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INDUSTRIAL CONFLICT

THE WAY OUT

A STUDY OF THE INDUSTRIAL
PROBLEM IN ITS PRACTICAL
ASPECTS

BY

The Rt. Hon. GEORGE N. BARNES

AUTHOR OF "HISTORY OF THE A.S.E."; "AN EASTERN TOUR"
AND "FROM WORKSHOP TO WAR CABINET"

WITH A FOREWORD BY
LORD CECIL OF CHELWOOD

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" I wish I could appeal to this nation. I wish I could appeal to the interests of this nation. We are threatened with strikes, lock-outs, disputes, and disturbances. How childish it all is ; how foolish it all is. What has happened ? Why is there no mutual confidence ? Surely these things can be arbitrated."

J. RAMSAY MACDONALD,
At Brighton.

8th March, 1924.

FOREWORD

No one has a better title to write on industrial questions than Mr. George Barnes. His great and varied experience as a working man, a trade union leader, a member of the Labour Party, and a Cabinet Minister, his complete sincerity and his exceptionally sound judgment will ensure a respectful consideration for what he has to say on a subject second to none in importance for the welfare of the country.

The evil with which he deals is urgent. During the past five years he estimates the direct loss due to strikes and lock-outs at 200,000,000 working days, which cost some £400,000,000—pure unadulterated waste. The indirect loss is probably much more considerable, for strikes and lock-outs are but the symptoms of a deep seated industrial disease. Other symptoms are the million and more of unemployed, the shortage of houses with all its accompanying miseries, the feared inability to cope with foreign competition without State assistance, the danger that large tracts of arable land will fall out of cultivation or be put down to grass. For all these things are in some degree the consequence of undue cost of production resulting from discord between employers and employed.

The worst part of the whole business is that, as Mr. Barnes shows, we have remedies at hand which are not utilized. Some of the Dominion experiments

have given promising results. Whitley Councils, profit-sharing, co-partnership and co-operation, where properly tried, have brought a measure of industrial peace; and the fact that in such industries as steel smelting there has been no "stoppage of work due to industrial dispute for more than a generation," shows what can be done in some cases by suitable machinery for the adjustment of differences.

The truth is that apart from breed-bates—whose influence is often exaggerated—it ought not to be insuperably difficult to convince employers and employed that their interests are common and not diverse. What is wanted is greater candour and confidence on both sides. The old idea that labour is a commodity which is to be bought and sold under the usual laws of supply and demand must be abandoned in deed as well as in word. The new conception of partnership, or as Mr. Barnes puts it, of "human equality," must take its place.

Full disclosure of profits and prospects must be made as a matter of course. Publicity is the great antidote to suspicion. If necessary the legislative or administrative assistance of the State must be invoked, for the present state of things is a disgrace to our civilization, and must not be allowed to continue. As our author truly says, "A bold move on the part of the Government would find favour with a growing number of people in all ranks of life, including many even in the ranks of labour."

FOREWORD

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Everyone interested in the Condition of Industry Question should read and ponder this book. They will find in it the fruit of great knowledge and ripe judgment, and those are the foundations on which a policy of true and lasting progress must be built.

CECIL.

PREFACE

A REVIEW of British industrial relations is timely. A greater degree of goodwill and co-operation between employers and employed is indeed urgent if we are to succeed in world competition, for, while our industrialists are wrangling about trifles, their competitors are chasing them out of markets by superior intelligence and organization. Community interests suffer, but nobody has seemed to care.

What is the way out ? That is a question to which I recently addressed myself in some lectures delivered at Barnett House, Oxford, and which I have expanded in the chapters here following. They give, I think, the practical response to the implied appeal at Brighton.

GEORGE N. BARNES

August, 1924.

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INDUSTRIAL CONFLICT

THE WAY OUT

CHAPTER I

THE INDUSTRIAL PROBLEM

WHAT are to be the industrial relations of the future in industry itself and in its contacts with the State ?

In an industrial sense the world is in process of remaking, and much depends on the spirit in which changing circumstances are met by employers and employed and on the degree to which both will have regard to community interests.

That existing relations are unsatisfactory is beyond dispute, and that the community suffers inconvenience and loss as a consequence is patent to the most casual observer. Eighty-four million days' production was lost directly as a result of industrial conflict in the year 1921, which was the year of the lock-out in the mining industry ; nearly thirty million days were lost the year before, which was a year in which the iron moulders broke away from their fellow craftsmen and, by a strike, nearly paralysed the engineering as well as other industries to which moulding is more or less primary.

Two hundred million days have been lost in the five post-war years by strike and lock-out. And this, too, at a time when, owing to the ravages of war,

it was never so important to produce goods in greatest quantity.

And the indirect loss is probably as large.

I think that it was Philip Snowden who said that in his opinion production in industry might be trebled if there were proper organization and co-operation. And, without committing myself to figures or proportions, I should say that, at all events, he is right in his implied indictment of existing conditions. It is not only in stoppage that there is loss. There is loss without stoppage. There is tacit slackness—a habit of mind rather than conscious lack of effort—on the part of many workers, and there are many employers who care but little about the better organization of industry, but who are bent only on the quickest way of “money making money.” There is, in fact, in too many cases an absence of any idea of co-operation and a desire only to get the largest possible share of a product lessened by sectional bickering.

General Principles.

A pertinent inquiry then on the threshold of any useful consideration of the question of industrial relations must be as to the causes of these things. Some people regard them as the natural and inevitable outcome of an unjust individualist industrial system. For my part, I am sure that the average man neither thinks nor cares about systems. He is instinctively practical. But he has a vague knowledge of past evils. I believe that present troubles are largely the product of past times and conditions.

Time was when Labour was dependent and unfranchised—unorganized and helpless. It was grossly underpaid and oppressed. The conditions of Labour of last century, upon which the supremacy of this country was largely based, form one of the haunting memories of history. Women and children, as well as men, were sweated and doomed to stunted lives and early graves. Those times have gone by, but they still live in the mental outlook of the descendants of those who suffered.

What of the employer? He also, I think, is largely the product of the past. His progenitors were taught to believe that in a narrow and even harsh pursuit of self interest they would somehow or other contribute to the common good. The doctrine was false, but it still lingers among us and contributes its share to the perpetuation of evils to which it gave birth.

Industry is hampered with a warped mentality born of ignorance and oppression.

The question remains, what is the best way out to a better condition of things? There is a large amount of agreement among all classes that Labour should have a better place in industry. It has now won its way to citizenship, it is organized and politically powerful. Many employers are now better disposed and could, through organization, make their influence felt. Moreover, the old time theory of the sufficiency of the pursuit of self interest has been discarded by those who lead public opinion. The problem is how to get employer and employed to co-operate in a more efficient production of

wealth while making further progress towards getting the worker his due share in the advantages of modern civilization. If they cannot, or will not, render such co-operation, then we are heading for class-war revolution and industrial relations will shape themselves accordingly.

There are some who despair of any improvement except by this method of the Kilkenny cats. They would risk everything in a revolution in the hope of the emergence of some new system of industry more to their liking. And there are some who unwittingly contribute to the danger of revolution by laying undue stress on sectional interests while ignoring or denying the interests which are common.

The militant view is put with brutal frankness in the opening words of the constitution of the Industrial Workers of the World. It is there said that "the working class and the employing class have nothing in common." And, quite consistently, they make war accordingly.

I do not take that view. It is true that the existing system of industry is by no means ideal. But no system can be ideal until there is an ideal human nature. Systems are not made by laying brick to brick as in the building of a house. It is still true that it is the things of the spirit which count most, and it is to the emergence of the right spirit that I attach most importance in the evolution towards a better order. And, in that evolution, the employing class as well as that of the employed, can take part, moved not only by altruistic sentiment

but by motives of self interest. They would gain by the adoption, generally, of reasoned relationships with Labour. Some employers have already made that discovery and have welcomed co-operation of workers' representative shop committees in workshop organization and control.

But there is a difficulty on the Labour side. It is in the undue assertion of narrow sectional interests. This is inimical to class as well as to community interests and must be remedied by bringing sections together and inducing them to take larger views. It is difficult, I know, because industry is so divided into parts, each of which constitutes a little world to the workers in it. But they are poor friends to the worker who harp only on the difficulty while ignoring the need for the will to surmount it. The environment of the worker can only be altered by the adoption of an outlook and policy envisaging the good of industry as a whole. And it must come from within. It will never come by mere theorizing about what may be in a kind of world different from that which has fallen to our lot.

And, of course, it follows that there must be a human and social as well as an industrial and class view. After all we are men and citizens as well as employers and employed. We have interests which harmonize as well as interests which conflict.

I should build on that as a foundation.

Industry must be run by employers and employed on agreed principles so as to prevent stoppage and

get the largest possible production. Distribution is of course important but, other things being equal, everybody is concerned in first getting as much as possible to distribute. It is up to those directly concerned in the factories and workshops to visualize that largest possible production as their chief objective and to get together in co-operation so as to achieve it and to agree as to its just division. To some that may sound Utopian. It will strike many as impracticable. I believe it to be the only practicable way out of present industrial trouble and that we must travel that way or perish. Civilization will fall to pieces if it continues to be torn right and left by its component parts.

Hope lies only in willingness to serve all. There is no hope in a mere scramble for profits and wages on the part of two groups without due regard for the interests of the community which includes both.

Changes in industrial structure may, of course, be made. New methods of doing things may be adopted, new laws may be found necessary, profit making in certain services may be replaced by public ownership and control. All these changes may be made by way of trial and experiment, but they will be of little use unless they are made as resulting from, or contributing to, a desire for mutual and social benefit.

Profit Sharing.

Having now laid down general principles, I shall endeavour in what here follows to apply them. And first of all, I want to make my position clear on a

proposal which might be thought to be endorsed by the general view set out above. The proposal is that capitalists should share profits with workers. It is said that in schemes of profit sharing as between individual firms and their workpeople is to be found the way out of industrial troubles. The wide support of such schemes, and their advocacy by many who are sincere well-wishers of Labour, demand their somewhat close inspection in their relation to the existing world of competitive industry.

The existing industrial system might not inappropriately be described as one organized by capitalists in the hope of profit. I do not say that by way of praise or blame, but merely as a statement of fact. Labour is assigned a subordinate place in the scheme of things and shares directly in the production according to the strength of its bargaining power. The only real exception is the industrial co-operative movement, which is a movement working within the capitalist system, but not of it, and of that I shall have something to say later on. Meantime I want to set out the main facts without entanglement. And, if I am right so far, it follows that the success or otherwise of profit sharing in the industrial field depends in the main upon how it will affect the workers' power to make bargains.

The danger of all individual profit sharing is the possible weakening of trade unions. Some of them have in times gone by been introduced for the express purpose of detaching groups of workers from their unions. Those who control the unions oppose them because of past experience and because

they are unwilling to expose Labour to further risks. I do not think that there is the same degree of danger now as formerly, because these questions are now approached in a better spirit and trade union organization has got itself fairly well established as a bargaining agency. But it must be admitted that there is much in past records to justify a cautious attitude.

The best known, as well as the most typical, of past experience of profit sharing is that of the South Metropolitan Gas Company. This scheme was started some 35 years ago, following a resolute but unsuccessful fight of the gas stokers for an eight hour day. Very soon after its inauguration, and for a long time, acceptance was made a condition of employment, and union gas stokers were barred.

A common feature of all these schemes is to tie up groups of workers to certain places. In one case four years' service must precede sharing in profit, and in another there is after five years the promise of double share. This must have a narrowing effect on the outlook of the worker and to an extent makes Labour immobile. And, except in those cases where the profit sharers are members of outside trade unions, it must, to the same extent, weaken trade unionism and jeopardize the standard of industrial life. Profit sharing must really be viewed and judged in the light of these considerations.

The first principle for Labour is, of course, the establishment and maintenance of minimum standards of life. That must ever be kept in view.

And a standard is impossible without strong trade unions. Any profit sharing scheme therefore which in any way threatens to undermine trade unions cannot be accepted by Labour, or, if it were so accepted, could not possibly contribute in a general sense to the solution of labour difficulties. To profit sharing of the kind which, in a capitalist environment, detaches groups of workers from trade unionism, Labour cannot agree. It would mean committing suicide. Profit sharing with segregation as its object is impossible. If the sharing of profit by worker *quod* worker is to be seriously entertained by Labour it must be with the concurrence of the trade union and be based on trade union standards.

And in the second place it should be, if possible, regulated in such a way as not to interfere unduly with the mobility of labour. In the nature of things, profit sharing must, to some extent, prevent free movement of labour, but that might be minimized by intelligent anticipation. Profit might be estimated in advance instead of being paid or credited only at long intervals. But, in whatever way achieved, maximum of mobility is the second condition of success.

And the third is full knowledge and participation in some form in the determination of the conditions under which the scheme is to be operated. It is of no use urging the workers to greater effort in order to make and share in greater profits, the making of which may be prevented, in spite of all their increased efforts, by the mistakes of people

over their heads. Workers must have some opportunity of expressing themselves in regard to how profits are made and how they might be lost.

Profit sharing, then, if it is to be consistent with Labour aims and interests, must be based on the threefold guarantee (1) to the trade union of standard minimum rates of wages; (2) maintenance as far as possible of mobility of labour, and (3) joint participation in deciding and maintaining governing conditions. And it is because I see little prospect of these conditions being largely applied in individual or isolated schemes of profit sharing, that I attach little importance to them as having any immediate general bearing on the improvement of industrial relations. As a matter of fact they have been tried for a century and more than half of them have ended in failure. The last return (to December 1922) shows that there were but 241,000 workers covered by them out of an industrial population of 14,000,000.

Co-Partnership.

The next step forward towards a fuller association of Labour in the sharing of responsibility for industrial enterprise is in what is known as co-partnership, which means sharing in risks and management as well as in profits. This is really a step in the direction of improved status of Labour. A most interesting and promising development of the co-partnership principle is now being promoted in New Zealand, that home of industrial experiment. The principle enunciated in the "Companies Empowering

Bill," which has been adopted by the New Zealand Prime Minister, is that service shall rank exactly as pounds sterling in giving both control and share in profits.

The Bill will, therefore, if passed, amend the law so as to enable companies to issue "Labour Shares," equal as to right of voting at shareholders' meetings with the right conferred on the holders of capital shares. These labour shares may be issued to all who serve the company and be allotted as to numbers according to status expressed in pay. Thus the managers and higher officials would have a greater voting power than their fellow co-partners. And, as capital is acquired in the company by labour shareholders, the holders would vote both as capitalists and "workers." The scheme has already been carried out by Messrs. Valder, of Hamilton, with, it is said, entire success. The share given to capital is fixed at the current bank rate, plus a risk rate calculated in proportion to the risk run; and the remainder, after allowing for necessary reserves, is divided among the holders of labour shares according to the number of shares held by each individual. But reserves are intended to create funds for the sick, pensions, and unemployment, so that industry collectively would carry its own labour burdens by the profits accruing from the industries in which labour is employed.

But now I return to the consideration of the industrial co-operative movement, or rather to that part of it known as the productive movement, in which the principle of co-partnership is most applied.

The distinctive feature of most of the productive societies is the participation of the worker in the shareholding, management, and profits of the concerns. Some also share profits with customers. They are owned by co-operative societies, trade unions and individuals. The membership of management committees consists of individual shareholders or representatives of shareholding societies, i.e. trade unions and co-operative societies, but a large proportion of the individual directors are, although not employees, persons who have been employed by, or are members of, shareholding societies. Of the employees, 62 per cent are members and 38 per cent are non-members, and membership consists in holding money shares, but there is no plural voting at shareholders' meetings. There are over a hundred of these societies, employing about 12,000 workpeople and selling products to the extent of £2,000,000 sterling yearly.

The schemes for profit sharing vary with the constitution of the various societies, and it will be sufficient here to give one case. It is, I think, the best from the Labour point of view. It is that of the Co-operative Printing Society, which has factories at Manchester, London and Newcastle and employs about 600 workers. The Co-operative Printing Society pays capital 5 per cent, and its directors have absolute discretion as to the disposal of the remaining profit, subject only to endorsement at half yearly meetings of shareholders and to the proviso that, if additional bonus is to be paid to shareholders, a corresponding percentage must be

paid to worker and customer as well. The bonus to the worker, however, is conditioned by the further proviso that if it is left in the concern 50 per cent is added, and the two parts are put into a thrift fund to meet cases of distress arising from sickness or other exceptional circumstances, the balance being paid out to the worker on termination of his or her service. The scheme works out, after provision of other welfare funds, in a $7\frac{1}{2}\%$ return to capital, $2\frac{1}{2}\%$ return to purchasers on the amount of their custom, and $2\frac{1}{2}\%$ (plus 50 per cent) bonus on wages. But special reserves have been built up for pensions on a fairly liberal scale as well as for grants to those who have failed to qualify for pensions at date of leaving the service. It will therefore be seen that this society has practically reached the realization of the New Zealand ideal of carrying its own labour burdens. No one on its staff of workers need be a burden on the State, although, of course, under the provisions of the Insurance Acts, the society is mulcted in contributions for the maintenance of insurance funds. And I may here say parenthetically that the latter observation applies generally to the co-operative movement, although its employees are not subject to the same fluctuations of employment or vicissitudes of life as are those in ordinary capitalist employment.

It will be seen that the feature of profit sharing in the co-operative productive societies, in contradistinction to that of capitalist schemes, is that the major portion of what is left of profit, after paying fixed charges, is allocated to workers and

customers and to special funds for the benefit of the former.

But there is the other aspect, that they are controlled by Labour and inspired by Labour ideals, so that no question of divided loyalty of the worker should arise. They are based throughout on trade union standards as to wages, hours of labour and other conditions. These are secure instead of being in jeopardy as in some of the older schemes of ordinary industrial enterprise.

Federated Consumers.

The consumers' societies, however, now form the main body of co-operators. These reckon their membership in terms of purchasing members. The wholesale societies of England and Scotland engage largely in production, as well as in buying for them, and these also reckon their membership in terms of enrolled purchasing societies. Dividend is paid in each case—by the individual society to the individual purchaser and by the wholesale society to the purchasing societies—on the amount of purchases after paying a fixed amount to Capital and Labour for use and service. Some of the societies, including the Scottish Wholesale, pay a small bonus to Labour, but this is negligible and really may be regarded as part of wages. The distinction between this great association of co-operators and all other forms of business enterprise lies, therefore, in its method of sharing results.

Paradoxically, profit is shared by abolishing it. It goes to the consumer, upon whom the whole

system is based. Goods are not produced or stored on the chance of being sold at a profit; they are produced for an assured demand from the co-operative consumer and that demand is a prerequisite of their production or distribution. They are produced and distributed for use and not for profit. The Co-operative Wholesale Society starts a factory only when it is assured of sufficient customers among the societies to keep it employed. It is not started to make a profit at all, and indeed the factory would function all the same if the goods were delivered to the societies at the bare cost of production. They are delivered at market prices as a matter of administrative convenience, and the overcharge—or surplus—is paid back at the end of each accounting period. Thus profit is eliminated by this method of production for use, a principle which has been in operation by the Wholesale Society for 50 years and which had been adopted by the distributive societies 30 years earlier.

Another feature of the system of consumers' co-operation is that it brings in the largest possible number of beneficiaries. Everyone consumes and everyone therefore may be enrolled. The whole community, irrespective of class, may join, and, of course, the workers in the stores and factories are almost entirely all members and share in the control as consuming members as well as in the dividend in proportion to their purchases. A member is enrolled as soon as he pays a nominal entrance fee and begins to purchase. The fee generally is a shilling, and from the moment he becomes a purchaser he becomes also

entitled to share in the control on equal terms with the oldest member, irrespective of difference in value of holding. The supreme control is in the half yearly or quarterly meeting of shareholders, from whom all authority is delegated to committees of management who in turn make all appointments, subject to endorsement at such meetings. The whole structure of the movement therefore is the essence of simplicity as well as of democracy.

What place this great association of consumers may assume in the State of the future cannot be dealt with here. There are, of course, obvious limitations to its activities, and these include foreign trade, supply of gas, electric current, transit or other services, which in their nature could not be entirely organized by voluntary co-operation. But there is no reason why it should not ultimately produce and distribute most articles of daily consumption. The Federation of Distributive Societies already embraces in its four million and a half of adult members about one fourth of the population of the United Kingdom, and distributes nearly twenty million sterling in dividend after paying interest on capital and allowing for depreciation and reserves of various kinds. There is obviously a great future for it, for it affords an opportunity to the people of conducting business for themselves with the minimum of outlay and the maximum of advantage, conditioned only by the efficiency of its methods. And it affords a great training ground for citizenship as well as a means of financial advantage to all who enrol in its ranks.

And now, having dealt at some length with the

consumers' industrial co-operative movement in its general aspects, let us see what is its bearing on relations as between employer and employed. In form it leaves them unaffected. The worker in a co-operative store or factory is employed by the manager or the agent of the distributive or wholesale society, as the case may be, just as is the worker in capitalist employment. But, while there is no difference in the form, there may be a good deal in the fact. Trade union standards are observed as minima, and conditions of employment generally are subject to review by the elected committee. The wholesale societies, and some of the affiliated distributive stores, are pledged to accept the awards of trade boards (to be hereafter dealt with). They have also bound themselves to accept the decision on other disputes, as they may arise, of a joint committee of trade unionists and co-operators set up in accordance with resolutions adopted by the Co-operative and Trade Union Congresses twenty-five years ago.

The aim of the co-operators is to harmonize the interests of employer and employed by merging them in the interests of the consumer—who includes both—but, at the same time, the usefulness of trade unions in arranging conditions of employment is fully recognized and applied.

In a practical sense these industrial co-operators have their troubles with the 200,000 workers in their employment. Quite recently there was a prolonged stoppage over a dispute on whether or not the directors of the Wholesale Society had a right,

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without reference to the joint committee, to interpret and apply the terms of a trade board award.

Most of the employees are members of trade unions. Membership is encouraged, and indeed in some cases enforced as a condition of employment. They are members of their respective craft unions or of the General Union of Shop Assistants, or of a separate and very militant union of co-operative employees which has taken full advantage of the democratic and labour character of the movement to extract the best possible terms for its members. Speaking generally, however, the great movement of co-operative consumers offers a system of producing and distributing goods alternative only to the capitalist system, and leaves the interests of the worker to be looked after by his trade union. I shall deal with the trade unions in my next chapter.

CHAPTER II

COLLECTIVE BARGAINING

I HAVE dealt in my previous chapter with profit sharing and co-operation and also indicated in general terms the objects and aims of trade unions. Let us now consider the latter in somewhat more detail.

Craft Unions.

Trade unions stand for the interest of Labour as producers whether such labour be employed in capitalism or co-operation. They have achieved great results and have had a good effect on industry as a whole for, by increasing wages, they have stimulated employers to improve methods of production. And the higher standard of living has been a benefit to the community, for it has led to more leisure and improved health, as well as better provision for wives and children. They have also rendered great communal service by the payment of sick, unemployment and superannuation benefit to their members. These benefits have been provided for the purpose mainly of keeping the unions together by the bond of individual self interest but, incidentally, their provision has relieved the community of a great burden.

What of the future ? The defect of trade unionism is its sectionalism.

A trade union often presses unduly the separate

interests of its members as against all other interests, even in the ranks of the workers. This has arisen from the circumstances of the origin of trade unionism and the subsequent division of Labour. Trade unions began as local clubs of craftsmen and developed mainly on the lines of amalgamation of those clubs. But, concurrently with its growth, machinery and specialization have also grown and split up crafts into specialists and machine operators. An "old mechanic" in the infant days of trade unionism was a man skilled in what are now a number of callings. A shipwright was one who wrought in either wood or iron. Subsequent amalgamation of unions, although geographically successful, has failed to unite the elements of craft under one banner. There is the National Union of Shipwrights, but there is also that of the iron shipbuilders; there is the National Union of Engineers, but there are also sectional unions of engineering workers. Union of unions has in fact been accompanied by the disintegration of crafts and the making of more unions.

Industrial Unionism.

A new difficulty now confronts trade unionism. This is the emergence of a new unionism based on industries instead of crafts. This new form of Labour organization seems destined to play havoc with the old crafts unions. It is cheap. It evades sick or superannuation or even unemployment benefits and boldly throws responsibility for these upon the State.

But, as well as being cheaper, industrial unionism claims to be more effective. It aims at speaking for a whole industry which, however changeable its parts, remains still the same industry. The National Union of Railwaymen, for instance, which a few years ago was a union of non-mechanics, have now widened their objects and framed their rules accordingly. They now declare their object to be "to secure the complete organization of all workers on or in connection with any railway in the United Kingdom," and their rules provide for the admission of anyone employed on or in connection with a railway. Large numbers of engineers, however, are employed on or about the railways, especially in the manufacture and repair of engines and running plant. They have been the most profitable members of the engineering craft unions, for their employment has been more steady and their contributions more sure. What is true of engineers is also true of the painters, or carpenters, or bricklayers, or other craftsmen on or about the railways who have been members of their craft unions.

Industrial unionism is threatening a new cleavage and in fact a new sectionalism. An engineer or a carpenter may leave the railway and follow his calling elsewhere. Industrial unionism makes no provision for him. The conditions of employment of the engineer or the carpenter, wherever employed, will always be determined by those who most employ and organize engineers and carpenters, and the diversion of men from the craft unions to the Railwaymen's Union will weaken the bargaining power of the

former. The result, on the one hand, will therefore be a weakening of trade unionism in its old form, but whether this will be counterbalanced in time by a greater degree of efficiency of the new form remains to be seen. If the Railwaymen's Union succeeds in enrolling any considerable number of railway craftsmen in its ranks, time only can show if their interests will be as well looked after under the new dispensation as they had been looked after under the old conditions.

Time only can tell whether industrial unionism will become a helpful or permanent feature of the trade union movement. In mining it has rather failed to maintain a position which it had attained, although mining is one of the most homogeneous of industries. In the railway world it is still in its infancy. And in the cotton industry, where there is perhaps a more complete application of the principles of collective bargaining than in any other, there is no interference by the cotton operatives' unions with the auxiliary craftsmen. I believe that, as industry in the future gets leavened by Labour control, trade unionism may be transformed into some kind of semi-public authority representing community as well as trade or craft interests. Attempts have been made in recent years—somewhat reminiscent of the old trade guilds of pre-factory days—to execute contracts for municipal housing by the building trade unions. But they have met with little success. Conditions are not ripe for successful business enterprise of this kind by the trade unions. It may be that industrial unionism

will prove a step towards it—to be worked out in trial and trouble. I make no prophecy. But meantime it has made confusion worse confounded.

Union Rivalry.

Yet a change in trade union structure was inevitable when the idea of collective bargaining took root among the less skilled workers. It is a pity that the craftsmen did not anticipate it and guide it. Instead of that they themselves have remained divided. In considering the question of industrial relations and their bearing upon the future, one must have regard to this aspect of things. I confess that it is an aspect which in recent years has changed my views of, at all events, the rate at which advance may be made towards better and more efficient methods of bargaining and larger production of goods. There is, as yet, but little advance in successful solidification of the trade union movement except in the ranks of the unskilled workers.

Possible dispute about demarcation of work is still a constant cause of anxiety to the works manager and holds up improvements which might otherwise be made in methods of production. And the evil has become even more widespread with the growth of trade unions. Demarcation disputes were at one time confined to the mechanics, now they are frequently caused by claims made by unions of semi-skilled workers as against the mechanics. At one time it was the fitter *versus* plumber, the shipwright against the shipbuilder, or

the petty quarrels of joiner and carpenter about the "right to work" which throttled industry. Now, as often as not, it is the driller or the printer's assistant who will wax eloquent about the "right" to some particular job. This spirit of predacity has indeed been, and still is, the bane of trade union organization. Trade unionism will come to full stature as a beneficent agency for human betterment only when there is agreement on some plan by which division of work may be left for impartial adjustment.

But leaving this unattractive side of it to the arbitrament of time and circumstance, we may say that trade unionism may be taken as the main agency for arranging industrial conditions with employers of labour.

Employers' Organizations.

Employers' organizations have evolved much in the same way as those of the worker. They began in local and sectional associations. Fifty years ago there was scarcely any national organization at all in the sense now under review. What there was had come into existence consequent upon the agitation for the nine hours day, which was won by the engineers in 1871. Or, rather, there was a revival. There had been the same sort of sporadic organization twenty years earlier, when the local trade unions or clubs had begun to amalgamate their forces. Employers in fact had always organized, in the main, merely to counter some particular movement of Labour. There had been no need for anything more. A single employer is in himself

the personification of an organization covering in most cases many workers, and in the days when there were only local unions it was easy enough for the few employers in a district to act tacitly together. In another respect, the employer's position was always different from that of the worker in that he was content to be quiescent, whereas Labour had to be aggressive. The law and the prophets were always on the side of the employer, whereas the worker had many things against him which tended to perpetuate the wrongs from which he suffered. It is true that certain specific laws against trade union combination had been struck off the statute book. They had been repealed in the year 1824—just a hundred years ago—but trade unions were by no means free. Ten years later Dorset labourers were convicted and sent to Botany Bay for acts in connection with the formation of an agricultural union and for long after that—in fact up to 1875—trade union organization was hampered and weakened by harsh administration of the common law or by legal figments of class bias in relation to restraint of trade. A strike, for instance, was held to be legal, but means to make it successful were held to be illegal if they were calculated to coerce the employer. It was not till 1875 that trade unions emerged from the trammels of criminal laws. It was only then that employers began to take them seriously as agencies for the regularization of conditions of labour. Federations of employers were formed by linking up the local associations, first for the purpose, I believe, of combating the unions, but later as a

means of bargaining with them. But the latter attitude was reached only after several great disputes which had occasioned a great deal of suffering and which had dislocated the trades concerned. It was only then that employers came to recognize the real value of organizations as agencies for mutual betterment. Collective bargaining had been for long advocated, it had been strengthened by the success of the nine hour movement, which had been brought to a more or less satisfactory conclusion by negotiation between a body known as the Nine Hours League on the one hand and a hastily formed Federation of Engineering Employers on the other. The principle of bargaining between the respective organizations had then come to stay. There were the means of giving effect to it and there was also the beginning of the appropriate mentality which had been produced in the hard school of experience.

Brooklands Agreement.

The large scale starting point in the mutual recognition of the value of collective bargaining may be said to have been the meeting of representatives of the employers' and workers' organizations in the cotton spinning industry in 1893. There had been a long stoppage on a question of wages and the meeting had been arranged to effect a settlement. The question upon which the dispute had arisen was settled, and then the parties concerned began to discuss the wider issues of permanent relations with a view to avoidance of further stoppage. The result was the "Brooklands Agreement" (so named because

the conference had been held in the Brooklands Hotel, some miles out of Manchester), and this agreement became a sort of model upon which other agreements were based. The central idea was to make strikes and lock-outs less likely by imposing checks on impulsive action by either side. It did not provide for arbitration, but it did provide for discussion of wages difficulties or disputes as they arose, first locally, then, failing settlement, by the representatives of the whole industry.

It provided for continuance of work during discussion. That was its main objective—uninterrupted production.

The same idea was the central feature of the terms of settlement of a stoppage in the engineering industry drawn up in 1898 as between the representatives of the then newly formed Federation of Engineering Employers and those of the Amalgamated Society of Engineers. The terms, however, provided for the discussion of any question of difference or dispute between the parties or between anyone of their members with a member on the other side. First, provision was made for an employer or a workman to have any complaint put to the local official. Failing settlement, it was to be referred to a local conference composed of representatives of the association of employers and the local representatives of the union and, if still a matter of dispute, it was reserved for central conferences between executives of both sides. But each side was bound to continue work pending full discussion through the three stages. Questions of general rise and fall

of wages, or of hours of labour, were, however, reserved as questions for settlement by representative conferences of the two sides on application being made by either ; but, here again, pending discussion, there was to be no stoppage. Work was to proceed on the conditions current at date of application.

The only exception was in respect to workshop management, upon which a right was reserved for an employer to change current conditions ; but, even here, it was provided that the " change " might be discussed at local and central conferences and each side had freedom of action afterwards.

This arrangement, modified in certain minor respects favourable to Labour, has been gradually extended since to the whole of the engineering and shipbuilding industry, and on the whole has worked very well in providing opportunities for making strike and lock-out the last, instead of the first, resort, as it oft had been, in industrial settlements. Unfortunately, it makes no provision for disclosure of all relevant facts and it cannot save belligerency if there is a disposition to it. But it has prevented a good deal of stoppage and saved the industries a good deal of money. It constitutes a full recognition of the trade unions as the bargaining agents for Labour. " Recognition," which had been for so long a bone of contention, has been won by Labour.

A difficulty now is as to who or what is to be recognized. There is a multiplicity of claims for representative position. A national organization of employers may have to negotiate with half a dozen unions on the other side, and this, of course,

operates against expedition and success. And, even when the unions at times combine to negotiate on some matter of general concern, the agreement is generally subject to separate vote of each of the unions and is sometimes rejected by one or other to the detriment of all. Troubles of this kind occurred when the moulders fell out of step with the other unions in the engineering industry and caused the dire results already alluded to.

Employers' Secretiveness.

There is another difficulty in negotiations, which comes from the other side, and that is the unwillingness of employers' organizations to put all the cards on the table. The Brooklands agreement made no provision for the disclosure of profits. Neither is there any such provision in the negotiations between employers and employed in shipbuilding and engineering. There are, of course, engineering employers who take their workers fully into their confidence. And, in some industries, there is statutory provision. There is, for instance, for the railways the wages board, which adjusts railwaymen's wages in the light of all relevant facts; there are the iron and steel trade boards and there has been an arrangement, for the moment unhappily in suspense, for miners' wages bearing a relation to profits. But all these are exceptional. In the main the adjustment of wages in the staple trades of this country is carried on somehow without full knowledge on the workers' side. The employers have an advantage in that they know all about wages, while

the employed know only what they are told about profits. And, very often, what is told is coloured by sense of self interest.

The first need in the establishment of more equal relations between employers and employed is the exorcizing of this spirit of secrecy. I am sure that there can be no permanent or satisfactory results in collective bargaining except the bargains are made in the full light of knowledge. Over and over again I have seen relations embittered and an atmosphere of suspicion engendered because of information being suppressed or of statements being made which subsequently turned out to have been incorrect. One such case occurs to me. It led to the termination of my official connection with the Amalgamated Society of Engineers. The men in a shipbuilding district were in dispute about wages. Contrary to my advice, and in spite of the fact that arbitration had been agreed to by local as well as central officials on their behalf, they were on strike and continued on strike. I wanted a vote of the whole of the members to decide and it was refused by the council, who supported the men by paying them strike benefits although on strike against council advice, and I resigned.

But there was much to excuse if not to justify the attitude of the men. Some years earlier they had applied for an advance and had been met with doleful tales of low profits and imminent ruin. The chairman of the Employers' Federation on that occasion had said that "in the marine trade, which personally I have more knowledge of than others,

I have no hesitation in saying that it is undoubtedly in a rapid decline." And yet, during the very year in which this statement was made, 19,000 tons of shipping were launched in excess of the year before, and, in the year after, no less than 74,000 tons in excess of that year. This came at a time when strenuous efforts were being made for preventing disputes arising and of permitting closer and more intimate relations. And, of course, the effect was deplorable. It lingers still in the minds of those who were concerned. It was because of this lesson that in my last address to the members I said: "I submit therefore that the men in conference should be supplied with full information as to prices, profits and prospects, so that the conference should have an opportunity of making up its mind on the whole facts. If there is objection to discussing the position of respective firms, then it could be done by such disclosures being made to accountants, who would report to the conference as a whole on the facts as a whole without disclosing names." I did not say then, nor do I say now, that the chairman consciously misled the men. He was biased, and it was this bias which led him to a wrong conclusion and which led to a decision afterwards found to have been wrong. But it was typical. There has been too much of a disposition on the part of the employers to conceal and mystify. Workers have seen all the outward and visible signs of prosperity synchronizing with doleful tales of depression, and they have become cynical. They must be given the facts, the whole facts, and nothing but the facts.

The Human Element.

Employers' organizations must cease to regard Labour as an impersonal thing. They must welcome it into their counsels, as far as possible, on terms of human equality. The workers, after all, put their labour power into industry. Labour power is their capital. It is as important an element as money—in fact it is more important—and is entitled to as important a place. An opportunity presented itself recently in the House of Commons, when the Railway Amalgamation Bill was before Parliament, for the application of this principle into the board room of the directors, and I moved an amendment to the Bill which would have given railway workers representation on the boards along with the representatives of the shareholders. I am sorry to say that that amendment was not accepted. But the principle will yet be applied; of that I feel sure. And it will come first in those enterprises which enjoy Parliamentary privileges and which are in their nature monopolistic. Mutuality will replace the lingering desire (now exhibited sometimes by one side as well as the other) "to do what they like with their own." Autocracy is no longer tolerable. The time for it has gone.

And, when collective bargains have been properly made they should be scrupulously kept. Sometimes it is not possible to put the precise terms of an agreement into a document although they may be perfectly well understood. When Labour, for instance, comes under obligation to make full use of machinery the agreement should be interpreted

in the sense of getting the best possible results, instead of, as has sometimes happened, with reservations about use and wont standards. And advisory workshop committees should be used to promote this fair dealing. I am glad to know that these committees are now, to an increasing extent, being so used and that this is leading, in these cases, to increased production as well as improved, i.e. more harmonious, relations.

In regard to workshop management, the best results would come by leaving the details of it, in the first instance, untrammelled in the hands of works managers. There may, of course, be changes in works practice which might conceivably affect Labour in respect to hours or wages upon which workmen have a right to consultation and agreement. But the way to have these things permanently and satisfactorily settled is not by strike or threat of strike, which has been the method too often resorted to, but by having agreements for discussion of them within a given time and, pending settlement, for leaving them to be handled by those in authority on the spot. That means, of course, tying the hands of the complainants or the union of which they may be members. But there would be no hardship in that so long as the employers and other unions were also tied down and provision was made for speedy discussion. It would give everybody time to think.

Of course, the employers should meet the desire of Labour to have a voice in deciding the conditions under which managers should exercise discretion. As to how that is to be carried out there can be no hard

and fast rule. The method must vary with the different industries and even with the size of industrial enterprises. The workers would in time, I believe, give up pettyfogging interference with the workshop management if their representatives were taken more fully into the confidence of the employers.

Whitley Councils.

The most exhaustive examination of the problem of industrial relations which has as yet been made is that of the sub-committee of the Reconstruction Committee of 1916, presided over by Mr. J. W. Whitley, at that time the Chairman of Committees of the House of Commons. The main recommendation was the establishment of joint industrial councils for the well-organized industries, and this was followed in subsequent reports by recommendations for the application of the principles of trade boards for the unorganized.

Whitleyism predicates complete organization and joint councils for each well-organized craft or industry, composed of equal numbers of employers and employed, presided over by a chairman agreed upon by themselves or, failing agreement, one appointed by the Government. In addition there are also recommendations for district and shop joint committees to whom questions may be submitted for consideration by the main joint council. These recommendations differ from existing procedure in well-organized industries in respect to the selection of the chairman, who is chosen by outside authority instead

of, as in the best organized industries, by the persons immediately concerned; and it differs in that matters for inquiry and advice are remitted from the main body to the local committees, whereas the general plan in operation now is to remit from the district or shop to the executive authorities of the organizations concerned.

The principal new and distinctive feature of the Whitley recommendation is, however, the standing joint councils. By means of this council regular and continuous co-operation is contemplated between organized bodies of employers and employed so as to prevent disputes or arrest them in the making instead of, as at present, dealing only with acute conditions of controversy as they arise. The underlying object of Whitleyism is the creation of a sort of corporate pride which would result in keeping the industries going on agreed principles. Under Whitleyism it might be possible—although it may never have occurred to the Whitley Committee—to induce trades to relieve the community of administration of sick and unemployed provisions.

The councils and committees are, of course, endowed only with advisory powers, and it remains to be seen how far they may be effective in bringing reason to bear on both sides. There is at least common ground in the hope that they may succeed. They have not yet, so far as I know, discussed the question of the rights of the community in relation to industrial conflict. That, however, is a matter which must be discussed somehow and at some time. At present a few stupid and obdurate employers or

a few hundred stupid and obdurate employees may, and sometimes do, run amok and the community have to suffer in helpless silence. If the Whitley Councils can devise some ways and means of bringing stupidity and obduracy, on either side, to reason, then they will have conferred a great benefit on everyone concerned. If not, then the change will have to come by some other means, for community interests, including Labour interests, will not for all time be sacrificed to senselessness. But of this more anon. There is scope for the Whitley Councils in bringing and keeping employers and employed together and getting them to recognize that they have common as well as divided interests.

A Labour Ministry report was issued a few months ago on the establishment and progress of councils and committees under the Whitley scheme. During the period covered by the report—that is from the date of the promulgation of the scheme—73 joint industrial councils had been established and, in addition, 150 district committees and about a thousand works committees. The best organized industries had not yet adopted the scheme, but these already have well-established machinery for the discussion of matters of mutual concern. They include cotton, mining, engineering, and iron and steel; and, of course, the Railway Act of 1921 set up special machinery for the railway industry. The 73 joint councils had been established in the smaller, but still fairly well organized, industries and 60 of them had functioned.

In view of the long continued depression of trade

and fall of wages the Whitley Councils have been operating during a very difficult time, but there are, I think, some indications that they are taking root, not only in ordinary industrial enterprise, but in Government and municipal services, and that they are establishing for themselves a place in the industrial structure of the country.

They are based on, as I think, the right idea of preventing or arresting industrial war by and through giving Labour a position to which it is entitled and in which a full sense of responsibility may be engendered.

A possible development of the Whitley Joint Council may be the formulation of plans for the better protection and regulation of industries. At present things are left too much to chance. Recent experience in the building industry affords an illustration. Bricks were increased in price and hampered the industry. There was no reason for the increased price of bricks, except increased demands which ought to have been met by correspondingly increased supply. But there was an artificial scarcity, which might have been prevented by timely concerted action on the part of building employers and employed. Again, in the same industry, there is a disparity in numbers of mechanics. There is a shortage of plasterers and bricklayers and a surplus of other sections of workers, many of whom are unemployed. Surely a proper proportion of recruitment into the industry might be arranged by a little forethought on the part of a Council representative of all concerned. These

cases are but illustrative. There are like anomalies in every trade. Perhaps the most baneful of them are those respecting allocation of work, for these cause more loss and friction in the workshop than anything else. Employers and employed should agree on the right way of handling them, instead of which they spend their time and money in senseless strife. Better industrial relations would, I think, open the eyes of employer and employed to the degree in which their interests are common. And the Whitley Joint Councils point the way. The joint council may in time draw up industrial codes for the protection of industry and for the conduct of workshops on settled principles. How the employers and the worker would protect themselves against exactions from without as well as strife from within would, of course, have to be hammered out in council, but, if those concerned were agreed on their objective, they would at least have a chance of finding a road to it. The first thing is to get together in a spirit of determination to use organization for mutual and social benefit. That would be the enthronement of common sense.

CHAPTER III

LABOUR AND LAW

MR. ASQUITH has laid down three maxims for an industrial policy. "There must be," he has said, "partnership by all those in industry itself, security of livelihood for the worker, and predominance of public advantage over private profit when the one conflicts with the other."

The formula is one from which few would dissent nowadays as a mere affirmation of principles, but the difficulty lies in getting effect given to it. How are the principles to be applied? In previous chapters I dealt with the voluntary organizations of Labour and I explained, I hope clearly, the principles upon which employers and employed met in collective bargaining. I want now to carry the matter a stage farther into the region of law to which Mr. Asquith's formula takes us. It will be remembered that I stressed the great importance of discussing affairs in the full light of facts. But if the parties are unwilling—or if one of them is unwilling—to produce the facts then the resources of the State should be brought into requisition. When that stage is reached the great bulk of disputes will be settled by reason, for knowledge will clear away the cobwebs of sophistry which now so often obscure the real issues. As a matter of fact most disputes are now settled by reason, but sometimes only after the parties have reached the stage

of exhaustion. The aim should be to settle in the light of facts without exhaustion.

Industrial Courts Act.

A tentative, though welcome, step was taken in that direction when the Industrial Courts Bill was put through Parliament in the year 1919. This Bill was framed in accordance with a recommendation of the Whitley Committee already referred to, and it is now the law of the land. Under its provisions an Industrial Court has been established with power, in dealing with a dispute, to summon witnesses and call for production of relevant documents. Decisions are applicable, however, only to persons directly represented and not to others—either employers or employed—in the same trade or industry. These latter are left to apply the award if they are able and willing. In the second place the Court can only act on application being made to it by both parties to a dispute, and even then its decisions are not made obligatory in a legal sense. But, under Part II of the Act, the Minister has power to appoint a special *ad hoc* Court of Inquiry if in his judgment an inquiry is necessary to bring out the facts for the guidance of public opinion.

The Industrial Courts Act of 1919 might in short be described as a voluntary arbitration act. Its operations have, therefore, been necessarily somewhat limited, although, so far as it has gone, I believe that the Industrial Court has commended itself both to employers and to employed as a competent and impartial body. Quite obviously,

however, it falls far short of requirements. There have been recent disputes dragging their weary length along in respect to which public opinion has been confused by conflicting statements, but in which the Court can do nothing because either one side or the other has been obdurate. In such case the community suffers and is helpless.

I believe that in due course of time, as the Industrial Court gets more firmly established in public esteem and employers and employed get more completely organized, it will be possible to amend and amplify the Act in three directions: first, the Court will function on application from either one of the parties; second, the awards will apply to the whole of those engaged in the district on the same kind of work; and third, legal sanction will be given to the awards. I put them in the order of appropriate priority. Without adding to its functions I think that the intervention of the Court on application of one of the parties to a dispute would greatly add to its usefulness. The knowledge that facts could always be brought to the surface would have a sobering effect upon employers and employed. They would be more anxious to settle out of "court," and there would be an added sense of responsibility as the alternative of being taken to it was held over the head of either one or the other. It does not at all follow that, because the Court would be more easily accessible, it would be more generally used. It might be just the reverse. That would depend upon the degree of efficiency and fair dealing in the industries

concerned, and to the degree to which they became sufficiently well organized to settle without resort to the Court. Trades which have well established machinery for adjustment of differences and which settle these according to figures of profits and prices seldom trouble any outside authority. Such a case is that of the steel smelters, whose proud boast it is that they have not had a stoppage of work due to industrial dispute for more than a generation. But other trades have not yet reached the same degree of organization; many of them are more complex and the facts in regard to any given condition of things are not so easily ascertainable or recognizable. It is in respect to disputes in the latter trades that intervention of the State machinery is most required. And these would, I believe, be stimulated to put themselves in a better position as publicity and impartial consideration became the alternative to secrecy and confusion. Employers and employed might get a greater sense of trade pride and there would be a legitimate outlet for individual self-expression for both in contributing to it. Of course, if the Court could be set in motion by either one of the parties in a dispute, some safeguard would be necessary against frivolous cases being raised. And it would be quite easy to guard against abuses of that kind by a money deposit being required which would—or might—be forfeit on cause being shown.

Better organization would lead to a desire for uniform observance of Labour conditions in an industry. That is the second point. The few

unorganized could therefore be brought under the awards of the Industrial Courts. There has always been difficulty in getting labour conditions standardized, and the trouble has been mainly caused by the employer. The trouble has been in getting amicable wage adjustments accepted by the less scrupulous employers who are outside of organizations. They are unwilling to observe decent standards. They often pay less wages than are current. After all there are blackleg employers as well as blackleg workers—there are employers who refuse to recognize standards agreed to and who, by paying less than their competitors, enjoy a position of financial advantage to which they are not fairly entitled. They should, in fairness, be brought into compliance with conditions which may be laid down by an Industrial Court.

Labour and Liberty.

How is it to be done? That is the third point in the development of the Industrial Court, and it is the point the consideration of which raises the most fundamental issues. It raises the whole question of State authority *versus* individual liberty. But the question, I believe, will have to be faced as one of practical politics rather than one of mere abstraction. We are travelling in these matters along a road clearly marked out for us by necessity. Individual liberty has had to be curtailed time and time again for the common good, and I believe that it will be still further curtailed on the march to industrial order. Surely,

too, it is somewhat illogical to incur national expense in setting up Industrial Courts and then to leave the litigants at liberty to defy them.

Right conclusions on these things, however, grow only with the growth of public opinion, and it must be admitted that public opinion is not yet sufficiently ripened to promise success in legalizing Industrial Court decisions. The bogey of the "Slave State" has so far frightened Governments and Parliaments from asserting more unhesitatingly the rights of the community. Compulsion, it is said, is not only against liberty but impossible to apply—employers could not be forced to employ and masses of workers would not be coerced or imprisoned. It is, I believe, largely a matter of the degree to which an award has public good and public opinion behind it. And, in this connection, it should be remembered that the award of an Industrial Court is not, or may not be, a mere reflex of the strength of the parties concerned but a deliberate judgment by trained and impartial minds upon a consideration of all the facts bearing upon any specific case.

The resources of the State, will be, I believe, in some way invoked to get obedience to such judgments when employer and employed are in some way brought into more intimate and organic relation with public authorities. The association of both employers and employed could be made legal entities and could then be sued. The State might even itself employ if an employer refused to do so under an award. I do not commit myself

to either method but only to the principle of community supremacy. If universal voting means anything at all in this connection it must be that law and rule is to be for and by all and not for and by parts or sections in turn. It is said that voting by geographical divisions does not produce a Parliament competent to deal in such drastic fashion with industry, but there is nothing to prevent Parliament setting up an advisory Industrial Council to help it.

The issue of public *versus* individual rights in industry has never been really faced, for the right to strike and to lock-out has been regarded as sacrosanct—the idea of liberty blocked the way to change. The lion in the path is in essence the same as that which confronts those who are working in the cause of international justice and amity. It goes under different names under differing circumstances ; sometimes “individual liberty,” sometimes *amour propre*, or what not. In reality it is vanity or fear of adverse verdicts.

Many have allowed their minds to get stereotyped. They cling to the “natural right” to fight in preference to the social obligation to reason because they have been reared in it, just as men a century ago fought duels instead of going to the Law Courts. But in course of time the worker will, I believe, come to realize that under an expanded law he might do much to serve his industrial interests by the exercise of citizen rights. His greatest interest is large production of goods under fair conditions, giving the maximum of security and minimum risk

of disturbance. Large production under peaceable conditions really means shorter hours of labour and the enjoyment of the maximum of individual liberty—outside of the factory or workshop.

For these reasons I hope that, as sense of citizenship develops, the Industrial Court Act may be made a more efficient instrument for keeping the peace.

Compulsory Arbitration

In regard at least to wages, a stronger hand had been wielded in the way of legislative compulsion long before the passing of the Industrial Courts Bill of 1919. It was applied ten years earlier on behalf of the miners and sweated workers. The Miners (Minimum Wage) Bill was passed in the year 1908.

But I am more interested in the lot of those who at that time had not been reached by trade unions. There had always been a residuum of workers too poor and isolated to help themselves and who had been unreached by the trade union organizer. These were the victims of the sweated industries. They included the makers of chains, match boxes, ready-made garments, artificial flowers and various classes of needlewomen and children, mostly working in their homes, who had been the subject of numerous commissions and inquiries. Sir Charles Dilke in Parliament, Lady Dilke, Miss Tuckwell and many others out of it, had pleaded for Parliamentary protection on their behalf, but little had been done till the advent of the Labour Party in the 1906 Parliament gave a fresh impetus to the

demand for protective legislation. A vigorous agitation was carried on outside as well as inside Parliament, and the "Trades Board Act" was passed into law in the year 1909.

A trade board, as then established, consists of representatives of employers and employed in equal numbers with, in addition, some independent persons called "appointed members" and a chairman who are appointed by the Ministry of Labour (formerly the Board of Trade). Under the Act provision was made for the fixing by the wages board of minimum rates of wages in four scheduled trades, these being chain making, machine-made lace and net finishing, paper box making and wholesale tailoring. But the award was not made compulsory until confirmed by the Minister after a period of six months. Having regard to the composition of the board compulsory arbitration was implicitly a condition of the scheme, for the appointed persons were given a determining voice in the event of there being divergence of view between employers and workers.

Power was taken under the Act to include other trades at the discretion of the Minister, whose action had to be confirmed by the cumbersome parliamentary procedure known as provisional order. And, under these provisions, four more trades were included in the year 1913; namely, sugar confectionery and food preserving, shirt-making, hollow ware and tin box making, and linen and cotton embroidery.

The officers appointed under the Act have power

to require from an employer production of wages sheets or other record of wages and to examine persons, workrooms or factories, and any employer obstructing such officers or giving false information is liable to fine or imprisonment. Power is also given to take proceedings against employers who pay less than a minimum wage fixed by a trade board which has been made obligatory by the Minister of Labour. A supplementary Act was passed in the year 1918 which greatly expedited expansion and made certain other alterations. The provisional order method was superseded and power was given to the Labour Minister to include other trades without further parliamentary sanction. And, whereas the original Act made provision for its extension to any trade only if the rate of wages was exceptionally low as compared with other employments, the 1918 Act authorized the Minister to apply the provisions of the Act to any low wage trade if no adequate machinery existed for the effective regulation of wages in it. Additional powers were at the same time conferred upon the boards, such as the fixing of "overtime rates" and piece prices, i.e. prices such as would enable an ordinary worker to earn more than the time rate. And the six months' waiting period was abolished. The rates fixed by a board were to become operative at the discretion of the Minister, to be stated in his order of confirmation, and the boards were authorized to make recommendations to any Government Department with reference to the industrial condition of the trade.

The general effect of the 1918 legislative enactments was to apply the Acts to a large number of additional trades, especially those employing women and children. There are 62 boards now functioning and these cover about three million workers, and they have effected already an enormous improvement in the general conditions of life as well as in the wages of those who have come under their operation.

It should be here observed that among the trades now included are some which are large staple industries, carried on in modern well-equipped factories and which it is hoped may thereby be helped to such a degree of organization as will render possible the early establishment of a Joint Industrial Council. Such an industry is that of jute, in which there are many thousands of work-people, and which, being local, might easily form a Joint Council.

A few figures may here be given as to wage changes since the boards began to operate. They are taken from a tabular statement prepared two years ago for the General Council of the Trade Union Congress. Thus in September, 1906, 54 per cent of those engaged in aerated waters (manufacture and bottling) were receiving from five to ten shillings per week; the minimum wage under a trade board award was in 1922 twenty-nine shillings on time and ninepence half-penny per hour on piece work rates. In the making of corsets the wages in 1906 were about the same as those in aerated waters and have now been fixed at

thirty shillings time rate and eightpence halfpenny per hour piece work. The jute spinners' minimum rate had been fixed at thirty shillings and sixpence after being less than half that amount. In chain making the rate had been raised from twopence halfpenny to sevenpence three farthings, per hour, in shirt making from threepence halfpenny to sevenpence halfpenny, and in wholesale tailoring from threepence farthing to sevenpence halfpenny per hour. These differences are less than in some other trades and I quote in each case the trade board minimum for the lowest grade. And the benefit of higher wages as well as contact with a somewhat bigger world than that in which the workers formerly moved is reflected in a more robust life. R. H. Tawney, in his book *Studies in the Minimum Wage*, and also Miss Symons and others who have been engaged in investigation or in operating the Acts, are unanimous as to consequent improvement in physique, in morale and general self-respect of the workers. The Trades Boards Acts had given new hope and stimulated to new endeavour.

They had also given an impetus to trade unionism.

This was, of course, one of the objects aimed at by the pioneers of the Acts. They were intended to increase the bargaining power of the sweated worker. They have a bearing, therefore, on industrial relations as well as on wages. They promote organization among employers and employed and encourage them to arrange wages for themselves.

Of some three million workers now covered by the trade boards, however, only one-tenth are enrolled in trade unions. The numbers had reached sixty thousand in the boom period of 1920, but they have fallen away since. This may, at first blush, seem rather disappointing, but it should be remembered that industry has been much depressed since the war and that trade union membership has diminished generally as well as in the lower grades of unions. The unions of the workers under the boards have lost half of their membership in the last two years, but so have some of the other and older unions. And there is a special cause of shrinkage in the former case, in that they are of those who are still the lowest paid. There has also been an increase in the number of home workers among whom organization is practically impossible. It should also be remembered that many of the new boards have functioned during the last two or three years of unprecedented depression of industry.

The Cave Commission.

The whole question of the operation of the boards has been, however, again in the melting pot. There has been a commission of inquiry presided over by Lord Cave. It is not at all surprising that such a drastic and fundamental alteration in the economic basis of our industrial system should have entailed considerable difficulties, nor that the application of the principles of a minimum wage should have been met by criticism from some of

those who had been brought under compulsion to pay. And, of course, its continued and real success must depend, in the last resort, on its efficiency and social economy. An underlying argument of the promoters of trade boards was that, in a large sense, sweated labour did not pay. Under the board therefore the additional wage cost must be made up by added efficiency of the worker, improved methods of production, or relief of community burden in respect of sickness of workers under sweated conditions. It may of course be made good by a combination of all three. In considering the report of Lord Cave's commission these things should be kept in mind. It should also be remembered that the Amending Act of 1918 had then been in operation for only two years, that many of the trades had been under its operations for a less period and that a period of flamboyancy and irresponsibility followed immediately on the heels of 1918 and made it somewhat difficult fairly to try any industrial experiments which depended upon mutuality for their success.

The Commission, which included two Labour representatives, issued a unanimous report and recommendations after a very exhaustive inquiry in the year 1922. In the course of twenty-seven sittings the Committee heard over a hundred witnesses from employers and employed organizations as well as other persons, such as eminent civil servants and others specially qualified to testify from experience and knowledge of industrial conditions.

To my mind, the most satisfactory feature of the report is the general testimony as to the value of the Acts in having abolished sweating as it existed prior to 1909. There was great divergence of views expressed as to the extensions—or some of them—but very little as to the original Act. No one would go back to the old evils of sweating, and the testimony as to the value of the boards was most marked from those who had had longest experience of them, i.e. those who come under the Act of 1909.

The fact of twenty-five Whitley Councils having applied for compulsory powers in the fixing of wages is noted with some misgiving by some witnesses. And this misgiving is shared by the Commission who, while expressing opinions in favour of State intervention to prevent sweating (as in the Act of 1909), declare at the same time against the interpretation which had been widely put upon the Act of 1918; namely, that it was to be used for the public regulation of wages. And, the opinion is explicitly stated that the coercive powers of the State should be limited to prevention of sweating and “further regulation of wages left *as far as possible* to the process of negotiation and collective bargaining.” The recommendations therefore include a specific proposal for giving effect to this view. It is recommended that the workers’ representatives on the boards should, in respect to the higher paid grades, constitute themselves into a sort of Whitley Council, with or without a chairman, and having fixed a rate should register

it, and it would then be enforceable in the same way as agricultural wages under the Corn Production Repeal Act; namely, by suing in the Courts. But the question as to what is to be done when all this negotiating and collective bargaining has been tried "as far as possible" and has failed, is left an open one.

And that, of course, is the ultimate crux of the industrial problem. The time will come when organization will be complete. What then? The answer time alone will unfold.

If there is to be a continuation of the struggle for spoils, then the prospect is indeed a poor one, for there will be conflict on a larger scale than hitherto. We can only hope that with increased strength will come an increase of social sense.

Getting back to my immediate point of trade boards, I think that these have stood the test of examination. The Commission says that they have brought the two sides together and "enabled each to understand the other's point of view and so has contributed to the growth of more satisfactory relations between the two sides and has tended to prevent the occurrence of industrial disputes." That is just exactly what they were intended to do. There may be an amending Bill in the future. Prior to recent political events a Bill had been contemplated rescinding some of the provisions of the 1918 Act and getting back to the more restricted provisions of the Act of 1909, plus only such changes as experience had shown to be necessary. The Bill, if again raised, should be carefully watched so that there may

be no going back to sweating conditions. On the other hand, the workers' representatives in Parliament and elsewhere should, I think, impress upon everyone concerned that the success of trade boards, as indeed the success of any other alteration in industrial machinery, depends upon a sense of fair play and honest endeavour upon the side of the worker no less than upon that of the employer.

To my mind, the Trade Boards Acts are the most promising of all recent legislative achievements in the field of industry. They have raised the condition of the lowest and most helpless of those in the industrial ranks and thereby have given effect to the third of the points in Mr. Asquith's formula, for it was manifestly against the public advantage that private profit should have been made at the expense of enfeebled lives which burdened the State.

CHAPTER IV

DOMINION LABOUR LEGISLATION

THE main argument running through my three previous chapters has been a plea for amicable adjustment of industrial difficulties in the light of facts by organizations of employers and employed, but that there must be some better provision for the protection, in the last resort, of national interests. There may be—and I think there will be—further encroachments on what was wont to be regarded as the exclusive domain of private profit but with that of itself may come not peace, but a sword. A well-known Parliamentary leader of the miners a few years ago urged the nationalization of the mines, because, he said, the miners would be able in that event to fight the Government as owners more vigorously and more effectively than ever the private owners had been fought. In that spirit nationalization of itself points no way to peace or goodwill or fair dealing. In addition therefore to organization and, possibly, nationalization, there must be co-operation and if necessary there must also be specified conditions imposed by law.

It will be remembered that I expressed the view that on occasion, and under certain circumstances, i.e. in getting effect given to a Statutory Industrial Court award, the State would be justified in applying coercive measures. I pointed out that as a matter of fact the principle is applied in the Trade Boards

Acts. The "appointed persons"—appointed by the Labour Ministry—are really arbiters as between employers and employed and their decisions are legally enforceable. This principle of enforcement of trade board awards is accepted by everyone who has considered the matter. It formed part of the scheme as originally promoted by the Labour Party in Parliament, and its operation is now applauded not only by Labour, but, as I have shown, by a host of witnesses before Lord Cave's Commission. No one takes exception to the coercive features of the Act of 1909, no one would go back to the evils of competitive freedom which the Act stamped out. And the Commission, in its unanimous report, explicitly says that if the boards were abolished, the old evils would be re-established.

By parity of reasoning then the same principle of compulsion should be applied, if necessary, to the awards of the Industrial Courts in the more highly paid trades. It is no answer to say that there may be no sweating and that the well organized worker in those trades can look after himself by strike or threatened strike. Sweating might not arise as a factor in the consideration, but that is irrelevant, inasmuch as it is an assumption in the case that I am putting that the Industrial Court has given an award after hearing and considering all the facts and the question of merit has therefore been decided. It has been removed from the consideration. And even if it were true that the trade unionist could, and claimed the right to, exercise freedom for his own advantage, it would only mean

that in that case he would be claiming a liberty based on power and a liberty which is denied to others with his assent and approval.

But we are not considering the power or the theoretical rights of the trade unionist. As a matter of fact he has no right to do anything the doing of which may interfere with the right of somebody else. The question rather is how—consistent with recognition of reciprocal rights—can Labour be helped and the peace and prosperity of the community secured against unnecessary industrial conflict ?

I think we ought at least to provide the means by which an impartial authority could be invoked to examine the ground of any dispute *without the stoppage of work*.

And, as a logical sequence, we should provide in some way for due respect being paid to Court decisions. Can this principle be applied to industry generally in this country ? Can it be applied to prevent strike or lock-out ? Those queries bring us to the region of facts. And, while I do not say that experience in other countries is necessarily a conclusive guide for us in this country, yet I do think that a consideration of what has been done elsewhere may assist us to right conclusions here. I therefore purpose to set out a little of what has been done or attempted overseas.

New Zealand Acts.

We must here again go mainly to New Zealand and Australia for our illustrations. New Zealand

was the first country in modern times to pass a compulsory arbitration law, although the movement in favour of this kind of legislation started in Australia. A Bill had been proposed in the year 1890 by the Premier of South Australia and ultimately became law in 1894, but it was found to be defective in its machinery and was inoperative. In 1892 a Bill, based upon the same principles, was introduced in the New Zealand Parliament by the Hon. W. P. Reeves and became law in 1894. Other Australasian colonies followed suit and subsequently all the colonies affiliated to the new Commonwealth were made subject to a clause in its constitution giving power to the Federal Government to pass laws in favour of compulsory arbitration in cases of industrial disputes extending beyond the borders of a single State. That power was exercised. The Federal Parliament passed an Act, as did most of the States, as well as New Zealand. There was indeed in the whole of the Australasian colonies a plethora of Acts for the regulation of labour conditions and they gradually fell into two main groups; namely, arbitration and minimum wage. The latter took root mainly in Victoria and was really the precursor of our Trade Boards Acts. But they, like our own Acts, were directed only against sweating.

We are concerned at the moment with industry generally. In regard to the Arbitration Acts certain common principles ran through all of them. In the first place the structural unit was the association of employers or employed. The Acts were meant

to encourage organization as well as to secure peace on fair terms, and therefore the organization was the unit and only organizations could be represented at a Court under any of the Acts.

Another principle was reciprocal adjustment of responsibilities and privileges. This was enunciated from the first by the Right Hon. Charles Kingston, Prime Minister of South Australia, who was the author of the parent Bill of 1890. Mr. Kingston laid it down that when employer or employed organized they should be required to incorporate as a condition of using either Capitalistic or Labour powers. The law, he argued, did not allow one individual to interfere with the business of another individual, but it recognized the right of the employer or the employed to exercise their collective will. The awards were definitions of collective or co-operative rights, and the violation of an award by a corporation was an act against another corporation which should have a remedy at law.

The laws and amending laws which were passed in New Zealand and Australia differed, however, as to powers and constitution of Courts, and there soon began to be a wide divergence of view as to interpretation. I shall, therefore, for the sake of simplicity and brevity, confine myself in the main to the New Zealand experiment and experience. The Court in New Zealand consisted of a representative of employers and employed respectively, presided over by a judge of the highest rank. There were local conciliation courts provided, consisting of four representatives from either side

and an agreed chairman, to sift the cases and settle if possible without going farther. Many at first were so settled. But the Arbitration Court could be invoked by either party in a dispute. In that case strike or lock-out was prohibited on pain of fine or imprisonment. No employer could close his works and no association of workers could go on strike till the case had been tried, nor afterwards for a specified time, as the Court decided. And the Court could also determine the penalty for violation and the extent to which the award could be applied inside or outside the ranks of those immediately represented. But the parties were left to give effect to the awards or again to invoke the law by civil proceedings if necessary.

The law also prohibited strike or lock-out in a related industry while a case was under consideration; that is to say, if a case of engineers were being tried, iron-moulders or patternmakers would have to remain at work during its hearing. The Court was left, in fixing wages, to take cognizance of prices, house rent and other items of cost of living. A living wage was considered the first charge on an industry and the books of a firm or company could even be examined in camera by a judge, who could fix the share of the profits of an industry to which the workers might be entitled.

Putting it broadly, the purpose of the New Zealand legislation was to invite the co-operation, through better respective organizations of employers and workmen, in keeping industrial peace. It offered the alternative of peaceful and, if necessary, legal

adjustment of differences. And it offered it to all. It was therefore designed not only to prevent sweating, but to prevent industrial conflict. Such briefly was the industrial law set up in New Zealand thirty years ago. It did not prohibit strike or lock-out if both sides wanted to fight, but it did prohibit either if either side preferred a Court settlement, and it provided for observance of that settlement either by direction of the Court or by the parties concerned or, according to circumstances, by both.

Results.

What are the results? It would be difficult to answer that question fully and up to date because there has been so many diverse experiences, and the laws, with many detailed alterations, have now fallen into the category of established things that are proverbially good game for criticism and even abuse. But a few years after their initiation Mr. Henry Demarest Lloyd wrote of New Zealand as "a country without strikes." Mr. Hugh H. Lusk, who had been a Member of the New Zealand Parliament, writing eight years after the passing of the law said, "for a time nothing was done. Nobody from among the ranks of the employers took steps to register as an association under the Act, and no labour union did so either. There were a few trade disputes going on, and these went the old way of strike and lock-out. At last, however, one labour union, which had got the worst of an appeal to force . . . took the step of registering itself

so as to have an additional weapon in its armoury for the next occasion. Of course the occasion came quickly, and the first test of the new law was made. The employers treated the Court with contempt and found that judgment went against them and was sternly enforced. . . . Since then the Court has never wanted suitors nor has there been any reluctance on the part of labour unions to register." The quotation is from *Labour and Capital*, published by G. P. Putnam & Sons, New York, 1902. Threats were made, said Mr. Lusk, by employers that capital would abandon the country, but these were unheeded and gradually died away in an atmosphere of prosperity. Such, at all events, according to this witness, were the first effects of the innovation of the public of New Zealand taking into its own hands the question of justice between employers and employed.

Mr. Victor S. Clark, writing five years later of *The Labour Movement in Australasia* (Messrs. Constable, London), is more analytical and critical, but he sums up in favour of the Acts, although doubtful of some provisions. Figures are given in his book showing increased prosperity of the country as exhibited in exports, land values and other indications.

Testimony of a more adverse character, however, has come from Mr. Tom Mann. He was in the country in the early years of the century, and in his memoirs recently published by the Labour Publishing Company, London, he says that he lost confidence in the Acts because, although

membership of the unions had increased, efficiency had diminished and the legal fraternity had become predominant. He feared for the dominance of what he called the "plutocratic forces of the State."

Apart from the commendation of the author of the original Act, the only book testimony from the spot is contained in *State Regulation of Labour and Labour Disputes in New Zealand*, by Henry Broadhead. Mr. Broadhead was Secretary of the Canterbury Employers' Association for seven years and a member of the Canterbury Conciliation Board, and he enters in great detail into the operation of the Acts. Great difficulties had, he said, been experienced and there had been disappointments—especially in respect to conciliation. He is frankly hostile and he quotes a resolution of a Conference of Trades Council delegates expressing hostility on the Labour side because the Acts had failed as "any preventative against the continuous accumulation of wealth in a few hands." But, as to the degree in which the conference in question represented the Labour view of the matter in a more limited sense or as to the degree to which it really represented New Zealand Labour, are matters of which his readers are left in doubt.

Another review was written by Mr. G. D. H. Cole in *The World of Labour* (G. Bell & Sons, Ltd., London, 1913). The New Zealand Arbitration Acts are therein judged from the purely class war revolutionary standpoint. To the writer strikes seem worthy to be encouraged and arbitration is anathema. He pours ridicule upon all efforts for industrial

appeasement and loftily dismisses those who make them as being the tools of Capital for Labour's undoing. "Social peace," he says, "is the cry of mediocrity striving against social awakening." And it is not surprising that, from one holding such views, scant courtesy is given to peaceful experiment. Mr. Cole was very young—and very raw—when in 1913 he looked out on the world of Labour from his remote eerie. It may have dawned upon him since that a strike does not necessarily betoken an awakening of social conscience. He may have found—if he has now actually studied the world of Labour at first hand—that a strike is sometimes merely the expression of craft or occupational selfishness and therefore anti-class as well as anti-social.

Mr. Cole is quite consistent in condemning the Acts. If, as he says, progress can only come by fighting then there can be no merit found in any measure which is intended to prevent it.

After 1913 came the war, and New Zealand, like other countries, has scarcely yet settled down into her normal activities. I know of no later review of the industrial position there, although there have been many more or less scrappy remnants of information filtering through from time to time.

Labour in New Zealand is said by many to be now against the Acts. I should be slow to accept all that is said in that connection. It may be that unexpected difficulties have been encountered and that the Acts may have to be revised and

further amended. But I am inclined to think that they have come to stay—at all events in New Zealand—and that few would be found now to go back on them.

Queensland.

Another Australian illustration of industrial arbitration is that of Queensland and, in that country, the success has been most marked. The Queensland industrial system applies to every industry and calling within the State. The law can be invoked by either employer or employed and can be called in to settle a dispute or can be moved to adjust a matter before dispute occurs. It has been in operation for eight years and at the beginning of 1924 there were 279 industrial awards and agreements applying to practically every form of employment. The Hon. E. G. Theodore, M.L.A., addressing a meeting of the Empire Parliamentary Association on the 12th of March last, gave emphatic testimony to its entire success in lessening industrial conflict and incidentally he said that real wages were now 30 to 40 per cent higher than in pre-war days. Probably of no other country in the world could a like statement be made. Mr. Theodore, who has been Prime Minister for some five or six years, said—

“I do not know how I can demonstrate to you that the thing is as successful as I say, beyond saying that arbitration is accepted by the unions and the employees generally throughout Queensland and also by the employers. Occasionally

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there may arise a critic of the system, someone who wants a reversion to the old anarchic system of non-regulation, perhaps because he feels that his position is powerful industrially to exercise autocratic control; but beyond critics of that sort arbitration is accepted in Queensland without demur. No one, I think, who is not utterly foolish would suggest that we should in Queensland discard arbitration and go back to direct action or even individual industrial bargaining."

Canada.

The next most outstanding effort at industrial peaceful adjustment is enshrined in the "Lemieux" law of Canada, so named after its author. It does not prohibit strike or lock-out but, in respect to certain services, it gives direction to the Labour Minister to hold them up till there has been inquiry and till, peradventure, tempers may have cooled. This Act was the outcome of a long agitation and was adopted after a long stoppage on some public work, which caused much public inconvenience. But it was not new. It consolidated existing Acts, namely, the Conciliation Act of 1900 (which provided a court for the miners' industry) and the Railway Dispute Act of 1903, which gave a limited power of compulsion to the Minister in respect to conciliation on railways. It was passed in the year 1907 and it applies only to public service direct and to mining, railway and transport. If there be a dispute in any of these services no strike or lock-out can take place until investigation has been

made by a special Board of Conciliation and Investigation. The Board is appointed by the Minister of Labour and consists of one representative of either side with another on whom they may agree but who, failing agreement, is appointed by the Minister. But by an amendment of 1918 the Minister is now authorized to appoint a board for any industry on application by a municipality or a mayor or other head of a district where there is a strike or lock-out. The power is discretionary on his part. He can refuse. Minor amending Acts were also passed, and became incorporated with the previous Acts in 1920. The object primarily is conciliation but, failing that having been effected, the board issues its report. Strike or lock-out may then take place or continue.

But in the specified industries there can be no strike or lock-out before there has been discussion—and discussion in the presence, and more or less under the guidance, of an outside and impartial influence. And under those circumstances strike or lock-out is, in many cases, averted, and the further action contemplated by the Act never becomes more than a contingency. But it is there as a contingency and no doubt operates in the minds of some who would otherwise be belligerently inclined.

Canadian Results.

Now let us see how the Acts have operated. I have dug into the blue books of the Canadian Department of Labour up to and including the

year 1920 and I find that, on the whole, they had been successful in lessening disputes. But they have not won the hearty support of either employers or employed. The officials of the larger unions operating on both sides of the United States and Canadian border had been uniformly hostile and, in fact, there had been at least two strikes of their members in violation of the law. But it should be remembered that these American international unions are operated in the main from the United States side and that the American Federation of Labour, under the inspiration of Mr. Sam Gompers, has always been and is still hostile to any kind of legislation curtailing the liberty of the unions in the industrial field. Moreover, the "One Big Union" crusade of 1919, which culminated in the general strike at Winnipeg, was revolutionary in character and intent, and had had a most disturbing result. This hostile attitude has somewhat militated against the Acts. And of course there have been difficulties which were inevitable. Composing differences in any country is a difficult matter, but it is especially difficult in a country so vast and so heterogeneous as Canada. One serious trouble has been found in the overlapping of workers' unions and the fact of there being only elementary organization of employers. For instance, on an application being made for a board on the part of a miners' union, it was found that a rival union opposed, and the application itself covered five mining companies, each of which claimed to be a separate legal entity under the law. The Minister

had no option but to refuse a Board and let things take their course. The amending legislation of 1920, however, has conferred upon the Minister a wider discretion, for he has been given power to interpret "employer" as "any number of such persons, companies or corporations, acting together or who in the opinion of the Minister have interests in common."

Another difficulty is in regard to delay in appointment of boards. Fifteen days as a time limit from date of application is prescribed, but here again discretion is left to the Minister and there have been unfortunate delays which have rather discredited the Act.

But, in spite of the difficulties, 189 boards had, up to 1918, been set up out of 191 applications and, in all but twenty cases, stoppage of work had been prevented. In 1919 there were 95 boards in operation, of which seventeen were operating at the same time. In 1920, 52 boards were set up out of 72 applications and in only three cases was there subsequent stoppage of work.

A dispassionate review of the Lemieux law was published in 1920 by the National Industrial Conference Board of America. This is a very influential body in the United States composed of National and State Associations, and in their conclusions they say that "the existence of the Act on the Statute Book has acted as a wholesome restraint both on employers and employed through a period of great industrial unrest. It has served in some degree to crystallize public opinion and in particular cases to make it effective for maintenance of industrial peace."

And finally they find that " the Act, after thirteen years of operation, has sufficient support in Canadian public opinion to retain a place on the Statute books, and to invite legislative consideration for its improvement, without vital alteration."

Canadian Minimum Wage Boards.

Canada has also followed other countries in the provision of machinery for fixing minimum wages.

It is strictly confined, however, to women and girl workers, Canada in that respect having been largely influenced by the American Federation of Labour, to which the Canadian Labour Unions are affiliated. Public adjustment of men's wages in the United States would indeed, under existing circumstances, be practically impossible for there is not only the hostility of the Labour Unions, but even if attempted it would be countered by interdiction of the Supreme Court.

In 1911, however, the State of Massachusetts passed a law by which a Board or Commission was authorized to fix minimum wage rates for women and girls after consultation with those concerned in the respective industries on both sides. From this germ sixteen states of the union have passed similar laws and Canada has gradually swung into line with legislation of the same kind during the past four years. A report by Mr. J. W. Macmillan, chairman of the Minimum Wage Board of Ontario, has just been issued by the International Labour Office, and it gives some interesting details of results. These are admittedly scrappy because the boards are

only gradually being organized as statistical bureaux and the figures given span little more than a couple of years. But, in so far as they go, they are distinctly encouraging. Boards are functioning in seven of the nine provinces and are effecting a levelling up process with the concurrence and approval of the employers as well as the employed. In fact it is claimed that the legislation is preventive rather than compassionate in intent and impulse, and is intended to preserve a general high standard of living. The Minimum Wage Board is welcomed as a rampart against the advance of the destructive low wage. But figures are, at the same time, given by Mr. Macmillan showing increases of from 38 to 196 per cent. The boards have also operated in regularizing hours of labour which range around 48 to 50 per week with stipulations in regard to weekly half holiday and prevention of exhausting spells of work.

And perhaps the most striking testimony is in regard to the effect upon employment.

"No evidence," says Mr. Macmillan, "has been brought forward to prove that the fixing of minimum wage levels has anywhere in Canada reduced employment. Now and again someone has hinted that the lower paid workers—the very class it is designed to help—would be dismissed. This statement has usually been uttered as a prediction, not as a statement of what had actually happened."

South Africa.

The most recent legislative effort for adjustment of industrial disputes has taken place in South

Africa, in which country a Government Bill, much on the "Lemieux" model, is now under discussion. The Bill provides machinery in every industry whereby employer and employed can meet at round table discussion to settle disputes. But it provides for compulsion on two points, for, when both parties are agreed, they may apply to the Minister to make any agreement they may have reached by discussion binding not only upon themselves but upon all other employers and employed within the same area and in the same industry, and, secondly, as regards essential services, the Bill provides that where a conciliation board has failed to effect a settlement of a dispute, both parties must submit to arbitration. The Bill was submitted to the House of Assembly by Mr. Mallan, late Minister of Mines and Industries, on the 31st of January of the present year.

CHAPTER V

QUO VADIS ?

IN the foregoing pages I have endeavoured briefly to bring under review the various national legislative efforts at industrial pacification which have been made both at home and overseas. I am afraid that they have not been so successful as their advocates had predicted, but that is not surprising when the difficulties are considered. They are symptomatic in that they are the expression of a desire for peace, and, as I believe, a peace based on justice. If they have not yet solved practical industrial problems they point the way by which solution may be found.

A common principle running through all of them is that facts should be revealed to disputants and, if need be, to public opinion. And I am not sure but that therein lies the main value of all the conciliation and arbitration acts of the last forty years.

They aim at bringing the disputants together and getting them to pause in their disputation while, peradventure, things may be presented, and appear, to them in new lights. And if need be, they give public opinion a chance of making its due weight felt.

Public opinion is the final and, as I believe, the impartial arbiter, and, if it cannot be expressed otherwise, it must be expressed by law. There are those I know who scoff at the idea of impartiality and who despise public opinion—who say that

every one of us is the product of upbringing and that public opinion is but the sum of individual selfishness. But even if these things were true—and I don't believe they are—their affirmation carries us no farther on the road to better industrial conditions. In a democratic country public opinion is the judge to which all must in the long run render obedience.

The laws in question require no man to surrender his ideals. All they ask is that reason should be given a better chance and that essential services should be safeguarded. Those who believe in their underlying principles, and who hope much from the application of those principles, are not necessarily content with the existing industrial system. On the contrary, many who favour them believe that they would give breathing time to build something better. The clash of class interests under the capitalist system of industry is not denied, but it is admitted only as a lamentable fact to be dealt with in a spirit of industrial statesmanship rather than to be perpetuated or made to serve as a prelude to revolution.

And there is another consideration. Militancy is getting ever more expensive as well as more harmful. It is like actual warfare on the field of battle in the sense that the weapons are getting more destructive and hurt the non-combatants as much or more than those who wield them. Moreover, it is too often forgotten by those who advocate militancy only to attain certain ends that militancy tends to perpetuate itself as an end rather than as a means.

The object of the class war advocate is the substitution of public for private ownership in the production and distribution of material things. But surely that itself is only a means, and not the only means, to an end. The end is beyond our ken, but at all events economic justice is on the way. Public ownership may contribute to it. But if so it will be by trial and experiment carried to success by a common impulse to social service. And, in the meantime, we would do well, I think, to continue efforts to develop in this country the necessary machinery by which commonsense may be applied to the problems of the world in which we live.

The machinery is the business of the statesman. But I am sure that a bold move on the part of the Government would find favour with a growing number of people in all ranks of life, including many even in the ranks of Labour. The community must be armed for self defence against inconsiderate action inimical to public welfare on the part of voluntary associations. When that principle is accepted then the details will drop into appropriate and secondary position. But I may just say that, in my judgment, the first step should be the incorporation of employers' and employees' associations, making them suable entities; the second an expansion of the Industrial Courts Act, and the third the prohibition of strike or lock-out on public services until there has been public inquiry into all the facts of any dispute.

In the background, it may be necessary to keep in reserve public maintenance of such services.

CHAPTER VI

THE INTERNATIONAL PROBLEM

I PROPOSE in the present chapter to address myself to the question of industry in its international aspect. The international problem, as will be seen, is not merely the sum of all the national problems, but has its own distinctive features due to differences of race and climate and governments and industrial development. All these make up a complex of factors absent from the domestic problem. But the same reasons which apply in any one country for a better psychology and a better means of expressing it apply with equal force to the industrial world as a whole. There is found to be everywhere the same friction and waste and the same need for bringing out the best and curbing the worst in mankind.

There is at the moment some little abatement of industrial conflict, but in the boom years of three to four years ago the world loss was on a really colossal scale. The following figures are from a report compiled from Government returns by the Deputy Minister of Labour in Canada. They relate to the last six months of the year 1920.

The Minister showed in four parallel columns, first, the countries from which he had collected the information ; second, the number of persons in those countries who have been directly affected during the six months in question either by strike or lock-out ; thirdly, the number of days' production

lost directly as a result of them; and fourth, the population of the countries. And he added a statement of the number of days lost in proportion to population. I will leave out reference to the numbers affected and give the country, the lost production and the population. Thus—

Country.	Days Lost.	Population.
Italy	21,650,250	36,740,000
France	19,358,400	39,601,509
Germany	18,220,660	63,051,979
Spain	11,630,100	20,719,598
United States	11,287,400	91,972,266
Australia*	7,602,000	4,455,005
Great Britain	7,337,700	45,267,100
Sweden	4,779,170	5,813,850
Switzerland	2,753,160	3,937,000
Belgium	2,096,340	7,555,576
South Africa	809,000	5,973,394
Holland	795,300	6,778,699
Canada	523,526	7,206,643

* The miners' strike in Victoria began the previous year and continued right through the whole of the period under review.

It will be noted that Canada is last on the list and shows the least proportionate loss (one in fourteen), a fact attributed to the operation of the Canadian industrial legislation already dealt with. Italy is highest with a loss of twenty-one million days to a population of thirty-six millions or one to one and a half. Great Britain is found half way between Canada and Italy with a loss of one to nine of population, although, had the period covered been only a few months later, the tale would then have been a different one, for it would then have

told of the devastating loss due to the British mining dispute already mentioned. But in the six months covered in the tabulation, more than one hundred million days' production had been lost. It was a loss which, expressed in money value, probably meant two hundred million pounds sterling, and every one of the countries in question, with the possible exception of the United States of America, was, and still is, up to the neck in war debt and kindred financial troubles.

That was what was lost directly and in so far as it can be expressed in money—and in six months.

The loss in embittered minds and enfeebled bodies cannot be expressed in terms of money or in any way in figures, but it is the most serious. Loss of material things is bad but the ill effects of feelings of hatred and revenge engendered by industrial conflict and confusion is infinitely worse. And it is cumulative. Every strike or lock-out tends to bring lock-out or strike in its wake.

How then can the loss be lessened in future? How can the best in mankind be mobilized and made effective in getting better results? For that is really the problem presented to us, and its solution everywhere depends upon right relations between classes and Governments and peoples.

The International Labour Office.

In so far as it can be done by international means, the greatest effort yet made towards a solution is that now being made through the International Labour Office at Geneva. It is an effort

but little spoken of and is little in the public eye because, unfortunately, newspapers nowadays give prominence to the scrappy and sensational rather than to unobtrusive and constructive work. That is the reason why so little is heard of an organization which is part of the Peace Treaty and which for the last four years has been functioning in the interests of the industry of the world.

It had been preceded by tentative efforts at international co-operation since the year 1880. In that year there had been an International Labour Conference at Berlin, but, beyond opening the ground, little came of it. The Berlin conference was followed by a series of conferences held at Berne, which were convened under the auspices of a body known as "The Association for the Promotion of International Labour Legislation." Certain resolutions were adopted at Berne in 1906 and again in 1913 in favour of the abolition of poisonous processes in the manufacture of matches and the protection of women and children in industry generally. And some of these resolutions were translated into law by some of the Governments represented, notably by Great Britain, Germany and the Scandinavian countries.

The weakness of the position, however, was that there was no effective and permanent organization left on the ground to get effect given to decisions recorded. Governments were not pledged at Berne, they came under no binding obligations to give effect to decisions and, as only some were represented, these were chary of putting themselves in a worse

position relatively in competition with those countries which had not taken part in the formulation of the recommendations and had therefore come under no sort of obligation.

But meantime the need for a world regulatory organ had been getting greater.

Capital was gravitating to the source of greatest profit. Labour in the east was being used for Labour's undoing in the west. Forty years ago there were but 200 factories in Japan employing 15,000 workers, five years ago there were 25,000 employing 2,000,000. In India the growth of the jute factories had been on a similar scale and cotton manufacture had also grown apace.

And in all the advanced countries Labour was becoming ever more restless as world competition generally was making isolated resistance and improvement in labour conditions more difficult of achievement. A simultaneous advance in industrial welfare in any one country, possible in past times under the surge of a generous impulse, was getting more difficult and such a world movement of improvement was quite impossible without the intelligent direction and co-operation of world opinion through a world organization.

Such, then, was the condition of things which confronted the Paris Peace Plenipotentiaries in 1919. It was a realization of these facts which gave birth to the Labour Chapter of the Peace Treaty. A world regulatory authority was deemed to be a necessity and the Governments represented agreed to bring themselves into compliance with its recommendations.

The Labour chapter might almost at the time have been described as the alternative to tariffs, for the nations were then in idealistic mood and willing to scrap a good deal of their old ways of doing things. And, in any case, the Paris chapter is in essence different from tariffs, for whereas these are national and can at best but protect a home market from the products of foreign sweated labour, the Paris plan is humanitarian in impulse and designed to protect by removing the cause for protection. It aims at protecting highly paid labour against lower paid, not by preventing exportation of low pay products, but by raising the lower paid labour on to higher levels. Or, from the point of view of international commerce, it seeks to bring the element of fair play into world competition by putting the competitors on something approximating to the same level in costs of production. That does not necessarily mean uniformity excepting in such matters as are common to humanity, but it does mean equality in the equivalents of cost. Thus poison is poison everywhere and if barred from industrial processes anywhere should be barred everywhere uniformly, but hours of labour may differ vastly with degree of industrial development and still leave countries to compete on terms of approximate equality.

The business of the Labour organization was to find out the mean level of equivalents in each country and educate the public mind as well as the Governments of the world to accept it. Its guiding principles are set out in nine points to which the signatory

powers at Paris pledged themselves. These, summarized, are first, that Labour should not be regarded merely as a commodity ; second, freedom of association for all lawful purposes by employed as well as employer ; third, an adequate wage as locally understood ; fourth, an eight hour day or forty-eight hour week to be aimed at where not already attained ; fifth, a weekly rest of at least twenty-four hours ; sixth, the abolition of child labour and regulation of labour of young persons ; seventh, equal pay for men and women for work of equal value ; eighth, equality of protection in each country of non-nationals ; and ninth, proper inspection for enforcement of laws and participation therein of women.

Its Chief Object.

The chief object of the International Labour Office is to raise the standard of industrial life throughout the world, and especially in the countries where labour is poorly paid. Its method is to achieve results and settlements by discussion and agreements. It will therefore be seen that the organization is comparable with the League of Nations itself. It aims at applying the same principle of reason in the industrial field as the League carries into the larger field of international affairs. It seeks to promote peace and to protect the weak under peaceful conditions.

But it may be asked—"Why an international organization? Why cannot we manage our own business?" Well, that is but a variant of the old

question, "Am I my brother's keeper?" And the reply in the long run is that to raise the bottom is to raise all. But, secondly, and from the national point of view, it is a good thing for us in this country that there should be an international organization of labour, because by improving conditions abroad it eases the international competition against us. That is rather an insular argument to use in regard to an organization with a humanitarian outlook, but it is at least practical.

All countries, however, are now becoming so closely bound together that the good of each depends upon the good of all. International regulation is becoming a necessity because the industrial countries of the world are getting more interdependent and are being brought into more intimate relations. Science is bridging the seas; the world is shrinking into an economic unit. Raw material which used to be brought to the old industrial countries to be worked into finished goods is now being used on the field of supply, where hours of labour are longer and wages less than in those older countries.

Consider it again a little more in detail from the point of view of world competition as affecting Great Britain. Time was when we were the workshop of the world. We imported raw material from the ends of the earth and exported it in finished goods at a profit. Now the countries of raw material are manufacturing at low labour costs and competing with us in the markets of the world. This must affect our trade adversely. Capital flows where it can get most profit. The East offers a field. India

supplies jute fibre for the world and used to send it here. To a large extent it is now being manufactured into cloth in the Calcutta mills. But if the Indian is to remain content with low wages and to work long hours of labour, then he is simply going to be exploited and left in his poverty, and made a menace to labour conditions elsewhere. Or, take three countries pretty well equal in industrial development, such as France, Great Britain and Germany. Assume equilibrium. Then assume a demand made by Labour in one country without being made by Labour in the others. It places that one, if the demands are granted, at a disadvantage. The International Labour Organization seeks to enable all three to march abreast in improving conditions. It enables countries to march forward abreast so that none may be punished for going ahead. It spreads knowledge of the best and brings people together for compassing their mutual good in the light of that knowledge. And although its motive is humanitarian it does make an appeal to the countries of a high wage rate on the grounds of self-interest.

Its Structure.

Now let me come to an examination of the structure of the organization.

It should first be observed that all the members of the League of Nations are included in it. It can admit, and it has admitted, nations which are not members of the League. By virtue of the power vested in it at Paris it did, as a matter of

fact, admit both Germany and Austria before Austria was admitted into the League. Germany is still a member, although not yet admitted to League membership.

The organization consists of three parts ; namely, the conference, the governing body and permanent staff.

The first is the legislative organ and it meets annually. It is constituted as follows : Each country may be represented by four delegates, of whom two represent the Government and one each employers and employed respectively, but each delegate may have two advisers for each topic on a conference agenda and may exchange places and powers with an adviser if, in his judgment, the latter may be more conversant with, and therefore more competent to deal with, any particular matter which a conference may at the time have under discussion. They are selected by the Governments as regards Government delegates and, in the absence of any organization which can claim to be representative of employers and employed, the Government may also select the delegates to represent either or both. If there are such representative organizations then employers and employed select their own delegates. Of course, what applies to delegates applies also to their advisers, although the selection is by the delegate confirmed by the Government.

Each delegate is free to vote as he may think fit, excepting for instructions which he may have received from his Government or his organization

of employers or employed as the case may be. That is to say, there is no obligation by the term of the charter to vote with any or all of the delegates from his own country. In practice, of course, employers and employed delegates tend each to act together and the Government delegates to be a balancing power, not necessarily on the side of the employers as had been feared in some quarters, but more often, I think, on the side of Labour. In any case, the separation of employers and employed into separate groups and the daily contact between them in conference has tended, as it was hoped it would, to clear away difficulties and to induce a spirit of internationality in industry.

The conference agenda, since the first conference, is prepared and submitted to Governments four months before the conference meets, so that delegates may go prepared and, if need be, instructed.

A convention may be drawn up in precise and detailed terms for subsequent submission as a whole to the Governments or, alternatively, a recommendation in general terms may be preferred but, in either case, a two-thirds majority must be recorded before either becomes the finding of the delegates. And, in the case of a convention, it must be accepted in detail by the delegates and then accepted by the two-thirds majority as a whole after the detail parts have been pieced together by experts.

In either case the Governments come under obligation to submit either recommendation or convention to their respective competent authority within twelve months, or under abnormal conditions

within eighteen months of the termination of the conference at which they have been adopted. And, if ratified by such authority, the Government comes under obligation to give effect to them by the appropriate legislative or administrative action. But, while a Government is pledged to submit recommendation or convention to its competent authority—in our case Parliament—it is not required to recommend ratification unless its representatives voted in the majority. If the delegates of a Government vote for a recommendation or a convention which is adopted, then the Government comes under obligation to recommend ratification and give effect to it.

Half of the conference consists of employers and employed representatives, and it is to be noted that those representatives are accorded full ambassadorial rights the same as those representing the Governments. It is the first time that such status has been given to other than those directly representing Governments.

The conference as a whole cannot be said to be a legislative body in the full sense of the term. It is not a super-parliament, except in the limited sense which I have indicated, but it does express in a certain degree a surrender of national sovereignty. The sanctions, however, to be applied, if need should arise, by the League of Nations, are in the present stage mainly theoretical and in the background.

A super-parliament was discussed at Paris, but it was soon found that this was not a practical

proposition. National egoism was—and is—still strong and a prospect of compulsion would simply have kept countries out of the League of Nations. But while we quite recognized the futility of force, we were attracted at the same time by the possibilities of publicity and goodwill. Provision was made for everything being done in the light of day and after full inquiry from the Governments by the governing body, so that conferences might themselves partake largely of the character of ratifying authorities. Governments were therefore to be left in the main to honour their bonds without compulsion, but it was hoped that those least disposed to do so might be induced to comply by the operation of public opinion through pressure and persuasion in their respective countries. Such are the powers and structure of the conference as legislative organ and in its relation to the affiliated Governments.

The Governing Body.

Let us now consider the governing body. It is really the executive authority of the organization and functions between one conference and the next, meeting quarterly or more frequently as occasion may require. It is constituted as to its numbers in the same proportions as the conference; namely, half of Government representatives and half of representatives of Labour and employers of labour, selected at annual conference. In order that the Government of the countries of chief industrial importance may be assured of representation, the constitution provides that two-thirds of the Governments'

places are reserved for them and the other third are elected from and by the delegates from the smaller countries at conference. The body consists of twenty-four members and sits at the office in Geneva under a chairman selected from and by the members. In accordance with the general provision for equality of the sexes, which is laid down as one of the principles of the organization, Miss Margaret Bondfield duly took her place in February last as the representative of the British Government. Among other duties, the governing body is charged with the duty of preparing the agenda for conference meetings before mentioned, so that time may not be wasted with undigested matter or with questions upon which there is no information. Such agenda is based on propositions emanating from members, and any item of it may be objected to by a delegate and eliminated if the objection is upheld by a vote of two-thirds of the conference. It is seen, therefore, that the intent of the framers of the plan was that conferences were to be protected from useless debate and Governments saved from vexatious or premature proposals.

Permanent Staff.

The permanent staff is also housed at the same place as that where the governing body meets. It is under a director who is the chief executive officer, and the constitution provides for the inclusion on the staff of as many nationalities as is consistent with efficiency. It includes experts in the various phases of work, such as diplomatic,

publicity, research and economic, and it keeps in constant touch with Governments and industrial organizations throughout the world, collecting and distributing information from and to all and sundry. It is in fact the eyes and ears and nerve centre of the organization to gather facts and garner them into the best channels so as to achieve results.

Reply to Criticism.

But before passing on I want here to refer to an objection that has been raised against it. It has been said that the scheme is wrong because, in addition to representation of Governments, it gives separate representation to workmen and employers and that it thereby recognizes and encourages class divisions, in regard to which I have two observations to make.

First, the scheme is based on frank recognition of facts. It does not divide employers from employed; that had already been done. They had been separately organized. But it does enable them to come together and discuss their differences in the light of international facts. It does not emphasize class divisions, but brings the parties together and enables them to find out that they have interests in common as well as interests that conflict.

And, secondly, I submit that Governments never have done anything on their own initiative to improve labour conditions but, on the contrary, have always done so only under pressure of public opinion. The International Labour Office stimulates public opinion and provides the machinery by

which to make it effective. As a matter of fact the International Labour Office has brought together Governments, employers and employed for the first time and given them an opportunity of achieving things by different methods from those of class conflict.

Achievements.

And now, as everything in this mundane world must be judged by results, let us see what has been done in the field of positive achievement as well as in the promise. I have to admit that expectations have not been fully realized and I believe that this has been mainly due to two causes. It is partly because the conference at first tries to do too much and partly because the world spasm of idealism, which prevailed for a year or two immediately following the war, so soon evaporated. The first conference was held at a time when (in 1919) hopes still ran high and the agenda had been prepared accordingly.

Yet, if all hopes have not been realized, there has in fact up to June, 1923, been 73 conventions and recommendations ratified by affiliated Governments and another 85 had been recommended to the competent authorities. And in addition, 93 legislative measures had been finally adopted and 70 further measures had been proposed or were in preparation for giving effect, partially or wholly, to the provision of the draft conventions and recommendations.

Let us now look at one or two of these conventions

so that we may the more fully realize their importance. I take first the Berne Conventions. No less than twelve Governments have ratified that regarding the elimination of white phosphorus in the manufacture of matches as well as those restricting hours of labour of women and young persons. The scourge of phossy-jaw has gone and overwork of women along with it, under the beneficent agency of the Labour organization, and it is impossible to over-estimate the lessening of human suffering and the benefit thereby to generations yet unborn.

Let me take next the recommendations or conventions adopted at Washington relating to the minimum age for boys and girls starting in industry. The convention prescribed fourteen generally and twelve in India. Now in this connection the factor of equivalents should be borne in mind. The climatic conditions in India are such that a person is mature at an age which in this country would still be regarded as that of a child. Twelve years of age in India is probably equivalent to fourteen or fifteen in Great Britain. The unprotected conditions of child life in India prior to 1919 should also be remembered. The conditions were analogous to those of the early days of our factory system. It is only recently, and after a hundred years of agitation and education, that we have attained to fourteen years as the starting age in this country. India has attained to its equivalent in one great step under the agency of the International Labour organization, for the Indian Government has loyally

accepted the whole of the conventions to which her representatives subscribed, including the starting age of twelve. The necessary laws have been passed and are now in operation.

The measure of advance is scarcely less in Japan, which, in consonance with the terms of the 1919 convention, has adopted the starting age of fourteen in common with industrially advanced countries.

The working hours day convention also concerned India and Japan, in both of which countries hours of labour in 1919 were inordinately long. In India the working week was one of 72 hours, in Japan much about the same, and holidays or breakages in the day's toil were few and far between. The convention with modification was accepted by India, the modification being to ten hours instead of to eight. This meant a drop of two hours per day, a change proportionately greater than any of the older industrial countries were called upon to make. But India has made it. In Japan the application of the hours convention was graded according to age and industries. All young persons under fifteen years of age were to get the benefit of the eight hours day, and after an interval of two years from the time the convention began to operate the age limit was to be raised to sixteen. Persons in industry generally over fifteen years of age were to work 57 hours per week, except in silk, where the limit of 60 hours was prescribed. There was also to be a week-end rest of at least 24 hours. These changes, when effected, would constitute a veritable revolution in Japanese

industrial conditions. It was impossible to carry them out at once because of lack of machinery, and provision was made for a long time limit of three years and a half. So far as I know, Japan has not yet ratified the convention although she has adopted part of it. She has also adopted the Berne Convention respecting protection of women and young persons against night work.

If the International Labour Organization had effected nothing else but these changes in eastern conditions it would have amply justified its existence, for the changes involve an enormous uplift in the conditions of life of great numbers of operatives, and they must also have tended to equalize conditions of world competition.

Political conditions in Europe have, for the last four years, been such as to make large results impossible. Governments and peoples have been torn by faction and political disquiet, but valuable information has been collected and will be available for happier times. And even in this sphere great work has been done for seamen and the peace has been maintained through mediation when otherwise there would have been industrial conflict.

The permanent staff at the Labour Office has in fact now got into its stride. It is in touch with industrial conditions everywhere and it is spreading a knowledge of the best for the benefit of all. After all, it is still true that there is no darkness but ignorance. Ignorance is being dispelled, hardship is being brought out into the light of day as the dark places are being explored.

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Four conferences have been held since the first at Washington, and the Geneva office is justifying itself as an agency for lifting the level of industrial relations throughout the world and harmonizing them with modern interdependent conditions.

CHAPTER VII

CONCLUSION

THE topic is by no means exhausted. Trade Guilds, Socialism, and other idealistic schemes of industrial and social reconstruction might be discussed as bearing on ultimate industrial relations. But they are remote. They are beyond my present purpose.

There are, I know, some honest and ardent souls who reach out only for the realization of great ideals and who chafe at the slowness of practical reforms. I have no word of disparagement for them and have in fact much in common with them. Who can be but impatient when considering existing inequalities? Who can deny that many are born to poverty while some amble through life in luxurious ease?

"It's hardly in a body's power
To keep at times frae being sour,
To see how things are shared."

The pity of it is that "being sour" does not mend matters. It oft mars them by seeking short cuts to more equal sharing by mere mechanical change.

There are no short cuts. Much can be done, however, to pave the way for further advance, by paying attention to the principle of doing first things first. It is true that without vision the

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people perish ; but it is no less true that without due regard for the things near at hand, without doing as well as seeing, vision may become mere fantasy. In other words, the clearing of the undergrowth at the foothills may be not less helpful than the chanting of hallelujahs to the lure of the mountain top.

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