Love's Labours Lost

John Major limped to victory in April's British elections sustained by an instinct for individual self-interest and middle class greed. In the marginals the aspiring classes kept Labour out, reaffirming Britain as a one-party state. British Majorettes were driven less by what they were voting for than longstanding prejudices about how not to vote. Many were disillusioned with the Conservative government but not angry enough to vote Labour or sufficiently reckless to vote Liberal Democrat.

Although they did not pull off a great electoral victory, the Conservative's achievement is that they avoided a much-heralded loss. Labour, for its part, snatched an ignominious defeat from the jaws of victory, gaining only a 3% swing overall when they needed over 8% to form a majority government and around 5% to offer a minority government in a hung parliament. Labour commentators have responded that since the Tories lost a net 40 seats and captured only 41.9% of the total vote, they have thereby lost the moral right to govern and their mandate to introduce policy changes. But Labour itself only managed 34.4% of the vote after 12 years of divisive Thatcherism and in an election held in the worst postwar recession.

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So far, evidence of policy changes has been implied rather than real. A Cabinet and ministerial reshuffle has attempted to mend old wounds and rehabilitate previous dissidents within the party, as Major distances his style of government from that of his predecessor.

Major will undoubtedly seek to increase British influence in Europe, while possibly granting some limited forms of regional devolution to Scotland and Wales (but not self-government). The disastrous poll tax has been retailed to reduce the 'head tax' component and include property rates. Further privatisation is likely, with British Rail the next target. More pressing will be the fiscal problems of the British state, which will require substantial tax increases or a further wave of cuts in public spending. Figures released during the election pointed to an £18 billion deficit for this year alone on recurrent spending and rising public debt for capital spend-
Two contenders have reluctantly come forward for the Labour crown: the shadow Chancellor John Smith (a 54-year-old Scottish MP from Labour's Right) and Bryan Gould (a New Zealand born moderate with some Left support). The larger unions with 40% of the vote at the electoral college attempted to pre-empt the vote by 'bouncing' the party into choosing Smith before any other viable contender could assemble sufficient support. This strategy appears to have at least partly succeeded; an early conference has been called and unions (so they say) will not "have time" to ballot their members before the event, thus allowing union leaders to cast a block vote for their candidate.

Neither candidate for the leadership has as yet outlined his analysis of the defeat or a future policy orientation. Gould has criticised Smith as one of the "architects of the defeat", arguing that his alternative budget was not attractive enough to hold voters. He has also implied that Smith would be hostage to the unions and unprepared to make changes. Meanwhile, Gould has been cagey about his own intentions, though he would probably drag Labour more in the direction of a European-style social democratic party, severing formal union links and aiming for wider policy appeal.

Whichever of the hopefuls emerges as leader in July, it is clear that Labour has much to do before the next election and needs to resolve many of the issues it has attempted to remain equivocal about. The party needs to shed its negative image as the only high-taxing party, especially when self-interest determines the voting habits of the majority. It needs to resolve its attitudes to devolution and constitutional reform, towards Europe, towards the unions, towards third parties and electoral reform. A Smith leadership will probably aim to make the party a better economic manager than the Conservatives. Gould may hold out more hope that these issues will be addressed, but the history of the Labour Party suggests that major changes are unlikely.

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**Clean Bill of Health**

It took months. Women's health workers were deflected from their important constructive tasks to fight a defensive battle for the survival of the services, and for the survival of women's health centres all over the country. There were four days of hearings, hundreds of pages of evidence, submissions and transcripts. Distinguished witnesses presented affidavits and gave evidence defending women's health initiatives. Three barristers, four solicitors and numerous public servants from the ACT and the Commonwealth applied their expertise to the matter.

No one knows how expensive it has all been.

Finally, the President of the Human Rights Commission handed down his judgment in April in the discrimination case against women's health services in the ACT, reported in ALR's last issue ('The Body in Question', ALR 138). The bottom line—quite literally—of Justice Wilson's decision was that he found "all the complaints unsubstantiated. They are therefore dismissed". All the effort produced no positive advance, nor could this case have ever produced any improvement in anyone's well-being. It resulted simply in legal legitimation for women's health services to continue doing what they were doing before they were interrupted by the intrusion of the complaint. Wilson found that the services are discriminatory under the Sex Discrimination Act, but that they are exempted, either by Section 32 (which permits "services the nature of which is such that they can only be provided to members of one sex") or Section 33 (the so-called "affirmative action" or special measures section). Thus, the women's health services in the ACT are lawful, and so, presumably, are similar services around the country. The complainants did not lodge an appeal.

Women's health services are now free to get on with the job. The judgment acknowledged that women are disadvantaged in obtaining adequate and appropriate health services, that some of their health needs (not only reproductive and gynaecological are