more or less closely by the Spanish, Portuguese, Italian and French socialist parties over the last decade — and to some extent by Pasok in Greece as well. Older style "labourist" parties, such as British Labour, which have resisted this trend (represented in Britain by the SDP), have tended to be crowded out of the political mainstream and protrayed as "extremist".

But where the "Eurosocialist" parties have generally had only qualified success in this transition from class and constituency-based parties to parties of "national unity", the ALP has been rather more successful. In large part this can be explained by its continued close ties with a single central trade union body — a relationship which, in recent years, has actually become a closer one, but which has, at the same time, been renegotiated very much in the government's favour. Without the continued credibility of its claim to a special relationship with the unions, promising to the more moderate employers industrial peace in tandem with "wage restraint", the ALP would undoubtedly be entering the present election campaign as a non-starter.

To this extent, the evolution of the ALP in government has been a simple one: a renewed and reordered contract with the unions, coupled with a loosening of ties both with its "traditional constituencies" and the newer constituencies consolidated during the Whitlam era. In a sense, this has been less of a political realignment as such than a reordering of the relationship between party and supporters.

In an era when traditional political loyalties are weaker than they once were, and where electoral volatility is demonstrably high, the Hawke-Keating strategy of recasting the ALP in the role of national saviour clearly makes sense in its own terms. And certainly the success of this supremely apolitical strategy has further highlighted the problems of a left (and left ideas) very largely confined to the margins of political debate. Yet it bears saying that the creation of a popular consensus around a new progressive "commonsense" is a task which seems entirely beyond the political horizons of this kind of project. Thus, in a sense, the parliamentary ALP's abdication of much of its traditional role has placed an even greater responsibility upon the project for a stronger, reformed left outside it.

Yet it is, of course, nonsense to say (as it is fashionable in some parts of the left to say) that because of this there is little or no difference between the parties. Indeed, it is precisely that kind of political vertigo which so discredits the left in the popular mind. We have little choice but to hope (and vote) for an ALP victory on July 11 — and for the re-emergence of some kind of serious left opposition within it, as well as outside.

— David McKnight and David Burchell.

Laws Unto Themselves

In April, the Queensland government introduced two pieces of legislation into parliament which affect all union members in the state. Amendments to the Industrial (Commercial Practices) Act were rushed through parliament in around two hours without prior public notice; these are now law. Amendments to the Industrial Conciliation and Arbitration Act to introduce "voluntary employment agreements" or contracts were tabled and it is the government's intention to have them passed in August. The changes are the most radical restructuring of industrial relations in the state since the introduction of conciliation and arbitration in 1916. The anti-strike provisions of the Commercial Practices legislation are some of the most severe of any western democracy. The contract provisions are likely to reduce the employment conditions of private and public sector workers and undermine existing union organisation.

Changes to the Industrial (Commercial Practices) Act

This act was introduced in 1984 and subsequently amended in 1985. Initially, it was a state version of the secondary boycott provisions of sections 45D and 45E of the Commonwealth Trade Practices Act. In 1985, during the SEQEB dispute, the legislation was changed far beyond the original intention. Penalties were applied to "primary disputes" between a union and employer which involved superannuation, union membership or demarcation. Moreover, unions and workers became responsible for any dispute for which seven days' notice was not given. Cases were heard in the Supreme Court, not the Industrial Court, the process of granting injunctions and sueing for damages was simplified, with maximum penalties of $250,000 for unions and $50,000 for individuals.

This year's amendments further increase the severity of the legislation. First, the liability of unions and workers for disputes involving superannuation, union preference and membership has been tightened. Second, disputes concerning "trade or commerce" and "research or development" are now liable to penalty. Trade or commerce definitely includes interstate and overseas transactions; it is possible that the provision could cover any trading within the state. The definition of "research and development" is also exceptionally broad and includes acquiring, increasing, using, providing and disseminating information or knowledge as well as introducing or changing machinery or technology. Effectively, any "knowledge" or communication activity is encompassed, and all but the most trivial change in organisation or equipment.

In a concurrent amendment to the Conciliation and Arbitration Act, the Industrial Commission's discretion has been significantly reduced. In making awards concerning "research and development" the commission shall not be bound by custom or practice, previous decisions or precedents, nor have regard to other awards. This shall apply whenever an employer is spending, or is proposing to spend, more than $500,000 over three years on research and development or more than $50,000 on changing equipment.

Further changes are that seven days' notice in writing of proposed strike action must be provided to the employer, the Minister and to "every person ... likely to suffer loss ... who has notified ... that he desires to have prior notice of any strike". Once a union has been asked to give notice (and some government authorities are already asking) the union is liable for all disputes involving its members. Other changes alter the way court cases are conducted; matters will be heard by a judge sitting without a jury and media reports shall be *prima facie* evidence and accepted as fact unless union spokespersons prove that they were misreported. The Minister is empowered to give financial aid to persons seeking to bring proceedings under the Act, and, if a union successfully defends itself, no costs can be awarded against those who brought the case.

The contracts legislation

The contract legislation provides for the replacement of industrial awards by "voluntary agreements". These may be made between an employer and a union or between an employer and at least 60 percent of employees in an enterprise or occupational calling. The contract will bind all the employees in the enterprise, not only those in favour of it. In the case of a new enterprise, the employer can decide, without involving a union, to offer employment on contract terms rather than award conditions.

The legislation ensures some minimum standards but, at the levels provided by the Arbitration Act in the 1950s. The prescribed requirements are an hourly wage rate at award ordinary time levels, four weeks' annual leave, eight days' sick leave, and long-service leave after fifteen years. The leave provisions can be converted, by agreement, to a "cash in lieu" arrangement.

Some other standard conditions can be varied. These are normal working hours, penalty and overtime rates, public holidays, rest pauses and mixed functions/higher duties allowances. Contracts can set six out of seven days' normal working with ordinary pay rates for weekend and holiday working and even for evening and night shifts. There is one "protection" — everyone shall be entitled to public holidays on three days a year — Christmas Day, Good Friday and Anzac Day. Some other

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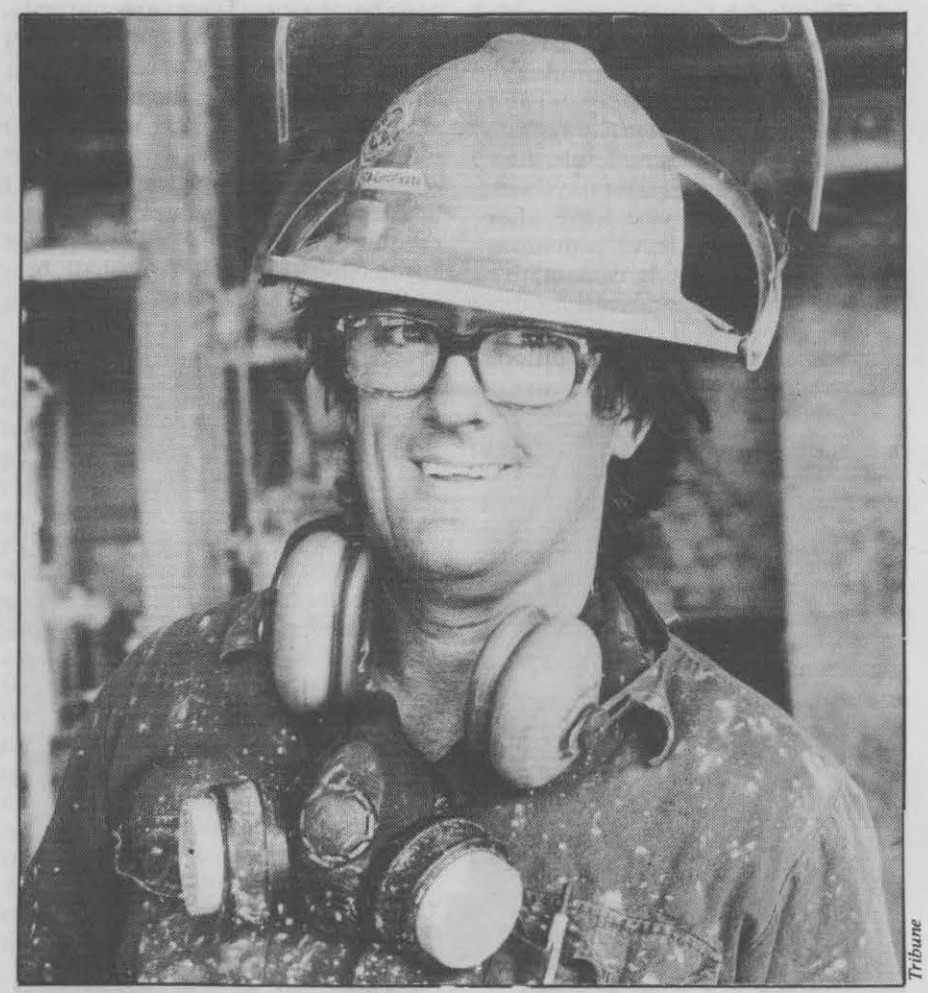

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matters will not be included in contracts — such as leave loading, accouchement and paternity leave.

Owing to the shortage of space caused by our "Left Reading" feature, *ALR's* letters page has had to be held over until the next issue.

We welcome your letters for the next issue, due out in August. As a general rule, letters should be no longer than 250 words and, preferably, should be typewritten. *ALR* reserves the right to edit letters down to this length.

Authors' addresses and a contact phone number should be included although, naturally, they will not be printed.

The deadline for letters for the next issue is Monday, 27 July.

Express encouragement is given to house or enterprise unions. The Industrial Registrar is obliged to register any organisation which is "nominated in a voluntary employment agreement as the representative of the employees, subject to that agreement". This is particularly potent since contracts in new enterprises can be unilateral employer documents. Membership of the organisation will be restricted to those people working under the contract. Of course, this does not prevent people joining industrial unions. However, the ability of existing unions to service their members is substantially reduced; they cannot represent members working under a contract and the rights of officials to enter the workplace are restricted. In addition, the contents of agreements are secret, even though they are vested in the Industrial Commission. And if that is not enough, any disputes relating to contracts are subject to the provisions of the Industrial (Commercial Practices) Act and potential fines of $250,000.

— Howard Guille.

Educating Queensland

While Joh Bjelke-Petersen has been trying to save face at the federal level, his lieutenants in Queensland have been quietly but persistently getting on with the job. On April Fools Day, Education Minister Lin Powell tabled in the state parliament a series of proposals to amend the Education Act. Under these proposals, the 1964 Education Act would have the following enabling clause added to its title: "to provide the means whereby the State may exercise more effectively its plenary powers in the area of Education".

What this means, in effect, is that if these proposals are passed and the Act amended, then the existing bodies such as the Boards of Teacher Education, Advanced Education and Secondary School Studies will be abolished and replaced by an amalgamated body to be known as the Council of Accredited Courses in Post-Compulsory Education. This is to consist of fourteen (14) persons, all of whom are to "be appointed on the recommendation of the Minister". At the time of writing the identity of these persons is unknown.

There will also be a new body called the Council of Non-Government Education (function and personnel unknown) and another called the Council for Education for Economic Development (function and personnel unknown). President of the Queensland Teachers Union (QTU),