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PLAYING BY THE RULES: EXAMINING THE NON-COMPLIANCE OF EU MEMBER STATES REGARDING ANTI-DISCRIMINATION LEGISLATION

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Anti-discrimination policies and programs have come to the forefront in European Union social policy in the last five years. However, as national legislation shows, the individual member states are not equally complying with the policies that the European Union set forth in 2000. This paper examines and seeks to explain non-compliance of the member states through a test of two theories: the rational actor model and normative compliance model. The rational actor analysis suggests that states comply only when compliance will benefit the state either economically or socially. The normative analysis suggests that states comply when the legislation is in line with their national norms and values. This study finds that in order to begin to understand non-compliance a combination of the two should be used.