Central European University  
School of Public Policy  
Social Justice and Human Rights specialization  

Fall 2019/2020  
Tuesday: 3.30pm-5.10pm  

**Equality Policy in Comparative Perspective**  
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Credit number: 2  
Office hours: TBA; Nador u.11, room 318, 317  
Course level: M.A.  

The main aim of this course is to familiarize students with how the abstract legal principle of and political claims for 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 course will look at equality ideas and interventions through the lens of various grounds of inequality: race and ethnicity, gender, and disability and devote special attention to the intersection between different inequality axes. The focus will be on domestic and international policy practices as those developed in the last decades and will reflect upon recent challenges to equality thinking. Students will be encouraged to bring in the discussion issues and cases from the policy environments with which they are most familiar and look into how equality policy practices can travel across countries and regions.

**Learning Outcomes:**  
The course will sensitize students interested in issues of governance, politics, and public policy to challenges of social diversity, cleavages and distinctions that are pertinent to 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 political and policy debates that shape considerations on the principles of equality and social 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, to translate theoretical notions of equality into policy practice, and to recognize theoretical relevance of policy debates. Students will also learn to work in groups, to do targeted inquiries into relevant policy processes (group work and term paper), and to develop their academic writing skills (written support to the presentation and term paper).

**Assessment:**
(1) Students are expected to carefully consult the required readings each week prior to the classes, ideally by taking notes. The questions for discussion assigned to the sessions in the syllabus help students to engage with the readings and identify the main conceptual puzzles, arguments, and debates related to the topic of the session. Active participation in the seminar discussions is expected from all students. Sessions 5-12 will involve policy practice related group work within class. Students are expected to be active participants in the group work and take turns in presenting group findings.

*Weight to the grade: 20%*

(2) Students are expected to write four position papers related to readings from sessions 5-12. Position papers should reflect on the main arguments of the weekly mandatory reading possibly bringing in the student’s theoretical and empirical background knowledge. Assignments are due at 9 AM of the day of the class for which the assignment is written (i.e. if you are commenting the readings for Class 5, you should submit on the e-learning website by 9 AM of the day when Class 5 takes place).

*Weight to the grade: 30%*

(3) Students will write a term paper of 2,500-3,000 words. The paper will be connected to the broader topic of the course, can be a more theoretical paper, a policy paper or a case study. Papers will have to link to the literature in assigned to the course. Additional references should be used. Students will be required to start developing their ideas from midterm on, when they will have the opportunity to present and discuss with the class their project ideas. Individual consultations will support students to further develop their projects and papers. The deadline for submitting the paper will be announced four weeks before the end of the semester. The deadline will be adjusted to SPP exam schedules.

*Weight to the grade: 50%*

All written assignments will be checked for plagiarism via Turnitin.

**Prerequisites:**
No special prerequisites

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

**Recommended Preparation for Students with No Background in Public Policy**

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 at 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.
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 (Sept 17)

This class will discuss dilemmas around defining categories used in equality policy and will do an overview of main equality concepts, their contradictions and complementarities, to be discussed in more detail in the next sessions.

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?

Readings

Recommended

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** (Sept. 24)

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.

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

**Readings**


Recommended


3. Third week: **Positive Action and Equal Opportunities** (*Oct. 1*)

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.

To be discussed: 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**


Recommended:


4. Fourth Week: **Mainstreaming equality** (*Oct. 8*)

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.

To be discussed: What can be lost and gained by applying the tool of mainstreaming compared to targeted (positive) actions? Can mainstreaming be applied efficiently?

Readings:

Recommended
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?

5. Week Five: Ethnicity and Race (Oct 15)

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 discussion: 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

Recommended
EU Framework for National Roma Integration Strategies up to 2020
Act LXXVII of 1993 on the Rights of National and Ethnic Minorities (Hungary)
European Commission (2010) *Improving the tools for the social inclusion and non-discrimination of Roma in the EU.* Report

6. **Week Six: Ethnicity and Race – Policy Practice (October 22)**

Council of Europe Framework Convention
Hungarian Minority Protection Law
Court cases:
*Plessy v Fergusson; Brown v Board of Education*

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


7. **Week Seven: Student project presentations (October 29)**

Students should prepare 5-10 minutes presentation about their ideas for a paper project. Discussion will follow every presentation.
8. Week Eight: Gender Equality (November 5)

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:
How gender as a policy category differs from race? Think about boundaries between the public and the private (e.g. care, violence, etc.). About operationalizing categories. About modes and fields of intervention.

Readings

Recommended

9. Week Nine: Gender Equality - Policy Practice (November 12)

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/

Council of Europe Istanbul Convention https://www.coe.int/en/web/istanbul-convention


10. Week Ten: Disability (November 19)

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:
Are the equality policy puzzles brought up by disability different from those connected to gender inequality? 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? One group will argue for similarity with gender and ethnicity, the other for difference.
Readings

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

11. Week Eleven: Disability – policy practice (Nov 26)

UN Convention on the Rights of Persons with Disabilities.
Neil Crowther (2019) The right to live independently and to be included in the community in European States. ANED synthesis report. On behalf on the European network of academic experts in the field of disability (ANED) https://www.disability-europe.net/theme/independent-living
12. Week Twelve: Intersectionality, Competing Inequalities (Dec 3)

Having seen the commonalities of equality policy on different grounds and then 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 discussion: 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

Recommended


