

Oordelen Bundel|2011



Gelijke Behandeling Oordelen En Commentaar 2000

LL Leslie



Gelijke Behandeling Oordelen En Commentaar 2000:

EU Non-Discrimination Law in the Courts Jule Mulder, 2017-01-12 Since the year 2000 the material and personal scope of EU non discrimination law has been significantly broadened and has challenged national courts to introduce a comprehensive equality framework into their national law to correspond with the European standard The book provides a multi layered culturally informed comparison of juridical approaches to EU in direct sex and sexualities discrimination and its implementation in Germany and the Netherlands It examines how and why national courts apply national non discrimination law with a European origin differently although the legislation derives from the same set of EU law and the national courts have to respect the interpretive competence of the CJEU The book provides valuable insights into the national and European context which shape the dialogue and influences of the courts inter se the national application of EU law and the harmonisation process within the area of gender equality law and beyond A Dutch and German comparison is of special interest here because both countries approaches towards non discrimination law are quite different despite the similarities in the respective legal systems they are founding members of the EU they are neighbours they are civil law countries and their legal systems are relatively similar at least compared to Scandinavian and common law jurisdictions Therefore the different reception EU non discrimination law cannot simply be explained by obvious differences between the legal systems Their comparison thus provides an interesting case study to uncover legal and non legal cultural and historic factors which influence the application of EU non discrimination law in both countries The book is of interest for EU comparative and equality lawyers

Judicial Review in Equal Treatment Cases Janneke Gerards, 2005-05-01 In this study an assessment model is developed to guide courts in deciding equal treatment cases Such a model appears to be indispensable since relevant equality provisions often do not offer much guidance as to the assessment of unequal treatment This lack of guidance may lead to diverging approaches and outcomes which is undesirable from the perspective of equality and legal certainty The use of the assessment model developed in this study will improve judicial reasoning and enhance the legitimacy of equal treatment case law The general assessment model developed in this study is based on theoretical research after the standards that should be used in assessing cases against the principle of equal treatment supplemented by an elaborate comparative analysis of the equal treatment case law in various legal systems The result of this approach is the design of an assessment model that is both theoretically sound and workable in practice The Dutch edition of this book has been awarded with the Erasmus Study Prize 2003 the Max van der Stoep Human Rights Prize and the Constitutional Law Prize

Educating Citizens Charles Venegoni, 2004-09-20 The United States is in the midst of historic experiments with publicly funded choice in K 12 education experiments that recently received a green light from the Supreme Court Other nations have long experience with the funding and regulation of nonpublic schools including religious schools This book asks what U S policymakers public officials and citizens can learn from these experiences In particular how do other countries regulate or

structure publicly funded educational choice with an eye toward civic values looking not only for improvements in test scores but also in tolerance civic cohesion and democratic values such as integration across the lines of class religion and race The experience of Europe and Canada with school choice is both extensive and varied In England and Wales public school choice is widespread as parents play a significant role in selecting the school their children will attend In the Netherlands and much of Belgium a majority of students attend religious schools at government expense In Canada France and Germany state financed school choice is limited to circumstances that serve particular social and governmental needs In Italy school choice has just recently arrived on the policy agenda In spite of the diversity of national experiences in all of these countries choice is regulated by the government in significant and varied ways to promote civic values In several of these countries school choice policy itself appears to have played an important role in promoting social cohesion and integration This book presents a wealth of experience designed to aid policymakers and citizens as they consider historic changes in American public education policy

Indirect Discrimination Christa Tobler, 2005 Introduced into European Community law by the Court of Justice through its case law in the field of free movement of workers the legal concept of indirect discrimination has evolved into one with far wider and greater relevance to many other areas of EC law as well This book analyses the concept of indirect discrimination in a broad and comparative context which encompasses both economic and social law

European Union Non-Discrimination Law Dagmar Schiek, Victoria Chege, 2009-06-02 EU equality law is multidimensional in being based on different rationales and concepts Consequently the concept of discrimination has become fragmented with different instruments envisaging different scopes of protection This raises questions as to the ability of EU law to address the situation of persons excluded on a number of grounds This edited collection addresses the increasing complexity of European Equality Law from jurisprudential sociological and political science perspectives Internationally renowned researchers from Scandinavian Continental and Central European countries and Britain analyse consequences of multiplying discrimination grounds within EU equality law considering its multidimensionality and intersectionality The contributors to the volume theorise the move from formal to substantive equality law and its interrelation to new forms of governance demonstrating the specific combination of non discrimination law with welfare state models which reveal the global implications of the European Union The book will be of interest to academics and policy makers all over the world in particular to those researching and studying law political sciences and sociology with an interest in human rights non discrimination law contract and employment law or European studies

Social Responsibility in Labour Relations Frans Pennings, 2008-01-01 Since 1945 socially moderated market economies have formed the cornerstone of the European socioeconomic model Now however due to powerful global economic political and demographic tendencies tensions between social and economic interests and values are increasing These developments create an urgent need for answers actions and measures on the European level This wide ranging but focused collection of essays approaches this important trend from

multiple perspectives Compiled in honour of the major European labour law scholar Teun Jaspers it encompasses a broad spectrum of analyses and insights by forty one distinguished contributors from seven countries Four major tensions are identified between the European and national level between fundamental rights and economic freedoms between workers and employers and between soft and hard law instruments Throughout a comparative approach is emphasized not only within the EU but also between the EU and China and South Africa Among the many topics covered are the following relocation of labour to low wage countries both within and outside the EU conditions for tempering the excesses of the free labour market the legal weight of voluntary standards such as codes of conduct extending the scope of application of corporate social responsibility norms to transnational enterprises pressure on national social law due to flexibilization deregulation and individualization contract termination protection employability and training of employees fixed term work in the wake of the Mangold ruling adjustment of working conditions for ill and disabled workers right to strike and restructuring of enterprises In light of the Lisbon strategy the authors address how the various tensions should be reconciled especially in the context of the flexicurity approach The book will be of great interest to academics and practitioners for its clear categorization of the issues which must be overcome when regulating employment and social policy in the context of today's EU multilevel legal order It pays detailed attention to the legal questions raised by emerging European labour and employment policies in respect of their specific materialization the opportunities they offer their feasibility and the threats they pose to traditional worker's protection and more generally to traditional concepts of labour law

Global Empowerment of Women

Carolyn M. Elliott, 2007-12-12 The empowerment of women is a broadly endorsed strategy for solving a host of difficult problems from child poverty to gender violence to international development The seventeen international scholars in this multi disciplinary volume offer thoughtful critiques of the notion of empowerment based on their studies in twenty countries in all regions of the world The comparative introduction places concepts of empowerment in the context of models of the market and of community showing how contradictions in these models as they are enacted on the ground provide both spaces and constraints for women The chapters consider opportunities for women in the context of globalization resurgent nationalism and politicized religion cultures of masculinity and the HIV AIDS epidemic in Africa They show how initiatives at national or global levels are transformed by local cultures and power structures and demonstrate the fruitfulness of tensions between universal values of human rights and contextualized understandings This landmark multi disciplinary collection of original studies by distinguished international feminist scholars will be an essential addition to the fields of Political Science Women's Studies Economics Sociology International Development and Environmental Studies

Emory International Law Review, 2005

Resolving Disputes about Educational Provision Neville Harris, Sheila Riddell, 2016-04-08 With contributions by recognised experts in the field of education law this book is a comparative study of the resolution of special education disputes including via mediation It analyses the varying approaches in England Scotland the US and the

Netherlands and addresses major questions of dispute resolution redress judicial and non judicial approaches and the protection of citizens rights The first review of mediation in citizen v state disputes outside the context of the courts this topical book also incorporates findings from a recent ESRC study into dispute resolution in special educational needs cases It will not only be of interest to those concerned with education issues but also those interested in administrative justice especially the role of mediation generally

Anti-discrimination Law in Civil Law Jurisdictions Barbara Havelková, Mathias Möschel, 2019 This book provides an analysis of how anti discrimination law works or does not work in continental European countries It offers an innovative comparative critical legal and socio legal look at jurisdictions beyond the common law

Monitor Racisme and Extremisme Jaap van Donselaar, Peter R. Rodrigues, 2013-12-15 Monitor Racism Extremism is a periodical publication of the Department of Research Documentation of the Anne Frank Foundation and the Department of Public Administration at the Leiden University This publication monitors contemporary racist and extremist manifestations and developments in the field of racism antisemitism and extremism in the Netherlands

After Integration Marian Burchardt, Ines Michalowski, 2014-11-26 The integration of Muslims into European societies is often seen as a major challenge that is yet to be confronted This book by contrast starts from the observation that on legal political and organizational levels integration has already taken place It showcases the variety of theoretical approaches that scholars have developed to conceptualize Muslim life in Europe and provides detailed empirical analysis of ten European countries Demonstrating how Muslim life unfolds between conviviality and contentious politics the contributors describe demographic developments analyze legal controversies and explore the action of government and state Muslim communities and other civil society actors Driving forces behind the integration of Islam are discussed in detail and compared across countries

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