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Lang Richard (Richard A.)
Complex equality and the Complex equality equ

Complex equality and the Court of Justice of the European Union:

reconciling diversity and harmonization / / Richard Lang; with

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Sommario/riassunto

The equality jurisprudence of the Court of Justice of the European Union has long drawn criticism for its almost total reliance on Aristotle's doctrine that likes should be treated like, and unlikes unlike. As has often been shown, this is a blunt tool, entrenching assumptions and promoting difference-blindness: the symptoms of simplicity. In this book, Richard Lang proposes that the EU's judges complement the Aristotelian test with a new one based on Michael Walzer's theory of

Complex Equality, and illustrates how analysing allegedly

discriminatory acts, not in terms of comparisons of the actors involved, but rather in terms of distributions and meanings of goods, would enable them to reach decisions with new dexterity and to resolve conflicts without sacrificing diversity.