

Contents

<i>Table of Cases</i>	xiii
<i>Table of Legislation and Statutory Materials</i>	xxvii
<i>List of Abbreviations</i>	xxxiii
1. Equality: Concepts and Controversies	I
I The Principle of Equality	4
II Competing Values: Liberty or Equality	33
III Conclusion	37
2. Social Context and Legal Developments	38
I Gender	38
II Race and Ethnicity	50
III Gypsies and Travellers	69
IV Religion and Belief	73
V Sexual Orientation	86
VI Gender Reassignment	93
VII Disability	95
VIII Age Discrimination	101
IX Conclusion	108
3. The Scope of Discrimination Law	109
I Grounds of Discrimination	110
II Scope of Discrimination Law	143
III Who is Bound?	148
4. Legal Concepts: Direct, Indirect Discrimination, and Beyond	153
I Equal Pay Legislation: The Shackled Giant	156
II Direct Discrimination	166
III Indirect Discrimination	177
IV Competing Priorities: Justifying Discrimination	190
V The Difficult Divide: The Role of Motive and Intention in Direct and Indirect Discrimination	203
VI Duty of Accommodation or Adjustment	214

VII	Equality as Proportionality	221
VIII	Equality as Dignity	227
IX	Positive Duties to Promote Equality	230
X	Conclusion	231
5.	Symmetry or Substance: Reverse Discrimination	232
I	Concepts of Equality and Reverse Discrimination	233
II	Reverse Discrimination and the Law: Contrasting Jurisdictions	237
III	Aims and Effectiveness	259
IV	Conclusion	278
6.	Rights and Remedies: The Limits of the Law	279
I	Adversarialism: The Narrow Reach of Adjudication	280
II	Agency Enforcement	295
III	'Fourth Generation' Equality: Positive Duties	299
IV	Conclusion	335
	<i>Index</i>	337