

1. Record Nr.	UNINA9910964660503321
Autore	Lang Richard (Richard A.)
Titolo	Complex equality and the Court of Justice of the European Union : reconciling diversity and harmonization / / Richard Lang ; with foreword by Mark Bell
Pubbl/distr/stampa	Boston : , : Brill, , 2018
ISBN	9789004354265 9004354263
Descrizione fisica	1 online resource (xiv, 376 pages)
Collana	Nijhoff studies in European Union law, , 2210-9765 ; ; v. 14
Altri autori (Persone)	BellMark <1974->
Disciplina	342.2408/5
Soggetti	Equality before the law - European Union countries Discrimination - Law and legislation - European Union countries Equality - Philosophy Distributive justice Cultural pluralism
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Nota di bibliografia	Includes bibliographical references and index.
Nota di contenuto	Introduction / Richard Lang and Mark Bell -- Michael Walzer and Complex Equality / Richard Lang and Mark Bell -- The Principle of Equal Treatment of Persons Irrespective of Gender / Richard Lang and Mark Bell -- The 'Article 19' grounds: Racial or ethnic origin, religion or belief, disability, age, and sexual orientation / Richard Lang and Mark Bell -- Nationality Discrimination / Richard Lang and Mark Bell -- Semi-Suspect and Non-Suspect Grounds / Richard Lang and Mark Bell -- Reflections / Richard Lang and Mark Bell -- Presenting a Theory of Mediated Complexity / Richard Lang and Mark Bell -- Evaluation / Richard Lang and Mark Bell -- Conclusion / Richard Lang and Mark Bell.
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.
