



Workshop

GRAMMARS OF EQUALITY: A TRANSATLANTIC CONVERSATION

Nov. 28, 2014 / March 13, 2015 / May 29, 2015

A large part of the literature on Gender & the Law and on equality law more broadly has originated from scholars based in American, British, Australian or Canadian institutions. Such scholarship has served as inspiration for academics but also policy-makers in other legal and geographical contexts. This sometimes gives rise to some difficulties and/or misunderstandings as legal or critical concepts are often context-dependent and either do not make sense or do not make the same sense when transplanted into foreign settings. In three workshops which will take place in Paris during the academic year of 2014-2015 we will focus respectively on the history, the concepts and the practice of equality. The main idea is to foster an authentic historical, conceptual, technical and comparative dialogue on Equality and Anti-Discrimination Law.

This workshop series is supported by the programme REGINE, the labex TranferS and the CREDOF (Centre de recherche et d'études sur les droits fondamentaux) at the Centre de théorie et analyse du droit (UMR 7074). It is coordinated by Mathias Möschel (Central European University, Budapest) and Stéphanie Hennette Vauchez (Université Paris Ouest Nanterre la Défense).



WORKSHOP 1/ History, Politics and Cultures of Equality: a transatlantic dialogue

Date: Nov. 28, 2014

Place: Université Paris Ouest Nanterre La Défense, bâtiment F, room 352.

Participants:

Laure BERENI (CNRS), Daniel BORRILLO (Université Paris Ouest Nanterre), Eric FASSIN (Université Paris 8), Angela HARRIS (University of California Davis), Tanya HERNANDEZ (Fordham Law School), Maleiha MALIK (King's College, London), Patrick SIMON (INED), Iyiola SOLANKE (University of Leeds), Louis-Georges TIN (Conseil représentatif des associations noires de France / Université d'Orléans).

The aim here is to unearth the history, politics and cultures of equality struggles on both sides of the Atlantic from past to present. We are particularly interested in understanding in which domains such struggles have emerged, whether and how they have either served in order to expand equality to other domains or whether they have been pitted against each other, and ultimately whether the specific history and politics also led to specific concepts. The relationship between North America, the European Union, and European domestic legal orders will be privileged as one within which there is intense normative circulation.

WORKSHOP 2/ Conceptual platforms of Equality and Anti-Discrimination Law

Date: March 13, 2015

Place: École normale supérieure, Paris

Participants: Emmanuelle BRIBOSIA (Université Libre de Bruxelles), Sandra FREDMAN (University of Oxford), Deborah RHODE (Stanford Law School), Isabelle RORIVE (Université Libre de Bruxelles), Ruth RUBIO MARIN (European University Institute), Julie SUK (Cardozo Law School), Joan WILLIAMS (UC Hastings). *French scholars to be added*

Equality, non-discrimination, indirect discrimination, disparate impact, reverse discrimination, affirmative action, parity, formal and substantive equality, transformative equality, intersectionality, multiple discrimination, reasonable accommodation, quotas or set-asides, stereotyping... The concepts that populate the normative and scholarly discussions over Equality and Anti Discrimination law are numerous and generate their fair share of misunderstandings in international and transatlantic conversations. To be sure, a lot of theoretical literature already exists on these various concepts; and the goal of the workshop certainly is not to add to the confusion. Rather, it posits that the best way to clarify the debate is to adopt a bottom-up approach.

WORKSHOP 3/ Norms, institutions, practices and methods of Equality law

Date: May 29, 2015

Place: École normale supérieure, Paris

Participants: Eric CHRISTIANSEN (Golden Gate University), Chai FELDBLUM (Equal Employment Opportunity Commission, Washington), Elizabeth HOLZLEITHNER (University of Wien), Luis Jimena QUESADA (European Committee on Social Rights)... *(to be continued)*

This workshop will look at the practical aspects of Equality law, and try to make sense of the ways in which equality law plays out on the ground. More specifically we are interested in understanding the constraints or possibilities opened by the concrete institutions and avenues to enforce equality claims through law. Questions such as whether a specific setup can have certain advantages or disadvantages (for example, does a federal system or a multilayered system such as that in Europe) will be explored by proposing concrete fact patterns and discussing how a specific claim would be addressed in each person's/institutions system.