

In short, the book is not built upon empirical fieldwork but on textual analyses. Another shortcoming is an over-emphasis on the state enterprise sector to the neglect of the non-state sector.

Oddly enough, the concluding chapter has a different twist. It is more sociological, delving into issues of class formation and workers' consciousness. The authors' reading of the situation is that 'the Chinese working class cannot strive for or protect their rights and interests, nor does the state wish to see this happen'. Then, having dismissed the workers' capacity to resist, the authors contradict themselves, writing in the last two sentences of the book, 'the future, however, is impossible to predict, because it is based on political and class-based struggles. However, the idea of a smooth transition to some form of capitalism is exceedingly unlikely'. Thus, one is left with an uncertainty as to what lies ahead, in part because the book has not delved sufficiently deeply into the current empirical circumstances and attitudes of workers. Nonetheless, the richness of the evidence and analysis regarding China's labour laws and the institutional framework of Chinese industrial relations is reason enough to purchase and read this book.

AUSTRALIAN NATIONAL UNIVERSITY

ANITA CHAN

EMPLOYMENT WITH A HUMAN FACE: BALANCING EFFICIENCY, EQUITY, AND VOICE

By John W. Budd. Cornell University Press, Ithaca and London, 2004, xiv + 263 pp., US\$40 (hardback)

This is a very good book. The jacket quotes Tom Kochan's view that it 'will quickly be viewed as a classic statement of the first principles underlying the study and practice of modern human resources and industrial relations'. That is a strong, but plausible claim. The book articulates an innovative theoretical approach and shows how that approach may enable us to deal in a worthwhile and creative way with a wide array of issues. Those issues are identified in a comprehensive range of literature, which includes a great deal of up-to-date research as well as a variety of important historical sources.

Budd's scholarship is impressive, and he marshals his material in a clear, systematic fashion, which both affords a worthwhile taxonomy and also supports his theoretical position. This position revolves first around the idea that employment arrangements ought to have regard for ethical dimensions of work that cannot be fully covered by utilitarian calculations of efficiency. The central theme of the book is that employment relations have to take account not only of productive efficiency but also have to provide equity and voice for employees.

The ideas of equity and voice are familiar. Budd's first contribution is not to establish their importance—although he draws effectively on a variety of literature to do so—but to argue that they need to be treated as two independent ideas to be set beside efficiency to create a three-dimensional basis for evaluations of laws and institutions of workplace governance. The fact that equity needs to be set beside efficiency in formulating policy is perhaps more familiar than the idea that voice

does (or else it may sometimes be assumed that voice is part of equity), but Budd makes a strong case for accepting them as separate considerations which are both important.

Budd's general case emerges initially from the early chapters of the book, which include extensive discussion about ethical underpinnings of employment arrangements. Some of this discussion is quite general; other parts of it are more specifically oriented toward US readers, most notably debate about the relative weight of 'labor rights' against 'property rights'. In the general discussion about ethical underpinnings it would be possible to take issue with parts of the argument, because this is where Budd is on ground least familiar to him. However, the course of the discussion is robust enough to survive criticism without danger to the overall direction, since Budd usually establishes points on the basis of several reinforcing considerations.

One major aim of the book is to provide a systematic alternative to the *laissez-faire* market analyses which have been accepted by many policy-makers in recent years. Budd's general stance is summed up where he comments in the book's introduction that 'markets should be respected and largely allowed to function, but with protections and safeguards—a set of checks and balances—that will help respect and serve human life' (page 3). That general stance is shown in the tripartite commitment to efficiency, equity, and voice, and what it may imply for practice is shown in his detailed analysis of a wide variety of arrangements for workplace governance. The second half of the book is an extended analysis of different sorts of arrangements in terms of those three dimensions.

Budd examines various concrete instances in considering the relative merits of markets, direct legislative regulation, and forms of workplace bargaining. Once again, some of the discussion is oriented toward US readers. For example, Budd discusses how the New Deal industrial relations system, and its subsequent developments, may be evaluated by reference to the typology he has developed. However, the discussion is probably of interest to many outside the US, not least of all because it provides an additional perspective on issues raised in Kochan, Katz and McKersie's *Transformation of American Industrial Relations* (New York: Basic Books, 1986).

In any case, subsequent analysis in the book, around a third of the whole, addresses matters in a broad, international context. Thus, for example, Budd examines systems of social partnership, sectoral bargaining, centralised awards, enterprise unionism, and others, in considering how they achieve the three goals of efficiency, equity and voice. He uses the same strategy in making comparisons between different national industrial relations systems, different forms of unionisation, and different ways of dealing with globalisation. The great strength of the book is Budd's movement between abstract theory and details of actual arrangements, as he shows how his typology can be used.

Although Budd's central concern is to show how his theoretical approach enables us to articulate and appreciate differences among various forms of workplace governance, many readers will also find that the book is simply a useful exposition of up-to-date detail about the various arrangements. The exposition is clear enough to allow the book to be used for that purpose. The writing is lucid and

the scholarship sound, so that it is not unlikely that the book will at least find a place as a reference for many courses.

If *Employment with a Human Face* were to be used as a main text for a course, that course would have to aim at drawing students into critical appraisal of industrial relations systems and arrangements. That support for critical appraisal of current arrangements also means that the book has the potential to affect practical deliberations about workplace governance. Budd has given his book the best possible chance to affect practical policy-making. His analysis is balanced, comprehensive and contemporary, and the ideas are put clearly enough to hope that they may figure in policy debates. In many ways Budd takes an unfashionable direction by aiming to articulate explicit ethical points as the foundation for detailed analysis of industrial relations arrangements, but he does so deliberately and carefully in an attempt to show that popular economic models are not the only systematic basis that can be set out as a foundation for critical appraisal of work arrangements. It is difficult to imagine how he might have done better.

UNIVERSITY OF SOUTH AUSTRALIA

CHRIS PROVIS

DISCRIMINATION LAW AND PRACTICE (2ND EDITION)

By Chris Ronalds and Rachel Pepper. Federation Press, Sydney, 2004, xxi + 266 pp., \$49.50 (paperback)

As barristers, Chris Ronalds and Rachel Pepper state in their preface to this book, 'Discrimination law is an exciting and continually evolving area of law' (page v). It is principally for this reason that the second edition of *Discrimination Law and Practice* has been much anticipated. The first edition, authored by Ronalds alone, was widely regarded as the best and most practical guide available to the complex areas of discrimination law in Australia at state and federal level.

The second edition builds on and expands the framework established in the earlier edition including recent developments in case law and statute. New chapters have been included, such as one chapter dedicated to discrimination in education. In what can be seen as a sign of the times, there is now a chapter dedicated solely to harassment, expanding the harassment and vilification chapter discussed in the first edition.

The exciting and continually evolving nature of discrimination law means that, as with most law books, new developments in case law and statute warrant a third edition almost immediately. Recent developments anticipated, but not specifically included in this second edition include the new age discrimination laws at federal level. Nevertheless, the laws of direct and indirect discrimination are comprehensively and clearly explained by Ronalds and Pepper, with chapters dedicated to liability, vicarious liability and the available defences, as well as general exemptions to unlawful discrimination.

This book represents a clear guide through the various twists and turns of discrimination law and practice. Of great assistance to practitioners in the area (such as myself) or other interested parties are the individual chapters dedicated