I

THE HISTORICAL AND SOCIAL IMPORTANCE OF INTERNATIONAL LABOR LEGISLATION

BY

ERNEST MAHAIM

In October, 1818, almost exactly one hundred years before the plenipotentiaries were gathering for the Peace Conference at Paris, Robert Owen, the English cotton manufacturer who was the Henry Ford of his day, presented to the plenipotentiaries of the conference of European Powers then meeting at Aix-la-Chapelle a memorial in which he argued that a reform in the conditions of labor would be in the interest of all classes of society. He called to the attention of the conference the enlightened measures of industrial management which he had inaugurated and was carrying on successfully at New Lanark in Scotland, in the face of the united opposition of the manufacturers and capitalists of his own country. In view of this effort of Owen to influence the governments of Europe, and of his previous utterances pointing out that the problems of labor were not limited by national boundary lines, the claim has often been made that Owen was the father of the present movement for international labor legislation. It is a view, however, which should be accepted with caution, for notwithstanding the fact that his bold idealism attracted the attention of his age it had little effect on the subsequent history of labor organizations or on the practical measures of governments. Owen's contribution was that of a philanthropist who relied upon the inherent goodness of mankind to overcome the evils arising from bad environment. Although a pioneer in urging social legislation, his ideas of international labor legislation were too limited and undeveloped to be regarded as the real origins of the movement of today. He never proposed that States should bind themselves by conventions possessing legal force. His appeal was nothing more than propaganda for the ideas in which he believed.[1]

The idea next emerged in France, at the time when the first law on child labor was being discussed. In 1839, Villermé called attention to

[1] Cf. E. Mahaim, *Le Droit international ouvrier* (Paris, 1913), pp. 183 et seq.

the abuses which existed in the textile industry, and argued that legislation was necessary because manufacturers, however good their intentions, could achieve nothing by themselves. "What is needed," he said, "is for all manufacturers, not only in the place where they live, but also in the countries where their goods are sold, to band themselves together in a holy alliance to put an end to the evil which we are discussing, instead of exploiting it for their own profit." His conclusion was that this was impossible.

Probably the first person to put forward a proposal for international treaties was the liberal economist Jérome Blanqui. In his treatise on industrial economics, composed in 1838-39, he writes as follows:

> There is only one way of accomplishing it (the reform) while avoiding its disastrous consequences: this would be to get it adopted simultaneously by all industrial nations which compete in the foreign market. Will people be willing to do this? 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 today for the purpose of preserving men's lives and making them happier? [2]

Similar passages could be adduced from other authors, especially economists.

The point which should be noted is that, from the outset, the idea of international labor legislation is bound up with the idea that competition between manufacturers in different countries is an obstacle in the way of the establishment and development of *national* legislation.

This idea was also put forward by the Alsatian manufacturer Daniel Legrand (1783-1859). The representations which Legrand made to governments are recorded in history as the first attempts to bring international labor legislation into being. He had of course no inkling of what the conception of which he was the precursor was to develop into eighty years later. It should be noted, too, that the difficulties arising out of international competition were not the only or even the principal incentives in his mind. He often referred to them, however, as well as to the humanitarian, moral, and religious arguments on which his case was mainly based. From 1838 to the time of his death in 1859, he bombarded not only the French but also the British and Prussian govern-

[2] Cf. J. Blanqui, *Cours d'économie industrielle* (2ème édition recueilli et annotée par A. Blaise, 1838-1839), pp. 119-120

ments with memoranda in the hope of inducing them to enact, in the terms of the title of one of his memoranda dated 1847,

> an international law to protect the working classes against premature and excessive labor, which is the prime and principal cause of their physical deterioration, their moral degradation and their being deprived of the blessings of family life.

With Daniel Legrand, the period of the precursors comes to an end. The idea had now definitely come into existence, and was henceforth never to be absent from the minds of social reformers.

Two important points should be noted. In the first place, the idea dates from the earliest days of *national* labor legislation. It will be seen that the underlying causes of international legislation do not differ from those of national legislation.

In the second place, the conception of international legislation is from the outset opposed to that of absolutely unrestricted international competition. This is regarded as an obstacle to be removed, or at any rate circumvented. The idea is to allow *relative* freedom of competition, based on some degree of equality in costs of production; certain humanitarian requirements are to be taken out of the sphere of competition. This means that health, life, and human dignity are regarded as benefits of supreme value. Humanitarian ideals are given precedence over considerations of economic profit.

Individual economists and philanthropists first of all, and international congresses later, soon began to put forward pleas for international labor legislation—the French publicist Audiganne in 1866, and the Berlin professor Adolf Wagner in 1871. In 1868 the liberal economist Louis Wolowski expressed similar views, and on February 5, 1873, he introduced what was probably the first bill on the subject in the French Parliament.

It is not surprising that a resolution in favor of international legislation should have been passed by Karl Marx's Workers' International. This resolution, first adopted at the Geneva Congress of 1866, was passed anew by all subsequent workers' congresses.

Official action soon followed. Incidental mention may be made of a proposal for an intercantonal agreement submitted by the Canton of Glarus in 1855 to the Council of State of the Canton of Zurich. But

nothing came of it, and the idea was left in the category of vain wishes.

Practical action was, however, taken by the Swiss National Council. As early as 1876, Colonel Frey, President of the Council, referred to the possibility that a diplomatic *démarche* would be made by Switzerland. He put forward a definite proposal to that effect on December 9, 1880, and his motion was discussed on April 20, 1881. The replies of the governments which were approached—those of Austria, Belgium, France, Germany, Great Britain, and Italy—were by no means encouraging.

On October 23, 1887, however, M. Decurtins, a Catholic, and M. Favon, a Socialist, put forward a proposal in the National Council calling on the Federal Council to resume the negotiations with foreign governments. The proposal was adopted in June, 1888, and acted upon by the Federal Council, which, on March 15, 1889, sent the various governments an invitation to a "preparatory" conference. The date at first proposed was September, 1889, but it was subsequently postponed to May 5, 1890. France, Belgium, Great Britain, and the Netherlands accepted the invitation; Germany did not reply.

There was a dramatic development on February 5, when the young Emperor, William II, ordered Bismarck to approach the foreign governments and invite the conference to meet in Berlin. His action, which produced a great impression on public opinion, was of course not unconnected with the dismissal of Bismarck, who was opposed to the conference, as he was to all measures for the protection of the workers with the exception of social insurance.

The Berlin Conference lasted from March 15 to March 25. It was attended by delegates from the twelve chief industrial States of Europe, and by a German bishop who represented the views of the Holy See.[3] The program of the Conference was the same as that of the one which the Swiss Federal Council had proposed to call; it covered practically the whole field of the labor legislation in force in the countries represented. The Conference contented itself with adopting resolutions beginning with the formula: "It is desirable that . . ." No undertakings were given, even for the exchange of information. It was clear that the governments concerned and public opinion were both insufficiently

[3] Delegates came from Germany, Austria-Hungary, Belgium, Denmark, France, Great Britain. Italy, Luxemburg, the Netherlands, Portugal, Sweden and Norway, and Switzerland.

prepared; besides, the character of the delegations and the program of the Conference were not appropriate to the object in view.

The failure of the Conference gave great satisfaction to the opponents of labor legislation. Nevertheless, the Conference itself produced an immense moral effect; it attracted attention, and made people think. The fact that it failed did not in itself prove anything. Everything tended to show that international conventions, if suitably prepared and studied, were a possibility.

Later events proved the truth of this. What the hasty action of a government had tried and failed to achieve at one stroke by official means, was accomplished by the patient work of a group of private individuals. This was the work of the International Association for Labor Legislation.

The Association was founded as a result of an international congress on labor legislation held at Brussels in 1897. This congress was attended by representatives who were eminent in the French and German intellectual world. There was lively discussion on questions of principle. Since, however, the congress was unable to reach decisions on the questions on its agenda, a committee of three members was elected by the supporters of labor legislation in order to "give effect to the congress." This could only be done by setting up an international association, and the statutes of the Association were accordingly adopted at another congress on labor legislation held at Paris in 1900. The constituent assembly which was held in the following year at Basel founded an International Labor Office in that city which received considerable subsidies from all governments.[4]

It is easy to realize why the Association was a success. It consisted entirely of men who really believed in their work and were convinced that they were serving a lofty aim which would benefit humanity. Questions of personalities, of nationality, party, and religion were intentionally put aside. All concerned worked with the idea of forwarding the aims of the Association rather than of achieving personal success. Many of the members were men of great experience, former ministers or high officials at the head of important administrative de-

[4] See Chapter II for a description of the organization of the International Labor Office and its relations with governments. This early I.L.O. at Basel must be distinguished from the present I.L.O. at Geneva.

partments or holding political offices. There was also a certain number of employers, workers and politicians. It is not without interest to note that the great trade-union organizations, with the exception of the British trade unions, which sent a delegate from time to time, held aloof from the Association. The German Social-Democratic movement expressed its sympathy with the Association but stated that it preferred not to take any direct part in its work. On the whole, therefore, the Association consisted of middle-class reformers who were sympathetic to the working classes.

One of the reasons for the success of the Association was the method which it followed. The lessons of the Berlin Conference were not forgotten, and instead of trying to deal all at once with a wide program covering the whole of labor legislation the Association preferred to select limited subjects—those which were likely to call forth the least resistance—and to have them studied thoroughly. National sections were formed in most industrial countries. They came in the end to number fifteen. It was the duty of each of them to study whatever question was placed on the agenda, to carry out the necessary inquiries and consultations in its own country, and to communicate the results to the general assembly.

Subsequently, the final texts which were to be submitted to governments were drawn up by the assembly of delegates, first of all in committee and afterwards in full sitting. The discussions were carried on with admirable prudence and moderation, even by the most ardent, and with firmness and decision even by the most timid.

When, in 1901, at Basel, the time came to choose the first subjects to be dealt with, two were selected. The first was a measure of legal protection in the strict sense—the prohibition of night work by women. This principle was already laid down in a large number of legislative enactments. The second subject related to the regulation of industries injurious to health. White phosphorus and white lead were brought up first. But, not to jeopardize success, the question of the use of lead in industries was finally allowed to stand over.

A special committee which met at Basel in 1903 drew up two memoranda justifying the proposals to be made to governments. The Swiss Federal Council agreed to invite the governments concerned to take part in an international conference. Hardly had the memoranda been

sent out when letters agreeing to the principle began to reach Berne.

Even before this conference met, however, governments had already begun to conclude bilateral international labor treaties. The earliest of these was the Franco-Italian treaty of April 15, 1904. It may truly be said that the idea of this treaty originated in the International Association for Labor Legislation. It was there that the two negotiators, Signor Luzzatti, Italian Minister of Finance, and Arthur Fontaine, Director of Labor of France, first came together. When M. Fontaine addressed the Association at Basel on the provisions of the Franco-Italian treaty, he was simply paying a tribute to the work which the Association had been doing for the past three years. A number of other bilateral treaties were subsequently concluded on the model of the Franco-Italian treaty.

The Labor Conference of Berne was held in two successive stages. A preliminary conference took place in 1905. This was a meeting of experts; the delegates of the various governments were not plenipotentiaries, and it was understood that they would not conclude conventions but would simply lay down bases for two conventions. These bases were made use of by the conference held in 1906 for the drafting of final conventions which were drawn up by professional diplomats.

The Berne Conventions (1906)

The symbolical value and moral effect of these Conventions was enormous. The Berlin Conference had shown that international labor conventions were possible. The Berne Conference demonstrated how they could be concluded.

In the first place, careful preparation by experts—the International Association concerning itself with the general studies, the preliminary conference of directors of labor with the preparation of the drafts—was absolutely necessary. The diplomats were to take part only at the final stage.

In the second place, the subjects with which the Conventions were to deal had to be carefully chosen because, even where differing national legislation was in agreement in principle, there were still numerous differences of detail which it was difficult to harmonize.

Finally, the discussions which took place at Berne in 1905 and 1906 showed how acute was the opposition between country and country when questions of industrial competition were at stake.

The two Berne Conventions were not of equal importance. The Convention prohibiting the employment of women during the night affected about a million women in twelve industrial States of Europe, which could also legislate for their colonies. It dealt with an important element in the protection of the worker, namely, hours of work. Moreover, it applied to the female sex, which was at that time covered by protective measures which were, generally speaking,[5] accepted by all. The Convention prohibiting the use of white phosphorus [6] in the manufacture of matches applied only to a small number of workers in a small number of industrial undertakings which were everywhere already under supervision. It dealt with a question of industrial hygiene, on which, although it had long been controversial, there was by then no difference of opinion; though everyone agreed that phosphorus necrosis was a terrible disease, it had long been believed that it could be prevented by strict regulations. The importance of the two Conventions from the international point of view thus differed considerably.

At the time when the Convention calling for the prohibition of night work by women was signed, national legislation in Austria, France, Germany, Great Britain, Italy, the Netherlands, and Switzerland had already prohibited such night work. Of the States which were represented Hungary, Portugal, Sweden, Denmark, and Belgium had laid down no such prohibition. It was obviously the object and the effect of the Convention to induce those States to adopt the same measures as the others. The object was to bring about uniformity with a view to the equalization of costs of production, and also to standardize legislation on the subject, since the methods of applying the prohibition were widely different and the number and nature of the exceptions very various.

The adhesion of the "backward" States was obtained by giving them a long period within which to carry out the prohibition: e.g., twelve years for worsted spinning, an industry which was of special interest to Belgium.

The Phosphorus Convention at first appeared to be a failure. In 1905

[5] The propaganda of extreme feminism had not at that time reached the pitch which it has today. Ratification of the Convention was, however, rejected the first time it was proposed in the Swedish Parliament; while Denmark, which had only signed with reservations, never ratified the Convention owing to feminist opposition.

[6] See Appendix 14.

Great Britain, Sweden, Austria-Hungary, and Belgium had refrained from signing the bases of the Convention for various reasons, the chief of which was that they did not wish to sacrifice an exporting industry. Several countries made their adhesion conditional on that of Japan, which was their principal rival in the Far East. In 1906, as the adhesion of Japan had not been obtained, they maintained their position. The Conference was, however, unwilling to content itself with recording failure and accordingly the Convention was signed by Germany, the Netherlands, and Switzerland, which had already prohibited white phosphorus; France, which for years past had ceased to use it in the government manufacture of matches; Luxemburg, which does not manufacture matches; and Italy, the only country for which the prohibition represented an innovation.

The opponents of labor legislation threw scorn on the Phosphorus Convention. Soon, however, it began to be accepted and applied in a large number of countries. In 1905 and 1907 the occurrence of several cases of phosphorus necrosis aroused great public attention, and this led the British Parliament, on December 21, 1908, to prohibit white phosphorus. This example was soon followed by Austria, then by Spain, and then by Hungary. In 1920 the Dutch Indies closed the principal market for such matches. The result is that at the present day, thanks to the Recommendation adopted by the Washington Conference in 1919, the Phosphorus Convention is the one which has secured the largest number of ratifications (thirty-one), and consequently has the widest geographical scope of application.

The two Berne Conventions represented a real innovation in international labor legislation. The intrusion of what was called "state socialism" into international law was made a matter of much discussion. The principal result was to make the International Association for Labor Legislation redouble its efforts. At its instigation another preliminary conference of experts met at Berne in 1913 and drew up bases for two new conventions, one to limit the hours of work for women and young persons and the other to prohibit night work of young persons. The final conventions were to be voted by a conference of diplomats which was to meet in September 1914. Before that time, however, the World War supervened.

From the point of view of the development of international labor

legislation, the Berne Conferences provided valuable experience. Two points should be noted in this connection. The first is the question of sanctions. In 1906 Mr. (later Sir) Herbert Samuel proposed that a committee should be set up to supervise and control the carrying out of conventions. The proposal was lost through the opposition of Germany, but eight States signed a resolution favoring the future adoption of such a measure.

In the second place, difficulties arose concerning the time at which the conventions agreed upon were to come into force, owing to the fact that not all the signatory Powers had deposited their ratifications with the Swiss Government by the date fixed for the closing of the protocol for the deposit of ratifications. Certain States maintained that they were therefore no longer bound.

But these two setbacks were made to bear good fruit when the constitution of the International Labor Organization was drawn up. For in that constitution there was included machinery for sanctions and also a simpler and more practical procedure for the ratification of conventions.

The Principles of International Legislation

The term "international labor legislation" is currently used today to describe the body of conventions accepted by a greater or smaller number of States and laying down legal rules on labor questions. The term is not, strictly speaking, inaccurate, since any legal system may be called legislation. It should, however, be noted that the whole system rests on conventions accepted by the parties concerned.

It may be asked why States came to feel a need of reaching agreements on common rules, and what is the nature and scope of the legislation which those rules constitute? In order to understand this, it must be remembered what are the underlying reasons for all national labor legislation.

Why, it may be asked, did the British Parliament in 1802 pass an Act to protect the health and morals of children employed in factories? [7] It was due to the fact that public opinion was shocked by the terrible conditions which were found to exist among the so-called "apprentices" of Lancashire. Why was a law necessary? Because it could not be taken for granted that the development of morality, or that moral and reli-

[7] 42 George III, C. 73, Health and Morals of Apprentices Act, 1802.

gious persuasion exercised on employers would ever prevail over their pecuniary interests. If it was desirable that all of them should observe the rules laid down for health and decency, those rules had to be made compulsory. Otherwise a single recalcitrant employer might prevent all other employers from doing what they should.

All labor laws have been adopted for the same reason. All of them represent a strengthening of the public conscience, since they impose compulsory regulations, prohibitions, and restrictions on the private interests of manufacturers, in the interest of what are regarded as higher considerations: the life, health, safety, morals, and liberty of the workers. Whether the laws deal with the age of admission to employment, the protection of young girls or of motherhood, industrial regulations to prevent accidents or occupational diseases, social insurance of all kinds against sickness, accident, disability, old age and unemployment, the limitation of the working day or week, or the regulation of wages in certain cases, the need for legislation arises from the union of two social postulates—the requirements of public morality and the administrative necessity for compulsion.

Labor legislation, however, represents, directly or indirectly, a charge on industry, and this results in an increase in costs of production. In the early days, when, for example, the first laws regulating the work of children and women were under consideration, the general interest was regarded as so much more important than the particular interests of the employers that the legislators took no account of the latter. Thus, in the famous debates in the British Parliament which preceded the Act establishing a ten-hour day in 1847, it was scarcely ever put forward as an argument that the increase in costs of production would handicap British industry on the foreign market. The line which Macaulay took in his famous speech was that the health and morals of the workers and family life were of the utmost value to the nation and must be preserved.

As international trade developed, however, the objection of foreign competition began to be put forward as an argument against all new labor legislation. The objection produced two effects. In the first place, it tended to hinder the development of national legislation, and in the second place it provided a motive for international action.

It has already been pointed out that even in the time of Daniel Le-

grand this objection was realized and that international conventions were proposed as a means of overcoming it. The same objection was frequently put forward at the Berlin Conference and throughout the discussions of the International Association for Labor Legislation. It must be admitted that it served principally to hinder the adoption of new legislation. It was, however, an objection which sooner or later legislators began to disregard. The first British measures dealing with the work of women and children, with hours of work for women, and, later, with the trade unions, the first protective measures adopted on the Continent, and social insurance legislation were not made dependent on the adoption of similar legislation by foreign countries. Considerations of morals, human dignity, and humanity within the nation prevailed.

In proportion as international competition became more intense, however, the objection gained in force, and it may be said to have more force than ever today. At the International Labor Conference and in the Governing Body of the International Labor Office the employers of advanced countries, where social charges on industry are heavy, are more and more frequently heard to criticize the governments and employers of less advanced countries for the advantages which they derive from "unfair" competition. Employers have often opposed international conventions on the ground that the United States was not a member of the International Labor Organization.

The question is a complex one, for it is difficult if not impossible to compare costs of production internationally. It is often forgotten that there are certain compensations for the direct charges imposed by labor legislation. A working class which enjoys suitable protection should be more efficient than one which does not. In any case, its social value is greater. These are, however, things which cannot be measured.

What is certain is that the consideration of costs of production and of equality in competition is playing an increasing part in the problem of labor legislation. The present proposals to reduce hours of work go a great deal further than anything hitherto considered and can only be discussed internationally.

The exigencies of the economic struggle are thus increasingly affecting a matter which was at first simply one of social ethics. It must not, however, be thought that the latter consideration has lost its vitality.

On the contrary, the fact that States are adding new subjects, such as that of forced labor, to the subjects previously dealt with by labor legislation, shows that the public conscience is more active than ever.

Thus, when the Preamble to Part XIII of the Treaty of Versailles says that "the failure of any nation to adopt humane conditions of labor is an obstacle in the way of other nations which desire to improve the conditions in their own countries" it is not alluding solely to the objection of foreign competition but also to the force of example and the spread of humanitarian ideas.

There is another consideration which militates in favor of international labor legislation. Every State which has a system of such legislation wishes to have it consolidated and its permanence assured. When France and Italy signed the first labor treaty in 1904, France laid down practically nothing for itself; but it demanded, in order to safeguard its own legislation by an international undertaking, that Italy should make certain progress in labor legislation.

The Washington Convention of 1919 provides another striking instance. There can be no doubt that, but for it, the national measures establishing an eight-hour day in many countries would have been repealed or modified. There was a difference in this respect between those countries which had ratified the Convention and those which had not.[8] Moreover, the impulse towards progress in the protection of the workers which is given by the existence of international legislation should not be underestimated. The progress which is made in the more backward countries has constantly been noted ever since the International Labor Organization was set up. There has also been progress in the more advanced nations, where the measures which have been consolidated in this way serve as a starting point for further progress.

To sum up, international labor legislation is based on the same principles as all national legislation—the moral demands of public opinion and the need for legal compulsion. In a sense such legislation has the same functions as law in general. The purpose of law is to make order prevail in a community. Respect for human life and the preservation of balance in the relations between citizens—such is the main principle

[8] This applies, for example, to Belgium, where the attempts made to have the Act of June 14, 1921, revised failed owing to the existence of the Washington Convention. In Great Britain, on the other hand, the Lancashire employers in 1932 proposed that their workers should return to the 56-hour week.

of law in general. Labor legislation serves no other purpose. Some have said that it is the finest and purest creation of modern law. The fact that it is assuming an international form at the present time is due to the fact that the nations are more and more coming to form a close and coherent society.

It will perhaps be asked why international labor legislation takes the form of conventions. The reason is that up to the present there is no other means of legislating between one State and another. The League of Nations is not, up to the present at any rate, a super-State. It has no *imperium;* and we are still very far from the time when the "sovereignty" of States will cease to be adduced as a reason for failing to follow injunctions or recommendations. When, at the Commission on Labor Legislation of the Peace Conference, it was proposed to give the Labor Conference something resembling legislative powers, it was finally found necessary simply to adopt a pious resolution which events do not appear likely to realize.

It may also be asked why States do not attempt to bring about unification of their legislation as they do in other spheres. Attempts to unify private law have been made. Important conferences for this purpose have been held at The Hague from 1904 onwards and the codification of international law is one of the items on the program of the League of Nations.

The ultimate purpose of international labor legislation would, of course, be achieved if all national legislation became identical. This, however, is not a practical possibility. It is inconceivable that identical conditions of labor can prevail in all latitudes and under all the varieties of social organization which exist in the world. Part XIII of the Treaty of Peace rejects any such Utopian idea, since it twice states, in Article 405, paragraph 3, and in Article 427, that conventions shall have due regard to differences due to climate, the imperfect development of industrial organization, habits and customs, economic opportunity, and industrial tradition. This means that the aim in view is not absolute equality between legislations but rather equivalence.

It is for the same reason that international labor legislation simply lays down the minimum standard below which men should not be allowed to fall if they are to live as civilized people should.

An economic objection has been put forward in connection with

unemployment insurance which may be made more general and applied to the whole field of protective legislation. If a minimum below which, in the last resort, wages may not fall is fixed, the result, it is said, is to prevent the machinery of prices from acting and adapting production to consumption, with the result that the depression becomes more acute. Even supposing this is so—though it is by no means certain that it is—the answer is that such are the requirements of civilized life. It can no longer be admitted that the free play of private interests should cause little children or men and women to be made to work until they are exhausted. Certain humanitarian guarantees have become fundamental postulates of human society, and all history shows that this minimum of necessary guarantees is imposing itself on an increasing number of communities and is spreading everywhere. Surely it is not too much to say that this means that civilization itself is making progress.

The Negotiations in Paris and the General Field

When the Conference on the Preliminaries of Peace opened at Paris in 1919 an important development had occurred in the state of public opinion on the question of international labor legislation. The organized workers did not merely interest themselves in the matter; they were determined to collaborate actively.

It was shown above that, although the great workers' organizations expressed their sympathy for the work of the International Association for Labor Legislation, they nevertheless held aloof from it. During the War, however, there was a certain *rapprochement* between the classes. In all the Allied countries the working classes helped towards victory by the work they did in the manufacture of munitions. In recognition of this, promises were made to them by statesmen—by Mr. Lloyd George in Great Britain and by M. Clemenceau in France.

The initiative came from America. In September, 1914, the American Federation of Labor, meeting at Philadelphia, adopted a resolution calling for a meeting of representatives of organized labor of the different nations in connection with the future Peace Conference

> to the end that suggestions may be made and such action taken as shall be helpful in restoring fraternal relations, protecting the interests of the toilers and thereby assisting in laying foundations for a more lasting peace.

The resolution, which was reaffirmed at San Francisco in 1915 and at Baltimore in 1916, was transmitted to all the principal trade-union organizations and did not fail to produce an effect.

The Inter-Allied Trades Union Conference, which met at Leeds on July 5, 1916, was quite as emphatic and more definite in its demands. It expressed the hope that the Treaty of Peace would place a minimum of guarantees for the working classes beyond any danger from competition; it urged that an international commission should be set up for the supervision of the labor clauses of the Treaty and to prepare for subsequent conferences of governments for the development of labor legislation. It also asked that the Labor Office created by the International Association for Labor Legislation at Basel should be made into an official International Labor Office.

Similar resolutions were adopted at successive workers' congresses in 1917 and 1918, both in the Allied countries and in those of the Neutral and Central Powers. It had become clear that the organized labor movement had come to regard the progress of labor legislation as one method of organizing peace.

This is not the place to describe the work of the Paris Commission,[9] an account of which is given in the pages which follow. It may perhaps not be inappropriate, however, to say that the outcome of the Commission's labors, the International Labor Organization, has entirely fulfilled the hopes of those who had for so many years been working for the progress of international labor legislation. Thirty years ago none of them could have hoped for such a realization of their ideas. The Organization is, no doubt, far from perfect; many of its institutions require improvement and reform; the ardent enthusiasm which characterized its creation and its early work has not been maintained at the same level. On the whole, however, it cannot be denied that the institution which was created at Paris has done what it was set up to do. All the necessary machinery for the promotion of civilizing and humanitarian work which was then conceived is provided by the International Labor Organization.

[9] The full title of this body is "Commission on International Labor Legislation" of the Paris Peace Conference. It is also referred to subsequently in this volume as the "Labor Commission."—Ed.