

Central European University
Department of Public Policy
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EQUALITY POLICY IN COMPARATIVE APPROACH

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Credit number: 2
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Course level: M.A.

COURSE OBJECTIVES AND OVERVIEW

The main aim of this course is to familiarize students with how the abstract legal principle of equality is turned into policy and practice in Europe and beyond. Starting from what equality means as a basic legal principle and right in modern democratic systems, the course will move on to critically analyze the policy visions, policy approaches and policy tools used to put equality into practice. The literature to which the course refers will be interdisciplinary in nature with some texts of political philosophy, and legal theory, but mainly political science and policy theory writings.

The course will look at all grounds of inequality but especially at race and ethnicity, gender and disability, and devote special attention to the intersection between different inequality axes. The course will focus primarily on policy practice in Europe and North America. Students will be encouraged to bring documents, issues and cases from the policy environments with which they are most familiar.

The structure of the course will be fourfold, with each section being tackled over several classes.

- I. In a basic conceptual overview we will discuss the theoretical foundations of concepts such as equality, equality of opportunity, equality of results and procedural equality.
- II. Readings will explore the equal treatment, the equal opportunity and positive action, and finally the mainstreaming approaches, and also the relations between these approaches. Specific attention will be paid to broadening of the concept of equality from the narrow formal equality approach characteristic for the post WWII years to an increasingly accepted notion of substantive, transformative equality. Our main purpose here will be to shed light on some of the theoretical discussions behind these approaches, but also to look at how they translate in

practical policy measures and tools and what are the policy dilemmas that they generate.

- III. Readings and discussions will look at some of the specificities of the four core grounds of inequality discussed in the course: race and ethnicity; gender, disability and sexual orientation and present some contested and specific policy issues in relation to each. We will also specifically address the problem of intersectionality between inequality grounds and the specific policy issues brought up by it.
- IV. Topics in this section will look at the main policy-making levels on which equality policy is conceptualized and implemented, and the actors instrumental in this process: international and regional intergovernmental ones and non-governmental actors in interaction with states, both national and transnational. Our purpose here is to discuss specific equality related policy processes including the importance of transnational diffusion of norms, the role of intergovernmental, transnational and national actors in this process, but also the role of national enforcement, regulatory and implementation agencies specific to dealing with equality issues.

TEACHING METHOD AND LEARNING OUTCOMES

The course will meet once a week and work in a seminar format. The instructors will offer a conceptual frame and background knowledge to the theme of the session. The discussion of the assigned readings, which all students are expected to consult, will reveal the challenges that policy thinking and actions on a variety of inequality problems face in transnational and domestic contexts. Key questions for discussion are defined to all sessions (from session 2) which will assist students in interpreting and linking the readings. Moreover, these questions will also serve small group-based presentations. Two consecutive presentations will be scheduled at each session formulating the supporting and the contesting sets of arguments regarding the main questions, respectively. After the group presentations, all students are expected to take part in the discussion. Students are encouraged to bring their own questions to the discussion.

Each group presentation will be followed by the instructors' feedback in an email to group members. All students enrolled can have a possibility for discussing term paper topical choice with one of the course instructors. Term papers will be commented in writing through the intranet site of the course.

The course will sensitize students interested in larger and specific issues of governance, politics, and public policy to challenges of social diversity, cleavages and distinctions pertinent to most developed and new democracies and societies in transformations. Due to the nature of the topic, the course will invite students to develop their skills of critical thinking by understanding major theoretical, political and policy debates that shape considerations on the principles of social equality and justice. The teaching method will

ensure that students have to regularly synthesize different pieces of knowledge (discussion of the core readings), to critically evaluate the differences and overlaps of arguments (presentations), to do targeted small inquiries for relevant policy cases (term paper), and to develop their academic writing skills (written support to the presentation and term paper).

ASSIGNMENTS AND ASSESSMENT

(1) All enrolled students are expected to carefully consult with the required readings prior to the classes, ideally by taking notes. Active participation in the seminar discussions is expected from all students. The questions for discussion assigned to the sessions in the syllabus help student interpret the readings and identify the main conceptual puzzles, arguments, and debates related to the topic of the session. Students are expected to be prepared to reflect upon these questions in the class both individually or in the framework of the group-work. *Weight to the grade: 20%*

(2) Students should participate in the small group based presentations. These groups, composed by 2-3 students, will be formed at the beginning of the semester. Each group has to take presentation assignments at least 2 times in the semester. The group presentations should be concise and up to the point in not more than 10 minutes per group. To articulate talking points Powerpoint, Prezi, etc. presentation support instruments can be used but not more than 4-5 slides per group. Alternatively, print-out outlines (not more than half page long) should be offered to class members. Presentations shall be uploaded on the course intranet site within one week of the actual session. This is part of the assignment. Members of the groups are expected to collaborate in preparing for the presentation prior to the class and manage a reasonable division of labor in the oral and the written components of the task. *Weight to the grade: 30%*

(3) Students will write two papers of 2,000 words each. These will follow the genre of a position paper or of a critical essay. Papers should be connected to one of the equality debates discussed in class, and reflect on the literature assigned to the topic including some of the recommended readings. Preliminary discussion with the course instructors on the paper topics is encouraged. The deadline for the first paper will be the 20st of October. Deadline for the second paper will be adjusted to DPP exam schedules. *Weight to the grade: 50%*

Please note that late papers submitted after the deadline will be marked down by half of a letter grade per day. The papers should be double- or 1,5 spaced, appropriately referenced, and provide a bibliography of sources consulted. Please include the word count on the title page. All written assignments should be produced exclusively by the student who submits the work. Any text reproduction which is not clearly identified and attributed will have to be considered as plagiarism (see related provisions and guidance in the Student Handbook and other relevant University policies and regulations).

AUDIT STUDENTS

Audit students are expected to do all required readings and to actively participate in the class discussions and group work.

RECOMMENDED PREPARATION – VOLUNTARY ASSIGNMENT

According to cross-listing arrangements, the two key student bodies in the class room will come from DPP and Gender Studies Department. In order to comfortably handle the assigned readings and engage in group work, some preliminary readings are offered to the attention of students concerned.

Instructors recommend that students who are enrolled in programs other than the master programs of the DPP or SPP consult the first item below prior to immersing themselves into the course readings. This is to get insights in the basics of the policy language, conceptual frames, and styles of reasoning pertinent to policy studies, and within that, a broader equality agenda. In the same time, we propose that students with public policy engagement consult with one or the other item selected from the gender equality policy literature.

Introduction to Public Policy for Gender Studies Students:

Paul Cairney (2012) *Understanding Public Policy: Theories and Issues*. Palgrave MacMillan

Introduction to gender equality for Public Policy Students:

A chapter from: Lisa D. Brush (2003) *Gender and Governance* or

A chapter from: *The Oxford Handbook of Gender and Politics*. Edited by Georgina Waylen, Karen Celis, Johanna Kantola, and S. Laurel Weldon. OUP 2013

TOPICS AND READINGS

I. Introduction

Readings and discussions will overview the theoretical foundations of the equality concept and their roots in social, legal, and political theory.

1. First Week: Basic Concepts

This class will discuss dilemmas around defining categories used in equality policy. Questions addressed will include: Should equality policy thinking be informed by individualist or group based thinking? What are the specific groups whose members should be protected? What criteria define such groups and their members? Can we justify protection for traditional equality grounds such as ethnicity or gender, while neglecting poverty or class? In the second part of the class the basic equality policy conceptual framework used for the class will be introduced.

Readings

Sandra Fredman (2002) "The Scope of Discrimination Law: Grounds of Discrimination" in *Discrimination Law*. Oxford UP. Pp. 66-82

Sandra Fredman (2002) "Equality: Concepts and Controversies" in *Discrimination Law*. Oxford UP. Pp. 1-26

Recommended Readings

Iris Marion Young (1990) "Five faces of oppression" in *Justice and the Politics of Difference*. Pp. 39-66.

Owen Fiss (1976) "Groups and the Equal Protection Clause", 5 *Philosophy and Public Affairs* 107.

Nancy Fraser (2003) "Rethinking Recognition: overcoming displacement and reification in cultural politics" [in *Recognition Struggles and Social Movements: Contested Identities, Agency and Power*, edited by B. Hobson. Cambridge: Cambridge U.P.](#)

Michel Rosenfeld (1991) "Definition of key concepts" in *Affirmative Action and Justice*: Yale University Press: 11-42.

II. Visions of Equality

This section of the class will discuss the three different general approaches to equality and the policy tools related to them. The three approaches are: equal treatment, positive action for disadvantaged groups and, third, transformation through mainstreaming equality.

2. Second Week: Equal Treatment – Anti-discrimination

This week's class will discuss formal, procedural equality, and the principle of non-discrimination. Legal concepts of direct and indirect discrimination will also be introduced. The discussion will be geared towards understanding how formal procedural approaches to inequality prove to be insufficient in addressing the deeply rooted social problem of inequality.

Questions for debate: Is there a need for an anti-discrimination policy or more substantive interventions should replace it? What are its weaknesses and its advantages?

Readings

Sandra Fredman (2002) "Legal concepts: Direct, Indirect Discrimination, and Beyond" in *Discrimination Law*. Oxford UP. Pp. 92-116

Recommended

EC Race Directive (43/2000/EC)

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32000L0043:en:HTML>

Paul Brest (1976) The Supreme Court 1975 Term. Forward: In Defense of the Antidiscrimination Principle, 90 *Harvard Law Review* 1-55.

Andrew Koppelman (1996) "Process Based Theories" in *Antidiscrimination Law and Social Equality*. Yale University Press New Haven, London. Pp. 13-57

3. Third week: Positive Action and Equal Opportunities

Advanced understandings of discrimination will be introduced such as indirect discrimination and institutional discrimination. The concept of equal opportunities will be discussed along with different forms of positive action and preferential treatment. The class will also discuss affirmative action programs, and debates revolving around them. The distinction between process based and result based approaches will be addressed.

Questions for debate: Quota: in favor or against? What are the arguments that support introducing quota? What are the main criticisms that can be formulated? Fields to consider: higher education, politics, company boards.

Readings

PRO quota:

Jones, Hardy (1977) On the Justifiability of Reverse Discrimination. In Barry Gross ed. *Reverse Discrimination*. Buffalo: Prometheus Books: 349-357.

CON quota:

Sowell, Thomas (2004): The Past in the Future. In *Affirmative Action Round the World*. Yale University Press: 166-198.

Recommended:

- Sandra Fredman (2002) “Beyond Indirect Discrimination” and “Symmetry and Substance: Reverse Discrimination” in *Discrimination Law*. Oxford UP. Pp. 121-160
- Christopher McCrudden (1982) “Institutional Discrimination”, *Oxford Journal of Legal Studies*, Vol. 2, No. 3. Pp. 303-367.
- Colm O’Cinneide (2006) ‘Positive Action and the Limits of the Law’ in *Maastricht Journal of European and Comparative Law*. Vol. 13/3. Pp. 351-365.
- Andrew Koppelman (1996) “Result-based Theories” *Antidiscrimination Law and Social Equality*. Yale University Press New Haven, London. Pp. 57-115
- Thomas Nagel (1977) “Introduction” in Cohen, Nagel, Scanlon eds. *Equality and Preferential Treatment*. Princeton UP. Princeton, New Jersey. Pp. VII-XIV.
- European Commission (2009) [International perspectives on positive action measures - A comparative analysis in the European Union, Canada, the United States and South Africa](#) (selected parts: chapter 2-3)
- European Parliament (2012) *Gender Quotas in Management Boards*. Brussels.
<http://www.europarl.europa.eu/studies>
- Strasser- Gachter (2008) “The Benefits of Positive Action” FRA thematic paper
http://fra.europa.eu/fraWebsite/attachments/FRA_thematicpaper_positiveaction_ICM_PD_en.pdf
- EC (2007) *Putting Equality into Practice: What Role for Positive Action*
http://ec.europa.eu/justice/discrimination/document/index_en.htm
- Ronald Dworkin (2005) “Affirmative Action: Does It Work?” and “Affirmative Action: Is It Fair?” in *Sovereign Virtue. The Theory and Practice of Equality*. Harvard UP. Pp.386-427

4. Fourth Week: Mainstreaming equality

This week the concept of mainstreaming equality will be discussed. Mainstreaming is the most novel approach to equality, which purports to transgress both the logic of the equal treatment and of the positive action approach, by suggesting a thorough cultural transformation of the society.

Discussion in the class will address dilemmas and tensions rising from putting mainstreaming into practice.

Question for discussion: Can mainstreaming be useful on different inequality grounds? What can be lost and gained by applying the tool of mainstreaming compared to targeted (positive) actions? Can mainstreaming be applied efficiently?

Readings

Council of Europe “Gender mainstreaming. Conceptual framework, methodology and presentation of good practices.” Final report of Activities of the Group of Specialists on Mainstreaming (EG-S-MS). Strasbourg, May 1998

Recommended

- EC (2011) Compendium of Practice on Non-Discrimination/Equality Mainstreaming
http://ec.europa.eu/justice/discrimination/files/compendium_mainstreaming_equality_en.pdf
- Fiona Beveridge, Sue Nott & Kylie Stephen (2000): Mainstreaming and the engendering of policy-making: a means to an end? *Journal of European Public Policy*, 7:3, 385-405
- Mark A. Pollack & Emilie Hafner-Burton (2000): Mainstreaming gender in the European Union, *Journal of European Public Policy*, 7:3, 432-456
- Sonia Mazey (2002) Gender Mainstreaming Strategies in the EU: Delivering on an agenda? *Feminist Legal Studies*. 10:227-240
- Mieke Verloo (2005). Displacement and Empowerment: Reflections on the Concept and Practice of the Council of Europe Approach to Gender Mainstreaming and Gender Equality. *Social Politics*, 12(3), 344-365.
- Sylvia Walby (2005) "Gender Mainstreaming: Productive Tensions in Theory and Practice" *Social Politics: International Studies in Gender, State and Society*. Volume 12, Number 3, Fall, pp. 321-34
- Bent Greve (2009) The labour market situation of disabled people in European countries and implementation of employment policies: a summary of evidence from country reports and research studies. University of Leeds
<http://www.disability-europe.net/theme/employment/employment-disabled-people-european-countries>

5. Fifth Week: Three modalities of Equality Policy

Equality policy approaches discussed above will be brought together during this class to discuss their complementarities and tensions. Their practical applicability will be tested. Students will analyze policy texts in small groups and will aim to identify translation of the three approaches into practice.

Questions for discussion:

Do equality approaches appear separately or they tend to complement each other within policy documents? Can positive action be told apart from mainstreaming? Are the different approaches differently relevant for the different inequality grounds?

Reading:

Teresa Rees (1998) *Mainstreaming Equality in the European Union: Education, Training and Labour Market Policies*, London: Routledge, Chapter 3 "Conceptualising Equal Opportunities" (p.26-49)

Recommended:

Booth, C. and Bennett, C. (2002). Gender mainstreaming in the European Union: towards a new conception and practice of equal opportunities? *European Journal of Women's Studies*, 9(4), 430-446.

III. Specific grounds of equality

Having discussed the more general approaches to equality, the course will turn to examine the specifics of the different grounds of inequality. The main question addressed in this part of the course will be: Can different inequality grounds be handled together theoretically and by policy? Are there any specifics of the different inequality grounds that merit special attention? Should the holders of multiple intersecting inequalities be treated as worth of specific consideration?

6. Sixth Week: Gender Equality

We will specifically discuss how gender inequality is different from racial inequality and what constitutes its specificity, if anything. The main issues to be discussed will revolve around the concepts of sameness and difference and how these construct the understanding of gender inequality. We will address the problem of inequality in the private – family –sphere and how it impacts on gender inequality and we will discuss the issue of sexual violence as another issue that is particularly relevant if gender inequality and discrimination is to be understood. Discussion should also touch on whether sexual harassment is specific to gender equality or whether harassment cuts across all equality grounds.

Questions for discussion:

What challenges does gender equality thinking create for maintaining firm boundaries between the private and the public? Why can the fight against violence become an issue building alliance for action across regions and cultures in the world in spite of the fact that the legitimation of violence can be locally specific?

Readings

Sandra Fredman and Erika Szyszczak (1992) “The Interaction of Race and Gender” in *Discrimination and the Limits of the Law* edited by Bob Hepple and Erika Szyszczak. Mansell Publishing, London. Pp. 214-227
 Catherine MacKinnon “Equality Remade: Violence against Women” in *Are Women Human?* Harvard UP.2006. Pp. 105-111

Recommended

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), and important general recommendations and optional protocol
<http://www.un.org/womenwatch/daw/cedaw/>
 European Women’s Lobby (2010) From Beijing to Brussels. An Unfinished Journey.
<http://www.womenlobby.org/spip.php?article124&lang=en>
 Nancy Fraser (1994) After the Family Wage. Gender Equity and the Welfare State. *Political Theory*, Vol. 22. No.4: 591-618.
 Kimberly Morgan & Kathrin Zippel (2003) “Paid to Care: The Origins and Effects of Care Leave Policies in Western Europe” in *Social Politics* 10/1. Pp. 49-85

- Dobash & Dobash (1992) *Women, Violence and Social Change* Chapter 4: The State, Public Policy and Social Change. Routledge. Pp. 99-145
- Diane Sainsbury (2009) "Gendering the welfare state" in *Politics, Gender and Concepts* eds. Goertz and Mazur. CUP. Pp. 94-114
- Jane Manslow Cohen (1994) "Private Violence and Public Obligation: The Fulcrum of Reason." In *The Public Nature of Private Violence* eds Finneman & Mykitiuk. Routledge. Pp. 349-383

7. Seventh Week: Ethnicity and Race

Specifics of inequality on grounds of race or ethnicity will be discussed as structural forms of discrimination typical for this ground, such as segregation in different social fields, and minority rights, which constructs the concept of equality along the diversity of ethnic groups. Discussion of the two distinct issues will converge in a debate about the group of Roma; a specific group whose protection points both towards de-segregation policies as well as minority rights policies.

Questions for Debate:

What is the better way to protect ethnic groups? Is the right to be different the solution? Is the right to be the same the solution? One group will argue for minority rights the other for sameness rights.

Readings

Kristin Henrard (2007) Equal Rights versus Special Right? *Minority Protection and the Prohibition of Discrimination. European Commission*. Parts I, II, V.

Recommended

EU Framework for National Roma Integration Strategies up to 2020

http://ec.europa.eu/justice/policies/discrimination/docs/com_2011_173_en.pdf

Act LXXVII of 1993 on the Rights of National and Ethnic Minorities (Hungary)

http://www.minelres.lv/NationalLegislation/Hungary/Hungary_Minorities_English.htm

Charles Taylor (1992) *Multiculturalism and the Politics of Recognition*, Princeton University Press.

Kymlicka, Will (1995) "Freedom and Culture" in *Multicultural Citizenship*. Oxford UP: 75-106

Lilla Farkas (2007) *Segregation of Roma Children in Education. Addressing Structural Discrimination through the Race Equality Directive*. European Commission. DG Employment, Social Affairs and Equal Opportunities.

http://ec.europa.eu/employment_social/fundamental_rights/pdf/legnet/seg07_en.pdf

European Parliament (2011) *Measures to promote the situation of Roma EU citizens in the European Union*. A study. http://www.euromanet.eu/upload/77/37/EP_Roma.pdf

European Commission (2010) *Improving the tools for the social inclusion and non-discrimination of Roma in the EU*. Report

Greenberg, Jack. 2010. "Report on Roma Education Today: From Slavery to Segregation and Beyond." *Columbia Law Review* 110:919-1348.

Ruud Koopmans (2010): Trade-Offs between Equality and Difference: Immigrant Integration, Multiculturalism and the Welfare State in Cross-National Perspective, *Journal of Ethnic and Migration Studies*, 36:1, 1-26

Court cases:

Plessy v Ferguson; *Brown v Board of Education*

ECHR Cz Roma in special education case or other successful Roma segregation case

8. Eighth Week: Disability

The main question to be answered this week is: how inequality on grounds of disability, a relative newcomers to equality policy, is different from the classical grounds of race and gender? We will look at the process of transforming a mainly medicalized, social welfare grounded approach to disadvantage caused by disability to a human rights approach. Along this wider policy shift, we will also discuss the concept most specific to disability discrimination, namely reasonable accommodation.

Questions for discussion:

Is the category of disability meaningful as a unitary ground? Is reasonable accommodation connected to the right to be free from discrimination or it can rather be seen as a form of positive action? Are the equality policy issues brought up by sexual orientation different from those connected to gender inequality? One group will argue for similarity with gender and ethnicity, the other for difference.

Readings

Sandra Fredman (2005) "Disability Equality: A Challenge to the Existing Anti-Discrimination Paradigm?" in *Disability Rights in Europe: From Theory to Practice* edited by A. Lawson and C. Hart Publishing, Oxford. Pp. 199-218

Recommended

Lisa Waddington (2001) "Evolving Disability Policies: From Social-Welfare to Human Rights. An International Trend from a European Perspective", 19/2 *NQHR*

Lisa Waddington and Aart Hendriks (2002) "The Expanding Concept of Employment Discrimination in Europe: From Direct and Indirect Discrimination to Reasonable Accommodation Discrimination", 18/3 *IJCLLR*, p. 403

European Commission (2011) Compendium of good practice Supported Employment for people with disabilities in the EU and EFTA-EEA.

http://ec.europa.eu/justice/discrimination/files/supported_employment_study_compendium_good_practice_en.pdf

UN Convention on the Rights of Persons with Disabilities

<http://www.un.org/disabilities/default.asp?navid=13&pid=150>

9. Ninth Week: Intersectionality, Competing Inequalities

Having seen the commonalities of equality policy on different grounds and than the specifics of each ground, this week we will move on to understand what happens if inequality grounds intersect: what are the consequences of intersectionality for categories and for group boundaries and how does the concept impact on policy answers? Both structural and political intersectionality will be discussed.

Questions for debate: Does talking about disadvantages of intersectional groups limit the efficiency of protection for the main status groups such as Roma, women or LGBT groups? One group will argue that it does, the other will argue in favor of adopting an intersectional approach.

Readings

Kimberle Crenshaw (1991) Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Color. *Stanford Law Review*, Vol. 43, No. 6. 1241-...

Fredman, Sandra (2005), 'Double trouble: Multiple discrimination and EU Law', *European Anti-discrimination Law Review* 2: 13-19.

Recommended

Lídia Balogh and Kóczé Angéla 2011. *Current Issues in Europe Regarding the Social and Political Inclusion of Romani Women*. Női Érdek-European Women's Lobby.
http://noierdek.miria.hu/wp-content/uploads/2011/10/Romani_women_social_inclusion-in-Europe.pdf

European Network of Migrant Women (2011) Family Reunion Legislation: is it discriminatory for migrant women?
http://www.migrantwomennetwork.org/IMG/pdf/Family_reunification_ENoMW_2011.pdf

Ange-Marie Hancock (2007) 'When Multiplication Doesn't Equal Quick Addition: Examining Intersectionality as a Research Paradigm', *Perspectives on Politics* 5 (1), 63-79.

Siim, Birte ; Skjeie, Hege (2008) Tracks, intersections and dead ends: state feminism and multicultural retreats in Denmark and Norway. /.In: *Ethnicities*, Vol. 8, No. 3, 2008: 322-344.

European Commission (2007) Tackling Multiple Discrimination : Practices, policies and laws (23/11/2007)

Multiple Discrimination. Thematic issue. 2009 *Roma Rights. Journal of the European Roma Rights Center*. No. 2 <http://www.errc.org/cikk.php?cikk=3564>

Fundamental Rights Agency (2010) *Homophobia, transphobia and discrimination on grounds of sexual orientation and gender identity*. Comparative Legal Analysis.

IV. Equality policy-making

This final part of the course will look into equality policy processes investigating specifically the three main levels where equality policy is made, contested and implemented, and the way in which these three levels interact.

10. Tenth Week: Civil Society in Interaction with the State

Our focus will be on discussing the essential role of non-governmental advocacy groups and networks (national and international alike) in shaping, implementing and enforcing equality rights and policy in interaction with state and intergovernmental organizations. We will concentrate on the role of public interest litigation, national level non-governmental organizations representing protected groups and transnational advocacy movements. We will also reflect on the role of institutions giving voice and presence to groups protected by equality policies, such as regulatory agencies and enforcement agencies.

Readings

Krizsan, Andrea, Hege Skjeie, Judith Squires (2012) “European Equality Regimes: Institutional Change and Political Intersectionality” in Krizsan, Skjeie, Squires eds. *Institutionalizing Intersectionality*. Palgrave MacMillan.

Stetson DE and Mazur A (1995). *Comparative State Feminism*. Introductory chapter.

Recommended

Eva Sobotka (2011) Influence of Civil Society Actors on Formulation of Roma Issues within the EU Framework. *International Journal on Minority and Group Rights* 18 (2011) 235–256

Martin MacEwen ed. (1997) *Anti-Discrimination Law Enforcement. A Comparative Perspective*. Introductory chapter. Ashgate Aldershot. Pp.1-30.

Rikki Holtmaat (2007) Catalysts for change? Equality Bodies according to Directive 2000/43/EC http://www.migpolgroup.com/publications_detail.php?id=159

Carol Bacchi (2006) “Arguing for and Against Quotas” in *Women, Quotas and Politics* ed. Drude Dahlerup. Routledge.

Laurel Weldon (2002) “Beyond Bodies: Institutional Sources of Representation for Women in Democratic Policy-Making” *The Journal of Politics*. Vol.64, No.4, pp.1153-1174

Joyce Outshoorn and Johanna Kantola (2007) “Introduction” and “Conclusions” in Outshoorn and Kantola eds. *Changing State Feminism*. Palgrave Macmillan.

Johanna Kantola, Kevat Nousiainen (2009) “Institutionalizing Intersectionality in Europe” in *International Feminist Journal of Politics* 11:4, 459-477

Fiona Williams (2003) ‘Contesting “Race” and Gender in the European Union: A Multi-layered Recognition Struggle for Voice and Visibility’, In B Hobson, ed. *Recognition*

- Struggles and Social Movements: Contested Identities, Agency and Power*, New York: CUP. Pp. 121-144
- James Goldston (2006) "Public Interest Litigation in Central and Eastern Europe: Roots, Prospects, and Challenges" *Human Rights Quarterly*. Vol 28, Number 2. pp. 492-527
- Alison Woodward (2004) "Building Velvet Triangles: Gender and Informal Governance." in *Informal Governance and the European Union* edited by Simona Piattoni and Thomas Christiansen, London: Edward Elgar. Pp. 76-93
- Mary Bernstein (2002) "Identities and Politics: Toward a Historical Understanding of the Lesbian and Gay Movement" *Social Science History*, Volume 26, Number 3, Fall 2002, pp. 531-581

11. Eleventh Week: International and Regional Level

A very important level for shaping and diffusing equality norms is the international level. This week we will look at international intergovernmental instruments and mechanisms influencing equality policy at national level. We will particularly look at UN legal instruments and implementation mechanisms such as the race, gender and disability rights related conventions and their enforcement mechanisms; and the EU level instruments defining equality policy and impacting on national states.

Discussion, debate

The topic is one with which all students had some experience. We propose to have an interactive session. Therefore we ask you all to think of a story in which the international or the regional level (European or other) has played a role in defining equality policies, practices or their implementation. Could be intergovernmental, transnational or other. Given the very different backgrounds of students in class a good variety of international influences should emerge from the stories that could provide a platform for discussion. Telling your story should not take more than 3-4 minutes.

Readings

Christopher McCrudden (2001) "International and European Norms Regarding National Legal Remedies for Racial Equality" in *Discrimination and Human Rights. The Case of Racism* edited by Sandra Fredman. Oxford UP. Pp.251-307.

Recommended

- Susanne Zwingel (2005) From intergovernmental negotiations to (sub)national change. A transnational perspective on the impact of CEDAW. *International Feminist Journal of Politics* 7:3, 400-424.
- M. Keck and K. Sikkink (1998) "Transnational networks on violence against women." In *Activists Beyond Borders*. Cornell University Press. Pp.165-199
- Charlotte Bretherton (2001) "Gender mainstreaming and EU enlargement: swimming against the tide?" *Journal of European Public Policy* 8:1 February: 60-81
- Jo Shaw (2005) 'Mainstreaming Equality and Diversity in the European Union'. *Current Legal Problems*. Vol 58: 255-312

- Krizsan, Andrea (2009) From formal adoption to enforcement. Post-accession shifts in EU impact on Hungary in the equality policy field. In: Frank Schimmelfennig and Florian Trauner (eds): Post-accession compliance in the EU's new member states, *European Integration online Papers (EIoP)*, Special Issue 2, Vol. 13(22)
<http://eiop.or.at/eiop/texte/2009-022a.htm>.
- Buzogany, Aron (2012) Swimming Against the Tide: Anti-Discrimination Advocacy in Central and Eastern Europe. In Lombardo and Forest (eds.) *The Europeanization of Gender Equality Policies. A Discursive-Sociological Approach*. Basingstoke: Palgrave MacMillan.

12. Twelfth week: Concluding Session

Wrapping up main ideas and concepts discussed throughout the class. Possibly guest lecturer: expert involved in equality policy making processes.

ANNEX

Readings on sexual orientation:

- Richardson D. (2000) Constructing sexual citizenship: Theorizing sexual rights. *Critical Social Policy* 20(1), 105-135.
- Bernstein, M. 2011. "United States: Multi-Institutional Politics." In M. Tremblay et al. *The Lesbian and Gay Movement and the State: Comparative Insights into a Transformed Relationship*. Surrey: Ashgate, 197-211.
- Gert Hekma and Jan Willem Duyvendak (2011) The Netherlands: depoliticization of homosexuality and homosexualization of politics. In M. Tremblay et al. *The Lesbian and Gay Movement and the State: Comparative Insights into a Transformed Relationship*. Surrey: Ashgate.
- Smith, M. 2011. "Canada: The Power of Institutions." In M. Tremblay et al. *The Lesbian and Gay Movement and the State: Comparative Insights into a Transformed Relationship*. Surrey: Ashgate, 73-87.