

## Editors' Foreword

The focus for this issue of the *International Journal* is upon the field of equal treatment and anti-discrimination measures in Labour Law. Thus, this Autumn issue contains three important — primarily theoretical — contributions on these crucial, and fast developing, issues, which offer a major contribution to the development of the theory of equality between men and women in the 1990s.

First, drawing heavily upon the developing case law of the European Court of Justice, Ninon Colneric analyses the concept of special protection for equality in European Community law. In the course of her presentation, she distinguishes between norms and activities which differentiate on the basis of traditional views of the division between men and women; she looks at norms and activities which give rise to different consequences for men and women, even though they do not relate to the characteristic of sex; and, finally, she considers norms and activities which relate to the criterion of sex in order to create realistic opportunities for women, and which are designed to break out of the "traditional" division between men and women.

In his detailed and closely argued contribution, Barry Fitzpatrick tackles the question of opening up the equality litigation process in terms of "victimless" litigation. He concentrates both upon the issue of access for trade unions and other specialist interest groups, and upon challenges to "structural discrimination" in payment systems and working conditions.

Finally, Barbara Hocking's comparative study of "indirect discrimination" finds its roots in case-law developments from the courts of her native Australian legal system, and draws upon legal developments in relation to equal opportunities and anti-discrimination elsewhere in the Common Law world. Her critique of the legislative and judicial approaches adopted in this area is set against a wide-ranging literature, which includes some of the most recent feminist writings emerging in the legal field.

In the Documentation section are to be found the texts of the new ILO Convention and Recommendation on the Protection of Workers' Claims in the Event of the Insolvency of their Employer, which were adopted by the International Labour Conference at its June 1992 session. These documents are followed by a study, in the Case Law section, of international rules on minimum wages, with particular regard to the ILO Committee of Experts' 1992 Report on Minimum Wage Fixing Mechanisms. Finally, this Autumn issue is rounded off with a selection of book notices and diary items.

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