

# Abstracts

**Bernard Steunenberg**

## **Euthanasia: The legislator offside**

For more than 20 years the lifting of the ban on euthanasia has been discussed in Dutch politics, but no statutory regulation has been passed by Parliament until this day. Despite the fact that this ban has not been lifted, the courts have permitted euthanasia in certain well-specified circumstances since the second half of the 1980s. This article discusses the legislature's inability to set a new policy and to deal with this issue. Using a model on judicial-legislative interaction, I analyze the decision making process on euthanasia in the Netherlands. The analysis shows that courts behaved as 'policy advocates' in dealing with euthanasia, that is, they were able to realize their own policy preferences within limits set by the political parties in government. This behavior of the courts made it very difficult, if not impossible for the governing parties to take initiative on euthanasia and introduce new legislation.

**Martin de Jong and Igor Mayer**

## **Bay Area model versus Status Quo: A comparison of two institutional models for decision making on transport corridors**

The course of decision making on transport corridors following two different institutional structures is compared in a social simulation. These two different structures – Status Quo and Bay Area model – comprise different rules of the game and different role conceptions of actors. The simulation was intended to introduce an alternative structure to current stakeholders in corridor development. After evaluation and validation of the games, it appeared that participants rated the alternative Bay Area model higher on all process and contents criteria measured. Social simulation is a safe way for actors to get acquainted with new and innovative institutional structures.

*Merijn Martens***Fairness of transportpolicy**

During the past century transport has become an indispensable part of vital societies and therefore it is sometimes argued that mobility is a fundamental human right, like the right on shelter and food. In this article the fairness of governmental policies in the area of transport is evaluated. The basic structure of the transport system and our intuitions on the fairness of these fundamentals can change in time. Before the Second World War the rationale within the transport policies was based on a notion of the common good while after the war the notions of individual freedom and equality became more important. The transport policy was demand-driven and everybody had equal access. The last two decades the notion of sustainability has overshadowed the notion of individual freedom. The supplement to the Fourth Policy Document on Spatial Planning and in the Second Traffic and Transport Structure Scheme, both published around 1991, explicitly broke with the demand-driven orientation. However, because the transport problems are still growing, it can be foreseen that the notion of equality will be discussed. New transport measures are entering the stage, like paylanes, high occupancy lanes (car sharing) and other types of target group lanes that favour certain groups within the society. The fairness and desirability of these new measures however ask for examination and social discussion.

*Hans van Dolron***On the realism of a (municipal) preventive general health policy**

Ten years after its adoption, the Wet Collectieve Preventie Volksgezondheid (Law Collective Health Prevention) is still under debate. It seems impossible to meet the official targets of this law. This failure is caused by the fact that the theoretical premises behind the legislation are not in line with reality. Furthermore, the government does not modify these premises in the light of new information. This is caused by a lack of political and institutional interest in the subject matter.

*Douwe van Houten***The role of moral arguments in policymaking:  
The case of the Act on the Agreement on  
Medical Treatment**

In the policy sciences policymaking processes are recently partly understood as argumentation processes in which moral arguments also play a role. Policy scientists speak about an argumentative turn, but can such a turn be reconstructed on the basis of an empirical case? This article analyses the policymaking process in the case of the Act on the Agreement on Medical Treatment in the Netherlands. This Act involves a combination of autonomy and professional responsibility. In this article the trajectory of this combination is analysed, based upon an empirical research after this policymaking process. After a historical overview moral aspects are taken into account more in detail. The moral arguments are rather implicit and did not play an important role in the policymaking process. However, people involved in this policymaking process understood themselves as moral actors. In fact, moral arguments have to be seen as a hidden agenda. As a conclusion we suppose that moral arguments play a role in policymaking processes, but do so in a very implicit way.