# Counterproductive effects in the law against discrimination

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The law encourages to a division of the population & contributes to create a special attitude towards

"the others"

## 3 perspectives on laws

Political – measures to strengthen norms / a certain behaviour

- Juridical application in relation to basic principles
  - Individual & equal treatment
- Ethnological laws influence on peoples daily life (social constructions)

# The law's goal

Reducing discrimination – unequal treatment of equal cases

The law is legislated at a macrolevel

 The law is implemented on micro level i.e. at a work site

### The law

- Prohibition against discrimination
  - Unequal treatment of comparable cases
  - Direct discrimination
  - Indirect discrimination
- Demand on employers active measures
  - Goaloriented work
  - Working conditions
  - Recruitment
- **DO** (diskrimineringsombudsmannen)

# **Problematic aspects**

#### The Law

- Indirect discrimination
  - Unintended action
- Equal (& individual) treatment
- Basic assumptions attitudes

#### **Active measures**

- Leads to special treatment
- Normative equality
- Policies create attitudes / A will but not much happens

# Three empirical examples

 Managers looking for their prejudices after training in the law against discrimination

 Gender equality policy – at womendominated work site

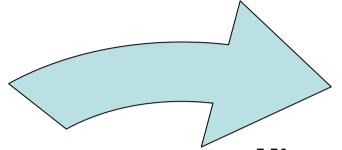
Survey on obstacles in 8 municipalities

## Conclusions

Intended or unintended discrimination
 Direct or indirect diskrimination

Production of knowledge

## Overall conclusion



Makro - Directives/laws

Micro – Effects in practice

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**Makro –Directives/laws** 

