

I·L·O:

The  
Unregarded  
Revolution



KATHLEEN GIBBERD

I.L.O.

**BY THE SAME AUTHOR**

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**The People's Government  
Young Citizens**

**The League—Its Successes  
and Its Failures**



**THE UNREGARDED  
REVOLUTION**

**BY  
KATHLEEN GIBBERD**

**Illustrations by  
M. S. CHADWICK**

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## IN ACKNOWLEDGMENT AND EXPLANATION

THE number of people who have helped me with the material from which I have written the following pages is too large for me to give a list of names. Also I am unwilling that those who have so generously come to my aid should seem in any way responsible for this cursory glance at problems and events of which they have intimate knowledge and about which they care deeply. I shall therefore only acknowledge my debts in a general way.

I am indebted, in the first place, to several trade unions: to a former colleague in the National Union of General and Municipal Workers, to the National Union of Seamen, and to the Marine Officers' Federation. I have also received generous help from the League of Nations Union, especially from its excellent Intelligence Department. But my chief aid has come from the staff of the International Labour Office both in Geneva and in its London outpost. To have been temporarily associated with this new International Civil Service, so efficient and yet so human, so clear-sighted in its hopes for the future, and yet so realistic in its attitude towards the present, so distinguished in its outstanding members, and yet so democratic that the porter at the door seems to be a fellow-worker with the Director—this has been an experience of especial delight in a period of political

distrust, cynicism, and despair. It is one that I shall remember when my book has been superseded by something more worthy of its theme.

One word of explanation. There is no attempt here to view the whole field of action on which the I.L.O. is engaged. To those familiar with the subject there will be obvious omissions. My hope has been to introduce the I.L.O. to any ordinary readers who are only vaguely aware of its existence. Space and time impose limitations when one desires to write briefly and give a picture that is actual. In the hope that the book may come into the hands of more serious students I have given references for further reading in footnotes and at the end of each chapter. Chiefly for these, too, I give in the appendices the complete constitution of the I.L.O. and a list of conventions.

K. G.

*January 1937*

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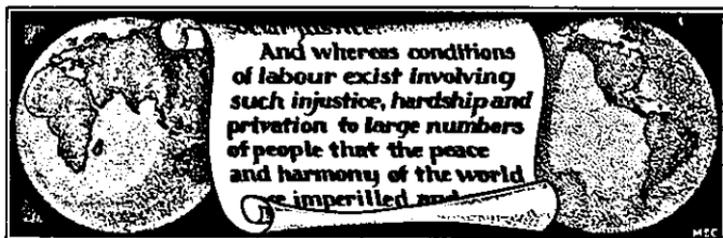
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**PART I**  
**PLANNING THE ATTACK**



## CHAPTER I

### IN WHICH THE MEANING AND PURPOSE OF THE I.L.O. ARE BRIEFLY EXPLAINED

In the cabin of a White Star liner, then in mid-Atlantic, a man was working. He sat in his shirt sleeves, encircled by printed documents. The steward, who had been tidying as much of the cabin as was uncovered by papers, lingered at the door. Finally he spoke to the passenger:

'I see you are from Geneva, sir,' and he pointed to the name on the nearest document.

'Yes,' said the passenger. 'I come from the I.L.O. Do you know anything about the I.L.O.?'

'Yes,' said the steward. 'I do. I know that it's because of the I.L.O. that I get two months' pay supposing this ship founders and I lose my job.'

Interesting, thought the I.L.O. official. I don't suppose there's a passenger on board who knows as much or even what the I.L.O. is.

A stranger in a London club was introduced to a Protectorate officer on leave from Malaya.

The stranger explained that he was attached to the I.L.O. in Geneva. 'But you won't know what that is,' he said.

'Oh, yes,' said the man from Malaya. 'I know all about you people,' and he told a story of how the I.L.O. had asked him to investigate an alleged case of slavery or its equivalent in the district under his supervision. The investigation revealed that in a remote forest place a Chinese employer, having collected a number of labourers to cut down trees, had treated them with great harshness and prevented them from returning to their homes. They were promptly released and the employer sent to prison.

These are true stories. They serve to show that what has passed unregarded by ordinary people, even intelligent ordinary people, is well known in unsuspected places.

Here are other witnesses:

A Roumanian woman expects a new baby in six weeks. She knows that she has only to present a medical certificate at the factory where she works and she will be given twelve weeks' leave with special pay, and there will be no fear of her losing her job at the end. Once she worked right up to the confinement because she could not afford to lose her wages nor risk dismissal.

A young Indian mill-hand wants to study in his spare time. Once he had no spare time. Now he has a shorter working day and a holiday on Sundays.

A Chilean peasant develops fever. His wages cease.

Once he would have been penniless. Now he has sick pay and medical attention.

A Latvian wood-cutter is permanently injured from a falling tree. The fault was not his, but formerly he would have had to meet the consequences as best he could. Now he receives, by way of compensation, a weekly allowance for the rest of his life.

A native of an African village sits looking at his rice-field. He reflects on the coming harvest to be gathered in a few weeks. A few years ago the rice lay unharvested, for the dreaded white agents came and drove all the strong men to enforced labour on a distant rubber plantation. Only a few of the men ever returned.

A French mother looks out to sea. Her only son has gone on his first voyage. She has heard of other people's sons coming back with impaired health, unable to stand up to the strain of life on board. She has heard of others who have never come back. She reassures herself with the knowledge that now things are different. The boy's health will be certified by a ship's doctor, he will not have to work in the injurious furnace-room, and if he is taken to a distant port someone will send him home again.

A workman in South America loses his job. He lost it once before and he had to humble himself into accepting private charity in order to keep his children fed. Now, having paid his contributions under the new insurance system, he can draw out his legitimate weekly allowance.

A group of British dockers stand on the quay waiting

while a crane unloads the freight of an Irish ship. Their eyes follow the great bulk in the crane's claws. Is the load too great? Had they better step aside into safety before the thing crashes down? But someone knows of the new regulations accepted by most countries. Weights have to be marked. The weight of this load is known. It is not beyond the crane's strength. No one need move. Presently the load comes safely to earth and the dockers fall to work.<sup>1</sup>

The reforms referred to in the preceding paragraphs are not cited as boons of civilization. They are merely the beginnings of social justice.

Our industrial civilization has been materially beneficial but socially unjust. It has given us trains, motors, aeroplanes, electrical appliances, cheap furniture, cheap entertainments, cheap books, cheap everything. But in its headlong career of material achievement children have been crippled, women overstrained, men injured, primitive communities upset, seamen lost or drowned. And it has built its fairyland of cheap miracles by enlisting a vast army of small wage-earners whose work is monotonous, whose opportunities for spiritual development are slight and whose assurance of livelihood is a frail thread binding them to vast movements of trade and currency beyond their control and comprehension.

<sup>1</sup> The 'Marking of Weight Convention' has not been adopted by Great Britain, but she benefits from the acceptance of the convention by other countries.

Against these injustices there has been for some time past a good deal of effective protest. A growing humanitarian conscience has protested through parliaments and the press, and the wage-earners themselves have banded together and protested through trade unions and in strikes. The result has been that in the more developed countries law and custom have abolished the more pronounced injustices—the employment of young children, over-long hours, dangerous or insanitary conditions, and unrelieved unemployment. More just conditions usually pay in the long run, but at first their introduction brings unfair disadvantage in a world of fierce competition. The progressive countries have therefore sometimes found that their higher standards have been a handicap. And although the best of them still have a long way to go they hesitate to go further. Here is a new injustice—that progress should be penalized and threatened.

The only solution is a forward march on an international scale.

This forward march has begun. It has been stepping out unobserved during a time when, on the political front, international co-operation has seemed to fail, at a time when every country has been barricading itself against the foreigner.

This remarkable yet largely unobserved advance in the direction of social justice has been the work of an organization founded by the Peace Conference and commonly referred to by its initial letters. How an organization with such far-reaching possibilities came to

be authorized by cautious statesmen, how it began its work in mists of uncertainty, how enthusiasm carried it forward to unexpected success, how it attracted a remarkable band of workers; what it has actually done, is doing, and may do—these are the things which this book sets out briefly to tell.



## CHAPTER II

### IN WHICH A NUMBER OF RESPECTABLE PERSONS MAKE REVOLUTIONARY PROPOSALS

ONE day towards the end of the year 1918 four men sat in a room near Charing Cross discussing some type-written notes. The most elderly of the men was a Cabinet Minister. The others, of whom two were still young, were members of the civil service. The pages of typescript expressed certain revolutionary proposals conceived some months ago when the War was still raging and audacious action was the order of the day. Now they were being put in the respectable clothing of a British Memorandum for submission to the Peace Conference.

The First Plenary Session was over. Talking and bowing the delegates took leave of one another, stepping in and out of the gilt chairs, passing under the crimson hangings, driving away into the Paris dusk. Presently the ornate clock set over the massive fireplace ticked in an almost empty room.

On the horseshoe table that covered the greater part

of the floor space lay a neglected agenda paper. The business items ran as follows:

*Conférence de la Paix.*

*Quai d'Orsay.*

The responsibility of the authors of the War.

The penalty for the crimes committed during the War.

International legislation on labour.

Not far away six hundred journalists were writing or telephoning such stories as they could make of an occasion for which they had waited impatiently. For days the opening meeting of the Peace Conference had been delayed. Now after a few inaugural speeches and formalities M. Clemenceau, from the chair, had rushed through the agenda. Delegations had been asked to send in any memoranda that they had relating to the three items before them. That was all.

'*Pas d'objections? Adopté.*' And M. Clemenceau had adjourned the conference for a week.

It was a curious agenda for a conference that was expected to re-make the world. Nothing about a League of Nations, or the delimitations of frontiers, or the future of the German colonies. Perhaps it was true, as rumour said, that President Wilson, Lloyd George, and Clemenceau could agree about nothing important. Certainly it was a most uncontroversial agenda. At that time it was commonly taken for granted that Germany must be publicly proclaimed responsible for the War and that she must make amends for her conduct of it (two assumptions for which Europe has paid bitterly since). As for the third item, that was a sop to Labour,

put in probably at the suggestion of Lloyd George, who had been urged to it by George Barnes.

George Barnes, once an engineer's apprentice, had come to be a member of Mr. Lloyd George's War Cabinet and a delegate to the Peace Conference. There had been other Labour ministers, but they had resigned. Mr. Barnes in not resigning with them had broken with the British Labour movement so that he came to the conference as a Labour man, but not as one put forward by British Labour. This was a grievance on the part of British Labour, and Mr. Lloyd George well knew it. He had promised the working people of Britain that they should have a voice in the Peace Conference, and he had not been allowed to overlook the fact that the inclusion of Mr. Barnes in the British delegation to Paris was not considered a fulfilment of the promise. This was one of the political reasons why it was important to make it clear at the outset that the conference was going to do something for Labour.

There were other reasons also. In every allied country the trade unionists had abandoned all their hardy won agreements with their employers, and devoted themselves to providing the armies with munitions. Without munitions the War would have failed. The governments therefore were in honour bound to see, not only that the protective agreements were restored, but that labour conditions were generally made better. And if honour demanded this, honour was supported by fear. Millions of the younger workers had been serving on the war fronts, and now that the slow process of

demobilization was at work the survivors were returning to workshop, mine, and shipyard, having acquired familiarity with the use of gun and bayonet. Worse still a violent workers' revolution had broken out in Eastern Europe, and there was a general feeling that anything might happen.

Perhaps it is fair to add that although people sometimes feared a dark social upheaval, they were equally affected by a hope that startling and far-reaching improvements were shortly to be realized. It was a curious hysterical time, when everything seemed to be in the melting-pot; but then, for four years, war, with its daily casualty lists, its food shortage, its air raids, had been like a nightmare from which the armistice was a wonderful awakening.

1st February 1919. In a luxuriously appointed room, that had once belonged to a French king's mistress, fifteen important people take their seats. Yesterday, at the Quai d'Orsay, the Peace Conference held a second meeting, and decided to set up a commission on International Labour Legislation. These fifteen gentlemen are the commission.

There is George Barnes, and with him Sir Malcolm Delevingne representing Great Britain. A gentle but most determined pair. It was Sir Malcolm Delevingne who was the British live wire at two pre-War conferences, when a group of states made agreements prohibiting night work for women employees, and the use of white phosphorus in the manufacture of matches.

There are two delegates from the United States, Mr. Hurley, the shipping magnate, and the famous trade-union leader, Samuel Gompers—an old man now, with a heavily lined face. France has sent two ministers, but one is to be replaced presently by Jouhaux, the French trade-union leader. From Italy and Japan come in each case two government officials or ambassadors. From Belgium the distinguished Professor Mahaim and M. Vandervelde, the Socialist Minister of Justice.

Three other countries are represented by one delegate—Cuba, and the newly-created European states, Poland and Czechoslovakia. The Czechoslovakian delegate is M. Benes, soon to be famous among European statesmen. Besides these there are the two young men who helped to frame the British memorandum which is shortly to be presented to the commission: Mr. Harold Butler and Mr. Edward Phelan are to assist with the secretarial work. Associated with them are M. Arthur Fontaine of the French Ministry of Labour, and a young French official, M. Pône. These last four men are destined to a term of collaboration that will long outlive the existence of the commission.

As the members of the commission sit down at the long table, and prepare to draw up their plan for an international effort towards social justice, it is not difficult to imagine some ghosts of the past standing behind their chairs: Francis Place, who fought for the legalization of trade unions; the early trade unionists themselves, so often losers in an unequal fight; Robert Owen, who pleaded in vain to the Congress of Vienna that it should

consider international labour problems. And from this other side of the Channel: Daniel le Grand, the Alsatian manufacturer, who bombarded European statesmen with memoranda; and the economist, Jerome Blanqui, whose words of eighty years ago might serve to encourage any doubting member of the commission to-day:

Can it be done? Why not? Treaties have been concluded between one country and another by which they have bound themselves to kill men. Why should they not be concluded to-day for the purpose of preserving men's lives and making them happy?

Whether or not the members of the commission are sensible of unseen presences from the more distant past they are well aware of a challenge of not long ago. They remember that at the inter-allied meetings of trade unionists held during the War the organized workers put alongside their demand for a just peace (now a forlorn hope), a further demand for the international regulation of labour. They have also not forgotten that the course they have to pursue has been partly opened up for them by a private society whose activities have already moved governments to some action.<sup>1</sup>

Then, too, they are susceptible to the post-War atmosphere of hope and fear. They desire a juster social

<sup>1</sup>The International Association for Labour Legislation, founded at the time of the Paris exhibition of 1900. The society engineered the Berne Conferences of 1905 and 1906 by which the conventions prohibiting night work for women and the use of white phosphorus in match manufacture were drawn up. These conferences were attended by some fourteen states and were the first of their kind, except for a small conference in Berlin in 1890, when certain reforms were pronounced 'desirable.'

order, and they are afraid that revolutions will overtake them if they do not get to work quickly.

Responding to this general sense of urgency the commission began to meet every day. Throughout that early spring the pale cherubs in the corners of the ceiling looked down on a scene of intense and often controversial discussion. At the head of the table Samuel Gompers wagged his fingers and puffed a cloud of pungent tobacco smoke from a strong cigar.

The commission's task was clear in a general way. The Peace Conference had bidden it 'inquire into the conditions of employment from an international aspect,' and to 'recommend the form of a permanent agency.' This second injunction meant planning for a world industrial parliament to meet regularly. There was also the possibility of laying down certain minimum standards on such subjects as hours of work, the right to join trade unions, the abolition of child labour.

But to work this out in detail was extremely difficult. It was building for the future without any help from the past. The elegant room hummed with staggering questions. Was this parliament really to *legislate* or merely to *advise* the nations? The workers would never accept the second alternative, but even in the fearful and optimistic post-War atmosphere it seemed hardly practicable to suppose that governments would accept the first. And who would attend the international parliament? Government representatives? But they did not know enough about labour conditions. Workers

and employers? But they could not legislate over the heads of governments; and how could the nations be compelled to put the international legislation into effect? What about an office and staff to collect and keep the necessary information? Should there be a committee in charge of the office? What was to be the relationship with the League of Nations? (A particularly difficult question, as the League of Nations so far did not exist even on paper.)

To a considerable extent these questions had already been faced by the British representatives in the room, and the British memorandum referred to at the beginning of the chapter turned out to be a detailed plan for the new international organization. It had already been approved by British trade unions.

As there was no other corresponding proposal the commission used this plan as a basis, and went through it point by point. This enabled the commission to proceed at a pace that would otherwise have been impossible, but even so the track they followed was beset with thorny difficulties. In the course of some thirty-five sittings over one hundred amendments were proposed. Whenever one matter came near to settlement it was seen to hang on another matter, and the decision was shelved until the other matter was settled. Then there was the language difficulty. There were then no interpreters practised in committee work of this kind. The result was confusion, misunderstandings, deadlock, and perpetual fear of a breakdown.

From early February till late March the fatherly

Samuel Gompers controlled the disputations, himself very doubtful as to whether any possible good could come of the whole business.

Finally everything was settled. The plan was drawn up. At the last meeting of the commission the distrustful Mr. Gompers, whose patient chairmanship had contributed in no small measure to the final result, announced his complete conversion to the scheme, and declared that he was going back to America to commend it to his compatriots.

In brief, it had been decided that the new organization should consist of a conference, meeting at least once a year, an Office to be established at the same place as the headquarters of the League, and a small committee or Governing Body in charge of the office. To the conference were to come from every member-state of the League of Nations, an employers' delegate, a workers' delegate, and two government delegates.<sup>1</sup> Each delegate was to vote individually. Each could bring to the conference for his assistance a number of advisers—but not more than two for each item on the conference agenda.

<sup>1</sup> This was one of the two points about which there was very great controversy. Some members of the committee wanted the three kinds of delegates to be in the ratio of 1 : 1 : 1 instead of 2 : 1 : 1. It is interesting to note that in the committees, which do the spade work at conferences, the representation and voting is 1 : 1 : 1.

The other contentious item was that which determines how conventions are to be submitted for ratification. U.S.A. pointed out that a Federal Government cannot ratify a convention over the heads of the Federated States. The solution to this difficulty was found in adding a clause which allows a Federal Government in certain circumstances to handle a convention as if it were a recommendation.

The matters agreed upon by the conference would be framed either as conventions or recommendations. Every convention accepted by a two-thirds majority of the conference was to be submitted to the national parliaments or similar institutions. This had to happen within a year unless there was special reason for delay, when the period could be extended to eighteen months.

If a national parliament agreed to a convention the convention was to be regarded as adopted (i.e. ratified) *as it stood*. If necessary, new laws were to be enacted for putting all its provisions into operation. Recommendations were also to be submitted to national parliaments, but these were merely, as the name implies, in the nature of advice, and had not the same force as conventions.

Every year member-states were to produce reports showing how they were carrying out the conventions that they had ratified. Complaints could be made about a defaulting nation, and in a last extremity penalties could be enforced.

Attached to this constitution there was a labour charter. This had no part in the original British plan, but when the British plan had been thrashed out, and with certain modifications adopted, the Italians moved that certain rights of labour should be declared here and now to be a basis of the new organization. The delegates of the United States and of France were of the same opinion. The charter, when finally drawn up, was a dignified pronouncement on such matters as the right of workers to join trade unions, the right to a reasonable standard of life, the right to a weekly rest day, the abolition of child

labour, the establishment of a factory inspectorate. It also declared that labour should not be merely regarded as a commodity or article of commerce whose price varied with demand and supply, and without relation to the labourer's needs. The constitution and the charter were introduced by a preamble, in which it was pointed out that world peace could not be achieved amid the existing conditions of hardship and injustice. The document concluded with a proposal that the first conference should meet in Washington in the following autumn, at the invitation of President Wilson, and that it should deal with the eight-hour day, the employment of women under conditions that endangered their health, the wrongful employment of children, and that it should also reaffirm the Berne convention prohibiting the use of white phosphorus in the manufacture of matches.

All that remained was to put the document into the hands of the whole Peace Conference, and get it adopted. It was urgent that this should be done as quickly as possible if the first Labour Conference was to be held a few months hence. The plenipotentiaries at Paris, however, when they looked over the new proposals, were either critical or indifferent. The Labour Organization had been a happy thought for the first meeting of a Peace Conference that did not know how to begin. But after two months the Conference was already embroiled in the most acute political difficulties. The Italians were threatening to go back to Italy, and President Wilson had ordered steam up on a ship for his departure to the States. People said that what now mattered was the

drawing of new frontiers, not provisions for the workers. Mr. George Barnes, in the absence of Mr. Gompers, who had had to go home, fought in angry despair for the new plan to be put before a special Plenary Session. He reiterated the dangers of revolution if the promises to labour, not in England only, but in all the industrial countries, were not kept.

Mr. Lloyd George was ready to listen. He engineered a special session.

The meeting is about to open in the famous Room of the Clock. M. Clemenceau is in the chair. It is known that Mr. Barnes will move the adoption of the proposals which every delegate holds in his hand. M. Colliard of France will second the motion.

But the great speech in support of the proposals is to come from M. Vandervelde of Belgium, whose eloquence is calculated to convince the Peace Conference, and whose standing as a Socialist Minister of Justice is reckoned on to please every trade unionist or Labour politician who picks up his newspaper to-morrow. The members of the commission, the authors of the proposals, scattered now among a larger and more august gathering, look askance at M. Vandervelde's empty chair.

It is known that M. Vandervelde had to return to Brussels to attend to some ministerial duties, and that he was to travel back to Paris by car through the war-devastated areas where railways have not yet been repaired. Some have already heard that the car broke

down last night, and that the British members of the commission, in their anxiety to have M. Vandervelde here, sent an aeroplane at daybreak to look for him.

M. Clemenceau opens the meeting. Mr. Barnes speaks. M. Colliard follows. Through the door comes M. Vandervelde, just as M. Clemenceau is about to call on him.

His speech, composed among the vicissitudes of his journey from Brussels to Paris, satisfies every one's hopes. He declares the proposals before the conference to be revolutionary.

Such a point of view doubtless strikes the weary Peace Conference as part of an orator's stock-in-trade. Many sit there unmoved by a plan which is going to give the ordinary working-man a share in a new kind of international law-making. They have been too distracted to consider the labour proposals in detail. The plan outlined in the papers before them seems to inaugurate a series of conferences which will doubtless do a lot of talking. Glad to have one section of the proposed treaty settled and done with they agree unanimously to accept the proposals. But Mr. Wilson has eagerly assented to invite the first Labour Conference to meet in Washington.

#### FOR REFERENCE

*The Origins of the International Labor Organization*, 2 vols., James R. Shotwell. Columbia University Press.

*The International Labour Organisation: the First Decade*, Part I. George Allen & Unwin.



### CHAPTER III

IN WHICH A CROWD OF UNDESIRABLE ALIENS ACCOMPLISH  
SOMETHING

ON paper everything was now clear. Part XIII of the Peace Treaty laid down the constitution of an International Labour Organization. It was true that the rest of the treaty, including the covenant of the League of Nations, was not yet agreed upon, but that would be completed in course of time, and the treaty would be formally presented to the Germans for signature. The International Labour Organization was virtually born and could begin its life.

But to inaugurate the first International Labour Conference various irregularities had to be admitted. Strictly speaking, conferences should be arranged by the International Labour Office, under the direction of the governing body. As yet there was no governing body and no office. An international committee of seven was therefore appointed to plan the first conference.

The committee met when it could, but being composed of people drawn from three continents and having already other full-time occupations, the bulk of the work rested

on the shoulders of its secretary, Mr. Butler, and his assistant, Mr. Phelan. They secured the use of some rooms in a British Government office, and with the help of Mr. George Barnes and Sir Malcolm Delevingne, both of whom were close at hand, they began their preparations. Thus it came about that less than six months after the first tentative proposals for a Labour Organization had been discussed by some civil servants in London these same people were again in London boldly making plans for the first Labour Conference.

It must not, however, be thought that the preparations were entirely carried through by a group of British people. The conference might have never appeared in Washington had it not been for the indefatigable determination of Professor Shotwell of the United States who made himself a personal link between the two sides of the Atlantic. Also, as time went by, some French civil servants came over from Paris to collaborate.

Mr. Butler and his assistants had first to face the sobering fact that there was no money. Ultimately the expenses of the Labour Organization were to be met by the League of Nations out of the subscriptions of member-states, but as yet the League of Nations did not exist. To meet the need to pay salaries, equip his office, and cover the expenses of correspondence Mr. Butler extracted a loan from the British Treasury.

The immediate task was to draw up a series of questions which could be sent to the government of every country named for inclusion in the League of Nations. It was important to know in the case of all nations attending

the conference what standard had already been reached in regard to each social reform that would be under discussion—what, for instance, was the length of the working day, at what age children were allowed to enter industry, whether they were prohibited from working during the night, whether women were allowed special leave of absence during childbirth, whether there were free employment exchanges to enable the unemployed to find new work. Every Ministry of Labour or corresponding government department was asked to state explicitly how far (if at all) these matters were covered by the laws of the country, how things stood in actual practice, and what was the government's opinion on reform. Immediate replies were earnestly asked for, since time was short. In the course of dispatching the questions, adding explanations, sending reminders for the replies, a flight of letters and cablegrams sped to and fro between the Whitehall office and five continents.

As the appointed time of the conference approached work accumulated and difficulties increased. The replies of some forty governments had to be translated and then summarized in a collection of reports, one for each subject of reform. Many of the replies were late in coming in, thus delaying the final summary. There was a fight against time for the reports had yet to be printed in French and English editions. Meanwhile more money was needed and the British Treasury had to be cajoled into lending it. While this was happening there was the most disquieting silence on the other side of the Atlantic. The promised invitation from President Wilson had not

arrived. There seemed a doubt as to whether the president would be able to fulfil his promise. He had returned to America from Paris to find the tide of public opinion was against him. The American people did not like the Peace Treaty, and would have nothing to do with that part of it which had been the president's particular contribution—the League of Nations. The president himself was ill. Finally, it was revealed that the awaited invitation could not be given until the American parliament had sanctioned it with a special piece of legislation. Professor Shotwell hurried from London to Washington to agitate until this was done.

At the same time critical persons everywhere were arguing that the conference could not be held until the League of Nations was in being. The International Labour Organization was to be a labour wing of the League. So far the League only existed on paper. A special session of the Supreme Allied Council had to be called to proclaim its opinion that the Labour Organization could proceed with its conference as though its superior partner were already in action. Even so the critics declared the conference unconstitutional, and no less a person than the American Minister of Labour gave it out as his opinion that any conference that might be convened was an informal conference, its recommendations having no weight and its decisions no authority.

Despite these discouraging circumstances Mr. Butler and his staff, and the international committee of seven, decided to carry the conference through as though its legality had not been questioned, and as though the

inviting country had not turned a cold shoulder. They could justify their determination by calling attention to the voice of labour the world over. The workers of the world, or, anyhow, such of them as found opinion and voice, considered that they were being defrauded. The trade union agreements were indeed to some extent restored, but the world the workers came back to after four years of war looked little like the world fit for heroes that had been promised. Moreover labour's call for a just peace with the enemy countries had been disregarded. Were the working people to be driven into revolution by a final disappointment over the much talked of new International Labour Organization?

. . . . .

It is said that Mr. Butler, now the chief official in an organization that asserted its right to live in 1919, still has a recurrent nightmare in which he dreams that he is again at Washington in that year. For if the preliminaries in London were difficult, they were merciful compared with the confusions that lay in wait at Washington.

The conference was to meet in the Pan-American building, a magnificent affair equipped with various fauna representative of life in various American States—parrots, for example, and magnificent goldfish. This presented no special difficulty beyond the expenses of hiring it—expenses which were jocularly said to include the necessary meals for the animal inhabitants.

The conference also needed offices for the use of each of the thirty-nine national groups attending. These

were found through the endeavours of the man who was then Assistant Secretary for the Navy, but was destined for higher things—Mr. Franklin Roosevelt. Mr. Roosevelt offered the conference such rooms as could be made free in the newly erected Navy building. The tremendous collection of offices, rushed up during the War, was built in something of the form of a comb, ten or more parallel blocks of offices jutting out from the main block. It was vast in extent, and the offices offered the delegations were necessarily scattered. It took half an hour for one delegation to visit another delegation in a distant section. Messages were taken by boys on roller skates. It appears that some delegations never found their offices before the end of the conference.

The arrival of delegates was not the matter of travelling to schedule that it would be now. The wartime inconveniences remained. All the German mines in the ocean tides had not yet exploded. Canadian and American soldiers were still coming home. Among these demobilized men, and in the face of strikes that were symptomatic of the temper of the workers, those convened to the conference made their way to Washington. The English contingent lost its luggage, and arrived in America's capital city embarrassed by the consciousness that collars had not been changed for some days. Mr. Barnes was particularly unfortunate in that he was aided by a secretary who seemed destined to be the victim of minor mishaps. The secretary failed to change Mr. Barnes's money at the appropriate time, and the British Cabinet Minister arrived at his Washington hotel

with a trailing shoe lace that could not be replaced, and followed by a taxi driver clamouring for his fare.

The printed reports, the outcome of months of labour, and the basis on which the conference would build its decisions, nearly missed the boat at Southampton. A transport workers' strike prevented their normal conveyance. The young official in charge got them to the docks in time by persuading the Minister of Transport to lend a car. On the boat the same official ran into a band of French shorthand-typists that had been especially recruited for the conference. They showed a certain levity of spirit, which the official felt was inappropriate to the serious purpose ahead. He was consequently embarrassed when, at a later stage in the journey, the negro conductor of a pullman car intimated that he would be glad of a ticket for whatever show the young man was putting on in Washington.

When the conference began its meetings it was in an atmosphere of confusion. Minutes were not properly recorded. Interpreters had not yet learnt to be accurate. Some delegates from Finland added to the initial difficulties because officially they had no existence, Finland not having yet been recognized as one of the new nations arising out of the Peace reassignment. When the work was well under way, and certain matters had been agreed upon, a South American delegate arriving late, and being given the floor, proceeded to open up the discussions of the past fortnight.

And meanwhile the cold repudiation of the United States continued. President Wilson was very ill. The

American newspapers resented the presence of the conference. At one moment there was a popular cry that all the delegates in the Pan-American building should be deported as undesirable aliens.

And yet the conference succeeded. The obstacles and the confusion were met with gaiety. A spirit of determination and goodwill animated the delegates. Actually the confusions were clouds obscuring secondary routine matters. The main objectives stood clear and were accomplished. Mr. Butler and his assistants had laid their foundations remarkably well. In the next two decades other and more notable international conferences were to fail for lack of proper preparation. This one, like all later Labour conferences, succeeded chiefly because it was well planned. Apart from the enormous task of collecting and tabulating information and indicating possible lines of action there had been also a certain laying down of rules of procedure—regulations for debate, definition of chairman's powers, and so on. These regulations, largely the work of Mr. Phelan, worked out on paper, with no precedent to go upon, were found to be so satisfactory that, with little alteration, they became the Standing Orders for all future conferences of the organization.

Thirty-nine countries attended, and in nearly every case the correct delegation of four persons was sent: two government representatives, one employer, and one worker. Forty-one countries would have been there if the invitations sent by the conference to Germany and Austria, two countries as yet uninvited to join the League

of Nations, could have been accepted in time. The German delegation actually got as far as boarding a Swedish boat at Gothenburg, but Atlantic passages being in a state of disorganization, it was found that Washington could not be reached before the conference was over and the voyage was consequently abandoned.

Six important draft conventions were adopted. The first set up the standard of an eight-hour day or forty-eight-hour week for all workers in factories, mills, railways, and mines—the more difficult question of hours for seamen being postponed until the next conference. Overtime was limited, and its rate of pay laid down.

The second provided for a system of labour exchanges so that the unemployed might have free assistance in seeking work.

The third and fourth conventions prohibited women and young persons (i.e. those under 16) from being employed at night. The fifth convention made fourteen the lowest age at which children should be employed. The sixth convention guaranteed for working mothers a six weeks' rest before and after childbirth. Certain exceptions were allowed in the case of most of these recommendations, but these need not be entered into at this point.

Every delegation was obliged to take back these conventions, and see that they were considered for adoption by the national parliament or whatever served as a legislative body.

There were also recommendations dealing with measures for the protection of workers' health. These

were intended as a guide and standard to backward countries.

One interesting revelation of the conference was the solidarity between the employers on the one hand and the workers on the other. Some people had expected that the national bond which held the worker and the employer from any one country would be stronger than the bond holding all employers and all workers. Quite the contrary proved to be true, and at every conference since Washington the same alignment has taken place. The employers and workers form two distinct groups, usually with contrary opinions, and the balance of decisions comes to depend on the government representatives who are in no sense a bloc, and may favour either side. The three groups are most clearly marked in the committees of a conference where they sit in three separate sections. It was at Washington that the committee system was adopted. By this system each proposed convention is thrashed out informally in a committee to which every nation can send a delegation of one employer, one worker, and—unlike the full conference—one government representative. It is in the committees that the substitute delegates get their opportunity, for the official delegates are usually replaced here by the experts they have brought to help them.

After working strenuously for a month the conference broke up. The delegates, despite fierce controversy, and despite the separation of workers and employers into their separate blocs, had experienced a general sense of fellowship and goodwill that lingered in the memory

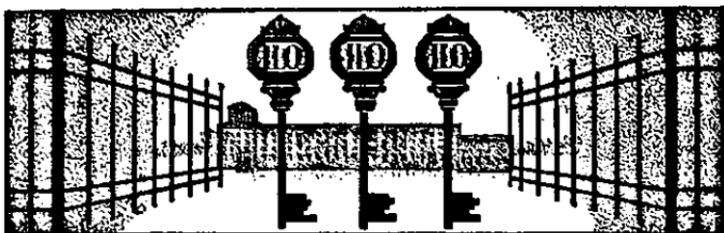
after the actual conventions arrived at, seemed ancient history. East and west, ancient and modern civilization, employer, worker, and government official, all took leave of one another with something of regret. The city of Washington, vexed with bitter argument over the Peace Treaty, and threatened with coal shortage as the result of one of the worst strikes in American history, was not sorry to see its visitors depart. The Senate declared that if ever the States changed their mind about the League they would at least keep clear of its Labour Organization.

Sixteen years later the United States was as unwilling as ever to join the League, but the nineteenth conference of the International Labour Organization broke into applause and welcome as four American delegates took their seats for the first time.

#### FOR REFERENCE

*The Origins of the International Labor Organization,*  
James R. Shotwell.

*The International Labour Organisation: the First Decade.*



## CHAPTER IV

### ABOUT ALBERT THOMAS AND THREE GOLDEN KEYS AT GENEVA

#### I

ONE day shortly before the close of the Washington Conference there was an incident in one of the rooms in the Navy building which was to have far-reaching consequences.

A young man was holding out a hat to each of twenty-one people sitting round a table. In a strained atmosphere each gave up a slip of paper. The young man, Mr. Phelan, presently handed the slips to M. Fontaine, who, bearded and aloof, occupied the seat of honour. The next minute M. Fontaine announced that Albert Thomas had been appointed as the first Director of the I.L.O. He had received nine votes. Mr. Harold Butler came next with three votes. Six of the opened slips of paper were blanks.

The first Governing Body,<sup>1</sup> for such it was, broke into a hot discussion. M. Arthur Fontaine, who had, a few moments ago, been elected chairman, controlled the

<sup>1</sup>This was the committee that was to be in charge of the Office. It was elected by the Washington Conference and was composed of six employers, six workers, and twelve government representatives. States of chief industrial importance were to have permanent representation. Otherwise the Governing Body was to be elected every three years. Later it was increased to thirty-two persons.

mixed party of government officials, employers, and workers with Olympian dignity. The workers, sitting together at one end of the table, were the most determined and outspoken. It was owing to their insistence, expressed through the thundering voice of M. Jouhaux, that the vote had taken place at all. M. Fontaine had gently intimated that such an important election should be postponed for the present. None of the government representatives were for hurrying things. The conference itself had been, strictly speaking, an unofficial conference. Several of them felt that they had no powers to vote. Hence the blank slips.

However, the workers had swayed the employers, and first M. Fontaine had been voted as permanent chairman of the Governing Body; and now a man, known only by name to most of those present, was appointed as Director to the new office.

The arguments for delay broke out afresh in the face of Albert Thomas's narrow election. Sir Malcolm Delevingne, the British Government representative, pointed out that three members of the Governing Body were absent, and therefore M. Thomas had not been elected by a real majority. This was an irrefutable point. Finally a compromise was reached. It was decided that M. Albert Thomas should be appointed *provisional* Director, and the governing body would be free, if it so desired, to alter the appointment at its next meeting.

Who was Albert Thomas? That was the question that the conference was presently asking itself. In many quarters it had been assumed that Mr. Butler would be

the Director. After all, he had been secretary to the Paris Commission that had planned the constitution of the new organization, then secretary to the committee of seven that had organized the Washington Conference. Finally he had been secretary to the conference itself. It was known to some that he was personally inclined to favour the appointment of M. Arthur Fontaine, the permanent head of the French Ministry of Labour. But M. Fontaine had been appointed chairman to the Governing Body, thus ruling out his possible candidature for the directorship.

There was a certain measure of disappointment that Mr. Butler had not been elected. His remarkable ability was known to all. People asked whether it was not a piece of international rivalry on the part of the French that contrived to secure the first two appointments in a new organization that had been so largely British planned.

In any case, by a fortunate destiny this comparatively unknown Frenchman, a baker's son, who had risen to be Minister of Munitions, a university professor, and a Socialist, was to be the creator and first leader of the new office.

A few weeks after the adjournment of the Washington Conference he arrived in London to choose his staff: a short stout man with a great brown beard and old-fashioned steel-rimmed glasses. The story of his first appearance and his first appointments has been told elsewhere.<sup>1</sup>

<sup>1</sup> The full story of Albert Thomas's connection with the I.L.O. has been told once and for all by his first member of staff, E. J. Phelan, in his recent book: *Yes and Albert Thomas* (The Cresset Press).

Difficult days followed. Temporary offices were taken in London, and the newly appointed staff worked far in excess of a forty-eight-hour week in their efforts to prepare for the next meeting of the Governing Body and another conference—a conference that was to confine itself to questions relating to seamen. But it was not the amount to be done, not the late hours and the working week-ends that produced the really serious difficulties. Now for the first time people of different nationalities were working in permanent collaboration, side by side, and the new policy that was being developed was the result first of the clash and then of the admixture of Anglo-Saxon and French tradition. The ex-British civil servants in the new office brought with them all the excellence and all the limitations of the British civil service. Albert Thomas and his French staff brought other methods, and Albert Thomas himself began to impose a startling leadership. It seems probable now that without the British contribution the new office would never have been efficient, but with the audacious direction of Albert Thomas it would have been nothing more than efficient. He began to make it a dynamic force.

What were the functions of the Office? What kind of work absorbed the gradually increasing international staff that found its first crowded home in a faded mansion overlooking Hyde Park?

Its first job was to be a clearing-house of information. It had to comb all newspapers, all books and all publications for information on labour conditions. It had to

know both what had been done, and what people thought should or should not be done. It had then to make good use of this information, supplying it to governments, to employers, to workers, to individuals; but chiefly it had to make use of it in connection with draft conventions. When conventions were passed—and it will be remembered that six had been passed at the very first conference—the Office had to watch for their ratifications and application in all the countries concerned. Then, on the other hand, it had to be collecting all the necessary information in order that new conventions should be proposed. The obvious role for it to play was that of handmaid to the Governing Body. According to the constitution it was for the governing body to propose new conventions, and to watch over the effect of past ones. What was the Office for but to stand by like the competent and well-informed attendants in any old drama—people who knew their place?

But Albert Thomas saw otherwise. His Office was not going to be merely a labour encyclopaedia. It was going to be a tutor, and at times an agitator. It was to be a gadfly to governments, a warning to employers—almost a clarion call to workers. Social justice was to Albert Thomas not a fine-sounding phrase, but a condition of life which he believed to be ultimately possible, and for which he strove unceasingly. He saw the miserable conditions of some of his fellow-men as something wrong that had got to be righted. He realized that owing to international competition, only international effort could begin to put things right. He devoted all his amazing

energy to this end, and Governing Body and conferences and Office were instruments to his purpose.

It seems incredible now that his interpretation of his own function and of the function of the Labour Office was so little questioned. But from the time that the second meeting of the Governing Body unanimously confirmed his appointment as director until the time of his death twelve years later government officials and employers as well as workers bowed to his leadership. Perhaps it was partly that the post-War world was too confused to challenge him, and that the initiative having once been granted him he was allowed to continue in the role he had at first adopted. More probably the secret lay in the warmth and magnetism of his personality. Those who knew him personally forgave him his faults.

When delegates were at loggerheads he would hold out his small fat hands and make gentle movements with his fingers—*'pour dissiper les malentendus.'* He had no use for evasive argument: *'Eh bien. Personne ne veut mettre les pieds dans le plat. Moi je veux le faire.'* Official behaviour was a garment he could never wear. *'Et vous, dites moi ce que vous pensez ?'* he would ask the woman interpreter when a stormy meeting adjourned without reaching a decision.

Dominating though he was, yet he had a passion for persuasion. When he met opposition he did not overrule it, but struggled to change it. Above all, delight in his own success and familiarity with the national leaders of his time altered not one whit his essential simple humanity. Stories in illustration of this rare form of incorruptibility

are cherished by those who remember him. Once on his way to an interview with a British Cabinet Minister he met a street seller operating mechanical Charlie Chaplins on the pavement. Albert Thomas was delighted. He must buy one. He went into the Whitehall office with the toy in his pocket, and the next day when his chief assistant called at his hotel to fetch him for another engagement he was discovered half dressed in his bedroom pulling the puppet's string.

On a voyage to America he made a determined attempt to improve his execrable English, and humbly took lessons in his cabin from his British subordinates. With the same simplicity he allowed himself to be led by one of them into the gymnasium, and there was a morning when the ship's passengers might have seen Geneva's special envoy to the United States lying on his back and uncomfortably raising short pyjamaed legs to the Atlantic sky.

In other men these homely stories along with the truly homely pictures that remain of him—as, for instance, when he was discovered on all fours with his children and Arthur Fontaine playing with the toy tiger he had gleefully named 'Clemenceau'—might have been theatrical, little scenes secretly staged for publicity's sake. But not so with him: certainly he loved the publicity that he got as Director of the I.L.O. It was one of his exuberant delights to find himself splashed in headlines. But it was genuinely a delight for the I.L.O., for this cause with which he was himself identified. He was more hungry for its success and fame than any mother

for her son's. One Christmas a member of his staff designed a Christmas card which presented a picture of Thomas finding his Christmas boot and stocking bursting with ratifications of conventions. His pleasure was that of an excited child, and the card was put up for every one to see.

When in the spring of 1932 there came the news that Albert Thomas had died suddenly of heart failure, alone and late at night in a Paris café, the shock to those who were associated with him was at first dumbfounding. Later it was realized how rare a political audacity and how uncommon a personal benevolence had passed from the world. But these things were presently found not to have entirely gone. The international staff that Albert Thomas had so affectionately fathered had not lost its spirit of social equality nor its sense of a common bond for a good purpose. And Mr. Butler, who succeeded to the directorship, began to display an unexpected boldness. As for his energy in leading the campaign, that was found to be as prodigious, though not so explosive, as that of the French leader to whom, in difficulties that were peculiar to their intimate association and contrasting temperaments, he had given faithful and continued support.

## II

The I.L.O. was at first a movable affair. From Whitehall to Washington, from Washington to London, from London to Genoa, from Genoa to Geneva, the international party of economists, statisticians, translators, and typists followed the first Labour Conferences, and the meetings of the Governing Body, setting down their office files, minute books, and typewriters, only to pick them up again in a few weeks. Finally this strange snowball, which both increased in size as it rolled from place to place, and at the same time threw off temporary excrescences, came to rest in Geneva.

Albert Thomas had been offered the empty premises of a large school on a hill above the city. He dragooned his Governing Body into acceptance, and while the members of the League Council were still hesitating as to whether after all Geneva was the most suitable place for the seat of the League, the Labour Office's impatient Director settled the matter for them by planting the Labour department of the League where he wanted it.

But although Geneva was to be the Office's permanent home, the school premises were only temporary accommodation—in any case they did not allow for the growing numbers of the office staff—and before long a certain member of the new international civil service might have been found walking round Geneva, casting an appraising eye on some of the city's largest buildings, its hotels and theatres, to see whether any were worth an offer.

He finally advised that the International Labour

Organization should build its own premises, and both the Director and the Governing Body agreed. The Canton of Geneva and the Swiss Republic came forward with a gift of land, and there presently began to grow beside the famous lake a sober dove-coloured building, whose many windows looked out on to blue waters or on to trees and green grass. Under the foundation-stones was a casket containing parchment and coins, which Albert Thomas, following ancient usage, had placed in its bed of cement, and the three stones themselves had appropriately been placed on top by the hands of an employer, a worker, and a government official.

The building was completed, and the expenses met out of the savings of the I.L.O. and the League of Nations. Gifts for its embellishment came from many lands. An oak from Latvia was planted by a Latvian delegation. Cherry trees followed from Japan. In the central courtyard a blue-mantled child pours water into a blue pool that reflects the red rhododendrons at its rim—the gift of the National Sailors' and Firemen's Union of Great Britain. At the main entrance are statues of Peace and Justice given by Switzerland, and the carved door beyond them comes from Australia. The Governing Body's room is panelled with wood from India, and by means of workmanship from Great Britain. On one wall is a Gobelín tapestry from France.

In the entrance hall and on the stairs one passes South African furniture, Finnish painting, Belgian sculpture, German stained glass—and a picture of Christ as the carpenter, presented by a Christian workpeople's society.

There is also at one end of the entrance hall a great panel in Delft tiles, on which the preamble to the constitution of the I.L.O. is inscribed in English, French, German, and Spanish. It is the gift of the fourteen million working men and women united in the International Federation of Trade Unions.

It was at the gates of this Temple of Labour, as someone described it, that a great crowd of people assembled on a summer afternoon in 1926. The massive gates were locked with a triple lock. The curious sightseers peered through the iron bars at the new drive sweeping down to the main entrance.

Presently three people stepped forward: M. Fontaine, of the French Government; M. Carlier, a Belgian employer; M. Oudegeest, a working man from Holland. Solemnly, while the crowd watched, these three each inserted a golden key into the lock of the gates. The gates swung open. Then, led by Albert Thomas, the people passed through.

The symbolism was more than someone's pretty invention. It truly represented the power of the Organization, for experience has shown that it is because the conventions devised by the I.L.O. are agreed upon by the three kinds of people who are really concerned with them—the workers who are to reap direct benefits, the employers who must put the reforms into operation, and the governments who must give them the sanction of law—that, unlike so many political conventions, they have not

remained dead letters, but are gradually changing the conditions of industry. It was also fitting that Albert Thomas, who presented his Office to the tripartite powers as an efficient but unconventional steward, should lead the first party of visitors through his new building.

Since that day thousands of people from all parts of the earth have passed through the gates as visitors to the building. They have been conducted by guides on a tour of inspection, admiring the national gifts, and learning something of the work that is being done behind the rows of closed doors. It is for us, at this juncture, to follow them. The gifts we have already swiftly glanced at. The pass of imagination shall let us through the doors that must for the most part remain closed to the ordinary visitor.

. . . . .

Here, for instance, is the private post office. Here at eight o'clock every morning come special postmen from Geneva's *Grande Poste* dragging great sacks along with them. The sacks disgorge newspapers and periodicals, parcels of newly published books on labour problems, and letters at the rate of a hundred a day.

They come from all over the world, and in a dozen different languages. Some of the newspapers and periodicals go to a reading-room upstairs, where the office staff or visiting students may use them. Others go to a room on the next floor to await a lady with a coloured pencil, and another with a pair of scissors and a jar of paste. Each journal is skimmed for information

on labour questions—reports of trade-union meetings, debates in parliament, pronouncements by dictators, new rates of wages, articles on economic planning, prosecutions by factory inspectors, demonstrations by unemployed. The coloured pencil marks, the scissors cut out. The extract is pasted on a sheet of thick paper, and sent round the Office to those who would want to see it. The more important items of news, and particularly new labour laws and new publications, are briefly noted on typewritten slips for circulation among the staff. Meantime the books have gone to the library to be catalogued, and the letters to be opened and distributed in the registry department. Let us follow the books for a moment before looking over the registrar's shoulder as he opens the letters.

The library is a magnificent and lofty room. Books go down into the depths underneath, and ascend to the ceiling above. Readers' tables and an atmosphere of grave learning invite the study of labour problems. The librarian, once a Hungarian professor, in offering you information on any labour question that interests you, explains that his library is like no other. He buys the books as the office staff put in a request for them. He has about 400,000 volumes up to date. Many of the books are not now on the shelves, but if we open some of the doors on the way back to the registry we shall come across some of them. Most of these doors open into small rooms where one, or sometimes two, members of the staff are working. Each sits at his or her desk by a window that may look towards the Jura mountains or

towards the Alps. The homes of most are very far beyond these mountain ranges, and they only revisit their own country once a year. Meantime they must owe an international allegiance and pursue the task allotted to them. In many cases this is the preparation of a report on some labour matter that the I.L.O. is investigating—such matters as Public Works, or Nutrition, or Co-operative Societies. They must then be supplied with every possible source of information the world over. Every now and then as the day goes on a messenger will bring them something towards this supply: a new book from the library, a cutting from a newspaper, a typed note referring to an article in a periodical that has just gone to the periodicals' room. All these pile up on a wooden tray marked '*Entrée*,' while requests for further information, or books and papers that have been already scanned, pile up over the label '*Sortie*.'

We return to the registry department. The letters are a curious assortment. The majority of them seem to be requests for information from government departments or from employers' unions, or letters of appreciation for information that has already been sent. A fairly typical example is a letter from the Swiss Government asking for advice as to the best kind of goggles for welders to wear in order that their sight may be protected. The Office immediately sends such information as it already has, and then writes to the appropriate government departments of several industrial countries to collect further experience. Another typical example is a letter

from the Spanish Ministry of Labour asking for the hours of work and wages paid to hotel employees in certain countries in Europe. Another comes from Poland in the following words:

M. LE DIRECTEUR,

In view of the great interest my Government attaches to the problem of factory inspection I should be most obliged if you would give me the following information on factory inspectors in the chief countries in Europe:

1. The number of inspectors.
2. The number of assistants.
3. On what basis salaries are paid. . . .

But inquiries are by no means confined to Europe. Indeed some of the most useful information turned out for the Office is in reply to the less developed countries in the East, or to the new civilizations in South America who want advice in the setting up of social insurance, of safety measures, factory inspection, and such-like.

Trade unions, economists, philanthropic societies, and private persons also send requests, and among the batch of serious inquiries and grateful acknowledgments, there are every now and again odd communications from people who have misunderstood the Office's function and powers. Among those cast aside by the registrar are pathetic requests for work, letters of personal grievance, and curious suggestions for putting the world right. 'Dear sir,' begins one, 'why do the people imagine vain things? Ps. 21.' In another the writer says that he is eager to stretch his hand across the world. 'And then, of course,' he continues, 'attendant upon that is the

possibility of my adding to the small stock of foreign stamps I possess.'

We leave the registry. There is a room known as Distribution, which is worth a visit. It has earned a reputation for efficiency with people thousands of miles away. Here all the publications of the office are kept—paper-covered books in green and grey, and blue and white. Supplies of these go out to sixty countries, and when conferences meet every delegate must have any printed matter relevant to the agenda. This department is said never to make mistakes—always the right publications, always the right numbers.

There still remains a good deal of the Office to explore, but some selection must be made. The typist's pool where the stenographers of different nationalities tap their machines, must be omitted as well as the private rooms of the Director, and of the heads of sections. The tour shall be finished by a round of persons who have been concerned with one of the recent conventions. This will illustrate the part that the Office plays in seeing a convention through.

We will take the convention on holidays with pay. It is a labour reform that can be understood by any one, however remote from the world of working people, and it is probably one that tends to enlist every one's sympathy. It may, in fact, be a surprise to some to know that up to 1936, only a minority of the world's industrial workers had any kind of annual holiday.

Here then is the first scene. Here is the room reserved for meetings of the Governing Body. Here it was first

decided that an attempt should be made to give all industrial workers an annual holiday. The decision was made in the autumn of 1933. Around the great horse-shoe table sat the thirty-two members of the Governing Body—workers, employers, and government officials. Each had before him the ever-lengthening list of proposed subjects for new conventions. Some of the proposals came from the Office, some in the form of conference resolutions. Before each new conference a selection of four or five subjects had to be chosen. Holidays with pay had already been on the list for five or six years.

Leaving this panelled room resplendent with some of the most notable gifts bestowed on the I.L.O., we must now go to one of the smaller rooms upstairs and sit down with a member of the staff. While he explains to us the next step in the making of a convention, messengers come in and load his 'In' tray, reminding us that his work accumulates, while with generosity characteristic of the office he tells us what we want to know.

He hands us a thin booklet, which he calls the 'Grey Report.' It has indeed a paper-cover suggestive of an overcast day. We turn the pages and see that they contain an analysis of all existing laws and customs on the question of holidays for workers—'the existing law and practice,' in the language of the office, and as our exponent talks we realize what searching letters he and his colleagues sent out to sixty labour departments, what reminders and urgent requests by air mail and cable were necessary in order that this exhaustive summary might be presented to the Nineteenth Labour Conference in

1935. At that conference every delegate had a copy of the report. The subject came up for its 'First Discussion,' and the conference decided that the office should outline a convention for the next conference. But before that could be done it was important to discover what sort of details were likely to meet with a majority of approval. That necessitated a questionnaire going out to all the countries in the organization. Our informant now hands us another slim booklet. This time the cover is reminiscent of a clear sky at daybreak. The 'Blue Report' he calls it. It contains a number of questions in heavy type. One or two catch the eye as we turn the pages:

Do you consider that the right to holidays should be acquired only after a minimum period of uninterrupted service with the same employer?

What do you consider should be the minimum period?

What do you consider should be the minimum duration of the holiday. . . ?

The questions are followed by all the replies received. Again we realize how letters and telegrams went racing about the world in the endeavour to have the report ready for the twentieth conference. Even so, many replies were unpunctual.

At the end of the Blue Report is the draft convention carefully planned by our informant and his colleagues in the light of the answers to the questions. He tells us that the conference adopted the convention, although certain important governments, among them Great Britain, abstained from voting. The workers were

unanimously in favour, most of the employers against, but the governments came down sufficiently on the workers' side to ensure the necessary two-thirds majority. The convention gives at least a week's holiday with pay to all industrial workers.<sup>1</sup>

We now go to visit two other members of the staff, working in other sections of the office, to learn how the operation of the convention is carefully watched.

In the first section we meet someone who belongs to the group who look after the convention between its passing at the conference and the time for it to pass into national legislation. We are told that every country belonging to the I.L.O. should submit the convention to its national parliament within a year. Eighteen months is the maximum limit. Before that is reached this section will send reminders. Every country is at this moment under the eye of the section, for the convention was only passed at the last conference a few months ago. If one country seems to be waiting for another to lead the way then this other will be urged to take the initiative. The moment any country ratifies the convention a note is made in the office records.

But the ratification of a convention is not enough. The Office will not be satisfied even if sixty national parliaments hasten to bring in and pass Bills making paid holidays compulsory for all workers. The law can remain a dead letter. The Office is not satisfied until it sees the

<sup>1</sup> Agricultural workers were excluded. Seamen were given the same benefit in the special Maritime Conference a few months later.

conventions actually at work, until it is assured that in those countries who adopt the convention, the workers do in fact get their holidays.

Our last informant, a woman this time, tells us what she and her colleagues will do. She shows us a report form which she will send out to the labour department of every country that adopts the convention. This printed sheet contains a number of searching questions with a space for reply underneath each. The paper demands to know precisely what laws have been passed putting the convention into force; who is responsible for seeing that they are carried out; whether there are factory inspectors on the look out for defaulting employers; how many defaulting employers have been charged in the law courts.

Every year a report form goes out for every convention, and an international committee of experts comes to Geneva in March to examine the replies that the reports convey. The experts—who include lawyers, professors, and ex-government officials—make a general report which is considered at the conference in the early summer. Thus a faulty application of the convention anywhere in the world comes to light at Geneva. The defaulting country's delegates to the conference have to meet the embarrassment of criticism. This usually makes for speedy remedies, although there was one country, who for years ratified every convention passed by succeeding conferences, and never applied a single one until with a list of thirty dead ratifications to its discredit it was jostled into action.

It will thus be seen that the convention on holidays with pay that is at the moment of writing coming before national parliaments, will not by any means be a pious resolution first pronounced at Geneva, and then reiterated in the national assemblies of the member-states, but that certain sections of the Labour Office, having prepared the way, and produced the convention, will prompt any dilatory states first with reminders, and then with searching publicity, until the industrial workers of the world all can be assured of an annual pleasure to which millions in offices, in the professions, and in national services look forward as a matter of course.

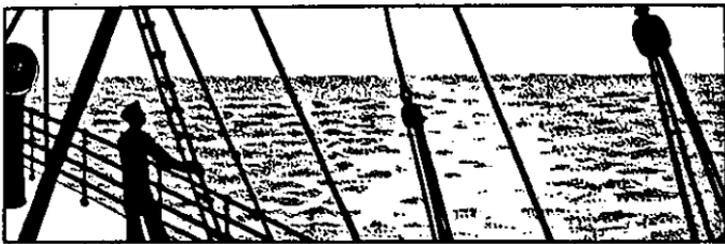
FOR REFERENCE

*Yes and Albert Thomas*, E. S. Phelan. The Cresset Press.



**PART II**  
**FIRST RESULTS**





## CHAPTER V

### THE I.L.O. ON THE HIGH SEAS

IN the summer of 1923 a British cargo ship, by name *Trevessa*, set out from Fremantle, where she had replenished her coal bunkers, and began her voyage to Durban. The weather was bad and remained so for over a week. Then it grew worse. The wind increased to a gale, the waves were from twenty to thirty feet high. Some minor dangers occurred, but nothing serious was noticed until the middle of the night, when a seaman who had gone to bed heard a noise as if water was washing about in the hold. He went to investigate and found that not only was the hold full of water, but that water was half-way up the 'tween deck. He reported immediately to the master, and presently every effort was being made to bring the pumps into action. But it was too late. The vessel was settling down by the head. The master consulted with the chief officer and chief engineer. There was nothing for it but to abandon the ship. Orders were given to get the boats ready. There was little time. Lifebelts were hurriedly served out, some provisions collected, and two lifeboats launched.

The crew got in safely, except for one man who fell in the water but was afterwards helped out. In half an hour the steamer had disappeared and the two small boats set out for the nearest land, the island of Mauritius, 1,700 miles away.

They steered their course by the sun and stars. At first they managed to keep together, but the first boat, in the charge of the captain, was faster than the other, and they were presently separated.

The captain's boat, with twenty-three men, was buffeted by the seas for twenty days. Water and provisions had then run out. Two of the men died from exhaustion and from drinking sea-water. On the twentieth day the survivors sighted the island of Rodriguez, and when night drew on they saw the light of a steamer at anchor. A man on the steamer hailed the boat, and when it was discovered to be full of shipwrecked men the steamer sent out a boat to bring the exhausted crew through the coral reefs to a little jetty. The men rested in the island a few days and were then taken on to Mauritius, where they found the survivors of the second lifeboat. It had voyaged for twenty-three days without sighting land or ship, but had finally reached Mauritius after several of the men had succumbed to sea-water or exhaustion.

Some time later questions were asked in the House of Commons about the surviving crew of the *Trevessa*; for certain interested people were indignant to discover that the owners of the ship were in no way bound to pay the men any wages. Wages, in fact, automatically ceased with the loss of the ship. The destitute state of the men,

who were eventually brought home to their families in a ship bound for England, aroused a good deal of sympathy, and it was doubtless in deference to popular opinion that the owners presently announced that they would pay the men their wages up to the time of their arrival back again in Great Britain.

There was in operation at that time an I.L.O. convention which gave shipwrecked seamen the right to a continuation of their wages for a period up to two months. The convention, however, had not been ratified by the British Parliament, and therefore no obligation rested upon British shipowners.

Three years later, under pressure from British seamen, Great Britain ratified the convention.

In 1933 the convention was put to the test. In that year the *Croxteth Hall* was wrecked and a seaman who survived claimed his wages. The owners paid the man for ten days only, protesting that his engagement would have terminated then in any case. A law court disallowed the plea. The owners appealed against the decision, and finally the case went to the House of Lords. There the finding was that the owners were liable to pay wages up to a period of two months if the man was unable to find work before then—exactly as laid down in the convention.

The Shipwreck Convention had been passed at the Second Labour Conference in 1920. It was a conference that followed the opening conference at Washington by a few months, and it was devoted entirely to seafaring conditions. The workers' delegates were from

seamen's unions, the employers were representative shipowners, and the government representatives were officials concerned with the shipping services in their respective countries. It was a smaller conference than that held at Washington, since only seafaring countries took part. It was held in Genoa.

Some of the confusions of Washington were renewed, for the organization was still barely a year old and still without a permanent headquarters. Also, the excitable temperaments of some of the seamen delegates, exacerbated by the heat of the Italian city, left in the memories of those who attended an impression of storm. It was a storm, however, safely weathered. Three conventions came out of the conference. It was agreed to prohibit the employment of boys under fourteen on board ship unless the ship was a small family concern with only members of the family working on it, or unless the ship was a school training-ship. It was agreed also to abolish commercial agencies that offered to find new engagements for unemployed seamen in return for fees. These agencies were only too often one of the various fraudulent means by which a seaman was deprived of his money after landing. Instead, they were to be replaced by efficient employment exchanges. The third convention, as we have seen, protected the seaman in case of shipwreck. All three conventions have been ratified by the chief maritime powers.

The conference was a successful experiment in dealing with a special kind of worker by a special conference. The alternative would have been to have introduced the

maritime conventions at an ordinary conference, the delegates making use of special advisors. This would have not been a popular arrangement with the seamen, who, not without reason, sometimes have a hearty contempt for the landsman's ignorance of their calling. As for the shipowners, the I.L.O. has had the greatest difficulty in getting any co-operation from them at all. If maritime affairs had been mingled with industrial problems they doubtless would have held out altogether.

A secondary reason for keeping maritime matters apart from others is that, of all the workers' callings, it is the most international in character. A ship may belong to owners in one country, proceed with a crew drawn from a second country, collect cargo from a third, and deliver it to a fourth. Laws for the benefit of seamen must be on an international scale or they are ridiculous. The laws of any one country giving its seamen sickness benefit, unemployment benefit, well-regulated ports, reasonable hours, provisions for safety on the seas, become ineffectual when the seamen take a job on a foreign boat or land in a foreign port; incoming foreign seamen from a less advanced country reap some of the benefits instead.

Another Maritime Conference was called in 1926, at which two conventions were passed; one was designed to see that the terms under which a seaman was engaged for a voyage were fair and that he understood the terms of his contract—a very important matter when one remembers the language difficulty that would occur when the shipowner and the seaman are of different nationality. The other gives a seaman who is left on a foreign shore

at the end of his voyage the right to free transport, with maintenance, back to the place from which he came. Both conventions have been ratified by most of the maritime countries.

Before this conference two conventions for the protection of young seamen had been passed by the first ordinary conference after Genoa. One required that a boy going to sea should produce a doctor's certificate to prove his physical fitness, the other forbade the employment of boys under eighteen as trimmers or stokers.

These two conventions have been almost universally ratified.

All these agreements, and the fact that they mostly passed into law in the seafaring member-states of the I.L.O., may give the outsider the impression that the I.L.O. was beginning to bring social justice to seamen. Actually, however, when one inquires into the conditions under which seamen work and live, it soon becomes clear that most of the fundamental problems remained untouched until 1936.

The forty-eight-hour working week had been established for industrial workers in 1918; but seamen of all kinds continued to work any number of hours, and owing to the watch system that has been in customary operation deck-hands never got a rest period of more than six hours at a stretch—often not more than four hours. This obviously meant serious loss of sleep.

One particular kind of seaman that the reader may have noticed for himself as being on duty all day and part of the night is the steward on passenger and pleasure

boats. It is not uncommon for these men to begin work at 5 a.m. and to continue till midnight or later. The fact that stewards themselves have not been enthusiastic for their hours to be regulated is not an indication that they are not overworked, but a reflection on the unsatisfactory custom of tipping. Fewer hours may mean another man securing the tip. It is a precarious method of remuneration, in any case. One passenger, for instance, on a trip from Australia to Europe, tipped five shillings for a steward's services to himself and his family. For the same work a more usual tip would have been thirty shillings, and the extravagantly generous type of traveller might have handed over five pounds.

The long hours of work become a matter affecting the safety of every one on board when a ship gets into difficulties. A terrific storm damages the hatches or threatens the steering-gear, and all hands are wanted to help. Tired men may be unequal to the extra strain. The boat is lost, and perhaps most of those on board with it. This has happened again and again.

The question of how long a day the men work is linked with the question as to how many men there are to do the work. British Board of Trade inquiries into shipwrecked vessels show often a searching interest on the subject, and the inquiries too often reveal that the crew lacked the necessary man-power for meeting an emergency. For instance, in the early December of 1934 a British oil tanker, *La Crescenta*, on her way from Port San Luis to Japanese ports, went down with all her crew, a total of twenty-nine men. The ship was found to be

overloaded (at the express instructions of the owners), so that she was handicapped on encountering a severe storm. However, had the wireless apparatus not failed other ships might have come to the rescue. Only one signal of difficulty was received. It was surmised that after this the apparatus was damaged. But why was it not quickly repaired? And how was it that the crew could not deal with whatever damage it was that threatened the ship? Let the official report reply:

In either of the emergencies to which reference has been made one serious factor in the possible saving of the ship was the man-power available both of engine-room staff and deck hands.

And again:

Why 5 engineers, 4 firemen, and 2 greasers were considered a proper staff in 1930, and in 1934 3 engineers, 4 firemen, and 1 greaser, is as difficult to understand as it is to suppose that to dispense in the latter year with the ship's carpenter, the boatswain, 2 stewards, a cook, and a cabin boy could have no serious effect on the sufficiency of the crew as a whole to do the ship's work and also to have reasonable intervals for rest.

Some time before, the captain's wife had had letters from her husband describing the extraordinary amount of work to be done. 'Hardly anybody had any sleep for about three or four days while we were clearing out the tanks.' And a little while before the departure from San Luis he wrote: 'I am very awful tired.' A fireman who had served on *La Crescenta* on a previous voyage described the ship's company as he had known it thus: 'There were only twenty-eight and all the crew were hollow checked and seriously overworked.'

Another question that becomes of first importance

when a ship is in difficulty is: Has she a properly qualified officer in charge? There are rules of the road at sea as on land, but if those in charge of ships are not properly acquainted with the rules they may be even more dangerous to human life than would be a motorist who did not know the significance of red and green traffic lights.

This question came up some years ago over what is referred to as the *Lotus* case. The French liner *Lotus*, voyaging in the Aegean Sea at dead of night, collided with a Turkish coaling vessel. The latter ship went down and eight of her men with her. When the *Lotus* got to port a notice of arrest was served on her officer of the watch as well as on the master of the Turkish boat. Both were sentenced to fine and imprisonment for not keeping certain traffic rules known as the International Collision Regulations. The French Government questioned the competence of a Turkish Court to convict a French subject, a point that was later overruled by the League's International Court of Justice. The French Government also protested that the collision had occurred because the master of the Turkish ship held no certificate or qualification to prove his ability to command a ship, that he had ordered a wrong manœuvre, and appeared to be ignorant of the accepted Collision Regulations.

The case interested a permanent advisory committee that the I.L.O. had set up to prepare the way for special maritime conferences—the Joint Maritime Commission—and it was clear that at the first opportunity a convention must deal with the question.

Another matter of fundamental importance which has

been in need of international regulation has been the proper protection of a seaman in case of illness. It is not possible here to go into details; but it will suffice to say that many countries have no scheme of sickness insurance for seamen, that the medical remedies on board ship are often absurdly inadequate, and that, although shipowners will be responsible for the hospital treatment and repatriation of a seaman who falls ill or is the victim of an accident, they will not continue to pay wages. The result is that the sick man's wife and family, often removed by thousands of miles from the port where the wage-earner has been landed, are forced to apply for public assistance. Even such protection as has been mentioned only belongs to the more fortunate seamen. Some of the most unfortunate of all the world's workers appear to be the coloured men who, like unvalued slaves, are taken on for laborious work at a small pittance, fed with incredibly bad food, housed in quarters worse than any slum (the ordinary seamen's quarters are often floating slums), and thrown overboard like animals when they die under the strain. On British ships there are 60,000 lascars (Indians), whose death-rate is enormous. In certain climates, according to an expert authority, 'they die like flies.'

Towards the end of 1936, a year in which from the political window international co-operation seemed to be at lowest ebb, there was a full tide of success for the I.L.O. at the special Maritime Session of its conference.

All the problems illustrated in the foregoing pages

were dealt with in conventions. Seamen debated hotly with shipowners and sometimes with governments, but a more conciliatory spirit was displayed. The British Government, which habitually raises obstacles to conventions that necessitate changes in British law, was outvoted or won over. Four conventions, to quote the words of the Canadian who opened the session, brought their 'cargo to safe harbour.'

One convention gives seamen a maximum fifty-six-hour week on board ship and an eight-hour day in port. It also inaugurates a new watch system which makes the rest periods eight hours. It further lays down conditions of manning which would protect the crew against over-fatigue. Another convention makes sickness insurance compulsory and stipulates that wages should continue up to sixteen weeks in the case of a seaman who met with illness or accident. It is important to notice that this convention, like the others passed at the same session, applies 'without distinction of race or creed.' Coloured men will therefore reap the same benefits as white men. A third convention stipulates that officers in positions of responsibility shall be duly qualified. A fourth applies the convention of holidays with pay for seamen.<sup>1</sup>

<sup>1</sup> It was argued that an annual holiday was too difficult to arrange for seamen. But the French have found a simple solution to the difficulty by which every seaman collects from his employer a holiday voucher for every month of service. He keeps these vouchers, each of which entitles him to one day's holiday, and when he wants his holiday he sends them to the Board of Trade, who send him the amount of pay, collecting it afterwards from the owners. He is then unable to be re-employed until his holiday is completed.

These, in brief, are the new conventions. It is important to be clear as to what is the position at the present moment. Each convention must be submitted within eighteen months to every national parliament. If ratified then the convention applies a year later. It is therefore now the responsibility of public opinion and parliaments to see that the conventions are passed into national laws.

These conventions have been hailed as a 'Seamen's Charter.' To them was added still another, revising the former minimum age for employment at sea. By unanimous decision this was raised from fourteen to fifteen.

There was still another matter to which the 1936 conference gave serious attention, and which, indeed, is in need of attention from landsmen as well—the conditions of ports.

Most of us see docks from a distance and are impressed, perhaps, by a forest of masts and funnels, rising romantically above the roofs of houses. Or we go quickly through in a boat-train, preoccupied with our destination. It would, as a matter of fact, be difficult to explore a dock neighbourhood as one might explore the rest of a town, for all or part of it is fenced off and a pass is required to enter. This will partly account for the general indifference to the deplorable conditions into which a seaman lands.

An inquiry was lately made into the social conditions prevailing in three of the more important British ports.<sup>1</sup> They were found to be dilapidated slum areas. By day they present a dreary spectacle of drab houses with never

<sup>1</sup> The investigation was conducted by Captain F. A. Richardson, D.S.O., Secretary, London Port Welfare Advisory Council, to whom the writer is indebted for most of the facts which follow.

a tree or flower-bed or open space. By night they are dim and dangerous: the rough roadways are intersected by railway lines, the water-side is poorly and sparsely lit. Moreover, the people who live in the mean houses, haunt the taverns, or serve in the abundant so-called 'cafés,' for the most part belong to the lower levels of humanity. Thieves, *procureurs*, pimps, and prostitutes hang about to waylay the newly-arrived seaman and get his money out of him. Very often he returns to his ship diseased, for the most horrible infections abound in these places. Many of the women have come from distressed areas, driven out by poverty and lured here by rumours of ready money.

The ordinary forms of enjoyment are missing. No cinemas or music-halls. No opportunities for outdoor games or for billiards and similar indoor amusements. Public-houses abound, but they are the worst of their kind. Somehow the seamen rarely penetrate into the town beyond the docks, where life is more varied and where police and local authorities are more particular. The seamen and the docks have come to be regarded as apart from the rest of municipal and social life.

Some of the seamen settle down among the dock population. They have been paid off. There is no more work to be had at present. White or coloured, they drift into the lowest strata of society, depending entirely on public assistance, founding a family and becoming unemployable. There are in Cardiff, at the present moment, over 2,000 coloured men. Nearly half of them are Arabs, the rest negroes, Malays, and Indians. In London dockland there are the same nationalities; the

Indians there are rapidly increasing. Often these men mate with white women. There is therefore growing up a very considerable half-caste population. The boys may possibly get jobs at sea if the shipping trade improves. For the half-caste girls there is no prospect of work whatsoever.

Such are the conditions in British ports. They are by no means the best. The ports of Scandinavia are incomparably better and so are those of Germany. But, as may be imagined, there are ports in southern Europe and in the East which make the British ports seem clean and well-managed places.

Obviously we have here an international problem. The working seaman goes from port to port. The standard of life that he has accepted in one port, together with any diseases he may have contracted, he will carry with him to the next. It has been estimated that eighty-eight per cent of the seamen with venereal disease in Cardiff have brought the infection from abroad.

This difficult problem of seamen's welfare in ports has been much in the minds of the people in the maritime section of the Labour Office and in the minds of the seamen's trade unions. It was felt, however, that a convention would be impossible, as the details of reformed conditions could not be prescribed in a way that would apply to places so different and apart as Liverpool and Marseilles and Hong Kong. It was therefore decided to introduce a recommendation. This, it will be remembered, is not something to be incorporated (or rejected) as it stands into a country's laws; but a body of suggestions which must be considered and on which reports as to action must be sent to Geneva.

The most important advice tendered in this case is that a welfare committee composed of people from the local authority, from shipowners, and from seamen shall be set up in every port, and that it shall be responsible for the conditions that prevail.

It is also urged that clinics and hospitals for the speedy treatment of disease shall be available and, what is most important, that seamen shall be informed about them. It is also urged that proper entertainments and opportunities for outdoor exercise shall be provided and that again the seamen shall be properly informed about these, as also of any interests in the town beyond the dock area.

Much stricter supervision of public-houses and lodging-houses is also advised, together with more cleanliness, better streets, and more lights at night.

An official of the British Union of Seamen, when asked what use he thought could be made of the recommendation, said: 'It gives us a handle to grasp. Now we have something with which to approach the Government.'

The government representatives gave the appearance of not being deeply interested when the recommendation was introduced at the conference. The French government representatives were an exception. The shipowners were divided, as they felt they might be involved in expense. The seamen from all countries were wholehearted. How much use they can make of the recommendation will depend largely on how much general public support they can arouse.

#### FOR REFERENCE

I.L.O. Blue and Grey Reports on Maritime Conventions.



## CHAPTER VI

### THE I.L.O. IN NATIVE AFRICA

The naked negro, panting at the line,  
Boasts of his golden sands and palmy wine,  
Basks in the glare or stems the tepid wave,  
And thanks his gods for all the good they gave.

THUS did Oliver Goldsmith speculate about the natives of tropical Africa. His picture omits any reference to the footsteps of white men across the golden sands. But at the time at which he wrote the footsteps of slave-traders and gold-seekers had already brought a new fear into the primeval forest. Some few years later, when there was introduced into the British Parliament a Bill to limit the number of slaves according to the size of the slave ship, it was argued that the slave voyage, with its regular meals and other amenities, was 'one of the happiest periods of a negro's life.' On the same occasion it was made known that a good slave ship allowed each negro a space of five feet six by one foot four on the floor and shelves of a compartment in the ship's hold which might be as much as four feet eight inches in height.

In the course of the nineteenth century both slave-trading and the right to own slaves were abolished by Acts of Parliament in Europe and America. It was then

assumed that slavery was a bygone institution and that the inhabitants of tropical countries worked for white settlers of their own free will and for an adequate reward.

By clause (b) of Article 23 of the Covenant of the League of Nations the member-states of the League are required 'to secure just treatment of the native inhabitants of territories under their control.' In the preceding article, which makes the League of Nations the supervisor of the former German and Turkish colonies, now handed over to the 'mandate' of conquering powers, there occurs the now famous declaration that 'the well-being and development of such [i.e. backward] peoples form a sacred trust of civilization.'

It was therefore fitting that the League of Nations, in its first ten years of existence, should comb Africa and Asia for the last remnants of slavery and seek to abolish them by the Convention on Slavery of 1926. The convention was adopted by most of the powers concerned. Thus, although it is sometimes estimated that the number of slaves in our present day runs well into millions, where slaves exist they exist unlawfully, and the owners when discovered can be severely penalized.<sup>1</sup>

This League effort, together with a previous investigation by the I.L.O., brought to light some interesting information about modern conditions of work on plantations and in mines in Africa, Asia, and the Pacific Islands.

Thousands upon thousands of natives were found to be working under a compulsion as complete as that of military

<sup>1</sup> There are also the slaves in regions (e.g. Arabia) outside the direct influence of League States.

conscription and analogous to slavery. Usually the government was the employer, forcing native inhabitants to make roads or construct railways. At other times the employers were the private owners of mines or plantations. The workers often received no wages, but were given rations and free housing; abstention from work was often severely punished. This condition of employment came to be known as *forced labour*.

Abstention from work was also found to be a punishable offence in many places where forced labour was not in operation, but where, on the other hand, natives came to seek work of their own free will, or as the result of the persuasive words of recruiting agents.

In industry as most of us know it, a miner, factory hand, or general labourer works under an arrangement by which a week's notice on either side is the most that is expected. Sometimes a day's notice is sufficient. In any case the breaking of the contract is a civil, not a criminal, offence. If the employee is at fault he will perhaps lose his job. If the employer is at fault, and the worker can charge him with the help of his trade union, a small payment of money will settle the matter. But in the mines and plantations where coloured men work *contract labour* is a binding obligation for any time from one month to five years, and if the labourer absents himself he is regarded as a law breaker, a criminal, and must bear the appropriate penalty.

Another discovery arising out of the investigations related to the *recruiting of labour*. It often happens that when a mine or plantation is developed there are insuffi-

cient natives in its neighbourhood to work it. Perhaps the country is too sparsely populated, perhaps the natives are hunters who do not take kindly to more monotonous employment, perhaps, seen at close quarters, the opportunity to earn regular money and buy European novelties is less alluring than if it were heard of in a traveller's tale up-country.

The custom has therefore developed by which recruiting agents go from village to village, persuading the men to offer themselves for work at some distant place. The men respond for a variety of reasons. Sometimes they are chiefly out for travel and adventure; more often the desire for money is the real motive. They may want money for the purchase of a bride, or for the education of children, or to satisfy their self-esteem by buying European clothes and household goods. Very often the money is required in order to meet the demands of the tax-collector. If—as has been recently shown in Nyasaland—local opportunities for earning money are insufficient to meet the tax demand, then the tax-payer must go farther afield to earn the necessary amount.

Taking the case of Africa alone, the net result has been that thousands upon thousands of natives leave their villages and set out on exceedingly long journeys in order to engage themselves for long contracts with strange employers.

All kinds of misfortunes and abuses have resulted. In the first place it has often happened that a village, or even a whole territory, has lost for an uncertain period a great number of its menfolk. In Nyasaland, for example,

it was found that one in four of the male population was away from home. In these cases the burden of the community falls largely on the women. They have not only to control and care for their families, but also to work on the land, and until the men come back with new earnings they have somehow to pay the taxes. Family life does not flourish in these circumstances.

Meanwhile the men have undergone a journey of a kind unknown to most white travellers. The employment that they seek may be three hundred miles away. Possibly there will be a railway to cover a part of the journey, or there may be lorries that will give them a lift for an extortionate fare. The majority of the men will walk the whole distance, subsisting chiefly on maize meal, contracting only too often some disease in their feet. Some may fall out on the way with no one to help them home.

The majority will arrive. The destination is in many cases in a foreign territory, under another European country's authority. The language will be different, the currency different. The labourers somehow make their agreement with the employer. They find accommodation in the huts provided for their needs, and they settle down to a series of long working days. The climate may not suit them, the food ration may not agree with them, they may find that they already owe part of their earnings because of expenses incurred on the journey or on arrival. Gradually, however, they settle down to an entirely new life, picking up new ideas, scraps of a new language, and probably taking, for the time being, new wives.

At the end of the contract, perhaps a year or two years, or three years later, they set off again for home. They present now a different appearance. Whereas they arrived naked except for a skin or loin-cloth, they make for home wearing a pair of ill-fitting trousers and carrying on their back an assortment of European goods according to personal taste—a bucket, a blanket, and an umbrella perhaps, or a topee and a tin box and a hoe. If they have managed their affairs well and resisted the exploitation of small dealers and money-lenders they will also have some money secured about their persons. If, as quite often happens, their health is the better for regular and adequate food, the return journey may be no harder than the journey out, despite the purchases that they carry. But if the worker has been ill or has been injured he will have to hobble home as best he can, trusting to the kindness of the people in the villages that he passes through.

His arrival once more in his native village may be a happy home-coming or it may not. His wife may have grown tired of waiting and found another mate, or the traveller's own outlook on life may be so changed—even demoralized—that he cannot slip straight back into the place he left.

Such in the barest outline is the picture of native labour in Africa, and native labour in other countries—for example, the South Seas—is not altogether dissimilar. Details vary for better or worse.

Sometimes the journey can be accomplished almost entirely by rail, and the native has advanced from his

wages the price of railway tickets. Sometimes—now more and more frequently—the journey is paid for by the employer. In other instances the labourer is allowed to bring his wife and family to live with him. The housing varies. The huts may be well made and the rations good. Good entertainments may be provided and various medical and educational services may contribute to the well-being of the native. Moreover, there is sometimes no long-term contract, the native offering himself willingly for work and able to terminate his engagement with a month's notice.

On the other hand, the recruiting may be done through the bribing of chiefs, the journey may be undertaken in ignorance and illusion, and the long contract at the end may mean long hours of work underground, harsh treatment, a demoralized life in dirty barracks, and at the end a pittance of a wage depleted by fines and debts. Perhaps the worst state of affairs was discovered by the commission of three sent by the League of Nations to Liberia, where in remote villages the commissioners followed in the tracks of ruthless press-men who had driven all the able-bodied males away to work in a distant plantation from which few ever returned. The communal life of the raided villages was destroyed, and the old men and women left in a grey despair. One chief addressed the commission in the following words:

The news got out; all the women began to cry. The women said: 'What shall we do to get out of this trouble? Not long ago a hundred of our sons and husbands died in Fernando Po, now we are called upon the second time to send our sons to

Fernando Po; if they go they may all die and may not return to us.' The cry of the women over the country produced a great sadness.<sup>1</sup>

When the League's search for slaves brought to light the prevalence of forced labour it was agreed by the Assembly of the League that this was a matter for its Labour Organization, and in 1926 the I.L.O. was formally requested to inquire into a matter in which it had already become interested.

The constitution of the I.L.O. lays down the general principle that any conventions when ratified by a country should apply if possible to that country's colonies, assuming she has any. It was, however, realized from the beginning that the conditions of labour among the less-developed races were so different from conditions in Europe and America that special provisions would have to be made. Therefore in the early days a special department was created in the Labour Office for the study of labour problems, and a committee of experts was appointed to give advice. The committee consisted of men of different nationalities who had distinguished themselves as successful colonial administrators. Prominent among them was Lord Lugard, whose famous pronouncement about a dual mandate represented a realistic approach to the whole difficult problem. Lord Lugard had dismissed as a falsification of facts the suggestion that European enterprise has penetrated Africa for anything

<sup>1</sup> See *International Commission of Inquiry in Liberia. The Commission's Report*, 1930. (Allen and Unwin.)

but its own ends, and declared the only hope for the future to lie in making the benefit reciprocal. It was fully realized by the I.L.O. that this was so; modern commerce and industry had already penetrated beyond recall the remoter parts of the world. The task now was to see that the native reaped not unhappy exploitation, but genuine advantage.

In 1929 the twelfth International Labour Conference held a first discussion on Forced Labour. According to custom the office had made a thorough investigation into the existing law and practice, and published the results in a Grey Report. On the basis of this report the discussion took place, and it was agreed to go ahead with a convention. Before the next year's session a Blue Report had been produced containing governmental replies on all the points that the Office thought should be included in the convention. The convention was duly passed in 1930. It came into force on 1st May 1932, and having now been adopted in effect by all the colonial powers (as well as other countries who adopted it to show their support), it may be regarded as being in general operation.<sup>1</sup>

The convention abolishes forced labour for private employers. It allows it, for the time being, to be used by governments for undertakings that are directly to benefit the community (i.e. for sanitation, for necessary communications, and in emergencies such as earthquake, flood, and famine). Even so, it is only to be employed

<sup>1</sup> Belgium, France, and Portugal are the only colonial powers which have not yet ratified the convention, but these countries have legislation putting most of the clauses of the convention into force.

where voluntary labour can in no way be had, and it is only to be imposed on able-bodied men between eighteen and forty-five years of age, who shall work the same hours, and for the same wage, as if they were freely employed. Workers are not to be transported to unsuitable climates. Health services are to be provided. Not more than sixty days a year are to be worked. The general principle is established that forced labour is an obsolete condition, and even in the limited manner in which it is allowed by the convention it is to be regarded as a temporary expedient to give place to free labour as soon as possible.

The Forced Labour Convention was no sooner through the conference than the Office began its investigation into the methods of *recruiting* native labour. The Governing Body put the subject down for a first discussion at the Nineteenth International Labour Conference (1935). A Grey Report was duly produced, and the conference without a dissentient voice decided to go ahead with a convention the following year. In 1936 the convention was adopted. It lays down certain regulations for recruiting: no improper pressure is to be used by the recruiting agent; recruiting must not interfere with the economic and social life of a native community by taking away too many of its agricultural workers; children and young persons are not to be recruited; native chiefs or public officials are not in any way to be involved in recruiting; all recruiters and the employers who send them out must hold government licences, and the licences are only to be given with scrupulous safeguards; proper

medical and sanitary precautions are to be taken to protect the workers on their journeys as well as at the place of their employment; the cost of the journey is to be met by the employer. The last point was the only one that raised serious controversy.<sup>1</sup>

Both these conventions have been accompanied by recommendations which lay down certain suggestions for improving the conditions of native life and labour. The final recommendation was that recruiting should be progressively eliminated.

The Office is now engaged in preparing the way for a possible convention on contract labour which will deal with some of the abuses arising out of the custom by which employers engage natives on long-term contracts.

It is difficult for those who have no personal experience of life and labour in tropical countries to form any useful opinion on native labour problems. Nevertheless, inasmuch as we enjoy the fruits of this labour when we handle rubber, or gold, or tin, or a box of chocolates, it is our concern to know that the simple lives of these distant workers are not deranged and damaged. It seems fairly clear that a good deal of derangement and a good deal of damage not only has been done, but still is being done. Through the conventions that have been and will be passed, not only is a better standard gradually achieved, but those colonial territories and those employers who have been to the fore are spared the handicap

<sup>1</sup> See Chapter IX.

of unfair competition. Also, the whole matter comes into the light of publicity, and the needs of the natives are better understood. Whereas they were formerly regarded as lazy members of the human race, who were better for enforced regular employment, it is now realized that what seemed like laziness was sometimes the fact that they were fully occupied with their own economic affairs, sometimes malnutrition, and sometimes fundamental unsuitability for industrial work. Furthermore, the real potentialities of these people now begin to have some consideration. Their simple economy is beginning to be protected, their craftsmanship encouraged, and their codes of living given respect.

#### FOR FURTHER REFERENCE

Grey and Blue Reports on Conventions relating to Native Labour.



## CHAPTER VII

### THE I.L.O. AND THE YOUNGEST WORKERS

ALBERT THOMAS in a memorable address referred to the exploitation of children as 'the evil, the most hideous, the most unbearable to the human heart, the evil that people are ready at once to remedy.'

Most of us would warmly agree with him. We are shocked to-day to hear how small children once worked in factories until they dropped. We sometimes produce our present-day indignation as a sign of progress. In this connection it is interesting to compare the following two quotations:

The . . . children came at ages ranging from seven to eleven. . . . All were bound till they were twenty-one. Their regular working hours . . . were from 5 a.m. till 8 p.m. and with the exception of half an hour at 9 a.m. for breakfast and half an hour at 12 for dinner, they were working continuously the whole time. They were, however, allowed to eat something while working in the afternoon. There were no seats. . . .

In many cities large numbers of young boys are employed for long hours and discipline is strict. Indeed there is reason to believe that corporal punishments and other disciplinary measures of a reprehensible kind are sometimes resorted to in the case of the smaller children. Workers as young as five

years of age may be found in some of these places working without adequate meal intervals or weekly rest day and often for 10 or 12 hours daily.

Both these extracts would seem to refer to the dark days of the early nineteenth century. Actually over one hundred years separate the two. The first is taken from M. A. J. Hammond's summary of the evidence given by the Governor of Preston Workhouse to Peel's Committee in 1816. The second is from the Report of the Royal Commission on Labour in India in 1931. It refers to cigarette factories in modern Madras.

A cursory study of official and other reports on labour conditions in our own time conjures up a series of disturbing pictures. We shall reproduce some of them here.

First we will fill in the details of the picture indicated by the second quotation.

The scene is a semi-basement with a mud floor. Squatting on the floor so closely that it would be difficult to move through them are ten or more boys and girls in the charge of a stern overseer. In the dim, artificial light, they make *bidi*, the Indian cigarette. There is no window and no ventilation, except such as comes from the crack under the door. The work will hardly be interrupted for the snatch of food that serves for a meal. Every day is the same: the children come in the early morning and go away in the late evening. The refuse on the floor is rarely cleared. The children sit among the filth. No sanitation is provided. They are paid piece rates, and the youngest child, a five-year old, will perhaps receive 2 annas (threepence) at the end of the day. Some of the

others will receive no payment at all, for they are working off the debts their parents owe to the employer.<sup>1</sup>

Next an Egyptian cotton mill, typical of the country. It is the busy season and the factory is open from 5 a.m. until 8 p.m. In the factory sheds that shelter the ginning machines there are perhaps three hundred workers. A certain proportion of them are women, but most are girls and boys, some as young as seven years. The older ones feed the machines with the raw cotton, the machines separate the fibre from the seeds, and on the other side of the machines the young children pick out stray seeds or spots. Through the roar of the machinery a piercing whistle urges the children on, and overseers with whips walk up and down—but here let an authoritative witness speak:

I saw with sorrow, in several factories, the almost automatic hitting of the children with canes and whips by the overseers as they moved up and down, to spur them on in their work. It was not definitely cruel hitting or thrashing that I myself saw, but it was wanton and it was not discontinued while I was looking on. It seemed to me to be the expression of false zeal and misapplied authority, and there was some hitting of the children on the head, a really dangerous practice. I saw a thin and fragile little child who was doing its normal work of picking spots off the overflowing gin cotton, but had probably got out of position, roughly lifted by the shoulder by an overseer to put the child where he wanted it to be.<sup>2</sup>

We now go to a street in Hong Kong. A small girl passes carrying a load of sand, obviously too heavy for

<sup>1</sup> Report of the Royal Commission on Labour in India, 1931. 3883.

<sup>2</sup> Dame Adelaide Anderson in the *International Labour Review*. I.L.O. December 1930.

her. She struggles towards some destination unknown to us, performing the task allotted her by her master. She is one of thousands who suffer under the system of *mui tsai*, the system by which poor parents may sell their children into so-called adoption. The child is at the mercy of her purchaser. He may overwork her, ill-treat her, or keep her until she is old enough to fetch more money than he originally paid for her, and then re-sell her again. Her situation is indistinguishable from slavery.

And now a street seller in Bucharest. A sickly-looking small boy is hawking vegetables, doggedly approaching person after person in a weary attempt to get rid of his goods. If he does not return to his trader at the end of the day with a certain sum of money, he will receive a flogging instead of food. Like most of the other young hawkers, his body is horribly diseased.

So far our pictures are from countries recognized as not in the forefront of social progress. Here are three from more advanced parts of the world.

The first from New Zealand, a country famous for its social legislation.

A small boy plods along the dark and deserted street. It is 3 o'clock in the morning. He has just begun his round of milk. He enters the first block of flats and begins an ascent of two hundred steps in order to leave a milk-can on the top floor. He will go on till breakfast-time, and then he will go to school, not to work, but to sit listless at his desk or to fall asleep over his exercise book.

Next we have a small boy with a home-made blacking box slung over his shoulder—the itinerant boot-black

in an American city. He is twelve years old. He comes from a poor home; his father was an immigrant. He attends school regularly, but when school is over he goes off to make what he can. Sometimes he works until 8 or 9 o'clock at night. In the school holidays he works most of the day, and the same is the case on Saturdays. Saturday is in fact his best day, and he earns more as the day goes on. He gets most customers when the 'Saturday night drunks' come along. At school they find him retarded. He has not a good record. He meets all and sundry in the streets, and he has more than once been before a juvenile court.<sup>1</sup>

Finally, a British coal-mine. Half a mile under the estate of a landowner a pale-faced boy of fifteen follows an adult miner along the dimly-lit black gallery to the coal-face. Sometimes they flatten themselves against the wall to let a truck rattle past. Presently they turn into a lower passage where they have to walk in a crouched position. It is very hot and except for the occasional sound of travelling trucks, and the thud of hammers ahead at the coal-face, quite silent. In this dark, stifling underworld the boy spends seven hours of his working days. He is one of some forty thousand, all ranging in age from fourteen to eighteen, a formidable number of youths to spend their days out of the light, rather more than double the number of boys of the same ages at Eton, Winchester, and Harrow.

<sup>1</sup> *Children in Street Work*. N. P. McGill. U.S. Dept. of Labour. Children's Bureau. Bureau Publication No. 183, 1928.

These contemporary examples of child labour have been chosen at random.<sup>1</sup>

The series is anything but complete. There are many outstanding omissions—the child workers in the Indian shellac, tanning, and mica factories, the children in Chinese match factories, in Japanese silk mills, in various Eastern carpet factories. Then again there are the children who work too long a day on the land, sometimes in stooping positions that damage the back, the vast army of children who sell newspapers before and after their school hours, the thousands upon thousands of page and errand boys who in the most advanced countries are working a far longer day than their fathers would consider just for themselves. Let the reader inquire of any odd-job boy or girl who brings goods to his home or does his bidding at an hotel.<sup>2</sup> He can find out for himself. The situation may provoke two questions: How is it that such exploitation of childhood exists? What steps are being taken to end these abuses?

The reasons for the continued exploitation of childhood are several. In the first place children have no voice to plead their own case. For the most part they are not ready to band together in trade unions, and by what is termed 'collective bargaining' insist on better conditions.

<sup>1</sup> Throughout this chapter the word 'child' is used for any younger worker and is not necessarily to be taken in the legal sense of under fourteen.

<sup>2</sup> In Great Britain, for instance, the *Manchester Guardian* recently estimated the number of page-boys working over-long hours as 5,000. Conditions vary, but in some well-known hotels a boy will be found to be on duty from seven in the morning until midnight, or even later.

The importance of collective bargaining is a fact sometimes overlooked by members of the professional and leisured classes, who are apt to think of trade unions as merely a drag on industry, not realizing that factory laws and the employers' consciences are, even in the most advanced countries, an inadequate guarantee of proper treatment. It is almost always found that good working conditions go with strong trade unionism, and vice versa.

Another reason is that extreme need or extreme greed blurs the mental vision against a clear view of facts as they are. In our competitive industry an employer who would commonly be regarded as a kindly person may have a severe struggle to keep going. This situation discourages him from examining too closely into the conditions of his younger employees. Similarly with parents who are fighting a continuous battle against destitution. And where the struggle is not for survival but for the forefront of success employers are likely to have, not a blurred view, but no view at all. Amiel has truly said: '*Le nombre de personnes qui veulent voir vrai est extraordinairement petit. Ce que domine les hommes c'est peur de la vérité à moins que la vérité ne leur soit utile.*'

But even for those employers who are willing to see, the fierce competition of the capitalist system makes it next to impossible for a single employer, or the employers in a single country, to pursue reform alone. Cheap labour is the employer's greatest asset.

Lastly, there is the important fact that compulsory education has not yet been adopted by all countries. Where the children are not obliged to attend school the

employers argue—and not without some justification—that boys and girls are better in employment than in the streets.

What is being done to put an end to this evil?

The attack has come from two sides—from legislation and its enforcement, and from inquiry and publicity. Since *international* competition is one of the fundamental difficulties it is international laws, and not national laws, that are wanted. This was realized at the outset, and the importance of abolishing the exploitation of child workers was one of the things that the promoters of the I.L.O. had in mind from the beginning. Two references to it will be found in the constitution. One in the Preamble and the other in the Sixth Principle.<sup>1</sup>

The subject was tackled, it will be remembered, at the Washington Conference. A convention was passed forbidding the employment of children under fourteen years of age in industry. Fourteen was chosen as the age at which elementary education usually ended. It was thought wise not to prescribe a higher age—even if that could have been agreed upon—than that at which children normally left school as there would have been a useless gap between leaving school and finding work. An exception had to be made for Japan and India, whose standards were low. These countries could not be expected to catch up the Western countries at one stride. For these countries the limit was twelve years.

At the time of writing, this convention has been ratified by nearly thirty countries. It has had a very far-reaching effect, for before its adoption only ten

<sup>1</sup> See Appendix I.

countries forbade the industrial employment of children under fourteen. It has been a great spur to China which, having had no age limit before, has now made fourteen years the minimum age. Some countries have already gone ahead with a new minimum. In U.S.S.R. no child may enter industry under sixteen years; in Poland, Guatemala, and British Columbia, the limit is fifteen.

The conferences that followed Washington applied the same minimum age to children employed on board ship<sup>1</sup> and to children employed in agriculture. In the latter case a limited amount of 'light work' is allowed outside school hours. An accompanying recommendation makes useful suggestions as to what should be regarded as light work.

But industry, seamanship, and agriculture were found to cover only part of the field. Some of the worst abuses were known to occur outside these categories—in small workshops, in shops, in hotels, and so forth. Therefore in 1932 a convention that aimed at filling in the gap was passed. It forbade the employment of children under fourteen years (for India ten years), in any work other than industry, agriculture, and at sea. Light work outside school hours is allowed under prescribed conditions for children over twelve. Again a recommendation accompanies the convention, suggesting what may be regarded as light work. The convention is beginning to have effect, but it is too early yet to attempt to assess the results.

Two important conventions to protect young boys going to sea were passed in 1921. One prohibited the employment of any boy under eighteen as a trimmer or

<sup>1</sup> Now fifteen. See Chapter V.

stoker, and the other made it necessary for any boy going to sea to produce a medical certificate to show he was fit for the arduous life. Before these conventions were passed very few countries protected young sailors by enforcing these necessary safeguards against ill-health, but since they were passed by the Labour Conference they have been adopted into the laws of almost every maritime state.

By other conventions the younger workers are protected against employment at night, against employment in painting work where white lead is used, and, in tropical countries, against any form of forced labour.

What is the effect of these conventions on the abuses described at the beginning of the chapter?

In so far as the conventions pass into law—and they are rapidly passing into law—the worst abuses become punishable offences, for it will be seen that since the passing of the 1932 convention the employment of children under a certain age is totally forbidden except for some carefully defined light work outside school hours. As soon as the member-states ratify the convention—and it is for trade unions and public opinion to urge speedy ratification—all the workshops which escape the category of factories and all the odd-job occupations into which children so often go, will be closed to those under the prescribed age. For those above this age other conventions, when ratified, give some safeguard, e.g. the conventions on hours of work and holidays with pay.

Two cases need special mention. First, Egypt, it should be noted, has only joined the I.L.O. during the time that these pages have been written. Therefore no

conventions have up to the present applied to her. Her admission to the I.L.O. makes the organization virtually world-wide. Second, the special case of *mui tsai* has now been well aired at Geneva, both in the course of the League's attack on slavery, and through the I.L.O. No further adoption of children under this system is now permissible.

But legislation is not enough. The largest and most well-known firms will obey the law while the smaller manufacturers disregard it, perhaps even are ignorant of it.

We have already seen that there is a special section of the I.L.O. which concerns itself with the enforcement of the law. We have seen how every member-state every year is required to fill in a report form for every convention ratified by it. These reports, either by the information they give, or by their evasive answers, often show that national control is a net with too wide a mesh. The efficacy of the net depends on the vigilance of trade unions, and the numbers and efficiency of the factory inspectors. In the case of children who, as we have seen, cannot organize themselves into trade unions, everything depends on the inspectors. The I.L.O. is well aware of this, and is working for a more adequate inspection everywhere. Inspectors have power to prosecute defaulting employers, they are the real basis of factory laws. Yet no country is adequately supplied. Great Britain, for instance, has just over 250 inspectors for over 520,000 firms that are subject to inspection.<sup>1</sup> Here lies a way

<sup>1</sup> The new Factory Act (1937) will necessitate an increase in the inspectorate.

of improvement for the future. Meanwhile the recent efforts of the Labour Office to organize conferences of inspectors so that they may come from their different countries and discuss their problems with one another and with the I.L.O. officers is a step forward.

Only a word can be said about the other method of attacking the problem, the method of publicity. The constant discussions on child labour at I.L.O. conferences whip up the consciences of governments and employers, and help to keep the question in the public eye. Of even greater value perhaps are the special missions of representatives of the I.L.O. into various countries.

One other matter remains. We have stressed the unhappy conditions of millions of children who are being worked to the detriment of their health and character. Millions of other adolescents, above the minimum age, are apparently in work that is satisfactory. But is it really so? The hours may be short, the pauses generous, the conditions fair, the wages good. But how many young workers are really suited to the work they do? The majority of them go haphazard into the first employment that they or their parents can find.

In the more socially advanced countries there is a growing movement to avoid misfits in the employment of young people, a movement which aims at seeing that the young person and the job are well matched. 'Vocational guidance' and 'vocational training'<sup>1</sup> are the methods employed. By the first the child has the opportunity of

<sup>1</sup> See International Labour Office Studies and Reports on these subjects.

consulting with an expert as to what work it is best for him to do. The expert must have a knowledge of all possible occupations and an understanding of the child mind. He must have all records relating to a child's school career, and he will himself apply various psychological tests. When he (or she) has helped the child choose his work the question of vocational training comes in. If the child shows a preference and an aptitude for work that requires training then he must be enabled to proceed to the technical school or college that can prepare him for the life he wants.

The value of this help and training is twofold. Firstly, there is the obvious value in contributing to the child's future happiness; secondly, there is the value in avoiding unemployment. It is not usually difficult for the boy or girl just leaving school to find a job, but only too often the jobs are blind-alley occupations that leave their victims stranded after a year or two. Of all the unemployed the young unemployed are surely the most unfortunate. To find at eighteen that the world does not want you must be an even more bitter discovery than to discover at fifty that the world has done with you. But this leads us into a subject that will be dealt with in the next chapter.

#### FOR FURTHER REFERENCE

*The International Labour Organization and the Protection of Children and Young Persons.* Published by the I.L.O. 6d.

Reports of the I.L.O. relating to Conventions.

*I.L.O. Studies and Reports*, Series I, No. 3 (Children and Young Persons under Labour Law).



## CHAPTER VIII

### THE I.L.O. AND THE WORKERS WHO ARE NOT AT WORK

THE preceding chapters have attempted to show how the I.L.O. makes an international attack on unsatisfactory conditions of work. But what of the millions of workers who are not at work—some of them through sickness, accident, and infirmity; some of them strong and able, but finding the doors of industry slammed in their faces? It is these last in particular that must come to the mind of any one who both recognizes what the I.L.O. has done for the workers who have been admitted into industry, and sees in the numbers of those shut out the great social failure of our time. What does the I.L.O. do for the unemployed?

To meet the unemployment problem three approaches seem to be necessary: first, to discover the means by which these surplus workers may be permanently absorbed into industry; second, to apply the means; third, pending these things to give relief to those who are now unable to find any one who wants their labour.

We will inquire what the I.L.O. does along each line of approach.

There can be little doubt that there is nowhere a group of people more qualified for finding the remedies for unemployment than those members of the Office who are concerned with this matter. Experienced economists of different nationalities, in close relation with the economic section of the League of Nations, in touch with every economic opinion, and informed about every economic experiment, they might be expected to show the way. Have they not replied to the question as to what should be done?

The answer is yes, time and time again, both in the printed and the spoken word. Perhaps the most authoritative pronouncement was a resolution put forward at the conference of 1933, a resolution that although introduced by delegates was obviously based on the knowledge and opinion of the Office.<sup>1</sup>

It may be remembered that towards the end of the year 1933 a World Economic Conference met in London under the auspices of the League of Nations. The I.L.O. was to be represented, and it was resolved that its delegates should press for the adoption of the following policies as a solution of the economic confusion of which unemployment was the most tragic symptom:

1. Monetary conditions to be stabilized both nationally and internationally.
2. Some system of international co-operation to be estab-

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<sup>1</sup> It must not be thought that this was the starting-point of the I.L.O.'s work on unemployment. A recommendation at Washington touched on the Question of Public Works, for instance; and there were later resolutions and investigations bearing on various aspects of the problem.

lished by which the existing fluctuation in prices should be stabilized, the uncertain price level being a serious cause of unemployment.

3. 'The cessation of economic warfare between nations' to be demanded and instead a concerted effort to be made to free exchanges and to remove impediments to trade.

4. All idle capital to be put into circulation by every possible suitable means 'and notably by the adoption of a Public Works policy' which should include the following lines of action:

(a) Public Works [that is, useful constructive industry such as the building of houses and the making of roads undertaken by the government or some other public authority] to be established on a large scale, especially in countries where there are unused funds.

(b) Creditor countries to be induced to co-operate with countries that lack capital for the establishment of Public Works.

(c) All these measures to be co-ordinated on an international basis so as to avoid upsetting the balance of payments between countries.

The measures suggested by the resolution are in keeping with the opinions of almost every reputable economist. They echo the advice of the League of Nations Economic Section. But the London Economic Conference was abortive and the measures remain like reiterated traffic signs which no one will observe. So our economic confusion and consequent unemployment continue.

The reason for the non-observance is explained by the Director of the I.L.O. in his report to the twentieth session of the conference. This annual report has come to be a survey of the social and economic condition of the world as a whole, and by no means only a report

on the contribution of the I.L.O. in the year that has passed.

In the particular report the Director emphasizes the intermingling of social, political, and psychological factors and shows how you can no more divide the world up into economic, political, social, and ethical questions than you can separate the body and mind of a human being. He explains how the major mistake of the Peace Conference lay in its attempt at a political settlement without due regard to an economic settlement. True, it set up the I.L.O. and declared in the preamble to its constitution that, 'peace can be established only if it is based upon social justice'; but this was not accepted as the fundamental truth which people are now coming to see it to be. War is not only caused by lust for territory, booty, or prestige. It is produced by social unrest and unsatisfactory economic conditions. The present danger of war is largely the result of economic confusion and unless the will to co-operate is found there will be a plunge into catastrophe. Armaments are at the moment bringing an entirely fictitious prosperity. 'Broadly speaking,' writes the Director, 'economic nationalism still holds the field.' The real problem before us is 'how to evolve an international economy corresponding to the unescapable interdependence of nations which the genius of man has now created.' A world economic conference with the will to co-operate, the determination to begin to set up the new international economy, is the real need. It will be a slow and difficult process, but it is urgent that it should be begun soon.

Recalling then our three lines of approach to the unemployment problem it must be said that the I.L.O. has well-supported views as to how an international economy might be built up, but it lacks the authority to take the initiative. It can only challenge the governments to act, for nothing can be done until some government or group of governments give a bold lead.

It now remains to find out what the I.L.O. is doing to help the unemployed in the meantime. Here there is effective action to record.

First of all there has been a great effort to make unemployment insurance compulsory in all industrial countries. A recommendation to this effect was passed at the first Washington Conference; it accompanied a convention setting up free employment exchanges. In 1934 a convention establishing unemployment insurance, giving benefits to those involuntarily out of work, was passed. This is too recent for many ratifications yet to have been notified, but an inquiry into the general state of things will show that this system of unemployment benefits is no longer a feature of only one or two countries. It is interesting to notice in this connection that the prejudice against any form of 'dole' is fast dying down everywhere, or in any case among serious thinkers, for it is now realized that to increase the small spendings of the mass of the people is a better stimulus to trade than the expenditure of a few rich people. It is better for the rich to be taxed in order that the employers' and employees' contributions to the unemployment fund may be supplemented by government contributions than that the rich

shall rest in their comfortable but fallacious belief that they are stimulating trade by expenditure on luxuries.

But it is everywhere admitted—and particularly by the workers themselves—that payment for work is better than payment for idleness, and with this end in view the Office is pressing for the adoption of a strenuous Public Works policy such as is outlined in the 1933 Resolution to the Economic Conference. An important study of the subject appears in the I.L.O. series of *Studies and Reports* and the matter will come up before the 1937 conference. The office is critical of the hitherto tentative experiments in Public Works adopted in some countries. They have been in the nature of relief works, paying less than the normal wages. Something much bolder is wanted and borrowing for the purpose is advocated as a sound policy. In short, the opinion of the office is in line with that of J. M. Keynes.

But perhaps the most interesting of all efforts at immediate relief for the unemployed is the proposal to shorten the working week. The forty-eight-hour week was established in the first convention passed by the Washington Conference, and it has been widely ratified. But when the economic depression came upon the world in 1929 the Organization began boldly to advocate a forty-hour week as a means of absorbing some of the unemployed into industry. The proposal, which has taken the form of a convention of general principle and of conventions relating to particular industries, has been stubbornly contested by employers and by some of the governments—notably by the British Government. So

far, only the general convention and its application to one industry (glass bottles) and to Public Works have got through the conference. Meanwhile a few countries have tried the experiment of reduced hours with marked effect on the numbers of unemployed.

Another relevant question is that of emigration. Partly owing to technical improvements, and partly owing to the general constriction of trade, various doors that were open to migrants are now closed. The I.L.O. is examining the possibilities of the opening of a new door in South America where there seem to be possibilities for the future. Argentine and Brazil, for instance, have vast areas of undeveloped land rich in various resources. But it must not be assumed that emigration is mainly a means of relieving unemployment. It may be the reverse.

One last measure for helping the unemployed is represented by the *recommendation concerning unemployment among young persons*, which was passed in 1935. This is a long recommendation; its intention is to safeguard the younger workers from the demoralizing effects of prolonged unemployment. It advises that the school-leaving age should be 'not less than fifteen years,' as soon as circumstances permit; that juveniles who cannot find employment that is suitable, i.e. that is not a blind-alley occupation, should remain at school; that maintenance allowances should be granted where necessary; that this further education should be partly general, but also vocational; that there should be encouragement for juveniles with special aptitude to attend secondary or technical schools; that unemployed juveniles should be

compelled to attend continuation courses of a general and vocational nature; that such courses should be available at unemployment centres, and that these should also be available for young men and young women. There is further advice about vocational training, the whole intention being to see that the child who leaves school is both suitably prepared for some work and enabled to find it. Certain sections of the recommendation urge the setting up of special unemployment centres for the unemployed between eighteen and twenty-five, with provision of opportunities for recreation and for work that will be useful in helping them ultimately to find employment; also the setting up of Public Works expressly for the young unemployed.

The conference that passed this recommendation had a visit from a deputation of young unemployed workers. They marched through the streets of Geneva to the conference hall and addressed the delegates. If further incentive was needed, these young witnesses, coming from different countries, surely provided it.

. . . . .

It remains to say something about those workers who are prevented from working for other reasons than the shortage of jobs—about those who are ill or injured or too old to pursue any longer the work they have been doing for perhaps fifty years. This brings us to those arrangements for the protection of workers summed up under the title, Social Insurance.

For the average member of the middle classes insur-

ance is a rather dull business, associated with the unlikely risk of fire, premature death, or with the more likely risk of motor accident. It is something he enters into voluntarily when he chooses to be on the safe side.

For the worker insurance is a compulsory weekly deduction from his earnings, and therewith a guarantee of sick pay and medical treatment if he is ill, compensation if he suffers injury at work, unemployment pay for so many weeks if he loses his job, a small weekly sum in his old age, and a pension for his wife if he should die prematurely. This, at least, is the state of things where a complete system of Social Insurance is established. The funds for the administration of the insurance schemes are formed by the workers' weekly payments, similar contributions from their employers, and a smaller contribution from the State. The charge is therefore partly borne out of public funds, that is, from taxation. The comfortably off sometimes complain that the arrangement is a mistake, and is taking from the worker one of his proper responsibilities.

But what would the alternative be? No commercial insurance society could offer a worker terms that he could afford. The worker himself, only able to meet the most modest requirements from his small wage, might be pardoned for taking the risk of never saving for emergency. Indeed, how can he save when he is bringing up a young family?

The alternative is destitution accompanying sickness, desperation following unemployment, and degradation coming at the end of a life of honest work. Social

Insurance, that is, compulsory insurance instituted by the State, gives to the wage-earner something of that which he lacks most all his life—security.

Moreover, the allowances which are paid out as sick benefits, workmen's compensation, and in pensions, like the unemployment benefit or dole, add to the total expenditure of the masses, and are a greater help to trade than if the money remained in the hands of those who already have sufficient.

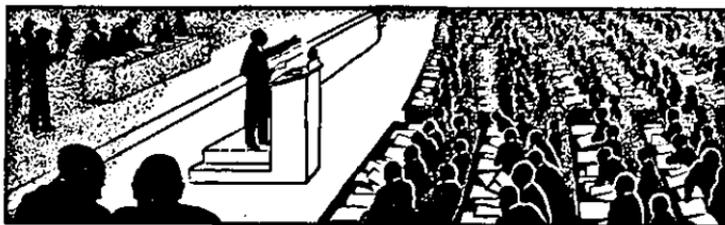
Some thirteen conventions dealing with Social Insurance have been passed by the International Labour Conference. They aim at applying the various kinds of insurance to all workers, and, although this difficult problem has still to be dealt with, at safeguarding a worker's right to benefits when he migrates from one country to another. The general result has been that the principle of Social Insurance is now universally accepted, and that it is being introduced into every industrial country.

The most interesting scene of its acceptance is South America. In this great continent to which Europe, preoccupied with her own internal broils, gives scant attention, a new industrial civilization is developing; but it is to a considerable extent avoiding the inhuman practices that accompanied the beginnings of the mechanical age elsewhere. Early in 1936 a special regional conference was held at Santiago for the South American member-states of the I.L.O. The conference which was the first experiment in a regional conference, was a great success. It gave a great spur to the South American

continent, not only to ratify I.L.O. conventions, but to apply them. The question of Social Insurance loomed large on the programme, and some of the special problems of South America in this connection were discussed—as, for example, the advisability of old-age pensions at fifty instead of at sixty-five, owing to the climatic conditions. Some of the South American countries have already set up complete schemes of Social Insurance. The rest are following.

#### FOR FURTHER REFERENCE

See the annual report of the Director of the I.L.O., *Studies and Reports*, various articles in *The International Labour Review*, etc.



## CHAPTER IX

### CLOSE-UP OF A CONFERENCE (1936)

GENEVA in June. The trees still freshly green and thrushes still singing. The blue lake still cold from melting snow. On the lower slopes of the surrounding mountains the first hay is being cut.

On the hill behind the Parc de Mon Repos, the new Palace of the Nations stands free of scaffolding at last, a vast yet simple building, dazzling white in the sunlight. From a terrace where the newly planted flowers break out into bloom a flight of white steps leads up to a magnificent portico. Here in the future—unless a world-war destroys the future for us—all League Assemblies and Labour Conferences will meet, their deliberations pierced by the crying of the peacocks who now step about on the slopes below the terrace, exploring their new home.

But this for to-morrow. The new assembly hall is still occupied by painters and carpenters, and in the meantime the old Bâtiment Electoral on the other side of the lake has to serve.

At this moment the entrance to the Bâtiment and the vestibule are crowded with people. Not politicians this time, not eminent statesmen, who draw bands of sight-

seers and ciné-photographers. The Genevois and the tourists mostly pass the Bâtiment to-day without a halt, and yet for those interested in the fight for social justice here are some *famous* old campaigners—Jouhaux, with the familiar black eyebrows and small imperial; his compatriot the elderly M. Gautier, with large black hat and flapping cloak; the broad-shouldered Belgian, Mertens, his geniality breaking out as ever; Herr Bramsnaes, the Dane; Kono, the Jap; Mr. Winant from U.S.A.; Arthur Pugh from Great Britain.

A bell sounds, and there is a general movement through the large doorway, labelled '*Entrée des délégués.*' Spectators must take their way up the stairs to the right or left, but when they emerge into the gallery that goes round the four walls of the conference hall they have an excellent view of the scene below.

The floor of the hall is covered with narrow tables arranged in rows, each table seating four people, that is, one delegation. Craning over the front of the gallery you can pick out some of the names: '*Chile,*' '*Belgique,*' '*Inde,*' '*France,*' '*Japon,*' '*Empire Britannique.*' The delegations have drawn lots for their tables, so that there is no first or last.

At one end of the hall there is a platform in two tiers. At the back on the higher level in an ornamental chair sits the president. This year he is one of the two Government delegates of Denmark, and was elected unanimously on the first day of the conference. He began life as a working man, but now he holds a governmental office.

Next to him, on his right, is the Director of the I.L.O.,

Mr. Harold Butler, successor to Albert Thomas. On the president's left is his interpreter. The president will speak, by his own preference, in English, but everything he says will be repeated in French. Most of the delegates know at least a little of one or the other of these two official languages, but, as will be seen presently, provision is made for those who are more at home with German or Spanish.

The lower platform, beneath the presidential chair, is reserved for speakers. Any delegate who wishes to address the conference will not speak from his place in the body of the hall, but must stand here before a microphone. Amplifiers in different parts of the hall will give him a gargantuan voice, that can be heard without difficulty from the remotest seat in the gallery. An interpreter will sit close by him, either taking down the words as they are spoken or, if the speech is written out, making ready to seize the script from the delegate when, exalted, embarrassed, depressed, or satisfied, he steps down again to return to his seat.

Many of the delegates are already in their places. The others are pouring in. Not only are the chairs behind the narrow tables filling up, but the side benches reserved for advisers are scattered with people. Also a lower gallery at the back of the hall, reserved for special visitors, is bright with the summer frocks of women spectators, among them a young Indian woman in a yellow *sari*. These are for the most part delegates' wives—some of them have accompanied their husbands from the other side of the world. They follow the conference intently day by day. They make a decorative splash of colour

behind the dark-clad conference, for the delegates, whether from East or West, from China, Siam, Mexico, or Turkey, with few exceptions dress alike, and only an occasional tropical suit, a solitary Indian turban, and the frocks of the few women delegates break the monotonous rows of men's European clothes. In the opinion of Señora Palencia, who has just taken her place at the table reserved for Spain, every delegation should include a woman, for how can men represent women, and do not the workers of the world include millions upon millions of women? But even she is not a member of Spain's official delegation of four. She is an adviser to the Spanish workers' delegate, and at the moment she sits in his seat, substituting for him. She might indeed have accepted an offer to be one of the two official delegates of the Spanish Government, but since she is a Socialist, and the Government a Liberal-Labour coalition, she preferred to join the retinue of the workers' advisers. And that is no very subordinate position. Most countries take full advantage of their right to send advisers with any or all of the four official delegates, and the advisers constantly replace the special delegates in the conference hall or in the committee rooms. The adviser is usually an expert on some special industry or some industrial problem—on textiles or building or coal or native labour or women's work. No government officer, no employer, no worker can be expert in all matters discussed by the conference, and so when the official delegations of four persons travel to Geneva for the conference they may be, in each case, accompanied by thirty or more other persons.

The president is in his seat. It happens that the amplifying apparatus, designed to assist the conference to hear his commands, has been put into operation too soon. Some remark that he murmurs to Mr. Butler sounds in the gallery like a sustained growl, and his greeting to a friend who passes over the platform becomes a booming 'Good morning!'

Now he looks down the hall, and decides it is time to begin the morning's work. He raps loudly with his hammer, and calls for silence. '*Silence!*' repeats the French interpreter.

A modified quiet succeeds the previous bustle and murmur. A few delegates hurry into their places. Others put down their newspapers. Someone silently grips the hand of a fellow-delegate, who has just slipped into his place at an adjoining table.

'The sitting is open,' announces the president. The interpreter repeats the sentence in French. 'The first item on the agenda is the question of the recruitment of native labour. I call on the reporter of the committee—Mr. Vernon.'

An Englishman gets up from a table near the back, labelled '*Empire Britannique*,' and slowly makes his way to the tribune. There is a ripple of applause.

For the past ten days a committee of delegates has been framing a convention on the *recruitment* of natives for work on white men's plantations and in white men's mines. It will be remembered that a few years ago a convention was passed on *forced* labour, and that by that agreement white employers and their agents were

forbidden to force natives to work for them. The convention left them obliged to rely on their resources of persuasion. But the natives as we have seen were still at a grave disadvantage even when they accepted the offer of work of their own free will. The new convention is a further attempt to protect them.

Mr. Vernon, chosen by his committee to be its spokesman or *rapporteur*, addresses the conference.

He reminds his fellow-delegates that the draft convention drawn up by his committee is no hurried product. A committee met during the conference of the previous year to devise a questionnaire, and this was sent to all governments. From the answers received a report was made and a convention drafted. These again were circulated to governments. This year the final draft of the convention has been agreed upon by his committee.

To whom does the convention apply? Not to workers in Europe and America, but chiefly to the coloured people of Africa, and perhaps almost equally to the natives of the East Indies. It covers also the coloured workers in Ceylon and Malaya. A convention of extensive operation indeed, and its passing will be an event of first-rate importance.

He enumerates the chief points: that recruitment in any area should be preceded by a governmental survey with a view to discovering whether the natives could leave their homeland district without detriment to its social and agricultural conditions; that the whole process of recruitment should be subject to government control, and that the government officers should satisfy

themselves that the recruits fully understood the terms of their engagement; that the recruits should be medically examined to ensure that they were fit both for the work and for the journey (often a very long one) to the mine or plantation; that no one with governmental authority nor any tribal chief should take part in recruitment; that where it was suitable the family of the recruited worker should be enabled to accompany him to his place of employment, and to settle there with him.

Further, Mr. Vernon made it clear that the convention was a temporary measure, since it was hoped that before long recruitment would be done away with altogether. 'I think that all of us on the committee, representing all three groups, governments, employers, and workers, believe that a system of organized recruiting is an undesirable thing, of which we want to get rid.'

And again, the convention has its limitations. It does not purpose to deal with the conditions of the work itself—only the conditions by which the native is induced to accept the work and to travel to the work. One thing at a time. The other is the next item to be dealt with. Mr. Vernon concludes: 'I have nothing more to say about the convention at this stage. I offer it to the conference as the first-fruits of this year's sittings, and I hope it may be the beginning of a really fruitful harvest.'

All through the speech a young interpreter on Mr. Vernon's left has been jotting down a translation. He is now called upon to interpret the speech for the French-speaking delegates. Those who want a German translation have already had it. At the side of the platform a

man with a face and figure reminiscent of Beethoven has been sitting in an alcove speaking softly into a microphone. Every delegate has a pair of head-phones under his table. He had but to put these on and turn a little switch so that the indicator pointed to the figure 3 in order to hear Mr. Vernon's speech repeated in German at the same time that it was being delivered. Now the German interpreter sits back and mops his forehead while the French interpreter gives his version under circumstances of rather less strain. Like many interpreters at Geneva, he gives an exact rendering not only of words, but of expression. Some interpreters have so entered into their parts that they have instinctively produced the very gestures and facial expressions of the original speaker.

The president now invites general discussion. Those who wish to speak have contrived to send him a message and he calls on them in turn.

First comes the government delegate of Portugal. He warmly approves the convention and assures the conference that most of its pronouncements are already included in the Portuguese Native Labour Code. It is a long speech, more in justification of Portugal, perhaps, than in exposition of the convention. In his enthusiasm for his country the delegate strays from the point and has to keep pulling himself up. '*Mais revenons-nous au projet de convention.*'

His fluent French is afterwards given in English by a young English interpreter.

Now it is the turn of Señora Palencia of Spain. The audience looks up with respect and attention. She is

the chief woman factory inspector of her country. She has represented Spain not only at this conference, but at the Assembly of the League time and time again. As she ascends the tribune no one in the hall suspects the horror of civil war that awaits her homeland. The charm of her personality lends power to the appeal that she makes, speaking, not in her own tongue, but in perfect English. She urges the conference to support the convention, naming the benefits that it will bestow on native workers and stressing particularly the article which forbids the recruitment of children. 'We must all care,' she says, 'so long as there is, in any corner of the earth, one worker or one group of workers, who can be exploited.'

There follow speeches from Indian and British workers, and from government delegates of Belgium, Peru, and China. It seems that the convention will be passed. The president closes the discussions and says that he will ask the conference to vote on the first nineteen articles of the convention. He will put the articles one by one and if there is no objection he will consider them adopted. He has to announce that an amendment is proposed to Article 20. The conference settles down to vote.

'Article one,' calls the president. ('*Article premier*,' echoes the interpreter.)

'No observations?' ('*Pas d'observations?*')

'Adopted!' ('*Adopté!*')

'Article two.' ('*Article deux.*')

'No observations?' ('*Pas d'observations?*')

'Adopted!' ('*Adopté!*') . . .

The conference arrives at Article 20, which stipulates

that the expenses of the journey from a native's home to the place of temporary employment shall be met by the native's employer. The president calls on the employers' delegate of South Africa, who wishes to move an amendment.

Mr. Brooke, a lame man, gets up from the South African table and makes his way on crutches to the tribune.

He wants Article 20 altered by the addition of an extra sentence which shall exempt employers from this financial responsibility wherever it has been the custom for natives to pay their own fares or similar costs. He explains that such is the custom in South Africa, and that if the railway fares of hundreds of thousands of natives have now to be paid by the South African employers, the employers will feel obliged to reduce wages. 'In South Africa,' he says, 'from time immemorial, it has been the practice for the workers to pay their own costs of transportation to the place of employment.'

No sooner has he taken his place again at the South African table than the man in the next seat to him rises in response to the president's call. This is Mr. Andrews, workers' delegate from South Africa. He is elderly, and has the appearance of one who has worked all his life with a dogged perseverance. He faces the conference with a pair of old-fashioned spectacles on the far end of his nose.

'Speaking,' he says, 'on behalf of the men and women, both European and non-European, whom I have the honour to represent at this great conference, I oppose the

amendment which has been proposed by the employers' representative of the Union of South Africa.'

He goes on to point out that the main recruiting body in South Africa, the Witwatersrand gold mines, are in anything but a depressed condition. He contends that the enormous profits made by the mines since Great Britain and South Africa went off the gold standard have benefited the owners, the shareholders, and the Government, but that very little benefit has come to the workers who produced the wealth. Therefore, he urges, the mines could well afford to bring their labourers from their native villages to the mining centre. When he goes to his place Mr. Ballinger, workers' adviser to Great Britain, goes to the tribune. He has made a special study of the problem of native labour in South Africa. He points out that what actually happens in that country is that employers pay the railway fares of natives, and then deduct the cost from wages—the result being that the workers only receive about seventy per cent of the agreed wage. He quotes from a government document which states that this deduction is considered a serious drain on the workers' earnings, the more so—since the South African railways have increased their fares. He hopes the conference will reject the amendment.

Now South Africa's government delegate, Mr. Medford, comes forward to support the employers' point of view. He wears a dark blue suit and has an official manner. He bows very politely to the president before beginning to read his typewritten speech. He produces a new argument in favour of the amendment. In his

opinion to pay the fares of recruited natives would be such an encouragement to the natives that those who were working voluntarily near their own homes would be tempted to abandon their work and offer themselves for recruitment. It would upset labour conditions altogether and make the gradual substitution of voluntary labour for recruited labour very difficult. He thinks it might interest the conference to know that about 520,000 natives are recruited at present for the South African mines. His government is in favour of an international convention which would apply to this vast body of workers. His concluding words put the conference in a dilemma:

'On the other hand, if the amendment now proposed is approved by the conference, the acceptance of the convention by my government is more likely.'

The president adjourns the conference for lunch, and the delegates pour out discussing the situation. Plainly it is this: If the convention is passed without amendment, South Africa will quite likely refuse to ratify it. That would mean that 520,000 recruited natives would be unprotected by the various conditions laid down in the convention. On the other hand, if the amendment is allowed, and this particular condition of the payment of natives' fares is waived, the convention is weakened, and principle has been sacrificed to compromise.

All through the interval between the morning and afternoon sittings the question is discussed in the lobbies, and in nearby restaurants. When the conference reassembles excitement runs high. Only two more

speeches are to be made before the vote is taken. Señora Palencia has got leave to address the conference again. She supports the original convention with some passion. 'We do not want conventions that are not going to be ratified, but surely also our intention is to have conventions that are worth while!' She attacks South Africa's employers' delegate for saying that the natives in his country had been accustomed to pay their railway expenses from time immemorial. 'From time immemorial! Well, that is just the very reason why we would like it changed now. Stone has been stone from time immemorial, and it has been chiselled into the forms of magnificent statues.'

The last speaker is Mr. Vernon, the British government adviser, who opened the discussion. He admits himself converted to the amendment.

'The discussion is concluded,' says the president. 'I shall now take the vote. The clerk to the conference will read the amendment.' A bell rings to summon any delegates who may be in the lobbies.

The clerk reads the amendment, and the president asks those in favour of it to raise their hands. The two young interpreters walk down the hall counting the votes. The result is very close, and there is some uncertainty as to its exactness. The count is made a second time. A subdued hubbub expresses the general excitement. The vote is still closer now: 45 for the amendment, and 50 against. But there is now almost confusion in the hall, and the president decides that the recorded vote must be taken.

On the wall behind the president's chair are three candle-shaped electric lights that show red, blue, and yellow respectively, when the appropriate switches are worked from a board on the tribune. The lights are labelled thus: YES. NO. ABST.

The clerk to the conference now calls by name each one of the delegates. The delegate calls back his vote, and the clerk switches on the appropriate light according to whether he has heard 'Yes,' 'No,' or 'Abstention.' Thus each vote is published as it is given and there can afterwards be no question of inaccuracy. Excitement rises as the clerk goes through his list. What will be the result? The astonishing announcement is made—51 for the amendment, and 51 against it. This means that having failed to secure even a majority of one, the amendment goes. The South African employers have failed to carry the conference with them. The convention stands as it was.

Will South Africa now refuse to ratify? That is what the delegates are asking one another and asking the members of the Office staff as, waving documents and wiping foreheads, the international gathering pours out of the hot-house atmosphere of the Bâtiment into streets almost as stifling.

For an unexpected heat-wave has descended on Geneva. The sky is overcast and the heavy air makes thought a labour. But in the dubious coolness of cafés the earnest arguments are continued, and the thunder threatening from beyond the mountains is as yet of no importance.

## APPENDICES

## APPENDIX I

### THE CONSTITUTION OF THE INTERNATIONAL LABOUR ORGANIZATION <sup>1</sup>

#### SECTION I—ORGANIZATION OF LABOUR

WHEREAS the League of Nations has for its object the establishment of universal peace, and such a peace can be established only if it is based upon social justice;

And whereas conditions of labour exist involving such injustice, hardship, and privation to large numbers of people as to produce unrest so great that the peace and harmony of the world are imperilled; and an improvement of those conditions is urgently required: as, for example, by the regulation of the hours of work, including the establishment of a maximum working day and week, the regulation of the labour supply, the prevention of unemployment, the provision of an adequate living wage, the protection of the worker against sickness, disease, and injury arising out of his employment, the protection of children, young persons and women, provision for old age and injury, protection of the interests of workers when employed in countries other than their own,

<sup>1</sup> The Constitution of the International Labour Organization formed Part XIII of the Treaty of Versailles of 28th June 1919 (Art. 387-427), Part XIII of the Treaty of St. Germain of 10th September 1919 (Art. 332-72), Part XII of the Treaty of Neuilly of 27th November 1919 (Art. 249-89), and Part XIII of the Treaty of Trianon of 4th June 1920 (Art. 315-55). The numbering in brackets after the numbers of the articles is that of the articles of the Treaty of Versailles.

recognition of the principle of freedom of association, the organization of vocational and technical education and other measures;

Whereas also the failure of any nation to adopt humane conditions of labour is an obstacle in the way of other nations which desire to improve the conditions in their own countries;

The HIGH CONTRACTING PARTIES, moved by sentiments of justice and humanity as well as by the desire to secure the permanent peace of the world, agree to the following:

## CHAPTER I

### ORGANIZATION

#### ARTICLE 1 (387)

1. A permanent organization is hereby established for the promotion of the objects set forth in the Preamble.
2. The original Members of the League of Nations shall be the original Members of this organization, and hereafter membership of the League of Nations shall carry with it membership of the said organization.

#### ARTICLE 2 (388)

The permanent organization shall consist of:

1. A General Conference of Representatives of the Members and
2. An International Labour Office controlled by the Governing Body described in Article 7 (393).

#### ARTICLE 3 (389)

1. The meetings of the General Conference of Representatives of the Members shall be held from time to

time as occasion may require, and at least once in every year. It shall be composed of four Representatives of each of the Members, of whom two shall be Government Delegates and the two others shall be Delegates representing respectively the employers and the workpeople of each of the Members.

2. Each Delegate may be accompanied by advisers, who shall not exceed two in number for each item on the agenda of the meeting. When questions specially affecting women are to be considered by the Conference, one at least of the advisers should be a woman.

3. The Members undertake to nominate non-Government Delegates and advisers chosen in agreement with the industrial organizations, if such organizations exist, which are most representative of employers or workpeople, as the case may be, in their respective countries.

4. Advisers shall not speak except on a request made by the Delegate whom they accompany and by the special authorization of the President of the Conference, and may not vote.

5. A Delegate may by notice in writing addressed to the President appoint one of his advisers to act as his deputy, and the adviser, while so acting, shall be allowed to speak and vote.

6. The names of the Delegates and their advisers will be communicated to the International Labour Office by the Government of each of the Members.

7. The credentials of Delegates and their advisers shall be subject to scrutiny by the Conference, which may, by two-thirds of the votes cast by the Delegates present, refuse to admit any Delegate or adviser whom it deems not to have been nominated in accordance with this Article.

## ARTICLE 4 (390)

1. Every Delegate shall be entitled to vote individually on all matters which are taken into consideration by the Conference:

2. If one of the Members fails to nominate one of the non-Government Delegates whom it is entitled to nominate, the other non-Government Delegate shall be allowed to sit and speak at the Conference, but not to vote.

3. If in accordance with Article 3 (389) the Conference refuses admission to a Delegate of one of the Members, the provisions of the present Article shall apply as if that Delegate had not been nominated.

## ARTICLE 5 (391)

The meetings of the Conference shall be held at the seat of the League of Nations, or at such other place as may be decided by the Conference at a previous meeting by two-thirds of the votes cast by the Delegates present.

## ARTICLE 6 (392)

The International Labour Office shall be established at the seat of the League of Nations as part of the organization of the League.

ARTICLE 7 (393)<sup>1</sup>

1. The International Labour Office shall be under the control of a Governing Body consisting of thirty-two persons:

Sixteen representing Governments,  
Eight representing the Employers, and  
Eight representing the Workers.

<sup>1</sup>The text of this Article is that of an amendment adopted by the International Labour Conference on 2nd November 1922, which came into force on 4th June 1934.

2. Of the sixteen persons representing Governments, eight shall be appointed by the Members of chief industrial importance, and eight shall be appointed by the Members selected for that purpose by the Government Delegates to the Conference, excluding the Delegates of the eight Members mentioned above. Of the sixteen Members represented six shall be non-European States.

3. Any question as to which are the Members of chief industrial importance shall be decided by the Council of the League of Nations.

4. The persons representing the Employers and the persons representing the Workers shall be elected respectively by the Employers' Delegates and the Workers' Delegates to the Conference. Two Employers' representatives and two Workers' representatives shall belong to non-European States.

5. The period of office of the Governing Body shall be three years.

6. The method of filling vacancies and of appointing substitutes and other similar questions may be decided by the Governing Body subject to the approval of the Conference.

7. The Governing Body shall, from time to time, elect one of its number to act as its Chairman, shall regulate its own procedure, and shall fix its own times of meeting. A special meeting shall be held if a written request to that effect is made by at least twelve of the representatives on the Governing Body.

#### ARTICLE 8 (394)

1. There shall be a Director of the International Labour office, who shall be appointed by the Governing Body, and, subject to the instructions of the Governing Body, shall be responsible for the efficient conduct of the

International Labour Office and for such other duties as may be assigned to him.

2. The Director or his deputy shall attend all meetings of the Governing Body.

#### ARTICLE 9 (395)

The staff of the International Labour Office shall be appointed by the Director, who shall, so far as is possible with due regard to the efficiency of the work of the Office, select persons of different nationalities. A certain number of these persons shall be women.

#### ARTICLE 10 (396)

1. The functions of the International Labour Office shall include the collection and distribution of information on all subjects relating to the international adjustment of conditions of industrial life and labour, and particularly the examination of subjects which it is proposed to bring before the Conference with a view to the conclusion of international conventions, and the conduct of such special investigations as may be ordered by the Conference.

2. It will prepare the agenda for the meetings of the Conference.

3. It will carry out the duties required of it by the provisions of this Part of the present Treaty in connection with international disputes.

4. It will edit and publish in French and English, and in such other languages as the Governing Body may think desirable, a periodical paper dealing with problems of industry and employment of international interest.

5. Generally, in addition to the functions set out in this Article, it shall have such other powers and duties as may be assigned to it by the Conference.

## ARTICLE 11 (397)

The Government Departments of any of the Members which deal with questions of industry and employment may communicate directly with the Director through the Representative of their Government on the Governing Body of the International Labour Office, or failing any such Representative, through such other qualified official as the Government may nominate for the purpose.

## ARTICLE 12 (398)

The International Labour Office shall be entitled to the assistance of the Secretary-General of the League of Nations in any matter in which it can be given.

## ARTICLE 13 (399)

1. Each of the Members will pay the travelling and subsistence expenses of its Delegates and their advisers and of its Representatives attending the meetings of the Conference or Governing Body, as the case may be.

2. All the other expenses of the International Labour Office and of the meetings of the Conference or Governing Body shall be paid to the Director by the Secretary-General of the League of Nations out of the general funds of the League.

3. The Director shall be responsible to the Secretary-General of the League for the proper expenditure of all moneys paid to him in pursuance of this Article.

## CHAPTER II

## PROCEDURE

## ARTICLE 14 (400)

The agenda for all meetings of the Conference will be settled by the Governing Body, who shall consider any suggestion as to the agenda that may be made by the Government of any of the Members or by any representative organization recognized for the purpose of Article 3 (389).

## ARTICLE 15 (401)

The Director shall act as the Secretary of the Conference, and shall transmit the agenda so as to reach the Members four months before the meeting of the Conference, and, through them, the non-Government Delegates when appointed.

## ARTICLE 16 (402)

1. Any of the Governments of the Members may formally object to the inclusion of any item or items in the agenda. The grounds for such objection shall be set forth in a reasoned statement addressed to the Director, who shall circulate it to all the Members of the Permanent Organization.

2. Items to which such objection has been made shall not, however, be excluded from the agenda, if at the Conference a majority of two-thirds of the votes cast by the Delegates present is in favour of considering them.

3. If the Conference decides (otherwise than under the preceding paragraph) by two-thirds of the votes cast by

the Delegates present that any subject shall be considered by the Conference, that subject shall be included in the agenda for the following meeting.

#### ARTICLE 17 (403)

1. The Conference shall regulate its own procedure, shall elect its own President, and may appoint committees to consider and report on any matter.

2. Except as otherwise expressly provided in this Part of the present Treaty, all matters shall be decided by a simple majority of the votes cast by the Delegates present.

3. The voting is void unless the total number of votes cast is equal to half the number of the Delegates attending the Conference.

#### ARTICLE 18 (404)

The Conference may add to any committees which it appoints technical experts, who shall be assessors without power to vote.

#### ARTICLE 19 (405)

1. When the Conference has decided on the adoption of proposals with regard to an item in the agenda, it will rest with the Conference to determine whether these proposals should take the form: (a) of a recommendation to be submitted to the Members for consideration with a view to effect being given to it by national legislation or otherwise, or (b) of a draft international convention for ratification by the Members.

2. In either case a majority of two-thirds of the votes cast by the Delegates present shall be necessary on the final vote for the adoption of the recommendation or draft convention, as the case may be, by the Conference.

3. In framing any recommendation or draft convention of general application the Conference shall have due regard to those countries in which climatic conditions, the imperfect development of industrial organization, or other special circumstances make the industrial conditions substantially different and shall suggest the modifications, if any, which it considers may be required to meet the case of such countries.

4. A copy of the recommendation or draft convention shall be authenticated by the signature of the President of the Conference and of the Director and shall be deposited with the Secretary-General of the League of Nations. The Secretary-General will communicate a certified copy of the recommendation or draft convention to each of the Members.

5. Each of the Members undertakes that it will, within the period of one year at most from the closing of the session of the Conference, or if it is impossible owing to exceptional circumstances to do so within the period of one year, then at the earliest practicable moment and in no case later than eighteen months from the closing of the session of the Conference, bring the recommendation or draft convention before the authority or authorities within whose competence the matter lies, for the enactment of legislation or other action.

6. In the case of a recommendation, the Members will inform the Secretary-General of the action taken.

7. In the case of a draft convention, the Member will, if it obtains the consent of the authority or authorities within whose competence the matter lies, communicate the formal ratification of the convention to the Secretary-General and will take such action as may be necessary to make effective the provisions of such convention.

8. If on a recommendation no legislative or other action is taken to make a recommendation effective, or

if the draft convention fails to obtain the consent of the authority or authorities within whose competence the matter lies, no further obligation shall rest upon the Member.

9. In the case of a federal State, the power of which to enter into conventions on labour matters is subject to limitations, it shall be in the discretion of that Government to treat a draft convention to which such limitations apply as a recommendation only, and the provisions of this Article with respect to recommendations shall apply in such case.

10. The above Article shall be interpreted in accordance with the following principle:

11. In no case shall any Member be asked or required, as a result of the adoption of any recommendation or draft convention by the Conference, to lessen the protection afforded by its existing legislation to the workers concerned.

#### ARTICLE 20 (406)

Any convention so ratified shall be registered by the Secretary-General of the League of Nations, but shall only be binding upon the Members which ratify it.

#### ARTICLE 21 (407)

1. If any convention coming before the Conference for final consideration fails to secure the support of two-thirds of the votes cast by the Delegates present, it shall nevertheless be within the right of any of the Members of the Permanent Organization to agree to such convention among themselves.

2. Any convention so agreed to shall be communicated by the Governments concerned to the Secretary-General of the League of Nations, who shall register it.

## ARTICLE 22 (408)

Each of the Members agrees to make an annual report to the International Labour Office on the measures which it has taken to give effect to the provisions of conventions to which it is a party. These reports shall be made in such form and shall contain such particulars as the Governing Body may request. The Director shall lay a summary of these reports before the next meeting of the Conference.

## ARTICLE 23 (409)

In the event of any representation being made to the International Labour Office by an industrial association of employers or of workers that any of the Members has failed to secure in any respect the effective observance within its jurisdiction of any convention to which it is a party, the Governing Body may communicate this representation to the Government against which it is made, and may invite that Government to make such statement on the subject as it may think fit.

## ARTICLE 24 (410)

If no statement is received within a reasonable time from the Government in question, or if the statement when received is not deemed to be satisfactory by the Governing Body, the latter shall have the right to publish the representation and the statement, if any, made in reply to it.

## ARTICLE 25 (411)

1. Any of the Members shall have the right to file a complaint with the International Labour Office if it is not satisfied that any other Member is securing the

effective observance of any convention which both have ratified in accordance with the foregoing Articles.

2. The Governing Body may, if it thinks fit before referring such a complaint to a Commission of Enquiry, as hereinafter provided for, communicate with the Government in question in the manner described in Article 23 (409).

3. If the Governing Body does not think it necessary to communicate the complaint to the Government in question, or if, when they have made such communication, no statement in reply has been received within a reasonable time which the Governing Body considers to be satisfactory, the Governing Body may apply for the appointment of a Commission of Enquiry to consider the complaint and to report thereon.

4. The Governing Body may adopt the same procedure either of its own motion or on receipt of a complaint from a Delegate to the Conference.

5. When any matter arising out of Articles 24 (410) or 25 (411) is being considered by the Governing Body, the Government in question shall, if not already represented thereon, be entitled to send a representative to take part in the proceedings of the Governing Body while the matter is under consideration. Adequate notice of the date on which the matter will be considered shall be given to the Government in question.

#### ARTICLE 26 (412)

1. The Commission of Enquiry shall be constituted in accordance with the following provisions:

2. Each of the Members agrees to nominate within six months of the date on which the present Treaty comes into force three persons of industrial experience, of whom one shall be a representative of employers, one a

representative of workers, and one a person of independent standing, who shall together form a panel from which the members of the Commission of Enquiry shall be drawn.

3. The qualifications of the persons so nominated shall be subject to scrutiny by the Governing Body, which may by two-thirds of the votes cast by the representatives present refuse to accept the nomination of any person whose qualifications do not in its opinion comply with the requirements of the present Article.

4. Upon the application of the Governing Body, the Secretary-General of the League of Nations shall nominate three persons, one from each section of this panel, to constitute the Commission of Enquiry, and shall designate one of them as the President of the Commission. None of these three persons shall be a person nominated to the panel by any Member directly concerned in the complaint.

#### ARTICLE 27 (413)

The members agree that, in the event of the reference of a complaint to a Commission of Enquiry under Article 25 (411), they will each, whether directly concerned in the complaint or not, place at the disposal of the Commission all the information in their possession which bears upon the subject-matter of the complaint.

#### ARTICLE 28 (414)

1. When the Commission of Enquiry has fully considered the complaint, it shall prepare a report embodying its findings on all questions of fact relevant to determining the issue between the parties and containing such recommendations as it may think proper as to the steps which should be taken to meet the complaint and the time within which they should be taken.

2. It shall also indicate in this report the measures, if any, of an economic character against a defaulting Government which it considers to be appropriate, and which it considers other Governments would be justified in adopting.

#### ARTICLE 29 (415)

1. The Secretary-General of the League of Nations shall communicate the report of the Commission of Enquiry to each of the Governments concerned in the complaint, and shall cause it to be published.

2. Each of these Governments shall within one month inform the Secretary-General of the League of Nations whether or not it accepts the recommendations contained in the report of the Commission; and if not, whether it proposes to refer the complaint to the Permanent Court of International Justice of the League of Nations.

#### ARTICLE 30 (416)

In the event of any Member failing to take the action required by Article 19 (405), with regard to a recommendation or draft convention, any other Member shall be entitled to refer the matter to the Permanent Court of International Justice.

#### ARTICLE 31 (417)

The decision of the Permanent Court of International Justice in regard to a complaint or matter which has been referred to it in pursuance of Article 29 (415) or Article 30 (416) shall be final.

#### ARTICLE 32 (418)

The Permanent Court of International Justice may affirm, vary, or reverse any of the findings or recom-

recommendations of the Commission of Enquiry, if any, and shall in its decision indicate the measures, if any, of an economic character which it considers to be appropriate, and which other Governments would be justified in adopting against a defaulting Government.

#### ARTICLE 33 (419)

In the event of any Member failing to carry out within the time specified the recommendations, if any, contained in the report of the Commission of Enquiry, or in the decision of the Permanent Court of International Justice, as the case may be, any other Member may take against that Member the measures of an economic character indicated in the report of the Commission or in the decision of the Court as appropriate to the case.

#### ARTICLE 34 (420)

The defaulting Government may at any time inform the Governing Body that it has taken the steps necessary to comply with the recommendations of the Commission of Enquiry or with those in the decision of the Permanent Court of International Justice, as the case may be, and may request it to apply to the Secretary-General of the League to constitute a Commission of Enquiry to verify its contention. In this case the provisions of Articles 26, 27, 28, 29, 31, and 32 (412, 413, 414, 415, 417, and 418) shall apply and if the report of the Commission of Enquiry or the decision of the Permanent Court of International Justice is in favour of the defaulting Government, the other Governments shall forthwith discontinue the measures of an economic character that they have taken against the defaulting Government.

## CHAPTER III

## GENERAL

## ARTICLE 35 (421)

1. The Members engage to apply conventions which they have ratified in accordance with the provisions of this Part of the present Treaty to their colonies, protectorates, and possessions which are not fully self-governing:

- (1) Except where owing to the local conditions the convention is inapplicable, or
- (2) Subject to such modifications as may be necessary to adapt the convention to local conditions.

2. And each of the Members shall notify to the International Labour Office the action taken in respect of each of its colonies, protectorates, and possessions which are not fully self-governing.

## ARTICLE 36 (422)

Amendments to this part of the present Treaty which are adopted by the Conference by a majority of two-thirds of the votes cast by the Delegates present shall take effect when ratified by the States whose representatives compose the Council of the League of Nations and by three-fourths of the Members.

## ARTICLE 37 (423)

Any question or dispute relating to the interpretation of this Part of the present Treaty or of any subsequent convention concluded by the Members in pursuance of the provisions of this part of the present Treaty shall be referred for decision to the Permanent Court of International Justice.

## SECTION II—GENERAL PRINCIPLES

## ARTICLE 41 (427)

The High Contracting Parties, recognizing that the well-being, physical, moral, and intellectual, of industrial wage-earners is of supreme international importance, have framed, in order to further this great end, the permanent machinery provided for in Section I, and associated with that of the League of Nations.

They recognize that differences of climate, habits, and customs, of economic opportunity and industrial tradition, make strict uniformity in the conditions of labour difficult of immediate attainment. But, holding as they do that labour should not be regarded merely as an article of commerce, they think that there are methods and principles for regulating labour conditions which all industrial communities should endeavour to apply, so far as their special circumstances will permit.

Among these methods and principles, the following seem to the High Contracting Parties to be of special and urgent importance:

*First.* The guiding principle above enunciated that labour should not be regarded merely as a commodity or article of commerce.

*Second.* The right of association for all lawful purposes by the employed as well as by the employers.

*Third.* The payment to the employed of a wage adequate to maintain a reasonable standard of life as this is understood in their time and country.

*Fourth.* The adoption of an eight hours day or a forty-eight hours week as the standard to be aimed at where it has not already been attained.

*Fifth.* The adoption of a weekly rest of at least twenty-four hours, which should include Sunday wherever practicable.

*Sixth.* The abolition of child labour and the imposition of such limitations on the labour of young persons as shall permit the continuation of their education and assure their proper physical development.

*Seventh.* The principle that men and women should receive equal remuneration for work of equal value.

*Eighth.* The standard set by law in each country with respect to the conditions of labour should have due regard to the equitable economic treatment of all workers lawfully resident therein.

*Ninth.* Each State should make provision for a system of inspection in which women should take part, in order to ensure the enforcement of the laws and regulations for the protection of the employed.

Without claiming that these methods and principles are either complete or final, the High Contracting Parties are of opinion that they are well fitted to guide the policy of the League of Nations; and that, if adopted by the industrial communities who are Members of the League, and safeguarded in practice by an adequate system of such inspection, they will confer lasting benefits upon the wage-earners of the world.

## APPENDIX II

### LIST OF CONVENTIONS

DURING the twenty Sessions held from 1919 to 1936 the Conference has adopted fifty-two Draft Conventions, embodying the following main principles:

#### FIRST SESSION, 1919.

- (1) *Hours of work* in industry should not exceed *eight* per day and *forty-eight* per week.
- (2) A system of *free employment offices under public control* should be established.
- (3) Women should not be employed in industry or commerce for six weeks before and six weeks after *childbirth*, and should be paid maternity benefits.
- (4) *Women* should not work in industry at *night*.
- (5) *Children under fourteen* should not be employed in *industry*.
- (6) No one under *eighteen* should be employed in industry at *night*.

#### SECOND (MARITIME) SESSION, 1920.

- (7) *Children under fourteen* should not be employed on *vessels*.
- (8) *Shipwrecked sailors* should be paid while unemployed.
- (9) *Free employment agencies* should be provided for *seamen*.

## THIRD SESSION, 1921.

- (10) *Children under fourteen* should not be employed in *agriculture* if their school attendance would suffer thereby.
- (11) *Agricultural* workers should have the same *right to organize* as industrial workers.
- (12) *Agricultural* workers should be included in the operation of *workmen's compensation laws*.
- (13) The use of *white lead* in painting should be restricted.
- (14) All *industrial* workers should have a weekly *day of rest*.
- (15) No one under *eighteen* should work as a trimmer or stoker on a *vessel*.
- (16) *Seafarers under eighteen* should have a yearly certificate of physical fitness.

## FOURTH, FIFTH, AND SIXTH SESSIONS, 1922-4.

At these Sessions the Conference adopted Recommendations only, in order to give States time to consider and act on the Conventions already adopted.

## SEVENTH SESSION, 1925.

- (17) *Workmen's compensation* should be paid for *industrial accidents*.
- (18) *Workmen's compensation* should be paid for *occupational diseases*.
- (19) *Foreigners* should have *equality* with nationals as regards *accident compensation*.
- (20) *Night work in bakeries* should be forbidden.

## EIGHTH SESSION, MAY-JUNE 1926.

- (21) *Inspection of emigrants* on board ship should be simplified.

## NINTH (MARITIME) SESSION, JUNE 1926.

- (22) The completion and enforcement of *seamen's articles of agreement* should be subject to public supervision.
- (23) *Seamen* discharged abroad should be *repatriated*.

## TENTH SESSION, 1927.

- (24) *Compulsory sickness insurance* should be established for *industrial and commercial workers* and *domestic servants*.
- (25) *Compulsory sickness insurance* should be established for *agricultural workers*.

## ELEVENTH SESSION, 1928.

- (26) *Minimum-wage-fixing machinery* should be created in underpaid trades.

## TWELFTH SESSION, MAY-JUNE 1929.

- (27) The *weight* should be marked on *heavy packages* transported by water.
- (28) Measures should be taken to *safeguard dockers* when loading or unloading ships.

## THIRTEENTH (MARITIME) SESSION, OCTOBER 1929.

At this Session the Conference completed the first discussion of four questions concerning maritime employment and decided that they should be placed on the agenda of a future Session.

## FOURTEENTH SESSION, 1930.

- (29) *Forced or compulsory labour* for *Natives* in colonial territories should be *abolished*.
- (30) *Hours of work* for salaried employees should not exceed *forty-eight* per week and, in general, *eight* per day.

## FIFTEENTH SESSION, 1931.

- (31) *The time spent by each worker in an underground coal mine not to exceed seven hours and three-quarters in one day.*

## SIXTEENTH SESSION, 1932.

- (32) The Conference revised Convention No. 28, passed in 1929, on certain points.
- (33) *Children under fourteen not to be admitted to employment in non-industrial occupations.*

## SEVENTEENTH SESSION, 1933.

- (34) *Fee-charging employment agencies to be abolished.*
- (35) *A system of compulsory old-age insurance to be established for persons employed in industrial or commercial undertakings, in the liberal professions, and for outworkers and domestic servants.*
- (36) *A system of compulsory old-age insurance to be established for persons employed in agricultural undertakings.*
- (37) *A system of compulsory invalidity insurance to be established for persons mentioned in No. 35.*
- (38) *A system of compulsory invalidity insurance to be established for persons employed in agricultural undertakings.*
- (39) *A system of compulsory widows' and orphans' insurance to be established for persons mentioned in No. 35.*
- (40) *A system of compulsory widows' and orphans' insurance to be established for persons employed in agricultural undertakings.*

## EIGHTEENTH SESSION, 1934.

- (41) The Conference revised Convention No. 4 on certain points which do not affect its main principle.

- (42) The Conference extended the list of *occupational diseases* for which *compensation* should be paid, under Convention No. 18. *Silicosis* and other diseases were added.
- (43) *Hours of work and rest periods in automatic glass works* should be regulated on a basis of *42 working hours to the average week*.
- (44) A *system of unemployment insurance* should be established.

## NINETEENTH SESSION, 1935:

- (45) Employment of *women underground in mines* should be *prohibited*.
- (46) The Conference revised Convention No. 31 on certain points which do not affect its main principle.
- (47) The Conference adopted *the principle of the 40-hour week*, at the same time providing for *maintenance of the standard of living* of the workers.
- (48) Workers *transferring their residence from one country to another* should retain their *pension rights*.
- (49) *Hours of work and rest periods in glass-bottle works* should be regulated on the basis of *42 working hours to the average week*.

## TWENTIETH SESSION, 1936.

- (50) Regulation of the *recruiting of Native workers in colonial territories*.
- (51) Every person to whom this Convention applies shall be entitled after one year of continuous service to an *annual holiday with pay* of at least six working days.

- (52) Confirming the principle laid down in Convention No. 47, the Conference adopted the *40-hour week* for persons directly employed on building or civil engineering works financed or subsidized by central Governments (*public works*).

TWENTY-FIRST SESSION (MARITIME), 1936.

- (53) Minimum professional capacity of ship's officers.  
(54) Holidays with pay for seamen.  
(55) Shipowners' liability towards sick or injured seamen.  
(56) Sickness insurance of seamen.  
(57) Seamen's hours of work on manning.

TWENTY-SECOND SESSION (MARITIME), 1936.

- (58) Minimum age for employment at sea.

On 1st January 1937, 732 ratifications of the above Conventions had been registered at Geneva.

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