples, government was comprised of the great and powerful men of the Crown, of the Church and of the leading families who gathered around the King and were sworn to defend his power and aggrandise the glory of the State. In these circumstances, the Crown's secrets were carefully safeguarded by great officials, such as Woolsey, More and Walsingham. In this tradition, the culture of secrecy was born. It flourished because knowledge was power and the Crown liked to control access to it. The American and French revolutions and governmental developments in Scandinavia gave birth to a radically different notion. This was that power resided in a composite notion as elusive as the Crown - the People. They should govern themselves democratically. But if that process was to be more than a symbolic charade, the people would need access to information.⁷²

However, the really remarkable explanation and what is, in the present author's opinion, actually the real secret of Sweden's espousal of openness is that, on the most authoritative accounts available in English, the word that comes up most frequently in discussing the 1766 Ordinance is that it happened by "accident", meaning, in this context, "the way things

⁷⁰ For some relevant Articles, see the Appendix

⁷¹ See Pasi Ihalainen, *Agents of the People: Democracy and Popular Sovereignty in British and Swedish Parliamentary and Public Debates, 1734-1800*, <http://bitly.com/17blj2N>, p 161

⁷² See http://www.michaelkirby.com.au/images/stories/speeches/2000s/vol60/2006/2129-Foreword_-_Freedom_of_Information.pdf

happen without any planning...or deliberate intent". Four accounts illustrate this contention⁷³:

- (a) The genesis of the constitutional provisions on public access to documents in Sweden at [sic] the middle of the eighteenth century *probably remains a historical accident, entrenched in the prevailing political context of the time* (Ulf Oberg) (emphasis added)⁷⁴
- (b) That it has grown up in Sweden is due to special circumstances; *we may say it has arisen by accident.* (Nils Herlitz) (emphasis added)⁷⁵
- (c) As a legal historian I would like to say that the Freedom of the Press Act and the Public Access Principle passed in 1766 are the most significant contributions in European legal history ever made by the Swedish legislature....But is it also important to conclude that neither [of these] were the results of profound legal philosophising. They were the immediate results of a profoundly felt need among the Caps [party] to clear the political stage after the defeat of the corrupt Hats [party]. *Many important achievements in the field of law seem to have very poor and trivial backgrounds, and the Freedom of the Press Act as well as the Public Access Principle are, so far, no exceptions* (Rolf Nygren) (emphasis added)⁷⁶
- (d) Only a few months after having issued its freedom of the printing press act, the Government published a warning to its citizens against 'in larger or smaller companies [...] through the spread of suspicions and the dissemination of conspired lies to achieve complaints, discord and a detrimental dissension between the citizens of the realm'. In this statute, citizens were requested, in return for a reward of 2000 daler silver coins, to inform against those who committed themselves to criminal expressions. I have quoted this statute of March 2nd 1767 to demonstrate *that it was hardly a strong belief in the importance of freedom of speech that drove the decision of the Swedish Riksdag. The freedom of the printing press act was probably more the result of existing political controversies than of any deeply rooted conviction.* (Thomas von Vegesack) (emphasis added)⁷⁷

These accounts suggest there is not something in the "Swedish DNA" that makes openness peculiar to them – even if, as a matter of historical fact, it was, as it happens, in Sweden that the world's first freedom-of-information law was adopted. That is still a very significant

⁷³ Not shared by Professor Lars Magnusson, <http://stream.hanaholmen.fi/media/speakingissilver/Panel3.wmv>

⁷⁴ Ulf Oberg, 'EU Citizens' right to know: the improbable adoption of a European Freedom of Information Act' in *Cambridge Yearbook of European Legal Studies* Vol 2, 1999, Chapter 13, <http://bitly.com/1afbEKz>

⁷⁵ Nils Herlitz is the outstanding scholar of Swedish and Nordic public law: see e.g., *Elements of Nordic Public Law* (Stockholm 1969) and *Sweden: A Modern Democracy on Ancient Foundation*, Univ. Of Minnesota Press 1939

⁷⁶ Rolf Nygren, op.cit., fn 62

⁷⁷ See, <http://peterforsskal.com/thetext.html>

historical achievement, and one worth noting and celebrating.⁷⁸ Positively, however, this means that the principle of openness is 100% universalisable in any polity. Hans-Gunnar Axberg does, however, offer a word of caution,

I want to have it said once and for all that there are definitely other ways of organizing open government than the Swedish model. In other words, the purpose of using Swedish law as reference is not to impose it on others, but to offer perspectives and food for thought.⁷⁹

Finally, there is always the gap between a norm's existence⁸⁰ and its realisation in practice. In the rest of the world, it is assumed that Sweden, because of its history, is *the* model of openness and transparency.⁸¹ Regionally, a Nordic-wide appraisal is currently ongoing, led by Oluf Jørgensen, Head of Research on Media Law, Danish School of Media and Journalism. The research programme started in Spring of 2012 comparing provisions for the right of access to official information in the five Nordic countries: Finland, Sweden, Norway, Iceland and Denmark,

The findings are expected to improve knowledge of the rules and judicial practices of the countries with respect to access to information, thereby contributing to public discussion of current developments in ways that empower the public and invite broader public participation in democratic processes. The right of access is crucial to journalists' and media's reporting about conditions in society. Strong legal provisions for public access enable documentation, whereas weak provisions allow a free play of rumor and 'spin'⁸²

And, focusing more on the face of the current law, Helena Bengtsson's recent country report for the *Global Right to Information Rating Project* rates Sweden at only 94/150 points, scoring particularly poorly regarding requesting procedures, exceptions and

⁷⁸ The 250th anniversary of the Ordinance will be on 2nd December 2016; a campaign of awareness raising and civic education was launched on 24th October 2013 at the Royal National Library in Stockholm, see <http://www.peterforsskal.com/events.html>

⁷⁹ See, op.cit., fn 69, p 747

⁸⁰ See, <http://www.government.se/content/1/c6/13/13/97/aa5c1d4c.pdf>

⁸¹ For a more nuanced account, see Axberger, op.cit., fn 70

⁸² The research program has a reference group from the four other four countries: Olli Mäenpää, Professor of Administrative Law, University of Helsinki; Per Hultengård, Managing Director and Senior Legal Counsel, Swedish Media Publishers' Association; Nils Øy, Secretary-General of the Association of Norwegian Editors; and Pall Thorhallsson, Director-General, Department of Legislative Affairs in the Prime Minister's Office, Iceland; the website is at <http://www.dmjx.dk/offentlighed-i-norden>. The first publication is Oluf Jørgensen, 'The Scope of Freedom of Information. To What Legal Bodies and Functions Does the Right of Access to Information Apply?' in (Redaktör) Ulla Carlsson, *Freedom of Expression Revisited. Citizenship and Journalism in the Digital Era* (Nordicom 2013)

appeals.⁸³ Such empirical assessments and reviews, however contestable, are, it is suggested, entirely in keeping with Forsskal's own scientific/empirical approach regarding theoretical or normative claims or eternal, faith-based pieties.

Forsskal - Goettingen Prodigy

Forsskal is hardly known at all as a "pure" philosopher. This is not least because his one published work is only available in 18th century Latin. Professor Vesa Oittinen recently published a book chapter which includes a review of the work in which several passages, translated into English, are quoted.⁸⁴ This is the enduring element of Forsskal's work and life that links him most closely to the Georg-Augustus Universitat Goettingen.

Having studied at Uppsala University for a couple of years as part of his scholarship conditions, Forsskal enrolled as a student at Georg-Augustus-Universitat Göttingen from October 1753 to mid-1756. He had been awarded a Guthermuth Travelling Scholarship, which was set up in 1726; remarkably, it still exists to this day.⁸⁵ Gunilla Jonsson summarises Torsten Steinby's account:

Forsskål applied for the scholarship in 1751, and to be able to get it he had to undergo an examination "pro obtinendis honoribus philosophicis" at the faculty of theology. Forsskål was one of 15 students to undergo this examination on March 26 1751. It was a fairly simple exam, and all students got "approbatur", Forsskål alone was noted for exceptionally "beautiful knowledge" in the minutes of the exam⁸⁶

⁸³ See, http://rti-rating.org/view_country.php?country_name=Sweden; for Bengtsson, see <http://www.icij.org/journalists/helena-bengtsson>

⁸⁴ This section relies heavily on Vesa Oittinen, 'Philosophy in Finland, 1200-1850', <http://filosofia.fi/se/arkiv/text/6300> and also, Vesa Oittinen, 'Peter Forsskal: the Radical Enlightener' in *The Enlightenment: Critique, Myth, Utopia*, Peter Lang 2011 ; see also, 'Between Radicalism and Utilitarianism- On the Profile of the Finnish Enlightenment', p 10, in the work cited at fn 5. It is anticipated that a translation of *Dubia* will be published during 2014, made by Professor Bernd Roling, personal email to the present author

⁸⁵ See, 'Guthermuth travel scholarships (1726): Travel scholarships for students of theology and young, unsalaried academic teachers are awarded annually on the basis of recommendations from the Faculty of Theology by the dean of the cathedral in Stockholm and the pastor of the German parish in Stockholm. The foundation is administered by the parish of the cathedral in Stockholm', [http://www.uaf.uu.se/UL/se/ScholarshipHandbook%20\(2\).pdf](http://www.uaf.uu.se/UL/se/ScholarshipHandbook%20(2).pdf)

⁸⁶ Steinby, op.cit., fn 59; personal email to the present author

He studied modern [sic] philosophy, oriental languages – especially Arabic - and theology, under two principal teachers, S. C. Hollmann and J. D. Michaelis. Forsskal, one document states,

has not only devoted himself to the difficult knowledge of oriental languages and culture, but also has embraced the study of the whole of nature and especially that part of the history of animals which consists of the almost innumerable species of insects and has studied them and continues to study them with such unwearied labour that it seems that he will find a place among the respected doctors in these sciences ⁸⁷

Sometime in 1756 he completed an essay, *Dubia De Principiis Philosophiae Recentioris*. ⁸⁸ The “recent philosophy” which is the object of Forsskal’s critique is that propounded by Christian Wolff.⁸⁹ Forsskal employed a totally different approach, namely, the critical function of common sense against rationalist metaphysics. Forsskal’s work challenged the Wolffians of his homeland (where that school was well entrenched) and seems especially to have irritated the influential Uppsala Professor, Nils Wallerius. ⁹⁰

Wolffian ontology rests on two pillars, namely, (a) the principle of contradiction and (b) the principle of sufficient reason. According to Forsskal, neither of these principles is primary, nor gives the apodictic certainty claimed, at least by Wolffians. Forsskal argues against Wolff, based on a radical empiricism. In the introduction to the dissertation (one of Forsskal’s influences was the Scottish philosopher David Hume), he writes, ‘I am, according to my father’s sound advice, accustomed to conduct my scientific studies so as to, as far as I am able, try to refute everything and so that I write down the reasons I have been able to find out. The result was that first I sought the doubts and later that they appeared by themselves.’ ⁹¹ Although it might be true that we cannot doubt the Principle of Contradiction, he asserted it does not follow that this principle really should be/is true, but only that it, to my mind, is true.

⁸⁷ See, <http://www.peterforsskal.com/gottingen1.html>

⁸⁸ For the digitised version, see http://gdz.sub.uni-goettingen.de/dms/load/toc/?PPN=PPN641608004&LOGID=LOG_0001. Forsskal was also appointed a Professor of Philosophy at Copenhagen University in the context of the exploration to Arabia (actually, so that all the European members would be of equal status) and he styled himself thus in the third edition of *Dubia*

⁸⁹ <http://plato.stanford.edu/entries/wolff-christian/>

⁹⁰ See, Frangmyr, Tore, J. L. Heilbron, and Robin E. Rider (eds), *The Quantifying Spirit in the Eighteenth Century*, University of California Press 1990. <http://ark.cdlib.org/ark:/13030/ft6d5nb455/>

⁹¹ Thomas von Vegesack, Commentary, <http://www.peterforsskal.com/thetext.html>

Forsskal also raises doubts about Wolff's Principle of Sufficient Reason. Thus, he asks, what does it mean when,

the followers of Wolff insist that *nihil fieri, nihil etiam esse sine ratione sufficiente* – that is, nothing cannot come into existence nor exist without a sufficient reason? The proposition suffers from vagueness. In the first instance, one should take care not to conflate the reason, why something exists, with the reason that something exists. In other words, the reason of existence (the question why?) should not be confused with the fact of existence itself (i.e. with the fact that something exists). In other words, the Principle of Sufficient Reason explains only why ...a thing – e.g. the world – exists, but not that it exists.⁹²

The final weeks of Forsskal's stay at Georg-Augustus-Universität Göttingen are being pieced together, thanks to the efforts of Professor Werner Heun, Institut für Allgemeine Staatslehre und Politische Wissenschaften (Göttingen University) and member of the Göttingen Academy of Sciences, and the Academy's Archivist, Christiane Wegener. Several documents have been retrieved from the archives, allowing light to be shone on that period:⁹³

- the *Vitae Ratio* submitted by Forsskal to the Dean of the Philosophy Faculty (9th May 1756);
- the document from Dean Gesner to colleagues regarding the consequent examination process (10th May 1756);
- the document concerning who is attending the examination process;
- the University Broadside, proclaiming Forsskal 'Doctorem Philosophiae et Magistrum' (12th June 1756); and
- the draft Diploma admitting Forsskal to the Academy of Sciences (dated May 1756, with June in the margin).

⁹² See, Oittinen, fn 84, op.cit., Peter Lang 2011, p 141

⁹³ The *Vitae Ratio*, the Broadside and the draft Diploma have been transcribed and translated by David Shaw and are available on the Project Forsskal website, see <http://www.peterforsskal.com/gottingen.html>; the letter from Gesner to his colleagues and the letter stating who will attend the examination have been translated by Gunilla Jonsson; she wishes to gratefully acknowledge the contribution made by Wolfgang Undorf, Librarian, Kungliga Biblioteket, Stockholm. These are currently on file with the present author and will be put up on the Project Forsskal website in due course

In sum, and this is also attested to by Torsten Steinby, it appears as if Forsskal underwent two examining processes. The first was the "kandidatexamen", which can be translated roughly in modern parlance as an exam for the "bachelor's degree" and concerned the subjects he studied: classical and Semitic philology, philosophy, politics, mathematics, physics and astronomy. It took the form of a "colloquium" before seven examiners and the Dean (*post*). The second, pursuant to the submission of *Dubia De Principiis Philosophiae Recentioris*, involved a process which culminated in Forsskal being created *Doctorem Philosophiae et Magistrum*. Steinby says that Forsskal's kandidatexamen marks are not preserved, but he finds some evidence in the 12th June Broadside which announces him as "Doctor Philosophiae et Magistrum" and also that he had passed all tests of learning "cum laude".

a) On 9th May, 1756, Peter Forsskal submitted his *Vitae Ratio*, to the

Honorable Dean [of the Faculty of Philosophy, Johann Matthius Gesner, Professor of Rhetoric and Poetry, and University Librarian] most reverend, excellent and distinguished gentlemen.....I now submit what I have achieved in these subjects, indeed what I would like to have achieved, for your kind examination by such a process as it may please you to establish; and I humbly ask that, if you should be able to accept this product of my modest abilities, you should create a power to approve it without a supervisor as a piece of literature.

b) Gesner wrote a letter to his colleagues the very next day, actually referring to Forsskal as 'dr. Forskål'. Gesner states that Michaelis had told him such good things about Forsskal, and considering the facts stated in the *Vitae Ratio*, that

I haven't found it necessary to hold a preliminary examination according to the statutes, especially if it can be arranged so that I do not speak with him just alone;... I will ask him respectfully, if it would suit him that we gather for examination in my house the coming Saturday afternoon at 5 o'clock?'

c) The document informing the Dean as to who will attend the exam lists: D. Heumann; S.C. Hollmann; JG Ribae; J.D. Michaelis; AUfeber[or "*Faber*"]; E. Mayer; and G Achenwall

d) The *Broadside* was issued on the 12th June 1756:

*JOHANN MATTHIUS GESNER,
Professor of Rhetoric and Poetry,
and University Librarian,
Dean of the Faculty of Philosophy,
by his decree
on 12 June 1756
has created and proclaimed the person, outstanding by intellect, learning and manners,
Peter Forsskål of Sweden,
after all legal requirement carried out with acclaim,
to be a Doctor of Philosophy and Master
and to certify this
I have had this diploma prepared with the seal of our faculty.*

One matter of uncertainty concerns the appellation “*Doctor of Philosophy*”. Firstly, the phrase should not be understood to mean what is meant by a contemporary “PhD”, e.g., in the UK. Secondly, according to Prof Dr Martin Fussel, Professor of Early Modern History at the Georg-Augustus Universitat Goettingen, the Philosophy Faculty was at that time engaged in a war of qualifications with the “higher” Faculties, i.e., Theology, Medicine and Law. Formally, only the Higher Faculties were empowered to award “doctorates”; “lesser” Faculties, e.g., Philosophy could only award Masters degrees. Does this imply that Gesner was attempting to “create facts” by using the term “doctorem” – notably awarded, not as would be the case today by the University *per se* but by “our faculty.”⁹⁴ Third, it is noteworthy that the process which resulted in Forsskal being created *Doctorem Philosophiae et Magistrum* seems to have dispensed with the convention that it be overseen by a *praeses*; he seems to have presided over the disputation himself. Forsskal’s request - ‘I humbly ask that, if you should be able to accept this product of my modest abilities, you should create a power to approve it without a supervisor as a piece of literature.’ – appears to have been granted. As Gunilla Jonsson notes, ‘...the title page of *Dubia* doesn't mention any *praeses*, otherwise a standard piece of information on the title page of a doctor's thesis.’⁹⁵

Dubia was subsequently published,

⁹⁴ See, I. Kant, *Der Streit der Fakultäten/the Conflict of the Faculties*, <http://m.friendfeed-media.com/91c8689f09ed3844c1dc69109084f41edf83c836>

⁹⁵ Personal email to the present author

by the Dutch bookseller-printer Élie Luzac who had been asked by the University to open an office in Göttingen...A second edition was published in Leipzig, probably also in 1756, by Gottfried Stopffel who worked there from 1746 to 1759...A third edition was published in Copenhagen, probably in 1760 when Forsskål was in Denmark preparing to join the expedition to Arabia Felix. The title page announces additional notes and supporting pieces, many of which document the scholarly reaction to the thesis and Forsskål's response to criticisms. The printer of this edition was the widow of Ludoph Henrik Lillie who had worked in Copenhagen from 1755 to 1758 and was succeeded by his widow from 1759 to 1765.⁹⁶

e) Then, at the tender age of 24, he was made a 'Corresponding Member' of the Physics Class, Academy of Sciences, Göttingen, the Konigliche Gesellschaft der Wissenschaften in Goettingen. A draft of the diploma for the award of the status of Corresponding Member, drawn up by Georg Christoph Hamberger, the official Secretary of the Academy survives in the Archive of the Academy of Sciences. It states,

...the Royal Society welcomes Peter Forskal a Swede, Doctor of Philosophy and Master of Arts, with the title of friend and colleague, and desires him to be a member through the exchange of letters [corresponding member] so that he might henceforth increase and perfect his discoveries in those areas of knowledge which he has already begun to distinguish, as a result of his own enjoyment, his personality, and his innate character, and that he might also share some of his discoveries with the Royal Society, and that he should always keep the Society in his thoughts as someone gripped by the love of those same sciences, and fittingly addressed as a true friend.

Forsskal's death in 1763 obviously prevented him becoming actively involved with the Academy of Sciences as might have been anticipated had he lived longer.

However, his Goettingen connection might yet be resurrected as attention focuses anew on his dissertation, *Dubia*. First, there is the hope mentioned above (fn 85) that it will be translated from 18th Latin. Second, is the claim made in Johan Dellner's treatment of Forsskal's philosophy (the only one, so far as the present author is aware) which was interrupted by Dellner's demise.⁹⁷ It was published posthumously in 1953, remaining rather, as Oittinen puts it, a 'collection of materials'. In it,

Dellner presented the bold assertion that Forsskål's Göttingen dissertation had been noticed by Immanuel Kant and that the critical remarks which Kant had, in his booklet *Untersuchung über die Deutlichkeit der Grundsätze der natürlichen Theologie und der Moral* (1764)

⁹⁶ See, <https://sites.google.com/site/davidshaw61/publications/publications-by-peter-forsskaal/forsskal-dubia-1756>

⁹⁷ Johan Dellner, *Forsskåls filosofi*, Stockholm, Natur och Kultur, 1953.

addressed against some ideas of Crusius, in fact should refer to Forsskål. It can thus be noted that Forsskål's critique against the "recent philosophy" builds on the same way of reasoning as Kant's slightly later (in the 1760's) published refutation of the Ontological Argument, which departed from the assertion that the existence is not a mere logical, but a real predicate. Because of Dellner's untimely death, this assertion has, however, remained unproved. Dellner had justified it only by some textual comparisons, which per se cannot yet convince. But even later [sic] no one has tried to examine the validity of Dellner's thesis.⁹⁸

Jens Timmerman⁹⁹ has searched Warda's *Kants Bücher*,¹⁰⁰ reporting that 'Forsskal's Göttingen dissertation is not in it', and also 'an electronic version of Kant's works (incl. letters) for Forsskal's name. The result was also negative.' Timmerman states, 'this doesn't mean that Kant didn't read the dissertation, but it does mean that the thesis that he did must remain speculative.' However, a question must be, would that category of document have made it into Warda's book? Whatever, this footnote in the history of philosophy does cry out, in the present author's opinion, for the further examination urged by Oittinen.

Endnote and contemporary relevance

For many years, the most splendid portrait of Forsskal hung in Salnecke Slott, near Uppsala, owned by the Gyllenadler family, descendants of Forsskal through his half-sister Johanna Catharina.¹⁰¹ It hung on a wall in the library/sitting room above a 32" flat screen television screen, that room being also the family's recreation room.^{102, 103} Now, having been bought in October 2013, it is to be found at Uppsala University. The portrait was probably painted by Paul Dahlman. However, Uppsala University's Curator of Art, Anna Hamberg, suggests that, 'There is still some doubts about the attribution so I can't confirm

⁹⁸ Oittinen, op.cit., fn 84, p 136

⁹⁹ Reader, Department of Moral Philosophy, University of St Andrews and Fellow, Kolleg-Forschergruppe "Normenbegründung", WWU Münster

¹⁰⁰ <https://archive.org/details/immanuelkantsb00warduoft>

¹⁰¹ See, http://en.wikipedia.org/wiki/Salnecke_Castle; "slott" is probably better translated into English in the case of Salnecke as "manor house"

¹⁰² <http://bit.ly/NZfoJu>

¹⁰³ See, the landing page of Project Forsskal's website, <http://www.peterforsskal.com>

that Dahlman is the artist...'¹⁰⁴ One explanation for the doubt is that, in a letter from Forsskal to Linnaeus, the Summary is translated as,

Could Linnaeus see to it that Forsskål's father [Johannes Forsskål] in Stockholm gets the address of the painter Paul Dahlman, so he can retrieve a frame ordered and paid for¹⁰⁵

The argument is then made that it is the "frame" that the father is going to pick up from the painter Dahlman rather than a painting as such. Thus, some people conclude that maybe it is not Dahlman who was the painter - although to the present author's knowledge, no other candidate has been proposed. The portrait was commissioned after Forsskal's appointment to the Danish expedition as a present for his father because Forsskal was not expected to be seen again for seven years.¹⁰⁶ Sadly, though, Peter Forsskal became ill¹⁰⁷ and died, aged 31, in Yerim in the state/region of Ibb, Yemen, on the 11th of July, 1763. He lies in an unmarked grave.¹⁰⁸

As noted, Peter Forsskal is known globally as a natural scientist and botanist, being an "apostle" of Sweden's greatest scientist, Carl Linnaeus. He is also known for being one of the explorers on the famous 1761 Danish expedition. The two new publications and the

¹⁰⁴ Personal email to the author; for Paul Dahlman (aka Pavel Martynovič Dalman), see the German art encyclopaedia, *Thieme-Becker*, <http://www.thieme-becker-vollmer.info/>. He studied under Johan Henrik Scheffel in Stockholm and went to St Petersburg in 1769; at the Academy there, he studied under Alexander Roslin, dying in St Petersburg on 13th August 1779 (thanks to Christine Jackson-Holzberg on the C-18 List who provided the information). He is mentioned in the *Uppsala universitets Årsskrift*, Akademiska bokhandeln 1904 (thanks to Jim Chevallier of the C-18 list for this information).

¹⁰⁵ See,

http://linnaeus.c18.net/Letters/display_sum.php?id_letter=L2787&person_from=Peter%20Forssk%E5I&person_to=Carl%20Linnaeus&date=24%20September%201760

¹⁰⁶ Rautiala, op.cit., fn 8, writes, 'Father Forsskål only extremely reluctantly gave consent for his son to undertake the long and dangerous journey to Arabia. He knew very well the hazards and that lives could be in danger. He had already lost his wife and two of his sons and had good reason to worry about the fate of his youngest son. Peter kept his head although parting from his father must have been difficult.'

¹⁰⁷ Most accounts repeat that he died of malaria, see e.g., Baack, fn 31; however, B.G. Niebuhr (Carsten Niebuhr's son) writes, fn 23, p 612, 'The climate, and the vexations which Forsskal had partly occasioned and partly augmented by his capriciousness, brought upon the latter [sic] a *bilious disorder*, of which he died at Yerim, July 11, 1763.' (emphasis added); and, rather surprisingly, Niebuhr writes, 'I am much more of the opinion, that our diseases were of our own fault.', see op.cit., fn 23, p 613

¹⁰⁸ Efforts are ongoing with locals in Yarim to find the spot, but, thus far, have proved unsuccessful. According to Hansen, he had to be buried in the middle of the night only after Niebuhr persuaded some locals to dig a grave out of town, the problem being he was not Muslim; the grave was subsequently dug up by graverobbers and, nothing being found, the body tossed aside. A Jew was ordered by the Governor to rebury the body. See also, 'Peter Forsskal died and was with great difficulty buried. Local hostility to having the grave of a Christian in their midst highlights the conservative Islam...', Review of *Yemen Engraved: Illustrations by foreign travellers 1680–1903*, <http://www.al-bab.com/bys/books/ingrams06.htm>

research project mentioned, *supra*, will regenerate discussion and knowledge both about it and Forsskal.

But, until “Project Forsskal” started its work (haltingly, from 1992 and intensively from 2008), almost no-one outside of a small coterie of Swedish scholars knew of Forsskal’s ideas about freedom of speech and information, as well as other Enlightenment values and ideas. *Tankar* places him in the top rank of Enlightenment authors. In the present author’s opinion, it is one of the least acknowledged jewels of Enlightenment literature. The words quoted at the start of this essay bear repetition. They still constitute one of the best rationales and the “mantra” for the 21st century’s dominant value: openness or transparency, not as an end in itself but to facilitate the possibility of every member of society contributing to its development for the good of all. If nothing else, the words expressed in the last paragraph of *Tankar* connect Forsskal – a most remarkable young man of the 18th century - to our era,

Finally, it is also an important right in a free society to be freely allowed to contribute to society’s well-being. However, if that is to occur, it must be possible for society’s state of affairs to become known to everyone, and it must be possible for everyone to speak his mind freely about it

These words, coupled with Uppsala University’s and the Chancellery’s refusal to permit the publication of *de libertate civili* and the subsequent banning of *Tankar*, cement his catalytic, albeit posthumous, contribution to the world’s first-ever freedom of information law.

And, as if all that were not enough, there is another and the least acknowledged or known about aspect to Forsskal, namely, his philosophical work, attested to by his nomination to the Academy of Sciences at Goettingen, aged just 24. Translating *Dubia* into other languages, as is planned starting in 2014, will facilitate access to it for a new generation of philosophers. Further, it will making further investigation and scrutiny of Dellner’s claim about Kant’s use of Forsskal’s ideas more feasible. Depending on the outcome, this may yet come to shake the world of the history of philosophy and make the name “Peter Forsskal” known for a new reason to many.

APPENDIX

Article 6

This freedom of the press will further include all exchanges of correspondence, *species facti*, documents, protocols, judgments and awards, whether they were produced in the past or will be initiated, maintained, presented, conducted and issued hereafter, before, during and after proceedings before lower courts, appeal and superior courts and government departments, our senior administrators and consistories or other public bodies, and without distinction between the nature of the cases, whether these are civil, criminal or ecclesiastical or otherwise in some degree concern religious controversies; as well as older and more recent appeals and expositions, declarations and counter-declarations that have been or will be submitted to the Chambers of Our Supreme Court as well as the official correspondence and memorials that have already been or may in future be issued from the Office of the Chancellor of Justice; although no one may be obliged to obtain and print more of all this, either *in extensor* or abridged as a *species facti*, than he himself requests and regards as adequate and which, when requested, shall immediately be issued to anyone who applies for them, on penalty of the provisions in the following paragraph but in criminal cases that have been settled by an amicable reconciliation between private individuals no one may, without the agreement of the parties, make use of this freedom as long as they remain alive; while also, if anything concerning grave and unfamiliar misdeeds and abominations, blasphemies against God and the Head of State, evil and cunning schemes in these and other serious criminal cases, superstitions and other such matters should appear in court proceedings or judgments, they shall be completely excluded.

Article 7

Whereas a legally correct *votum* does not have to be concealed in cases where a decision is arrived at only by the vote of the judge; and as an impartial judge has no need to fear people when he has a clear conscience, while he will, on the contrary, be pleased if his impartiality becomes apparent and his honour is thereby simultaneously protected from both suspicions and pejorative opinions; We have therefore, in order to prevent the several kinds of hazardous consequences that may follow from imprudent votes, likewise graciously decided that they shall no longer be protected behind an anonymity that is no less injurious than unnecessary; for which reason when

anyone, whether he is a party to the case or not, announces his wish to print older or more recent voting records in cases where votes have occurred, they shall, as soon as a judgment or verdict has been given in the matter, immediately be released for a fee, when for each *votum* the full name of each voting member should also be clearly set out, whether it be in the lower courts or the appeal and superior courts, government departments, executory authorities, consistories or other public bodies, and that on pain of the loss of office for whosoever refuses to do so or to any degree obstructs it; in consequence of which the oath of secrecy will in future be amended and corrected in this regard.

Article 9

In addition to the records of trials and other matters referred to above, everyone who has a case or other proceedings touching his rights before any court or public body whatsoever, as also before Ourselves, the Estates of the Realm, their select committees and standing committees, shall be free to print an account of it or a so-called *species facti*, together with those documents relating to it that he regards as necessary to him; although he should in this matter keep to the truth, should he be concerned to avoid the liabilities prescribed in law.