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Gender Equality in Law: Uncovering the Legacies of Czech State Socialism

A BOOK PRESENTATION BY

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November 3, Friday, 2017, 3.30 p.m. | room 101, Nádor u. 15.



Gender equality law in Czechia, as in other parts of post-socialist Central and Eastern Europe, is facing serious challenges. When obliged to adopt, interpret and apply anti-discrimination law as a condition of membership in the EU, Czech legislators and judges have repeatedly expressed hostility and demonstrated a fundamental lack of understanding of key ideas underpinning it. This important new study explores this scepticism to gender equality law, examining it with reference to legal and socio-legal developments that started in the state-socialist past and that remain relevant today. The book examines legal developments in gender-relevant areas, most importantly in equality and anti-discrimination law. But it goes further, shedding light on the underlying understandings of key concepts such as women, gender, equality, discrimination and rights. In so doing, it shows the fundamental intellectual and conceptual difficulties faced by gender equality law in Czechia. These include an essentialist understanding of differences between men and women, a notion that equality and anti-discrimination law is incompatible with freedom, and a perception that existing laws are objective and neutral, while any new gender-progressive regulation of social relations is an unacceptable interference with the ‘natural social order’. Timely and provocative, this book will be required reading for all scholars of equality and gender and the law.

Bio: Barbara Havelková completed her first degree in law at Charles University in Prague and holds an LL.M. from Europa-Institut, Saarland University. She obtained a DPhil from Oxford for her research on “Gender in law under and after State Socialism: the example of the Czech Republic”. Barbara previously held posts at University of Cambridge (Emmanuel College) and Oxford (Balliol). She worked for Clifford Chance Prague, trained at the Legal Service of the European Commission and in the Chambers of AG Poiares Maduro at the Court of Justice of the European Union. She was an academic visitor at several law schools, including Harvard University and University of Michigan as a Fulbright scholar. Barbara’s research and teaching interests include gender legal studies and feminist jurisprudence, equality and anti-discrimination law, constitutional law, EU law and law in post-communist transitions. Barbara is currently an Advisor to the Prime Minister of the Czech Republic on issues of gender and law.