



## Gender Equality in Law: The Legacies of Czech State Socialism

Lecture by Barbara Havelková

Tuesday, April 17, 2018, 6 p.m., Room B 002/03

Barbara Havelková's talk draws on her analysis of the interpretation and application of anti-discrimination law in Czechia, which was recently published in the monograph "Gender Equality in Law: Uncovering the Legacies of Czech State Socialism" (Hart, 2017). Among Czech law-makers and judges, there are two understandings of discrimination – one wide and one narrow – neither of which corresponds to the EU's anti-discrimination law. There is, first, an acceptance of the principle of formal equality, of treating likes alike. This wide understanding is capable of weeding out arbitrariness in public decision-making, but not of addressing the treatment of groups which are viewed as "different", such as women or Roma. Second, there is a very narrow understanding of discrimination as exceptional excesses, intentional acts, motivated by racism or sexism. But much discrimination on the basis of race or sex/gender is not like that – it is often rather behaviour-based on unconscious bias, done by "good" people, without hateful animus. This two-pronged understanding, which misses the just right middle ground where EU anti-discrimination law sits, makes claims practically impossible to win. Indeed, 18 years after anti-discrimination norms were first introduced into Czech law, a woman has yet to fully win an anti-discrimination claim. The talk explains this peculiar conceptualization of anti-discrimination law, focusing on its intellectual underpinnings and their historical background.

Comment by **Anne Griffiths**, University of Edinburgh

**Barbara Havelková** is currently the Shaw Foundation Fellow at Lincoln College, University of Oxford. Her research and teaching interests include gender legal studies and feminist jurisprudence, equality and anti-discrimination law, constitutional law, EU law and law in post-socialist transitions.

**Anne Griffiths** is Professor of Anthropology of Law at the School of Law, University of Edinburgh. Her research focuses on anthropology of law, comparative and family law, African law, gender, culture.

To register, please reply by April 17 to Anuschka Siegers, email: [anuschka.siegers@wzb.eu](mailto:anuschka.siegers@wzb.eu)

## Invitation

*Our event location is wheelchair-accessible. If you need support, please let Friederike Theilen-Kosch know: [friederike.theilen-kosch@wzb.eu](mailto:friederike.theilen-kosch@wzb.eu)*