

## Abstracts

### **Legal Security, New Activation Policies and the Privatization of Social Services**

*Paul Van Aerschot*

During the last few years, social and labour policy has undergone a shift in focus, leading to the adoption of privatization and activation programmes. Both developments involve a redefinition of the responsibilities of the public administration and the individual. Also, they create risks for the latter's legal security. After a brief analysis of legal security with special reference to its preventive aspects, the author examines critically the new Finnish legislation on the activation of unemployed jobseekers and on the integration of immigrants. These new legal policies are characterized by widening discretionary powers of the authorities and by the introduction of pseudo-contractual instruments, which put a heavy strain on the protection of the legal security and the basic rights of the claimants. Also, privatization policies cause new legal security risks, connected with the role and structure of the formal and informal actors among which social policy tasks are redistributed.

### **Gender Based Violations: An idea of damages or ideal damage**

*Doris Murro*

Society has made efforts to protect private citizens from intrusions into their personal spheres and, thus, defined what is worth of protection and what is an intrusion. According to Chapter 1 Section 3 of the Swedish Damages Act, crime victims may claim for compensation due to violation of their personal integrity. Therefore, compensation for a violation of integrity depends on whether a deed is a criminal act according to the criminal law.

In criminal law, however, violations and damage are constructed from the standpoint of male violence, which is the very substance of our society. Male sexual power has still an ultimate cultural value in our society. The road towards bodily protection for women has been a long one. Women do not fit in the manmade standard which means that the integrity of women is systematically violated in our society and the violations down played in the judicial practice in spite of existing legislation.

## **Legal standing for the protection of public interests in environmental law**

*Robert North*

This article deals with the issue of standing in relation to public interests in environmental law. In Sweden – as well as in other Nordic countries – there is a tradition of permitting individuals to act in courts and in administrative instances only when they are representing individual interests. Public interests have been considered to be protected by the State and its institutions. During recent years, however, internationally there has been a development towards free standing for the protection of public interests. The article lists seven arguments to allow anybody to act judicially for the protection of public interests, which would strengthen protection of the public interest in environmental law.

## **Jurisprudential circles: A critique of the legal philosophy of Preben Stuer Lauridsen**

*Henrik Palmer Olsen*

From the mid 1970's to the mid 1990's Preben Stuer Lauridsen held the chair in jurisprudence at the Law Faculty in the University of Copenhagen. This article contains an analysis and a critique of his legal philosophy. The author tries to show that the criteria which Stuer Lauridsen uses as a basis for his definition of the concept of valid law are flawed for various reasons. Among these are an unclarified philosophical relativism and a lack of sensitivity to the fact that the formulation of a concept of law has an impact on the underlying social practices. It is argued that the consequence of this is that Stuer Lauridsen's position in legal philosophy is untenable.

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