

Abstracts

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Ethnic diversity and differential law proceedings

Evidence is presented as to the ethnic diversity in both crime rates and group crime profiles in The Netherlands. Some ethnic minorities differ in their attitudes and conception of crime and punishment from the mainstream of society. At various stages in the administration of justice procedure such differentials are being used in practice (though not fundamentally grounded) with the purpose of being more effective.

Multicultural criminal law decisions are also better understood by the defendants. Furthermore, questions are raised as to the legal acceptability of differential law proceedings and its desirability on the grounds of social and legal theory.

Sandra Rientjes

Biodiversity: introduction of a new concept in policy and research

Over the past ten years, the concept of biodiversity has become increasingly prominent in policy, research and general discussions concerning the natural environment. An analysis of the way in which this concept was introduced in the Netherlands indicates that both researchers and the NGO movement were to some extent critical of this new development, while in policy making circles there was rapid appreciation for the merits of biodiversity as a policy concept.

However, the biodiversity policy that was developed by Dutch conservation authorities does not appear to be substantively different from earlier nature conservation policies. Biodiversity policy builds on tendencies that were already present in policy making: to make the objectives of nature conservation policy more concrete and verifiable on the one hand, and to create wider social support and consensus concerning conservation on the other. This article analyses the relationship between these tendencies, macro-social developments and

the way in which the biodiversity concept was interpreted in Dutch policy. The role the biodiversity concept can play in creating and maintaining (discourse)coalitions is also examined.

Frank de Zwart

Affirmative action and the policy of identity in India

Most social scientists today agree that identity is a social construction, not a primordial given. They also agree that the state (through its power to dominate discourse) is a key agent in the process of identity construction. The literature on caste in India is illustrative. Caste used to be thought of as an ancient fact of Hindu life, but contemporary scholars argue that the caste system was constructed by the British colonial regime. The social construction thesis should apply a fortiori to a project begun by the Indian government almost fifty years ago and still going strong, namely affirmative action for the "backward classes." This project is strikingly similar to the British colonial project that ex hypothesi constructed the caste system. The government defines social categories (official constructions) under which people must register in order to qualify for the material rewards—jobs and education—that made these constructions real in their consequences. The tangible effects of affirmative action differ, however, from what the social construction theory predicts. The "backward classes" never emerged as a viable identity. What emerged instead was a multiplicity of castes. The government's prolonged attempt ever since independence to construct the "backward classes" only reinforced the caste system. The logic of affirmative action explains this unintended outcome.

Petra Schedler en Folke Glastra

Public information in the late modern society

With regard to public information in the Netherlands, the typically Dutch 'poldermodel' has become dominant in recent years. This poldermodel can be regarded as a process of negotiation between different players who, from various backgrounds and positions, for diverse reasons, and often with mutually divergent aims, have entered an exchange relationship with each other. Involvement and common responsibility are hereby crucial concepts. The opportunities offered by the poldermodel in the field of public information are however often overestimated. In this contribution we map out the shortcomings and the associated problems. We will thereby make use of the field theoretical perspective on public information. Thereafter we will make our comments and draw conclusions in the context of ideas and discussions with respect to the late modern society. Finally we conclude that developments within that context ask for a different conceptualization of public information.

Medard Hilhorst

Medical Ethics: needless misunderstandings

Ethical expertise and reflection in the context of health care differ from medical ethics as well as philosophical ethics as they were practiced in the past. Ethics will be described as a rather recent discipline, and the discussions it has led to and its significance for health care are characterized. Methodological differences will be put in perspective and are seen as fruitful skirmishes that serve an ongoing ethics practice.