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Discrimination Law by Fredman FBA, Sandra (Professor of Law and Fellow of Exeter College Oxford). Paperback / softback. As New. A highly readable introduction to equality law and how it has adjusted to new and complex problems. Including an historical overview and comparative analysis, it thematically illuminates and discusses the major issues in discrimination law.

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Discrimination law . Chapter 1: "Equality: Concepts and Controversies" (pp.1-26). DIGITISED extract. Licensed for use by students registered on this course.

A highly readable introduction to equality law and how it has adjusted to new and complex

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problems. Including an historical overview and comparative analysis, it thematically illuminates and discusses the major issues in discrimination law. This edition incorporates recent changes to the law, most importantly the Equality Act 2010.

Equality is an ideal to which we all aspire. Yet the more closely we examine it, the more its meaning shifts. How do we explain how equal treatment can in effect lead to inequality, while unequal treatment might be necessary in order to achieve equality? The apparent paradox can be understood if we accept that equality can be formulated in different ways, depending on which underlying conception is chosen. In this highly readable yet challenging book, Sandra Fredman examines the ways in which discrimination law addresses these questions. The new edition retains the format of the highly successful first edition, while incorporating the many new developments in discrimination law since 2002, including the Equality Act 2010, human rights law, and EU law. By using a thematic approach, the book illuminates the major issues in discrimination law, while at the same time imparting a detailed understanding of the legal provisions. The comparative approach is particularly helpful; by examining comparable law in the US, India, Canada, and South Africa, as well as the UK, the book exposes common problems and canvasses differing solutions. As in the previous edition, the book locates discrimination in its wider social and historical context. Drawing on the author's wide experience of equality law in many jurisdictions, she creates an analytic framework to assess the substantive law. The book is a thought-provoking and accessible overview of the way in which equality law has adjusted to new and increasingly complex challenges. It concludes that progress has been evident, but uneven. Those dedicated to equality still face an exacting, but ultimately deeply rewarding, task.

This updated edition offers a fresh approach to the law governing employment relations, emphasizing the contemporary policy themes of social inclusion, competitiveness, and the rights of citizenship in the workplace. It acts as a succinct and accessible overview for those new to the subject as well as an excellent summary for students. *Employment Law* covers all the main areas of the subject including contracts of employment, anti-discrimination law, trade unions, industrial action, and human rights in the workplace. It also discusses how UK law, under the influence of EU law and international protection of human rights, has been transformed for the twentieth-first century by pursuing new goals such as helping to achieve a better balance between work and life, to improve the competitiveness of business through partnership institutions, and to provide superior protection for the basic rights of employees in the workplace. Offering frequent comparisons with the law of other countries, including the United States, the book also discusses the effectiveness of employment regulation as well as examining the different national and transnational methods available.

This controversial book presents a powerful argument for the repeal of anti-discrimination laws within the workplace. These laws--frequently justified as a means to protect individuals from race, sex, age, and disability discrimination--have been widely accepted by liberals and conservatives alike since the passing of the 1964 Civil Rights Act and are today deeply ingrained in our legal culture. Richard Epstein demonstrates that these laws set one group against another, impose limits on freedom of choice, undermine standards of merit and achievement, unleash bureaucratic excesses, mandate inefficient employment practices, and cause far more invidious discrimination than they prevent. Epstein urges a return to the common law principles of individual autonomy that permit all persons to improve their position through trade, contract, and bargain, free of government constraint. He advances both theoretical and empirical arguments to show that competitive markets outperform the current system of centralized control over labor markets. *Forbidden Grounds* has a broad

philosophical, economic, and historical sweep. Epstein offers novel explanations for the rational use of discrimination, and he tests his theory against a historical backdrop that runs from the early Supreme Court decisions, such as *Plessy v. Ferguson* which legitimated Jim Crow, through the current controversies over race-norming and the 1991 Civil Rights Act. His discussion of sex discrimination contains a detailed examination of the laws on occupational qualifications, pensions, pregnancy, and sexual harassment. He also explains how the case for affirmative action is strengthened by the repeal of employment discrimination laws. He concludes the book by looking at the recent controversies regarding age and disability discrimination. *Forbidden Grounds* will capture the attention of lawyers, social scientists, policymakers, and employers, as well as all persons interested in the administration of this major

The country's leading libertarian scholar sets forth the essential principles for a legal system that best balances individual liberty versus the common good.

As the millennium draws to a close, it is clear that equality between men and women remains a pipe-dream. Thus argues Sandra Fredman in her stimulating, new book on women and the law. Women's pay still lags significantly behind that of men; and women continue to congregate in low status, lowpaid jobs. Yet men and women are now formally equal before the law: indeed, legislation positively outlawing discrimination has been in force for over two decades both in the UK and the European Union. The key question asked by the author is: Why has the law had so little impact? The answer, the author argues, lies in the structure of the law itself. In a wide-ranging examination of sources drawn from political theory, social history and law, the first part of the book develops a critical framework to illuminate the limitations of the law in addressing women's disadvantaged status. In particular, the author unmask the apparent objectivity and neutrality of law, exposing the assumptions which have systematically impeded women's progress. Part II of the book applies this critique to a detailed examination of key legal issues in the UK and EU, with illuminating references to the law in North America and Australia. The result is an original and incisive analysis of pressing legal issues ranging from low pay, sexual harassment and flexible working to parenting rights and reverse discrimination. The book locates women's role in the family as a key contributory factor to their continued disadvantage within the paid workforce. Yet, in signalling the way forward, the author rejects the notion that the aim is simply to slot more women into existing structures. Instead of expecting women to conform to structures which exclude and devalue caring responsibilities, she argues, real change will only occur if paid work is restructured so that both men and women can be active participants in family life as well as in the paid workforce. The book does not, however, offer single dimensional solutions. In particular, the very difficult conflicts of interest which can arise between women, on grounds such as class or race, are directly confronted.

The second edition of this widely-acclaimed book about the Equality Act 2010 by one of its leading architects brings forward the story of how and why this historic legislation was enacted and what it means, to cover the first four years of its implementation by the Coalition Government and in the courts. This includes an assessment of amendments to the legislation, the reduction in the powers and budget of the Equality and Human Rights Commission and the imposition of tribunal fees, as well as a discussion of possible future directions of equality law and policy. From the Foreword to the first edition by Lord Lester of Herne Hill QC 'This is no ordinary law book, and its author is no ordinary lawyer. The book, like the Equality Act 2010 which it describes and discusses, is a major landmark in the long struggle for effective legal protection of equal rights and equal treatment without direct or indirect discrimination. It places

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the law in its political, economic and social context and traces its often contested and controversial legal history...'.

When people disagree about justice and about individual rights, how should political decisions be made among them? How should they decide about issues like tax policy, welfare provision, criminal procedure, discrimination law, hate speech, pornography, political dissent and the limits of religious toleration? The most familiar answer is that these decisions should be made democratically, by majority voting among the people or their representatives. Often, however, this answer is qualified by adding ' providing that the majority decision does not violate individual rights.' In this book Jeremy Waldron has revisited and thoroughly revised thirteen of his most recent essays. He argues that the familiar answer is correct, but that the qualification about individual rights is incoherent. If rights are the very things we disagree about, then we are quarrelling precisely about what that qualification should amount to. At best, what it means is that disagreements about rights should be resolved by some other procedure, for example, by majority voting, not among the people or their representatives, but among judges in a court. This proposal - although initially attractive - seems much less agreeable when we consider that the judges too disagree about rights, and they disagree about them along exactly the same lines as the citizens. This book offers a comprehensive critique of the idea of the judicial review of legislation. The author argues that a belief in rights is not the same as a commitment to a Bill of Rights. He shows the flaws and difficulties in many common defences of the 'democratic' character of judicial review. And he argues for an alternative approach to the problem of disagreement: when disagreements about rights arise, the respectful way to resolve them is by decision-making among the right-holders on a basis that reflects an equal respect for them as the holders of views about rights. This respect for ordinary right-holders, he argues, has been sadly lacking in the theories of justice, rights, and constitutionalism put forward in recent years by philosophers such as John Rawls and Donald Dworkin. But the book is not only about judicial review. The first tranche of essays is devoted to a theory of legislation, a theory which highlights the size, the scale and the diversity of modern legislative assemblies. Although legislation is often denigrated as a source of law, Waldron seeks to restore its tattered dignity. He deprecates the tendency to disparage legislatures and argues that such disparagement is often a way of bolstering the legitimacy of the courts, as if we had to transform our parliaments into something like the American Congress to justify importing American-style judicial reviews. *Law and Disagreement* redresses the balances in modern jurisprudence. It presents legislation by a representative assembly as a form of law making which is especially apt for a society whose members disagree with one another about fundamental issues of principle, for it is a form of law making that does not attempt to conceal the fact that our decisions are made and claim their authority in the midst of, not in spite of, our political and moral disagreements. This timely rights-based defence of majoritarian legislation will be welcomed by scholars of legal and political philosophy throughout the world.

This book provides a comprehensive account of contemporary discrimination law in England and Wales, addressing the subject from a human rights and European Union law perspective.

The book discusses how labour law and welfare systems will be affected by the ongoing transformation of work. The first section considers demography from two different perspectives. On the one hand, it focuses on chronic diseases and their impact on work, emphasising the role and the regulation of welfare systems. On the other, attention is given to youth unemployment and to those forms of employment which might have an impact on young people. Section II touches upon the relationship between the environment and industrial relations, while the third part broaches the topic of the impact of technology in the context of

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the Fourth Industrial Revolution, also known as Industry 4.0. As such, this volume provides an exhaustive picture of the changes currently underway, considering all the aspects which will affect work now and in the future.

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