

## SUMMARIES

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### **Political Scientists and the Constitutional Reform**

By Ilkka Heiskanen

In the editorial article the author first discusses the possibilities and potentials of the Finnish political scientists to participate in the planned constitutional reform in the country. He then takes up the more general question, to what extent and how the political scientists should in general participate in political legislative reform. The author indicates the impossibility of the role of an impartial technocrat and recommends involvement in reforms aiming at more fundamental social changes. At the end the author discusses the possibilities of the political scientists to exert actual influence and get their recommendations and plans really accepted by the decision makers and bureaucrats.

### **Political Science and Science of Law**

By Antero Jyränki

The writer examines the relationship between political science and law. The function of a doctrinal study of law is viewed as the systematization and interpretation of legal statutes, while the student of the sociology of law is interested in the background and influence of legal norms. On the other hand, the sociology of civil law and political science have rather clear areas of common interest. When, for example, the role and influence of the committee system in the legislative process is studied, such research could just as well fall within the domain of both political science and sociology.

The writer claims that the sharp division of labor, which has existed up to now between civil law and sociology on the one hand and political science and sociology on the other, has meant that certain rather important segments of social life have been left either unstudied or at least understudied. This involves primarily an investigation of the interaction of civil law and society.

According to the writer, experience has shown that social scientists have not been able to probe the problematic aspects of civil law with sufficient depth. Such an undertaking would in fact suppose training in two disciplines:

one in the social sciences and the other in law. A coherent view of the problem areas pertaining to legal statutes is not acquired because of the inclination of social scientists to dissect the area under scientific investigation into small segments, from which »exact knowledge» may be obtained (under the strict canons of positivism).

A constitutional lawyer is in the best position today to view the various aspects and problem areas of constitutional law in their entirety. He also has a chance to bring up issues essential to an examination of the interaction relationship of legal norms and society. Further, he has the means at his disposal to seek answers to the issues raised.

In the view of the writer, an attempt should be made in the future to combine the particular methods and research approaches from several scientific fields, without clinging to »pure» law or »pure» political science. It is likewise hoped that group projects will be undertaken in social research and that this will lead researchers from different areas to examine the problems of constitutional law together. The main problem is to insure communication across the disciplines so that artificially erected boundaries do not prevent issues from being raised and knowledge from being generated.

#### **Finnish Constitution: The Values it Embodies and the Power Relations it Sanctions**

By Esko Riepula

The author first indicates how all constitutions necessarily embody the values and promote the goals of those who have been controlling the legislative process that has brought them forth. Thus the function of the constitution is to make the other members of society accept and conform to the normative views of the founders of the constitution.

The author then analyzes the origins of the Finnish constitution in order to indicate the values and power-oriented goals of their founders. He first analyzes the Act of Parliament of 1906 and indicates how it preserved via proportional representation, minority rules, limitations of the powers of Parliament and dominance of the executive sector the old social order and power structure of the old estate society. Similarly, the author analyzes the Form of Government of 1919 and indicates how it incorporates the idea of a strong executive with the rights of the President to disperse the Parliament and use his veto to bills passed in the Parliament. The author especially points out the impossibility of changing radically the present constitution by an act of the Parliament.

The author proceeds to point out how these characteristics really relate to the ideas of the founders of the constitution. Specifically he indicates how the bourgeois capitalistic ideas of the founders are reflected in the list of citizens' rights in the Form of Government. The list does not obligate the

state to act for the welfare of citizens or groups of citizens (the only obligation to protect the labor of citizens have become a dead letter) and its most important and cherished right has become the safeguard guaranteed to private property.

The author finally indicates, how the Finnish constitution has been perpetuated through the whole period of independence without any changes in the political-economic power relations it sanctions. This has been possible, because of the immunity of the constitution to the acts of simple majority of Parliament and the limited and conservative system of the legal interpretation of the constitution.