

Editorial

The issue opens with the paper by Erica Howard who examines approaches to race discrimination, pointing to the need for shared definitions of the terms relating to race and racial discrimination in international instruments and national legislation. The paper provides an in-depth analysis of this problem with a linguistic and historical overview of the concepts of race and racial discrimination, together with a survey of European and international measures aimed at combating racism and racial discrimination, highlighting their limits. It is argued that European directives, which are legally binding, unlike international instruments, lay down only minimum requirements with regard to discrimination and fail to provide effective international protection against it.

Discrimination against illegal immigrants employed as undocumented workers is examined in the paper by Robert Guthrie and Rebecca Taseff, who compare judicial approaches to this matter in two common law countries, Australia and the UK, in relation to international labour standards. The main problem is that illegal workers who overstay their visa and undocumented workers in general receive lower pay and are often subject to exploitation. In these two countries case law rulings are characterized by a considerable degree of variation. These workers lack protection since normally the fact that they work contrary to immigration law automatically makes their employment contracts void. It is difficult to strike a balance between immigration and antidiscrimination measures since recognition of equal rights for illegal workers risks undermining immigration legislation.

Localization, globalization and the role of multinational companies and foreign-owned firms in shaping industrial relations in developing countries is investigated by Aloysius Newenham-Kahindi. The author argues for the need to strike a balance between MNCs and national economic and social needs. The paper provides a historical overview of industrial relations in Tanzania, from the end of the colonial administration through to the collapse of socialist ideology based on autocratic and highly centralized regulation, and the development of neo-liberal employment practices. It is argued that Tanzania needs

reform in order to improve national infrastructure and attract foreign direct investment.

Also in a historical perspective, Ruth Dukes sets out to explain the reasons for the persistence of single-channel worker representation in the UK, while analysing dual-channel representation and the reasons why it did not take root in this country. The author seeks to explain the lack of legislation regulating workplace employee representation.

Roger Blanpain investigates the limits on the use of fixed-term employment contracts with particular reference to the hiring of temporary staff to cover permanent positions in the EU institutions. Fixed-term contracts are normally regarded as an exception that needs to be justified by objective reasons. The author cites ECJ cases such as *Adelener* and *Vasallo* in support of his claim that this issue is in need of clarification by the EU social partners.

Still with regard to fixed-term contracts, Samuel Engblom explores the application of the European Directive in Sweden, arguing that the recent reforms have led to a liberalization of fixed-term contracts in that country. With the introduction of fixed-term at-will contracts, Swedish employers are no longer required to provide objective reasons for the use of this type of contract, and workers can be employed on a series of fixed-term contracts for a period that goes beyond the limits laid down by the EU Directive. The article demonstrates that Member States have a wide range of possibilities to circumvent EU norms.

Finally, the Documentation section contains the text of the inaugural lecture by Luca Cordero di Montezemolo, President of the Italian employers' association Confindustria and Ferrari, at the Doctoral Research School in Labour and Industrial Relations at the Marco Biagi Foundation, University of Modena and Reggio Emilia, in November 2007, outlining his vision for the reform of the Italian labour market and education system, though the significance of his remarks is clearly not confined to the Italian case.

OLGA RYMKEVITCH
MARLENE SCHMIDT
MICHELE TIRABOSCHI