Dependency:
The emergence and legal construction
of a social risk in Europe

GOALS AND STAKES

- The recognition of an individual right to long-term care and the preservation of forms of family and intergenerational forms of solidarity;

- The possibilities of insuring the social integration of dependent elderly people, the perverse effects of the mechanism of long-term care, mainly as regards the social relations;

- The stakes in terms of no discrimination in access to employment and the conditions of employment between men and women of the accepted modalities of long-term care of the elderly;

- The relations and the vehicles of inter-normative influences within the European Union;

- The variability of technical solutions, the principle of subsidiarity and the socio-political cohesion of the European Union;

- The vitality, relevance, being out of phase and the challenging of the “European social model”.

METHODOLOGY

From the methodological perspective, this research project aims to implement a comparative legal approach. This attitude leads us to concentrate on fundamental notions and definitions as they come out of law, legal doctrine, jurisprudence, which is an exercise coming under comparative law. Moreover, research requires in general putting the question into a historical perspective of evolution of each country studied. Therefore we will also present recent legal reforms of the different countries studied and we'll analyse their main characteristics.

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