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Introduction
Themed Section on Equality

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> Equality law is in a state of ferment in the UK with a Westminster bill having laid the ground for a single Equality and Human Rights Commission, new European Directives on Equality, a debate in Northern Ireland over the adoption of a Single Equality Act (OFMDFM, 2004) and a stalled debate in Northern Ireland over a Bill of Rights. (O'Connell, 2006: 3).

The rationale for a themed issue on equality arises from several developments in the intellectual, political and policy domains of inequality and equality. These developments have included: the policy ferment noted by O'Connell above and increases in substantive inequality in most European countries in the last quarter of the twentieth century. This trend was especially marked in the UK and Ireland. Further influences have been general concern throughout Europe around welfare retrenchment; the development of a politics of recognition; the development of new types of egalitarianism; revival of interest in, and use of, international human rights standards and instruments; and, in the UK, the creation of a new equality enforcement authority.

Some of the rise in inequality was attributable to retrenchment in the welfare systems of some countries. Welfare retrenchment itself, however, was not of such a size and significance generally as to be the cause of the increase in substantive inequality (Swank, 2005; Hudson, 2006). Dixon and Paxton (2005) provide an audit of inequality for the UK for the decade 1994–2004. Most of the literature on equality in social policy has been of this type; that is, it has been documentation of the extent of inequalities, typically focusing on comparisons of pre- and post-transfer incomes. Often this approach has not taken into account the significance of the benefit in kind, which utilisation of public services, free or subsidised at the point of use, constitute. Similarly, these approaches have typically failed to address the multi-dimensional nature of equality and inequality, especially their non-material aspects, with which the politics of recognition has been much concerned. Participationists have attempted to correct this excessive materialism by emphasising the importance of the participation of disadvantaged and minority group people and organisations within policy making and political decision-making processes and fora. The equality enhancing and inequality reducing (redistributive) impacts of post-war European welfare states have varied by regime type. The social democratic Nordic regimes are well known for being at the most pro-equality end of the range. Residual or liberal welfare states and the 'Anglo social model' of the UK and Ireland are equally well known for being at the other end (Pearce and Paxton, 2004). The increase in substantive inequality across all regime types in the last quarter of the twentieth century, however, indicates a general decline in the capacity of welfare states to ameliorate market induced

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inequalities (see also Hudson, 2000). The social politics of identity and recognition developed voice over much the same time period as the politics of social class became muted. The influence of social movements on equality and social welfare policies is evident in the development of more sophisticated analyses of inequality, which recognise heterogeneity within minority groups as well as between them and the majority society. These kinds of analyses termed 'equity sensitive' analyses (refer to the papers by Hillyard, Patsios and Scullion and Borooah in this themed section), are important developments in the methodologies available for enhanced scrutiny and monitoring of governments (in)equality objectives. Issues of identity and recognition have also been central to legal developments at the international and national levels. European equality directives have added age, ethnicity, religion and political opinion, disability and sexual orientation to the longstanding recognition of gender in anti-discrimination provisions. The development of equality law in the UK is reviewed by McLaughlin. The complexities and difficulties of social identity and the politics of recognition are examined in McLaughlin's second paper. McLaughlin considers three dilemmas relevant to policy and political strategies for equality. Firstly identification, multiple identity and passing; secondly, groupism and recognition by the state; thirdly, the appropriateness of the participatory strategy, given the lesser propensity of some individuals to claim social statuses than others.

Finally developments in political theory and philosophy have bought elements of liberalism, communitarianism and egalitarianism together into new forms of thinking about the goals of and strategies for equality and equity, for example the 'New Egalitarianism' claimed by Diamond and Giddens (2005); the luck egalitarianism of Cohen (2005); and the fair or *real* equality of opportunity identified by Baker, Lynch, Walsh and Cantillon (2004). These developments are reviewed by McLaughlin and Baker, who also set out the way the concept of equality has featured in the intellectual and political history of social policy and cognate subjects.

The ferment of equality legal developments at the end of the twentieth century included the decision to establish a single Human Rights and Equality Commission for Great Britain (The Equality Act 2006). CEHR will bring together the former Equal Opportunities, Disability and Race Relations Commissions and develop yet further the UK's distinctive 'single equality approach'. Together with the positive equality duties contained in a rash of acts at the turn of the century, many of which were associated with New Labour's devolution agenda, this leaves the UK at the forefront of international developments in equality law. Within the UK, Northern Ireland[1] has 'trialled' most of the initiatives subsequently introduced elsewhere in the UK (McLaughlin, 2003). McLaughlin outlines the development of equality law in the UK, tracing its expansion from negative to positive duties and the constitutionalisation of the latter, primarily through the various devolution acts. The advanced nature of Northern Irish equality provisions makes it particularly appropriate that this themed section on equality should be guest edited and largely authored by staff and research students from The School of Sociology, Social Policy and Social Work at The Queen's University of Belfast. The themes and issues introduced in this issue are further developed in the Working Paper Series produced by 'The Equality and Social Inclusion in Ireland Project'. That joint UCD-QUB project was funded by the EU's Special Programmes Board in Ireland and its outputs may be accessed at www.qub.ac.uk/heae.

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Notes

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1 The name given to the territory is politically disputed. There is no politically neutral usage accordingly in this issue the two most common usages: Northern Ireland and the North of Ireland are used interchangeably and deliberately inconsistently.

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