

## The Evolving Project of Labour Law in Australia

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The chapters in this book were presented in their original form at a workshop held in February 2016 to celebrate the 21st anniversary of the establishment of the Centre for Employment and Labour Relations Law (CELRL). This celebration proved an auspicious opportunity to bring together past and present CELRL members as well as other labour law scholars from around Australia. The goal was not only to recognise the contributions of the CELRL and share current research, but also to reflect on how our discipline has evolved in recent decades and on future possibilities and trajectories.

The title of the book – *The Evolving Project of Labour Law* – carries over the theme that CELRL members originally chose when organising the workshop. It reflects the dynamism of labour law as a field of scholarship, while also recognising the gradual evolution of much of our understandings and approaches, and acknowledging the contributions of CELRL members and other labour law researchers on whose work we all build. We wanted a title which recognised that labour law, far from dying or ossifying,<sup>1</sup> or experiencing some form of crisis,<sup>2</sup> continues to adapt and grow in exciting new directions. We did not ask participants to identify the core purposes, scope or functions of labour law, or its distinction from other fields, but expected them to reflect on their own perceptions of the nature of labour law and where it is, or should be, going.<sup>3</sup> We hoped to capture some of the key elements of the trajectory of labour law scholarship, as well as explore new areas of research and to reflect on where they are taking us. By using the term ‘project’, we intended to convey the intellectually curious, deliberate and reflective approach that many labour law scholars in Australia have taken to their subject. Not content with tracking and synthesising the extensive changes in legal regulation of work that have taken place across this time frame, labour law scholars in Australia have refused to

1 K Ewing, ‘The Death of Labour Law?’ (1988) 8 *Oxford Journal of Legal Studies* 293; C Estlund, ‘The Ossification of American Labor Law’ (2002) 102 *Columbia Law Review* 1527.

2 See, for example, G Davidov, *A Purposive Approach to Labour Law* (Oxford University Press, 2016).

3 R Mitchell, ‘Where Are We Going in Labour Law? Some Thoughts on a Field of Scholarship and Policy in Process of Change’ (2011) 24 *Australian Journal of Labour Law* 45.

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