

Involuntary Sterilisation and Castration in Sweden, Norway and Finland: Unequal Remedies?

The paper takes a closer look at Sweden, Norway and Finland, three Nordic countries that established similar sterilisation and castration laws and/or administrative regulations during the last century. The regulations have built on state control and allowed for interventions against the will of the targeted individuals. The targeted groups have been heterogeneous but can generally be divided into three subgroups: poor and marginalised women (1930s–1970s), sexual offenders and ‘deviants’ (1930s–1970s) and trans people (1970s–today). While the majority of the practices have been abolished, the three otherwise similar states have legally conceptualised said practices very differently, particularly in terms of state responsibility and remedies for victims. Sweden, for example, has established *ex gratia* compensation to the victims of eugenic and socio-political sterilisation laws and trans victims of involuntary sterilisation. Norway, interestingly, has limited its extraordinarily established compensation scheme to *tatere* people. Finland, finally, has not established any remedies to any group and still requires trans people to get sterilised if they wish legal gender recognition. The different treatment of the groups gives rise to questions concerning inequality and discrimination. The paper, apart from posing such normative questions, also looks deeper into the analytical differences and investigates five legal and extra-legal factors: i) rights culture; ii) remedial and public liability culture; iii) victim mobilisation; iv) perception of victims and mass media attention; and v) public image and political party alliances. Through analysing such factors, the paper aims to understand the diversities between the countries of comparison.