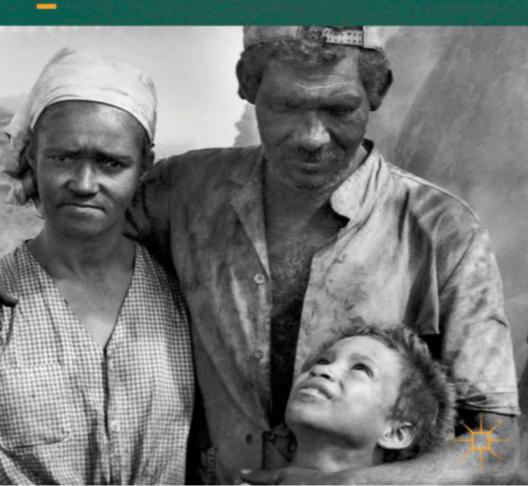EDITED BY SANDRINE KOTT
AND JOËLLE DROUX

GLOBALIZING SOCIAL RIGHTS

THE INTERNATIONAL LABOUR
ORGANIZATION AND BEYOND

Globalizing Social Rights

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The International Labour Organization and Beyond

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Preface

Created by the Treaty of Versailles in 1919, the International Labour Organization is approaching its hundredth year of existence. To prepare this exceptional moment for an international organization, the Director-General, Juan Somavia, decided to set up a specific project, the ILO Century Project. The objective was threefold: to improve significantly the knowledge on ILO history, to develop a historical awareness within the organisation, and to reach out a broader public worldwide.

In relation to the knowledge development component, this meant to go well beyond the traditional institutional narrative and adopt new perspectives on ILO history. This was done by developing a close collaboration with the academic community to encourage research asking new questions, investigating new geographical areas, and using various methodologies and historical sources. A very productive dialogue was established with the academic world, and the Century Project has rapidly developed a wide network of institutions and individual scholars.

The Project benefited from a very favourable climate, especially among historians, as 'global' or 'transnational' history has become in recent years a major trend in historiography.

More and more historians, questioning the paradigm of the nation-state, are keen to investigate the complex relations and interactions between the national and the international level and to focus on the global circulations of ideas, practices and people. In that context, international organisations are increasingly considered to be particularly fertile fields of study. This is particularly true for the ILO with its long history and its tripartite structure, where not only governments but also employers' and workers' representatives are involved. This growing interest of historians and the richness of their approaches led the ILO setting up jointly with Palgrave Macmillan the ILO Century Series, to encourage such researches and provide an adequate framework for the publication of the most relevant scholarly works.

This book, edited by Sandrine Kott and Joëlle Droux, both historians at the University of Geneva, is the second volume of the series.[1] It brings a totally new perspective to ILO history by applying, in various areas related to the activities of the organisation, the approach and methods developed by transnational historians. By and large, the authors do not take the ILO as a self-sufficient actor pursuing its social policy objectives on the international stage; in the various chapters, they go beyond the façade of the organisation to analyse its internal functioning and its interactions with a huge variety of actors involved in a complex interplay between the international, the national and the local level.

This focus on the actors, and not on the organization as an entity, provides a better understanding of the mechanisms and processes actually at work. It shows in particular the essential role in policy definition and implementation played, along with the ILO's constituents, by a series of individual and collective actors: experts, associations, activists, national or transnational networks, 'friends of the ILO', various interest groupings, and outstanding individuals. Throughout the chapters appears a whole web of actors evolving around the ILO and interacting with it in many different ways. The book also points to an important aspect, the real room for manoeuvre of ILO officials in setting the policy agenda and influencing debates on social issues, even against the interests of their nations of origin (in relation to this, the issue of forced labour in the European colonies during the interwar period is a particularly striking example).

The role and activities of the ILO are usually described through the three main means of action of the organization: standard-setting, technical cooperation and research. Here the scope is broadened, and the ILO is also portrayed as a forum where ideas and expertise circulate and are exchanged, where policy options are discussed and confronted, and where social models emerge and are promoted. In addition, the book provides interesting insight into the complex process through which such models are or can be disseminated. Interestingly, two chapters (16 and 17) adopt a different angle on that aspect and analyse the very successful international promotion of a new model on pension issues after the mid-1970s, radically different from the previously dominating ILO model.

Finally, all the chapters lead to the overall conclusion that the influence and impact of an international organization like the ILO cannot be judged from the result of its own direct action alone. In the examples analysed here, it appears that a crucial element is the capacity to influence national debates and to strengthen national actors in their efforts to improve social and labour rights. Ultimately, this book shows that the influence of the ILO depends extensively on the capacity of national actors to make its standards and policy recommendations prevail on national stages.

The ILO is often portrayed as an organization lacking 'teeth', as it has not the direct means to enforce the international legislation it has developed and is promoting. This book tells a different story. The 'teeth' of the ILO are in fact mainly in the web of actors sharing its values and objectives; its influence largely depends on them, on their strength or weakness, especially at the national level, where social and labour rights are actually implemented.

This book sheds a new light on the mode of operation of an international organization and its involvement in policy formulation. Beyond the ILO and international organizations, it provides unique insights on the current globalization process and the possible ways and means for developing new forms of global governance. In the preface to a book about the first ten years

of the ILO, Albert Thomas, the first ILO Director, noted that his colleagues and himself, while covering the recent past, were constantly having in mind the future of the institution; and he added, as a former historian: 'There is no good history without such a concern. History is indeed the science of the future.'[2]

It is under such auspices and with this belief that the Century Project has been launched and the Century Series set up. This volume is a good illustration of what historians can bring to a better understanding of the time and of the opportunities it contains for policy development. It convincingly supports the idea that the combined action of a wide variety of actors, at the local, national and international level, could lead to the establishment of a critically needed social component in the emerging global governance system.

Emmanuel Reynaud
Director of the ILO Century Project, 2009–2011

Notes

1. The first volume of the series is a study of the role of the ILO during the core phase of decolonization: Daniel Maul: *Human Rights, Development and Decolonization. The International Labour Organization, 1940–1970* (Basingstoke: Palgrave Macmillan, 2012).
2. *Dix ans d'Organisation internationale du Travail* (Geneva: ILO, 1931), p. xi (our translation).

Acknowledgements

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Introduction: A Global History Written from the ILO

Sandrine Kott and Joëlle Droux

More than a history of the ILO, this book aims to map out a global history written from the perspective of the ILO, following the trend towards the 'globalization' of both the themes and practices[1] of history as a discipline, for which the international organizations – and the ILO in particular – are especially fertile fields of study.

History, in the sense of the science of the past, has always developed in a dialogue with the present. Global historians are no exception: they scrutinize and analyse the past in order to explore the phenomena of globalization/internationalization,[2] how they operate and what their limitations are in today's world.[3] In order to do this they first of all have to expand their area of reference. Nations, regions and villages continue to be relevant units for the global historian, of course, but they are viewed in terms of their relationships with other areas, with a new focus on connections and circulations, which tend to be neglected in a strictly monographic context. It is possible to try to unpick the complicated web of these circulations and identify 'circulatory systems';[4] it is also possible to seek the global in the local itself, by working on the processes by which local and/or national situations are becoming internationalized, or on the mechanics of internationalization itself.[5] In every case, international organizations make ideal monitoring centres. Although this field used to be largely the preserve of political scientists and specialists in International Relations,[6] historians have recently started to take an interest in international organizations,[7] as agencies generating knowledge rather than as agents of global diplomacy. They consider them as forums where international flows take place and are interested in how 'international bureaucracy'[8] coordinates, organizes and even drives these circulations. Furthermore, even though they are places where national sovereignties are asserted or even constituted, these organizations can also, paradoxically, be studied as internationalizing machines.

This is the approach taken to the ILO in the contributions gathered in this book. As the oldest organization in the UN system, the ILO provides

an ideal centre from which to study these internationalization processes, thanks to its longevity, its tripartite structure and the wide range of fields in which it operates.

In addition, studying globalization with the ILO as our vantage point also shifts the usual angle of approach which sees the economy and the market as the forces driving internationalization, whereas the development and implementation of social protection as a guarantee of social rights are viewed as something for which the national states alone are responsible.[9] Approaching globalization through the ILO and social rights is thus a different way to investigate it.

What also makes the ILO so attractive to historians is that it has, from the outset, had a real passion for history. This was perhaps down to the personality of its first Director. Albert Thomas, himself a historian,[10] quickly realized how to use history as a way for the ILO to acquire knowledge, develop self-analysis and also gain legitimacy.[11] This awareness of history has had two fortunate consequences for historians. Whereas in the other UN organizations (except for UNESCO) entire documentary collections have been, and still are being, systematically destroyed, the ILO's archives, which include the correspondence of members of the International Labour Office, minutes of meetings such as those of the committees of experts, mission reports, preliminary survey results, and so on, have been invaluably preserved. They allow us to piece together the patient work of the Office's staff and the people and networks with which they were in contact, and they also shed light on deadlocks and clashes which the published minutes of the International Labour Conferences or the Governing Board meetings do not reflect.[12] The creation of the Century Project for the ILO's 100th anniversary, at the instigation of its then Director-General Juan Somavia, shows that there is still the same interest in history as an instrument of knowledge, cohesion and promotion.[13] Emmanuel Reynaud, the Century Project's director at the time, provided vital support in organizing the symposium that led to this book.[14] The symposium, organized by Sandrine Kott (University of Geneva and Swiss National Science Foundation) and Isabelle Lespinet-Moret (University of Paris X), was held in May 2009 in Geneva, at the University and the International Labour Office. The papers in French were assembled by Isabelle Lespinet-Moret and Vincent Viet in a volume which appeared in 2011.[15] This second volume deals with the following questions: to what extent can the ILO be used as a forum for monitoring and analysing globalization/ internationalization mechanisms? What can we learn about globalization if we approach it from the point of view of social rights and the ILO?

These questions will be examined in three sections, underlining the narrow bounds within which social rights can be globalized (1: the ILO and the emergence of international social standard-setting), developed (2: at the interface between the national and the international) and maintained (3: support and competition in the global arena).

Becoming a global player in order to develop international social standards

Because it is the only constituted organization in the UN system which survived the Second World War, the ILO offers historians document series going back almost a century, enabling them to shed light on what endured and what came to an end, and to identify periods of internationalization that were more or less favourable (the 1980s, described by Orenstein [Chapter 16] and Leimgruber [Chapter 17]) to the expansion of the organization. Its long history also means that we can analyse how it came to develop an international expertise that was subsequently passed on to the other UN organizations after the Second World War. The articles in this volume each examine, in their own way, how this expertise emerged and took root, with a particular focus on the work of officials and experts.

This choice was determined by the historian's passion for archives, unique documents that enable us to examine official statements on the basis of the facts, by looking at how they were drawn up. This naturally leads the historian to re-evaluate the role of the actors who produced 'their' archives, in other words the international officials in the secretariats (the International Labour Office in the case of the ILO) and the external actors with which they had links.

Alongside the work on the ILO's 'leading figures' and directors,[16] its officials, experts and intermediary decision-makers are key players in most of the contributions to this volume. Such studies add to the large prosopographical pool which has come to define the figure of the international civil servant, who today appears to play such a crucial role in the internationalization of contemporary social policies and intervention models.[17]

These players shine a light on the internal workings of the entire organization, in particular the underrated role of some of the intermediary groups – specialist sections, standing committees, correspondence committees – and their gradual institutionalization, but also the unstable nature of some of them, such as the changing relationship between the International Cooperative Alliance and the ILO, examined by Henrÿ in Chapter 6.

By looking at the work of the Office's officials and the experts, the contributions to this volume provide insight into how the ILO has functioned as a producer of knowledge and international social standards. The work is very much in line with the long process of turning the social field into a science that has continued since the last third of the 19th century,[18] illustrated in this volume by the 'invention' of unemployment (Liebeskind, Chapter 4), or the reclassification of silicosis as an occupational disease (Lengwiler, Chapter 2). This process of turning the social field into a science was helped and supported by the international circulation – at that time mainly in the west – of information and knowledge in various fields such as social insurance, combating unemployment and protection at work.

A number of contributions highlight the role played here by certain actors as an interface: facilitators such as Delevingne, administrators such as Thomas, experts such as Varlez. They embodied and ensured the continuity of reforming projects and practices around the turn of the 20th century.

The birth of the ILO in 1919 and the subsequent production of Conventions and Recommendations provided a sort of institutional umbrella for the 'epistemic communities' that had developed around the sharing of knowledge and expertise from the last third of the 19th century.[19] This distillation of international social knowledge enabled the ILO to become a 'standard-producing agency'[20] in a wide range of fields such as the regulation of working time (Van Daele, Chapter 11), child labour (Droux, Chapter 15) and working women (Natchkova and Schoeni, Chapter 3), to mention just a few of the issues covered in this volume. It is, of course, difficult to measure how far this normative work resulted in actual 'international standards', but the fact that the Conventions and Recommendations were disputed on various international stages in a way underlines how widely disseminated and successful they were.[21]

On a more fundamental level, through discussions launched within or on the fringes of the organization, various actors associated with the ILO defined the limits of acceptable forms of work, which were set out in Conventions such as on the regulation of colonial forced labour in 1930 (Daughton, Chapter 5) and the abolition of forced labour in 1957,[22] right up to the 'decent work' agenda of the 2000s.[23] The legitimacy of the expert reports produced by the ILO also made it a recognized reference in certain fields such as unemployment, for which the definition and statistics produced by the International Labour Office quickly became the global standard, and also migration,[24] or the large-scale public works policy of the 1930s advocated by the International Labour Office in the discussions of the Depression Delegation (Clavin, Chapter 13); or, more recently, the World Employment Program of the 1970s, which proposed and promoted models for full employment policies.[25] Social insurance was another field in which the ILO developed an international social security/insurance model from the 1920s onwards, internationalized in the 1952 Convention[26] and disseminated until the 1980s.

This internationalization of standards developed between the two world wars by the industrialized countries of Western Europe was very largely achieved by exporting them through the technical aid programmes set up in the 1930s in central Europe, the Balkans and Latin America (Pernet, Chapter 14). The present volume sheds new light on this field too, showing how this process of transferring and implanting the international standards introduced by the ILO led to the emergence of a new type of technical expert or international technocratic class (Guthrie, Chapter 7). This area of activity was further developed in the period after the Second World War, whether as part or on the fringes of the expanded programme of technical assistance set

up by the UN in 1949, or as a counterpoint to other international agencies involved in development policy, such as the World Bank. However, the ILO came to realize the limitations of standards based on a productivist ideology and promoted by the most economically powerful countries.[27]

At the interface between the national and the international

The development and dissemination of these international norms did not solely depend on the existence of 'epistemic communities' and the sharing of global expert knowledge, but were primarily based on complex inter-changes between local, variously influential groupings and the ILO. The chapters in this volume show that this dialectic relationship lies at the very heart of the internationalization mechanisms.

The work of the ILO relies on being able to collect information at national level, and the organization's founding act specifically stipulated that it should endorse this role of international library. Conventions and Recommendations are themselves developed on the basis of data collected through questionnaires sent to the various national civil services. The intermediate reports drawn up by the Office's officials with the help of the expert committees are validated by those same national bodies before being discussed at the International Labour Conference, where the tripartite repre-sentations are organized on a national basis. In all these interchanges, some national and international officials play a vital intermediary role, as was the case with the British officials Butler and Phelan (Hidalgo-Weber, Chapter 1) or the Americans Miller and Altmayer (Jensen, Chapter 10).[28] The branch offices, whose role is clearly described in the contributions by Gallo and Van Daele on Italy and Belgium (Chapters 9 and 11),[29] here act as genuine interfaces.

Although these early international officials were helping to develop global knowledge, they were in many ways intellectually and politically dependent on the national societies in which they had been trained. The Office's officials generally came from their national civil services, often the Ministries of Labour, and whether or not they were seconded, they continued to maintain close ties with them. The experts recruited to carry out special tasks in the committees had jobs in their own countries and were selected by agreement with their government. Although technical ability played a part in their recruitment, they were also chosen for their ability to act as intermediaries between the national and international stages. The political influence they could wield in their home countries was vitally important, particularly as far as ratifications were concerned. The debate surrounding the 1930 Convention on colonial forced labour analysed by J. P. Daughton (Chapter 5) clearly shows the ambiguous position of the international experts in these interchanges. Selected by their governments from among the colonial administrators, they helped to draw up the questionnaire sent to govern-ments on which the 1930 Convention would be based, and they were careful

to ensure that the text could not in any way lead to condemnation of their home country's colonialism or government.[30]

This case reminds us that at the ILO, as in all international arenas, not all nations are equal, and in specific situations some can play a dominant and more complex role than one might initially think. The British actors seemed to be a driving force in the period when the ILO was being set up, but their involvement was not intended so much to dominate the organization as to restrict its influence. Conversely, the Mussolini government's loud support for the ILO's universalizing ambitions clearly shows how the Fascist leaders hoped to use the international organizations to serve their nationalist objectives: they intended to make the ILO into a forum for promoting their new model of corporatist social management. The case of the USA, which joined the ILO in 1934, is also particularly interesting in this respect. The people behind the New Deal thought they could use it to internationalize their own social model,[31] and the USA indeed appeared to exercise a sort of hegemony over the organization until the late 1960s.[32] However, Jensen in Chapter 10 shows that US actors in the ILO were themselves so deeply divided that America's influence throughout the period can hardly be described as hegemony.

Besides, the ILO, like all international organizations, generally tends to promote national or local solutions which do not necessarily come from the most powerful countries, by setting them up as international models. This was the case, for instance, with pensions in Chile promoted by the World Bank (see Orenstein, Chapter 16), or the 'Norden' welfare state in Scandinavia. In this last case the ILO was even able to act as a platform for exchanges of information, and helped to strengthen cohesion between the Nordic countries, enabling Finland to escape from the USSR's sphere of gravity (Kettunen, Chapter 12). Even when the solutions recommended by these states or regional groups did not end up becoming universal international norms, as was the case with the South American ideas for combating malnutrition described by Pernet (Chapter 14), the ILO's role as a potential forum for national governments to promote their ideas internationally was never questioned.

The ILO as a forum helped affirm Indian sovereignty even before India became independent in 1947, in that the Indian government and social partners were able to send representatives, including to the Governing Body, and also because the Office generated knowledge about India alongside that of the British colonial administration (Herren, Chapter 8). The Andean programme showed that in implementing development programmes designed to speed up the integration of indigenous communities in their respective national economic areas, the ILO strengthened national unity (Guthrie, Chapter 7). The relationships formed between international organizations and nations thus go well beyond the purely diplomatic and are both dynamic and complex.

Lastly, it is also crucially important to consider the national level when attempting to assess the influence of the international organizations. A simple way of measuring the ILO's influence has often been to count the number of countries which have ratified the Conventions. This accounting method is far from satisfactory since it does not take account of what ratification means in practice in the various local contexts, or of the debate generated both before and after adoption of the Convention. Yet it is precisely these debates which have the greatest influence on national societies and politicians, as was shown by the debate surrounding colonial forced labour, or the influence which the 1919 Convention on the eight-hour day had on Belgian legislation, even though the government did not ratify it (Van Daele, Chapter 11). The Conventions were also taken up by some national players and used as a tool to pressurize national governments in negotiations. This was the case with the first Convention on the eight-hour day in Germany between the wars, and the 1948 Convention on freedom of association for Polish trade unionists in the 1980s.[33] Conventions are useful in that they strengthen actors' demands by placing those demands on an international footing, while failure to comply with Conventions can threaten governments' international credibility. It is through this two-way process between the Organization and the national level that the work on Conventions can facilitate or even guarantee the development of social rights.

The present volume expands our knowledge of these links and complex practices that unite national states and universal organizations, and suggests that we need more studies focusing on continents that are still marginal in current historiographical research. Africa, Asia, the Arab world, as well as eastern and southern Europe, are all areas whose links with the ILO would be worth exploring in more detail.

Support and competition in the global arena

The ILO's ability to develop and disseminate the international standards it produces relies on its intermediaries and supporters at national level and also on its ability to mobilize or even create a sort of global public opinion supported by networks of international actors.[34] From the moment it was set up, the ILO has been in an unusual and privileged position because of its tripartite structure, which brings together representatives of governments, trade unions and employers. On a number of occasions, particularly during the 1920s and then in the Second World War, the social partners working within this tripartite structure played a decisive role in maintaining or developing the organization. Tripartism also made it easier to integrate certain countries such as those in northern Europe, as we can see from Kettunen in Chapter 12, which particularly stresses the role of the employers' representatives in this process. It has its limitations, however. In 1960, Gunnar Myrdal, a Swedish social-democrat economist, saw tripartism as a sort of hangover

from a liberal view of industrial relations which did not take account of the growth of the public sector in Europe after the Second World War.[35] This criticism, already voiced by representatives of the socialist countries and some developing countries like India in the 1950s, had an impact on the organization. It helped to redefine the concept of 'employers' in the 1950s, which now included employees in management positions, underlining the new direction that management had taken in the capitalist, state-controlled economies.[36] More recently, growing awareness of the importance of the informal sector has led to questions about how representative the trade unions are. Yet this issue, which has arisen on various occasions, is almost as old as the organization itself.[37] It was debated in the 1920s, when the Fascists came to power in Italy, and then in the 1930s when the USSR joined the ILO and Franco came to power in Spain.[38] As with the employers, the debate on the composition of the workers' representation forced the various components of the organization to think about the meaning of tripartism and changing industrial relations. In the 1920s, for instance, the Fascist trade union representatives launched a debate about the boundaries between neo-corporatism and tripartism (Gallo, Chapter 9), while the growing involvement of eastern bloc countries in the organization's work in the 1950s revived the debate about freedom of association.

While the involvement of non-governmental organizations in the UN system is seen as a vital element in the democratzation of the global system, the tripartite constitution of the ILO may actually be seen as 'revolutionary' (Herren, Chapter 8). However, the Organization's foundations extend beyond the tripartite framework. Alongside the reformist trade unions that were beginning to operate internationally before the First World War,[39] the ILO was from the very outset part of the network carrying on the 19th-century tradition of social reform. The International Association for Labour Legislation, whose archives and library are located at the International Labour Office, was a crucial mainstay here.[40] Social reform and reformist trade unions worldwide were the driving force behind the ILO's creation and survival in the 1920s, but they were gradually joined by a wide range of transnational associations: social Christian networks, humanitarian aid networks,[41] women's networks, networks active in the fields of industrial health, cooperation and many others. Some were set up by the Office,[42] such as the International Social Security Association, which is still today housed in the International Labour Office's buildings in Geneva.[43]

These networks provided vital support for the ILO: as well as helping to promote ratification, they could also be sources of information which the ILO relied on to fill gaps in official data. They could also be useful levers for pressing the Governing Body to start the process of producing Conventions, which the networks would then be called on to help in preparing (Droux, Chapter 15). Lengwiler, in Chapter 2, shows, for instance, that it was the trade unions which urged the ILO to fight to have silicosis recognized as an occupational

disease. The way in which the ILO exchanged information and negotiated with these networks meant that the international legal instruments produced had legitimacy for the various partners involved in drawing them up, as was the case with the cooperative sector examined by Henrÿ (Chapter 6).

These international associations and networks were riven by deep-rooted internal rivalries. Feminists in favour of protective standards opposed feminists who supported the Open Door movement (Natchkova and Schoeni, Chapter 3), the International Federation of Trade Unions opposed the Christian trade unions: just two examples of the divisions which forced the International Labour Office to make constant adjustments and to diversify its allies. When the Belgian reformist workers' movement turned its back on the Convention on forced labour, for instance, the Organization sought support from the Christian trade unions instead (Van Daele, Chapter 11).

The wide range of networks mobilized and the ILO's ability to bring them together clearly show just how flexible it was, and how well it managed to marshal new forces at times when it was expanding. However, it was still bound by its founding principles (justice and the social redistribution of the benefits of growth), and by the collective actors who continued to defend the validity of those principles. These founding principles meant that from the very earliest days it was in conflict or competition with international organizations pursuing different aims, sometimes in the same fields. In addition to the traditional rivalries between organizations jealously guarding their prerogatives, the identification of points on which there was a conflict of ideas defined the cognitive and referential limits within which the ILO operated. On the question of nutrition, for instance, Pernet (Chapter 14) notes that as early as the 1930s there was a clash between an 'accounting' approach (calculating a minimum requirement) and a social approach which was more interested in dividing up the stock of food available. These same types of clashes tended to recur in the ILO's relations with the League of Nations (LON) and various agencies in the international system, and not surprisingly tended to focus on the forms and limits of market economy regulation. The issue was first debated between economists in the LON's Economic and Financial Organization and those at the ILO (Clavin, Chapter 13), but the debate carried on until the 1940s, a period when the free market conversion of many in the US Administration weakened the ILO.[44] This weakened position is later reflected in the growing role played by the OECD in the international debate on social security in the 1980s (Leimgruber, Chapter 17) and the spread of the pension privatization model promoted by the World Bank in the 1990s (Orenstein, Chapter 16).

In parallel with these rivalries, however, the 1920s saw the establishment of permanent or *ad hoc* cooperation mechanisms between organizations which the contributions to this volume explore, giving us a more comprehensive, interconnected view of those organizations. Certain bodies such as the LON's and the International Labour Office's joint committees

encouraged this cooperation. Some periods also provided a favourable context for these collaborations. This was the case, for instance, at the end of the 1930s, when the weakened International Labour Office showed itself to be more receptive to cooperation with the LON's Economic and Financial Organization on the issue of how to define living standards (Clavin, Chapter 13). The ILO's cooperation with regional organizations, pan-American structures (Pernet, Chapter 14) and Nordic organizations (Kettunen, Chapter 12) also illustrates the wide range of sources of inspiration and mechanisms for formulating or institutionalizing social rights that existed at the interface between the sometimes dovetailing, sometimes overlapping national, regional and international arenas.

This introduction has identified some of the themes that run through this book, though there is still plenty of scope for other research on the ILO. In this volume, as in those which have appeared in previous years, insufficient attention has been given to some topics such as development[45] and north–south relations in general, to some periods such as the world wars or the Cold War, some geographical areas such as Asia and particularly Africa, and to the interactions between the ILO and other regional or international players such as the European Communities. But research is ongoing and these areas are already being opened up.

The idea here is not to provide a comprehensive history of the ILO, which it would be futile even to try, but to think about how the ILO can be used to investigate a number of situations and globalization mechanisms relating to the social objectives which the organization promotes.

Compared with the power and size of the global economic and financial markets, the networks which support the ILO and its activities appear fragmented and changing. Only the reformist trade union movement on which Albert Thomas founded the organization's power in the 1920s has remained its most loyal and steady supporter ever since. However, the weakening of that movement since 1943 has presented a threat to the organization and to its very survival.[46] The other elements of the 'global society' that surround the ILO have proved more volatile. The organization has thus largely absorbed the networks of actors which helped to found it, the '*nebuleuses réformatrices*' of the late 19th century and the experts linked to them. The independent networks and associations mentioned in the book have been less substantial and above all less constant partners. The development of regional organizations particularly after 1945 (especially the European Economic Community) further reduced the pool of support on which the ILO could draw, as did competition from other intergovernmental agencies in the field of social standards which the ILO had made its own, such as the UN's Economic and Social Commission. In that sense tripartism, with all its limitations, still appears the surest way to organize a sort of 'global society', albeit a fragmented and highly imperfect one, around the ILO's goals.

In the end, and perhaps paradoxically for a study which seeks to understand what makes globalization tick, the chapters in this volume show that the most solid support for the ILO ultimately lies at the heart of national societies, or at least some of them. This is where it finds the expertise to produce global standards, this is where it finds the people it needs to put/ translate them into practice, and this is where it finds the staff to work on its technical assignments. It is on the national stage where actors can take the global social standards which the ILO has developed and promoted, and make them into social rights.

Notes

1. For an overview see *Journal of Global History* and the programmatic introduction by P. O'Brien, 'Historiographical Traditions and Modern Imperatives for the Restoration of Global History', in *Journal of Global History* (vol. 1, no. 1, 2006), pp. 3–39. See also the special edition of *Revue d'histoire moderne et contemporaine* (vol. 54 bis, no. 5, 2007), *Histoire globale, histoire connectée*.
2. The terms are used interchangeably here.
3. The relationship between past and present is a standard theme, but it has never been so well documented as by M. Bloch, *Apologie pour l'histoire ou métier d'historien* (Paris: Colin, 1974, first published 1949), pp. 44–47.
4. P. Y. Saunier: 'Les régimes circulatoires du domaine social 1800–1940: projets et ingénierie de la convergence et de la différence', *Genèses, sciences socials et histoire* (vol. 71, no. 2, 2008), pp. 4–25.
5. M. H. Geyer and J. Paulmann (eds), *The Mechanics of Internationalism: Culture, Society, and Politics from the 1840s to the First World War* (Oxford: Oxford University Press, 2001).
6. See on this subject the summaries in *International Organization* magazine, published since 1947: http://journals.cambridge.org/action/displayJournal?jid=INO.
7. M. Herren, *Geschichte der internationalen Organisation* (Darmstadt: WBG Wissenschaftliche Buchgesellschaft, 2009). See also the issue of the *Journal of Global History* (vol. 6, no. 2, 2011) with three articles on the history of international organizations, preceded by an introduction by G. Sluga, 'The Transnational History of International Institutions', pp. 219–222. See also the special edition of 'Une autre approche de la globalisation: socio-histoire des organisations internationales (1900–1940)', *Critique Internationale* (vol. 52, 2011).
8. M. Barnett and M. Finnemore, *Rules for the World: International Organizations in Global Politics* (Ithaca: Cornell University Press, 2004).
9. The debate on this subject has taken various forms since the late 19th century. One example is G. Myrdal, *Beyond the Welfare State* (reprint, New Haven: Yale University Press, 1960). Myrdal, a Swedish social democrat, led the United Nations Economic Commission for Europe from 1947 to 1957. He called for progress beyond the welfare state, which he felt was too closely focused on the nation.
10. A. Aglan, 'Albert Thomas, historien du temps présent', *Les cahiers Irice* (no. 2, 2008), pp. 23–38.
11. See in this respect ILO, *The International Labour Organization. The First Decade*, preface by Albert Thomas (Geneva, 1931). See also on this political use of memory at the International Labour Office, S. Kott: 'Kann es transnationale Erinnerungsorte geben? Das Beispiel der International Labour Organisation', in K. Buchinger,

C. Gantet and J. Vogel (eds), *Europäische Erinnerungsräume* (Frankfurt am Main: Campus, 2009), pp. 281–296.

12. We should like to thank Remo Becci, director of the Archives Service, for his outstanding work with the collections and for his encyclopaedic and objective knowledge of the organization to which he belongs. Our thanks also go to René Berthon who is now retired, but whose care and dedication helped many of us with our research.

13. www.ilo.org/public/english/century/index.htm

14. Our warmest thanks go to Emmanuel Reynaud for his constant support and receptiveness, and to Charlotte Beauchamp, in charge of publications, without whom this book would not have been possible.

15. I. Lespinet-Moret and V. Viet (eds), *L'Organisation Internationale du Travail: origine, développement, avenir* (Rennes: Presses universitaires de Rennes, 2011).

16. See in particular for Albert Thomas: B. W. Schaper: *Albert Thomas: trente ans de réformisme social*, (Publications on Social History; 2, Assen: van Gorcum [and others], 1959); D. Guérin: *Albert Thomas au BIT: 1920–1932. De l'internationalisme à l'Europe* (Geneva: European Institute of the University of Geneva, 1996). See also E. Phelan, *Edward Phelan and the ILO: The Life and Views of an International Social Actor* (Geneva: International Labour Office, 2009) and G. Van Goethem, 'Phelan's War: the International Labour Organization in Limbo (1941–1948)', in J. Van Daele et al. (eds), *ILO Histories: Essays on the International Labour Organization and Its Impact on the World during the Twentieth Century* (Bern, New York: Peter Lang, 2010), pp. 314–340. On David Morse, see D. Maul, 'The Morse Years: the ILO 1948–1970', in ibid., pp. 365–400.

17. See, for example, for the International Labour Office, F. Thébaud, 'Réseaux réformateurs et politiques de travail féminin: l'OIT au prisme de la carrière et des engagements de M. Thibert', in Lespinet-Moret and Viet, op. cit. pp. 27–37; on the dominant figures in the Health Organization, see I. Borowy and A. Hardy (eds), *Of Medicine and Men: Biographies and Ideals in European Social Medicine between the World Wars* (Frankfurt am Main: Peter Lang, 2008); for UNESCO, see G. Sluga, 'UNESCO and the (One) World of Julian Huxley', *Journal of World History*, (vol. 21, no. 3, 2010), pp. 393–418; for the HCR, see M. Fresia: 'Une élite transnationale: la fabrique d'une identité professionnelle chez les fonctionnaires du Haut Commissariat des Nations Unies aux Réfugiés', *Revue européenne des migrations internationals* (vol. 25, 2009) pp. 167–190 and the LONSEA database in Heidelberg at: www.lonsea.de.

18. R. Lutz, 'Die Verwissenschaftlichung des Sozialen als methodische und konzeptionelle Herausforderung für eine Sozialgeschichte des 20. Jahrhunderts', *Geschichte und Gesellschaft* (no. 22, 1996), pp. 165–193.

19. On this approach see E. Adler and P. M. Haas, 'Conclusion: Epistemic Communities, World Order, and the Creation of a Reflective Research Program', *International Organization* (vol. 46, no. 1, 1992), pp. 367–390; J. Van Daele: 'Engineering Social Peace: Networks, Ideas, and the Founding of the International Labour Organization', *International Review of Social History* (vol. 50, no. 3, 2005), pp. 435–466; and a critical approach in S. Kott, 'Une 'communauté épistémique' du social?', *Genèses. Sciences sociales et histoire* (vol. 71, no. 2, 2008), pp. 26–46.

20. J. M. Bonvin, *L'Organisation internationale du travail: étude sur une agence productrice de normes* (Paris: Presses universitaires de France, 1998).

21. On the dissemination of international standards see J. W. Legro, 'Which Norms Matter? Revisiting the "Failure" of Internationalism', *International Organization*

(vol. 51, no. 1, 1997), pp. 31–63, and M. Finnemore and K. Sikkink, 'International Norm Dynamics and Political Change', *International Organization* (vol. 52, no. 4, 1998), pp. 887–917.

22. S. Kott, 'Arbeit. Ein transnationales Objekt? Die Frage der Zwangsarbeit im "Jahrzehnt der Menschenrechte"', in C. Benninghaus, S. O. Müller, J. Requate and C. Tacke (eds), *Unterwegs in Europa* (Frankfurt am Main: Campus, 2008), pp. 301–323; and S. Kott, 'The Forced Labour Issue between Human and Social Rights 1947–1957', *Humanity. An International Journal of Human Rights, Humanitarianism, and Development* (vol. 3, no. 3, 2012), pp. 321–335.

23. www.ilo.org/global/about-the-ilo/decent-work-agenda/lang–en/index.htm

24. See P-A Rosental, 'Géopolitique et État providence: le BIT et la politique mondiale des migrations dans l'entre-deux-guerres', *Annales Histoire Sciences sociales*, (vol. 61, no.1, 2006), pp. 99–134; M. Louis, *L'Organization internationale du travail et le travail décent: un agenda social pour le multilatéralisme* (Paris: I'Harmattan, 2011).

25. On the WEP see the bibliography published in 1978 and regularly reissued: ILO, *Publication of Published Research of the World Employment Program* (Geneva: International Labour Office, 1978).

26. See, for the interwar period, S. Kott, 'De l'assurance à la sécurité sociale (1919–1944). L'OIT comme acteur international', at: www.ilo.org/public/english/century/information_resources/download/kott.pdf. On the 1952 Convention see C. Guinand, *Die internationale Arbeitsorganisation (ILO) und die soziale Sicherheit in Europa (1942–1969)* (Bern, New York: Lang, 2003) and for the period of the 1980s, Matthieu Leimgruber, Chapter 17 in this volume.

27. See D. Maul, *Human Rights, Development and Decolonization. The International Labour Organization, 1940–1970* (Basingstoke, Palgrave Macmillan, 2012, first published in German in 2007); M. Alacevich, 'The World Bank and the Politics of Productivity: The Debate on Economic Growth, Poverty, and Living Standards in the 1950s', *Journal of Global History*, (vol. 6, no. 1, 2011), pp. 53–74, on the difference between the ILO's approach to development, which focused on policies of large-scale public works to improve living standards, and that of the World Bank, which was based on improving productivity.

28. See also V. Viet: 'La médiation de Justin Godart entre la France et l'OIT', in Lespinet-Moret and Viet (eds), op. cit., pp. 89–107.

29. For Germany see S. Kott, 'Dynamiques de l'internationalisation. L'Allemagne et l'Organisation internationale du travail (1919–1944)', *Critique Internationale* (vol. 52, July, 2011) pp. 69–84.

30. See also S. Zimmermann: '"Special Circumstances in Geneva": The ILO and the World of Non- Metropolitan Labour in the Interwar Period', in J. Van Daele et al. (eds), *ILO Histories: Essays on the International Labour Organization and its Impact on the World during the Twentieth Century* (Bern, New York: Peter Lang, 2010), pp. 221–250.

31. See also, on this subject, D. Maul, 'The Morse Years: the ILO 1948–1970', in Van Daele et al., op. cit., pp. 365–400.

32. R. W. Cox: 'Labor and Hegemony', *International Organization* (vol. 31, no. 3, 1977), pp. 385–424.

33. The case of Poland, see I. Goddeeris, 'The Limits of Lobbying: ILO and Solidarnosc', in Van Daele et al. (eds), op. cit., pp. 423–442.

34. On the international networks, D. Rodogno, B. Struck and J. Vogel (eds), *Shaping the Transnational Sphere* (New York: Berghahn Books, 2012 forthcoming).

35. Myrdal, op. cit., pp. 271–272.

36. A. E. Alcock, *History of the International Labour Organization* (London: Macmillan, 1971), pp. 290–311, and V. Y. Ghebali, *L'organisation internationale du travail* (Geneva: Georg, 1989), pp. 164–175.

37. On this point see the very perceptive comments by E. B. Haas: *Beyond the Nation-state* (Stanford: Stanford University Press, 1964), particularly Chapter 7.

38. S. Farré, 'Trois experts, une visite une rapport. L'Organisation internationale du travail et la liberté syndicale dans l'Espagne franquiste', in Lespinet-Moret and Viet (eds), op. cit., pp. 121–129.

39. R. Tosstorff: 'The International Trade-Union Movement and the Founding of the International Labour Organization', *International Review of Social History* (vol. 50, no. 3, 2005), pp. 399–433.

40. On this point see S. Kott: 'From Transnational Reformist Network to International Organization: the International Association for Labour Legislation and the International Labour Organization (1900–1930s)', in Rodogno et al. (eds), op. cit.

41. See D. Kévonian, *Réfugiés et diplomatie humanitaire: les acteurs européens et la scène proche-orientale pendant l'entre-deux-guerres* (Paris: Publications de la Sorbonne, 2004) on the question of the links between the International Labour Office and humanitarian organizations helping refugees.

42. See in this respect P. Y. Saunier, 'Borderline Work: ILO Explorations onto the Housing Scene until 1940', in Van Daele et al. (eds), op. cit, pp. 197–221.

43. See also C. Guinand, 'The Creation of the ISSA and the ILO', *International Social Security Review* (vol. 61, no. 1, 2008), pp. 81–98.

44. On this conversion and how other countries' experiences of expanding the welfare state acted as a foil here, see also J. Bell, 'Social Politics in a Transoceanic World in the Early Cold War Years', *The Historical Journal* (vol. 53, no 2, 2010), pp. 401–421.

45. See on this subject the areas of research suggested by the special edition 'Modernizing Missions: Approaches to "Developing" the Non-Western World after 1945', *Journal of Modern European History* (vol. 8, no. 20, 2010), and particularly the introduction by F. Cooper: 'Writing the History of Development', pp. 5–21. See also the first book in this Series, by Daniel Maul, *Human Rights, Development and Decolonization. The International Labour Organization, 1940–1970* (Basingstoke: Palgrave Macmillan, 2012).

46. In this respect see the lucid article by K. Pribram, 'The ILO: Present Functions and Future Tasks', *Foreign Affairs; an American Quarterly Review* (vol. 21, No. 1/4, 1942/1943), pp. 158–167.

Part 1
Transnational Networks
and Milieus around the ILO

1
Social and Political Networks and the Creation of the ILO: The Role of British Actors

Olga Hidalgo-Weber[1]

Introduction

The 1919 Peace Conference in Paris which set up the International Labour Organization (ILO) under Part XIII of the Treaty of Versailles has primarily been studied in terms of the historiography of international relations. For this 'realist' school it was the states constituting the major powers which decided on the various peace plans, and even if these historians attempt to show the role played by the political leaders of each of the nations present, their focus remains primarily on the relations between states.[2]

This chapter moves away from this traditional approach in order to show that, as far as the social aspects of the peace treaties were concerned, individual actors and networks played a crucial role in shaping the international organization that was to be responsible for developing an international social policy.

According to witnesses from the period who were involved in the work of the commission which created the ILO, the British were its main craftsmen.[3] We intend to discuss this claim in order to demonstrate that the role ascribed to the British is often overstated and is out of step with the state of their social legislation at the time. By identifying which British actors within the 'Great Britain' group were responsible for the social aspects of the peace, and how much leeway they had, we will show that these Britons were at the heart of a number of transnational networks, and that it was actually these networks which enabled the ILO to be set up.[4] We thus hope to prove that it was the British actors' ability to act as a sounding board for transnational social ideas at the time which gave them such an important role. Examining how the British discussed the issues and came up with ideas even before the official work of the Peace Conference began will identify the various influential networks of the period in the international social field: principally the socialist movements within the Second International and the social reformists grouped together in the International Association for Labour Legislation (IALL).

Furthermore, while we will discuss the actual contribution which the British made to the construction of the ILO, we also propose to disentangle the different concerns of the actors involved in order to determine whether it was international social influences or national concerns which were uppermost in British minds, and this will certainly also shed light on the tensions between the various protagonists and the shape of the final outcome. Lastly, we will examine various issues negotiated within the Commission on International Labour Legislation in Paris in order to identify the skills and knowledge used by the British in 1919 to shape an organization that would serve their many interests, especially trade and their Empire.

The post-war social situation in Great Britain

The First World War brought a number of changes to industrial relations in Great Britain resulting in a considerably stronger position for workers, increased trade union membership and growing state interventionism in the economic field.[5] Throughout the war one of the British government's chief concerns was to maintain good labour relations in order to prevent disruption to industrial production. From 1916 David Lloyd George led a coalition government, and to avoid being hostage to the Conservatives he attempted to secure the support of the unions and called on members of the Labour Party to join his government, along the lines of the 'sacred union' policies adopted by other countries during the war.[6] It was in this same spirit of industrial conciliation that he also decided to set up a Ministry of Labour in late 1916,[7] which was responsible for advising the War Cabinet on the political aspects of the labour question.[8] Lloyd George played a vitally important role in these changes. However, despite his talents as an industrial negotiator, he was also associated with the sort of extraordinary measures taken in times of war which alienated most of the trade unions, and on a political level the Labour movement always mistrusted him.[9]

On the domestic front the Ministry for Reconstruction, set up in 1917, started work on social projects for the post-war period, creating a number of sub-committees to come up with recommendations on health, education, job security and housing policy in particular. However, these projects fairly soon came up against the reality of the economic situation, which deteriorated in the summer of 1919, and the will of the parliamentary majority. There were two opposing views of the post-war situation: experts like William Beveridge[10] who wanted to use the experience gained in the war as a basis for planning the reconstruction work clashed with more conservative elements in the Lloyd George coalition. These more conservative elements joined forces with industrialists to try to force the dismantling of state controls introduced during the war, their main aim being a return to laissez-faire economics. Thus, although the working class won certain gains during the war – often as a result of strike action as much as of government

choice – there was, by contrast with the Second World War, no attempt to develop a planned social policy.[11]

In 1919, then, the British mainly had social legislation adopted by the Liberal government before the war, together with reforms introduced during the war such as the 1918 Fisher Education Act, but no real project or overall social model to disseminate. It was therefore other factors which explained the government's involvement in the creation of an institution that could potentially result in an international social policy. The government was initially driven down this route by pressure from the unions and by the many promises which Lloyd George had made to the labour movement during the war. Then, by the end of the war, the League of Nations movement had gained considerable influence in Great Britain, and campaigns by the League of Nations Union and the labour movement had won the backing of a number of MPs, which encouraged the government to adopt a position on the possible creation of a league of nations and the setting up of an international organization responsible for drawing up social policy standards.[12] For the Prime Minister and for internationalist Liberals, the idea of having international legislation answered their concerns about social protection. The Conservatives in the government fairly quickly realized that setting up such an organization would usefully serve the country's economic interests by making competing nations subject to the same social rules, and would channel the workers' aspirations. In reality the government was scared by the spectre of Bolshevism hanging over Europe, which was at its height in early 1919, and was endeavouring to contain the spread of revolution.[13] Lastly, involvement in these international organizations gave a victorious Great Britain and its Empire another opportunity to shine on the international stage. There were three main ways in which British imperialism[14] would manifest itself in the social field in 1919: first, the British would draw on the transnational networks and absorb their ideas; second, in their approach to the work of the Peace Conference they behaved like men from a victorious nation, seeking to direct the discussions or else to impose a consensus; and third, they basically wanted to establish an organization that would satisfy workers' demands at very little cost, while still enabling Britain to appear the champion of the international social cause.

British actors and post-war social projects

During the First World War London was a city of refuge for exiles and a platform for ideas. A number of trade union and socialist conferences were held in Britain, particularly the Leeds Conference in July 1916, which brought together affiliated unions from the Entente countries and laid the foundations for an international social policy programme, a copy of which was sent directly to Prime Minister Asquith.[15] The London Conference in September 1917 enabled trade unions from the Entente countries to state their support

for the aims of the war and to ask to be represented at the peace negotiations. Finally, the Allied Socialist and Trade Union Conference in London in February 1918 called for labour clauses to be included in the peace treaties: a labour *magna carta*, in the words of the American trade unionist Samuel Gompers.[16] The British were thus in a key position to observe and keep abreast of the various resolutions adopted at these meetings, and it was based on the demands from these conferences that they began their own discussions, envisaging two options: either to include a series of labour reforms (such as the eight-hour day) directly in the peace treaties, or to create a body to deal with labour issues at international level. The Britons who were to be involved in this discussion process and responsible for preparing plans for the Peace Conference embodied each of the various networks from which they drew their ideas. Subsequently these same men travelled to Paris to represent British interests in the commission which set up the ILO.

At the Ministry of Labour Sir Harold Butler and Edward Phelan[17] both embodied the traditions of the British civil service. Butler was responsible during the war for coming up with a long-term policy which would redefine the state's role in labour policy and thus restore better relations with the trade union movement. He took the very opposite line from the bureaucratic approach developed by William Beveridge at the Board of Trade, developing a policy of 'home rule for industry', which for the government meant adopting a minimalist approach by encouraging direct negotiations between employers and unions to set employment conditions and pay according to each industry's needs, while still meeting minimum standards.[18] Phelan, on the other hand, was very active in the Intelligence Division that had been set up in the Ministry of Labour.[19] The Division introduced a system which combined administrative experience with academic knowledge, initially in order to monitor different opinion trends in the trade unions and other workers' groups, but also to think ahead and anticipate possible labour problems to come. When it was almost certain that the war was coming to an end, this think tank considered the contribution its ministry might make to the future peace negotiations, and it was this think tank that came up with the various successive British plans for the creation of an international labour organization.

A preliminary document dated October 1918[20] concluded that workers were determined to have an international organization in order to advance labour legislation, and therefore that such an organization urgently needed to be set up. In formal terms the best option would be for the Peace Conference to establish an international commission to examine the possibilities for regulating labour issues through the creation of an international organization rather than the direct development of new labour standards. In terms of substance, the Phelan Memorandum envisages a number of options for how such an organization might operate, but even at that stage of the discussions the principle of tripartism was already accepted, based

on Britain's experience with the Whitley Councils, joint committees set up at the end of the war to improve the management of relations between employers and workers in industry.

At the Home Office an Englishman, Malcolm Delevingne,[21] was to play a very important role in the creation of the ILO by incorporating the ideas of the social reformists of the time into the British thinking. In 1905, 1906 and 1913 he was the British government delegate to the Berne international conferences on international labour legislation, thereby becoming familiar with pre-war procedures and social ideas, and coming into frequent contact with men who were actively involved in the work of the IALL,[22] such as the Belgian Ernest Mahaim[23] and the Frenchman Arthur Fontaine.[24] Delevingne also drafted his own plan for an international labour organization,[25] though in the end this was not the model which the British delegation adopted. His idea of having three separate bodies representing government, employers and workers which would meet both separately and jointly did not appear in any later official documents. On the other hand Delevingne had correctly anticipated that acting as a clearing house, a practice previously developed by the IALL, was to become an important role of the future ILO.

In 1918 Delevingne held the post of Assistant Under-Secretary of State at the Home Office, but it was in a private capacity that he corresponded with Arthur Fontaine from November 1918 to January 1919 about the creation of a possible international labour organization, and told him about the official ideas developed by the Ministry of Labour.[26] At that point he was very much in tune with Fontaine, who assured him that the French government generally agreed with these ideas, though it hoped that the future organization would ratify the existing international legislation, in other words the Berne Conventions, before introducing any new rules.[27] This relationship forged an important link between the British and French ideas in government circles before the official discussions in Paris, at which it was these same two men who were to represent their respective governments. This personal connection also enabled Delevingne to assure his British colleagues that the French would give their plans a favourable reception.

The British government was thus extremely well informed about and aware of the propaganda in favour of international labour regulation, but if it made itself into a transnational force it was primarily in order to defend its national interests, in other words to preserve the country's economic dominance once the war was over and the markets were again open to competition. From a political point of view it was important for the government not to give the impression that it was making a capitalist peace by ignoring labour issues and dealing with economic issues solely in terms of commercial interests, thereby stoking criticism in labour circles. The British government therefore tried to get ahead of the game in the area of social protection so that it could set the rules. In doing so it was following the recommendations of civil servants in the Ministry of Labour and the Home Office,

and it decided in December 1918 that 'the Peace Congress should appoint a special Commission to consider and frame proposals for a permanent International organisation for the consideration of labour questions, which should provide representation for the industries (employers and workers) as well as for the central governments; that these proposals, if approved by the Peace Congress, should be embodied in the treaties of peace'.[28] A meeting of the British War Cabinet on 17 December 1918 consequently decided that the British delegation in Paris should include a separate 'labour' section, and it appointed civil servants from the Home Office and the Ministry of Labour for that purpose,[29] led by George N. Barnes.[30]

The men who ultimately made up the labour section of the British delegation in Paris, Barnes, Butler, Delevingne and Phelan, would actively work together until the Peace Conference officially opened. What is fairly unusual here in the history of international organizations is that two of the main architects of the ILO would also go on to become its Director-General.[31] They finalized the British proposals in a document entitled *Memorandum on the Machinery and Procedure Required for the International Regulation of Industrial Conditions*, drafted on 15–20 January 1919,[32] which settled all the outstanding issues concerning the structure, powers and composition of this future organization, based on the principle of the supremacy of governments, which alone were ultimately responsible for international legislation. Phelan and P. N. Baker (the British legal adviser) would then convert this memorandum into a Convention,[33] making one important addition: the creation of an executive body ('a Council') composed of the five major powers, that is, the United Kingdom, the USA, France, Italy and Japan.

The presence of Barnes, representing the Labour network, enabled the British delegation to absorb both the ideas of the Labour Party's peace programme and also international socialist ideas. His correspondence reveals his constant concern to involve the trade unions and employers at this early stage of the drafting work, partly for political reasons, but also as part of a pragmatic strategy to avoid a situation where both sides were presented with a *fait accompli* and then refused to take part in the organization: 'An opportunity now offers of getting the trade union elements to co-operate in practical measures of amelioration and improvement. Employers of Labour are also much more willing than they have ever been before to co-operate in the promotion of higher standards of life. But we should, at least, consult Labour representatives now before committing ourselves to plans which require their co-operation to make them successful. We cannot safely put it off till all the machinery is set up by officials, or otherwise they might then come grudgingly, or might even not come in at all to the conference.'[34] From 27 to 29 January 1919, at his suggestion, the official British delegation thus met representatives of the trade unions to put their draft to them: one of the latest versions of the 'draft scheme' already contained a preamble.[35] Six sessions were also held over these two days with

representatives of the Dominions, who joined in with the meetings with the trade unions.[36]

Following Lloyd George's promises during the war, the Briton Arthur Henderson[37] had always thought he would be able to represent the workers' cause at the Peace Conference. After the success of the Inter-Allied Socialist Conference in February 1918 in London, he, together with the Belgian Emile Vandervelde and the Frenchman Albert Thomas, wanted an international labour conference to be held at the same time as the Peace Conference, but the only official role he was ultimately given by Balfour at the end of January 1919 was as adviser to the British members of the Labour Legislation Commission.[38] When Henderson was consulted by Barnes and the British delegation in Paris in 1919, he was nevertheless an eminent figure in the Second International who could get its programme across, even though the movement remained deeply divided on certain issues.[39]

Overall, the trade unions approved the British proposals, feeling that this was a realistic plan on which the different nations could agree. At Henderson's suggestion a reference to unemployment was included in the Preamble to the document, together with a reference to female and child labour;[40] however, the main change that Henderson brought about was his proposal that representatives of employers and workers should also be included in the executive body, or Council, now renamed the Governing Body at Delevingne's suggestion.[41]

The work of the Commission on International Labour Legislation

When the Peace Conference began, the atmosphere was so charged on social issues that the leaders put the subject of international labour legislation on the agenda for the very first session. On 23 January 1919, on a proposal from Lloyd George, the Council of Ten decided to set up a *Commission on International Labour Legislation* which was instructed to 'enquire into the conditions of employment from an international aspect, and to consider the international means necessary to secure common action on matters affecting conditions of employment, and to recommend the form of a permanent agency to continue such enquiry in co-operation with and under the direction of the League of Nations'.[42] The composition[43] of this Commission, which held 35 sessions from 1 to 28 February 1919 and then from 11 to 24 March 1919, was entirely new, since alongside emissaries of the governments there were labour law experts and workers' representatives, while the employers were barely represented at all.

We cannot give a detailed account here of all the work of this Commission, which discussed and debated so many issues;[44] instead we have chosen a few points that are illustrative of British diplomatic know-how. Despite their initial political disappointment at the appointment of Gompers as

chairman of the Commission instead of Barnes,[45] the British faced up to the situation and knew just how to make best use of their resources to remain in control of proceedings. The British delegation had the initial advantage of having by far the most advanced and elaborate draft in terms of its wording and content, and of knowing, from numerous prior consultations with the other delegations in Paris that it would be well received.[46] As their document reproduced ideas on which there was already a certain consensus, when the Commission met for the first time it was this plan which was accepted as the basis for discussion, which meant in practical terms that the draft was taken and discussed article by article. Despite heated talks which almost broke down altogether on certain points, such as tripartism and the distribution of votes, if we compare the initial British draft with the final convention which created the ILO, it is clear that the British draft formed the matrix for it.

The arrival of the British delegation in Paris with over 400 people had taken some skilful organization, since the British had wanted to bring their own security personnel and all their supporting staff from England.[47] The politicians were surrounded by numerous experts, advisers and representatives of various interests, which meant that the delegation could have a foot in every door and come up with specific proposals very quickly, while always having a spare plan so that, if opposed, a compromise could be reached. This ability to react quickly was reflected in miniature in the labour delegation, which often consulted widely outside the Commission among the social and diplomatic networks, whose huge ability to drum up support allowed them to keep control of the negotiations. Another point which made the delegation so strong was that it managed to speak with one voice on all vital issues: 'unity of policy was an axiom.'[48]

As well as this unity, the British were also bolstered by their alliances within the networks in the Commission; Barnes, for instance, found in Vandervelde an ally against Gompers, particularly on the thorny question of the voting system, and when he was accused of dancing to his government's tune instead of defending the workers' cause, he always argued that his plan had the agreement of the Parliamentary Committee of the Trades Union Congress in Great Britain. Barnes thus made use of the trade union and socialist networks to legitimize his ideas. However, the British draft was weakened on the subject of the ratification of Conventions: at the insistence of the USA this point had to be completely revised in order to avoid a breakdown in the negotiations, and the final wording made the system much more flexible than originally planned. On this issue, as well as on the Labour Charter, the Dominions, and particularly Canada, adopted different positions from the British, often putting Barnes in a tricky situation and forcing him to reach compromises with his own delegation. The Dominions and India cleverly managed to grasp the political opportunities that came their way at the Peace Conference to obtain their own seat in

these new international organizations, which subsequently enabled them to consolidate their legitimacy on the international stage.[49]

The issue of the Labour Charter provides one final example of the British approach to the Commission on International Labour Legislation. In its final report the Commission presented two documents: a draft convention providing for the creation of a permanent international labour legislation body, and a draft of certain articles to be included in the preliminaries of the Peace Conference, which contained nine articles commonly referred to in the literature as the Labour Charter.[50] On a proposal from the USA, Belgium and Italy, a sub-committee had drawn up a preliminary draft in 19 points. There were then two opposing groups on this issue; the USA and France, speaking through Gompers and Léon Jouhaux, felt it was vital to give something tangible to the labour movements, which were impatiently scrutinizing the work of the Peace Conference, while Barnes felt that including new labour legislation in a peace treaty would be a dangerous political exercise, and his pragmatic view was supported by Vandervelde. The British were not the source of this Charter, but it was down to them and to Barnes in particular that an acceptable compromise was found (with the help of A. J. Balfour, who drafted the final wording) which also, incidentally, considerably reduced the final scope of the text. In paving the way for a consensus and in managing to get it adopted, it was thus the British who won the day on this highly sensitive political issue.

Conclusion

As Vandervelde so rightly said: 'c'est la méthode anglaise qui a triomphé à la Commission du travail' ['it was the British method which triumphed in the Labour Commission'].[51] He was comparing this with the triumph of the British right wing over the Bolshevik Revolution, but his words perfectly summarize the attitude of the British in the Commission on International Labour Legislation. In formal terms, the British method was highly effective, making the best use of their resources, men and networks and their ability to gather information. They also always managed to have a plan or a compromise on which the other delegations could work. The men who created the ILO provided their government with the depth of knowledge they had acquired through the networks to which they belonged. In terms of substance, the method enabled Britain to obtain an international organization consistent with its economic and imperial interests. The British managed to avoid the creation of a supranational parliament, which was what some actors wanted, in favour of a structure that was not really restrictive, in that there was no system of sanctions, but was in spite of everything fairly innovative in its conception; it got governments, employers and workers to work together on an equal footing. The net result was to sideline the semi-private Basel office in which the British had little confidence.

Ultimately, what Great Britain brought to the table was not so much its national expertise in the labour field as a huge ability to be a sounding board for everything that was happening and being achieved in this field at the time. The national actors used the transnational networks to which they belonged to construct the ILO. The long-term, unbroken presence of those same actors as British representatives in the international networks, then as architects of the plans to set up the ILO, then as members of the British labour delegation in Paris, and finally as international civil servants in the organization[52] shows the interconnection between the networks from which the ILO sprang. It goes to explain how the British government managed to combine the trade union, socialist and reformist ideas of the time with its economic and political motives, resulting in a structure that may have been a little rickety, but which Albert Thomas was subsequently more than capable of building on in a pioneering spirit to promote the cause of workers.[53]

This set of British attitudes can be labelled *social imperialism*, an expression which goes back to the connection between imperialism and social reform in the early 19th century in Britain. Some historians have defined this concept as a policy linking the expansion of the Empire to an improvement in the living conditions of the working class: social legislation needed to be promoted to help the underprivileged in order to have a strong population without which it would be impossible to maintain the British Empire; in return the Empire would help the underprivileged by bringing prosperity.[54] We believe that Britain's determination to create the ILO in 1919, and its ability to turn itself into a transnational force primarily in order to defend its economic and imperialist interests, can be seen as an extension of that idea. The whole aim of the British approach was certainly to win over the masses. But its decision to promote social progress in the world was intended not to impose its own social model so much as to bolster Britain's position on the international stage in order to be in a prime position to defend its interests as vigorously as possible, and thus consolidate its Empire.

Notes

1. This chapter is based on research in the archives of the International Labour Office in Geneva (AILO) and the British National Archives in London (BNA), carried out with the help of the Swiss National Science Foundation. My particular thanks go to Sandrine Kott, Joëlle Droux and Ingrid Liebeskind Sauthier.
2. The work of Pierre Renouvin and Jean-Baptiste Duroselle on Great Britain, F.-C. Mougel, *Histoire du Royaume-Uni au XXe siècle* (Paris: Presses Universitaires de France, 1996), and M. MacMillan: *Paris 1919, Six Months that Changed the World* (New York: Random House, 2001).
3. J. T. Shotwell, *Origins of the International Labour Organization* (New York: Columbia University Press, 1934), 2 vols.
4. For a transnational history of the international organizations, see S. Kott, 'Les organisations internationales, terrains d'étude de la globalisation. Jalons pour une

approche socio-historique', *Critique internationale* (vol. 52, 2011), pp. 11–16 and P. Clavin, 'Defining Transnationalism', *Contemporary European History* (vol. 14, 2005), pp. 421–439.

5. C. Wrigley, 'The First World War and State Intervention in Industrial Relations, 1914–1918', in C. J. Wrigley (ed.), *A History of British Industrial Relations*, *Volume II, 1914–1939* (Brighton: The Harvester Press, 1987).

6. H. A. Clegg, *A History of British Trade Unions since 1889*, *Volume II 1911–1933* (Oxford: Clarendon Press, 1985), p. 161. On the role of the trade unions see N. Whiteside, 'Welfare Legislation and the Unions during the First World War', *Historical Journal* (vol. 23, no.4, 1980), pp. 857–874.

7. John Hodge (1855–1937), a trade unionist and member of the Labour Party, became the first Minister of Labour from December 1916 to August 1917; D. Fraser: *The Evolution of the Welfare State* (London: Macmillan, 1973), p. 155.

8. E. J. Phelan, 'The Preliminaries of the Peace Conference, British Preparations', in Shotwell, op. cit., vol. I, pp. 105–106.

9. C. Wrigley: *David Lloyd George and the British Labour Movement* (London: Harvester Press, 1976).

10. William Henry Beveridge (1879–1963), social reformer and economist and author of the 1942 *Beveridge Plan*, the document regarded as the cornerstone of the welfare state established after the Second World War; J. Harris, *William Beveridge, a Biography* (Oxford: Oxford University Press, 1977).

11. P. Thane: *The Foundations of the Welfare State* (London: Longman, 1982), pp. 137–155; N. Whiteside, 'Welfare Insurance and Casual Labour: A Study of Administrative Intervention in Industrial Employment 1906–1926', *Economic History Review* (vol. 32, no. 4, 1979); P. Abrams, 'The Failure of Social Reform: 1918–1920', *Past and Present* (vol. 24, 1963), pp. 43–64; R. Lowe, 'The Erosion of State Intervention in Britain 1917–1924', *Economic History Review* (vol. 31, no. 2, 1978), pp. 270–286; Harris, op. cit.

12. G. W. Egerton, 'The Lloyd George Government and the Creation of the League of Nations', *The American Historical Review* (vol. 79, no. 2, 1974), pp. 419–444.

13. C. Wrigley, *Lloyd George and the Challenge of Labour* (London: Harvester Wheatsheaf, 1990).

14. The term 'imperialism' has been defined in so many ways that it has come to encompass everything and define nothing; see C. C. Eldridge; *British Imperialism in the Nineteenth Century* (London: Macmillan, 1984). We start from the definition in the *Encyclopaedia Britannica*: 'The extension of rule or influence by one government, nation or society over another' and add the concepts developed by P. J. Cain and A. G. Hopkins in *British Imperialism* (London: Longman, 1983), p. 43: 'What matters for purposes of definition is that one power has the will, and, if it is to succeed, the capacity to shape the affairs of another by imposing upon it. The relations established by imperialism are therefore based upon inequality […] the agents of imperialism normally believe that they represent a superior power, ideologically as well as materially, and their actions are driven on by a sense of mission which embraces, legitimizes and uplifts their private ambitions.'

15. *Letter from W. A. Appleton to the Prime Minister Mr. Asquith, August, 1916, concerning the Leeds Conference*; Shotwell, op. cit, vol. II, p. 27.

16. On the various socialist and trade union conferences during the war and their influence on the creation of the ILO, see R. Tosstorff, 'The International Trade-Union Movement and the Founding of the International Labour Organization', *International Review of Social History* (vol. 50, no. 3, 2005), pp. 399–433, and

C. Riegelman, 'War-Time Trade-Union and Socialist Proposals', in Shotwell, op. cit, vol. I, pp. 55–79.

17. Sir Harold Beresford Butler (1883–1951) was an English civil servant who began his career at the Home Office in 1908 and then the Ministry of Labour from 1916 before being seconded to the ILO in 1919, becoming its second Director-General in 1932; R. Lowe: *Oxford Dictionary of National Biography* (Oxford: Oxford University Press, 2004).
    Edward J. Phelan (1888–1967) was an Irish civil servant, an assistant in the Ministry of Labour's Intelligence Division in 1918, who went on to spend his entire career at the ILO: Head of the Diplomatic Division in 1919, Assistant Director-General in 1933, Deputy Director-General in 1938 and Director-General from 1941 to 1948; *Edward Phelan and the ILO, the Life and Views of an International Social Actor* (Geneva: International Labour Office, 2009).

18. R. Lowe: *Adjusting to Democracy, the Role of the Ministry of Labour in British Politics, 1916–1939* (Oxford: Clarendon Press, 1986), pp. 66–68.

19. The Division was led by Sir John Hope Simpson, under the authority of H. B. Butler, Assistant Secretary to the Minister, and C. K. MacMullan and E. J. Phelan were his principal assistants, for home affairs and foreign policy respectively. Edward J. Phelan, 'The Preliminaries', op. cit. p. 106.

20. *Memorandum by the Intelligence Division of the Ministry of Labour on the character and status of an international labour commission* or the *Phelan Memorandum*, the outcome of a discussion between Sir John Hope Simpson, E. W. Phelan, C. K. MacMullan and H. J. Hetherington. AILO, Shotwell Papers, 1.03.P01.

21. Sir Malcolm Delevingne (1868–1950), a civil servant, spent his entire career at the Home Office. P. W. J. Bartrip, *Oxford Dictionary of National Biography*, op. cit.

22. This association, founded in Paris in 1900 during the Universal Exposition, was a private-law institution led by elite academics and politicians, set up to discuss and promote international labour legislation. M. Delevingne, 'The Pre-War History of International Labor Legislation' in Shotwell, op. cit., vol. I, pp. 19–54; E. Mahaim, 'L'Association internationale pour la protection des travailleurs. Son histoire, son but, son œuvre', *Revue économique internationale* (October 1904), pp. 6–17; S. Kott, 'From Transnational Reformist Network to International Organization: The International Association for Labour Legislation and the International Labour Organization (1900–1930s)', in D. Rodogno, B. Struck and J. Vogel (eds), *Shaping the Transnational Sphere: The Transnational Networks of Experts (1840–1930)* (New York: Berghahn Books, in press); 'Between Transnational Reformist Network and International Organization, The International Association for Labour Legislation as a Case Study', Workshop Transnational Networks and Organizations, Geneva, 31 August–1 September 2009; and on the role of the British Section, G. Tuckwell, 'The First International Labour Association: the Passing of the British Section', *Journal of Comparative Legislation and International Law* (vol. 3, 1946), pp. 53–56.

23. On Ernest Mahaim and the IALL network, see J. Van Daele, 'Engineering Social Peace: Networks, Ideas, and the Founding of the International Labour Organization', *International Review of Social History* (vol. 50, no. 3, 2005), pp. 435–466.

24. M. Cointepas, *Arthur Fontaine (1860–1931), Un réformateur, pacifiste et mécène au sommet de la Troisième République* (Rennes: Presses Universitaires de Rennes, 2008).

25. AILO, Shotwell Papers, *Suggestion for Scheme of an International Organization to Deal with Labour Questions*, 18 December 1918, 1.06.D01.

26. AILO, Shotwell Papers, *The Delevingne-Fontaine Correspondence*, 1.10.F03. Delevingne had been Sir Harold Butler's Director when Butler worked at the

Home Office; thanks to their professional relationship a connection was easily established between the Ministry of Labour and the Home Office in 1918–1919.

27. AILO, 1.10.F04. At the suggestion of the IALL Switzerland organized two successive conferences in Berne in 1905 and 1906, the first on technical issues and the second at diplomatic level, which led to the adoption of two Conventions, one regulating night work for women and the other on the use of white phosphorus in the match industry; N. Valticos, *Droit international du travail* (Paris: Dalloz, 1983), p. 26.

28. AILO, Shotwell Papers, *War Cabinet. Labour matters and the Peace Conference. Joint memorandum by the Home Office and the Ministry of Labour*, 9 December 1918

29. AILO, Shotwell Papers, *War Cabinet Memoranda*, 1.04. and *Butler Note on War Cabinet Decision*, 1.04.D05; also Phelan, 'The Preliminaries', op. cit., pp. 111–112.

30. George Nicoll Barnes (1859–1940), a Scottish trade unionist, was a member of the Labour Party from its foundation in 1893. When Labour left the coalition government in November 1918 he decided to remain in his post as minister without portfolio in the War Cabinet so that he could better defend the position of workers at the Peace Conference. In 1919 he was therefore in a prime decision-making position alongside Lloyd George; G. C. Peden, *British Economic and Social Policy: Lloyd George to Margaret Thatcher* (Oxford: Philip Allan, 1985), p. 47 and A. J. Reid, 'George Nicoll Barnes (1859–1940)', *Oxford Dictionary of National Biography*, op. cit.

31. V-Y Ghebali, *L'Organisation internationale du travail* (Geneva: Georg Editeur, 1987), p. 30. Harold Butler succeeded Albert Thomas in 1932 and headed the ILO during the 1930s, while Edward Phelan would become Director in 1941 and presided over the ILO's fate during the Second World War, ensuring that it was included as a specialist institution in the new United Nations system introduced after 1945.

32. Or the *Second Phelan Memorandum*, AILO, Shotwell Papers, 1.05.P01, also reproduced in Shotwell, op. cit., vol. II, p. 117.

33. AILO, Shotwell Papers, *Draft Convention Creating a Permanent Organisation for the Promotion of International Regulation of Labour Conditions, prepared by the British Delegation, January 21, 1919*, 1.07.S01.

34. AILO, *Lettre de G. Barnes à la Délégation de l'Empire britannique du 21 janvier 1919*, 1.08.D04 and G. N. Barnes, *History of the International Labour Office* (London: William and Norgate Ltd, 1926).

35. During this period two documents existed alongside each other: a *draft scheme* and a *draft Convention*. The *draft scheme* was a paraphrased version of the Convention, but was drawn up in response to a request from the Peace Conference on 18 January 1919. AILO, Shotwell Papers, 1.07.S02, 1.07.D01-D04, 1.08.D01.

36. G. N. Barnes, M. Delevingne, H. B. Butler, E. J. Phelan and G. M. Hodgson were there for the Labour Section, while the trade unions were represented by A. Henderson, J. H. Thomas, C. W Bowerman, S. Bunning and A. Shirkie, and the Dominions by W. Hughes, Prime Minister of Australia, Sir R. Borden, Prime Minister of Canada, P. M. Draper, a labour representative from Canada, Sir J. Ward, New Zealand, Sir W. Lloyd, Newfoundland, and Mr Kershawe, India. The employers were consulted by letter only. Minutes of these six sessions exist based on notes taken by Phelan. AILO, Shotwell Papers, 1.08.D05.1-2, 1.08.D06.1–4.

37. Arthur Henderson (1863–1935), a trade unionist and Wesleyan Methodist, was, with D. Shackleton and G. N. Barnes, one of the main figures in the Labour Party just before the war. In 1914 he entered the Asquith Cabinet as President of the Board of Education and then the restricted Cabinet formed by Lloyd George, with

whom he suddenly broke off relations in 1917; C. J. Wrigley, *Arthur Henderson* (Cardiff: GPC Books, 1990) and R. I. McKibbin, 'Arthur Henderson as Labour Leader', *International Review of Social History* (vol. 23, no. 1, 1978), pp. 79–101.

38. Wrigley, op. cit., p. 128.
39. Tosstorff, op. cit. and Riegelman, op. cit.
40. AILO, Shotwell Papers, 1.08.D05.1, Regd No 946.
41. Ibid., Regd No 947 and Regd No 949.
42. Shotwell, op. cit, vol. II, document 31, p. 141.
43. The major powers had two representatives each and five members were chosen from among the other powers represented at the Peace Conference: USA: S. Gompers and A. N. Hurley (substitutes H. M. Robinson, Dr J. T. Shotwell); British Empire: G. N. Barnes (substitute H. B. Butler) and Sir Malcolm Delevingne; France: Mr Colliard (substitute Mr Arthur Fontaine) and Mr Loucheur (substitute Mr Léon Jouhaux); Italy: Baron Mayor des Planches and Mr Cabrini (substitute Mr Coletti); Japan: Mr Otchiai and Mr Oka; Belgium: Mr Vandervelde (substitute Mr La Fontaine) and Mr Mahaim; Cuba: Mr De Bustamante (substitute Mr Raphael Martinez Ortiz and Mr de Blanck); Poland: Count Zoltowski, subsequently replaced by Mr Stanislas Patek (substitute Mr François Sokal); Czech Republic: Mr Benès, subsequently replaced by Mr Rudolph Broz.
44. The British shorthand notes from the Commission on International Labour Legislation were all destroyed without being retranscribed on the orders of the British delegation at Versailles. The remaining sources are made up of the official minutes, as published by the International Labour Office in 1923, and the French, Belgian and American shorthand minutes, but none covers all the sessions in full.
45. Letter from Delevingne to Sir Edward Troup, 1 February 1919, AILO, Shotwell Papers, *Delevingne–Troup Correspondance*, 1.11.D02.
46. ANB, FO 608/239/2, British Delegation, Correspondence and papers relating to Labour.
47. MacMillan, op. cit., p. 46, and for details of the organization of the British delegation, see Sally Marks, 'Behind the Scenes at the Paris Conference of 1919', *The Journal of British Studies* (vol. 9, No 2, 1970), pp. 154–180.
48. Phelan, 'The Preliminaries', op. cit., p. 135.
49. For India, see Madeleine Herren, 'Global Corporatism after World War I, the Indian Case', Chapter 8 in this volume.
50. *Conférence des Préliminaires de Paix, Protocole n°4, Séance plénière du 11 avril 1919*, AILO, D600/1/2.
51. Ibid., p. 12.
52. Butler and Phelan were appointed officials at the ILO as early as 1919, while Delevingne would be the government delegate to the first eight sessions of its Governing Body. The ILO would also employ a number of people from the IALL, such as Sophy Sanger, a member of the British Section of the IALL, who became head of the ILO's Legislative Division.
53. Phelan expressed this idea in an even more colourful way: 'Ce furent Barnes, Butler et Delevingne qui construisirent le vaisseau – et il se révéla qu'il était solide et tenait bien la mer. Mais ce fut Albert Thomas qui fut choisi comme capitaine, pour le conduire dans son voyage par des océans dont les cartes marines n'indiquaient pas les récifs ou les dangers' ; E. J. Phelan, *Albert Thomas et la création du BIT* (6th edition, Paris: Editions Bernard Grasset, 1936), p. 9.

54. B. Semmel: *English Social-Imperial Thought, 1895–1914* (London: George Allen & Unwin Ltd, 1960); M. E. Chamberlain, 'Imperialism and Social Reform', in Eldridge (ed.), op. cit.; B. Porter, *The Absent-Minded Imperialists: Empire, Society, and Culture in Britain* (Oxford: Oxford University Press, 2004); and J. Harris, 'The Liberal Empire and British Social Policy: Citizens, Colonials, and Indigenous Peoples, circa 1880–1914', *Histoire@Politique, Politique, culture, société* (vol. 11, May–August, 2010).

2

The ILO and Other International Actors in 20th-century Accident Insurance in Switzerland and Germany

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The influence of international organizations and transnational discourses on the development of social policy is as old as the welfare state. Since the mid-19th century, experts and bureaucrats dealt about the much-cited Social Question on platforms such as international congresses, world exhibitions and later in international organizations. The interactions between this international or transnational field of social policy and the national institutions of the welfare state were complex but also effective.[1] This chapter examines in what form and by which mechanisms international organizations and transnational networks acted upon the level of the nation-state. As a representative case the article examines the relation between the International Labour Office (ILO) and the national institutions for accident insurance in Switzerland and Germany. Instead of focusing on the inner mechanics of the ILO, the argument instead investigates the perspective of national institutions and of actors between the ILO and nation-states, such as labour organizations or networks and organizations of scientific experts. Specifically the chapter asks how effective the ILO was in shaping national policy-making processes in relation to other actors, such as scientific networks or labour organizations. The argument also investigates forms of cooperation between the ILO and other international actors.

Scientific expertise played a crucial role in this process. In the early, politically controversial debates about social insurances, academic knowledge was used, for example by international labour organizations, as a resource for building a consensus among the parties at odds with each other.[2] The formation of the European welfare states since the 1880s was deeply shaped by expert networks, many of them operating on the international level. At the periphery of the world exhibitions after the 1850s for example, an international elite of social reformers and urban planners regularly met and dealt with the regulative concepts for social and economic policies in their national contexts.[3] These exhibitions also offered a platform for

various international congresses of academic experts, from the International Congress of Hygiene to the Congress of Demography and the Congress for Social Insurance. This scientific internationalism did not end with the decline of the world exhibitions and international congresses before and during the First World War. The international discourse was instead transferred into the framework of international organizations, in particular the organizations under the umbrella of the League of Nations and later the United Nations. Also for the ILO, scientific knowledge was a crucial resource, a point made evident by the close relations between the ILO and the International Social Security Association (ISSA), an expert organization founded in 1947 (with a predecessor existing since 1927) to pursue research projects in support of the ILO's activities.[4]

Empirically, the argument relates to the statutory systems of accident insurance, in Switzerland and – for the first part of the paper – also in Germany. Germany and Switzerland are telling cases for examining the ILO's relations to nation-states. Germany, through its early introduction of social insurances in the 1880s, especially of accident insurance in 1884, often acted as a role model for social insurance legislation, at least until the inter-war period. Switzerland was like Germany a founding member of the ILO and was engaged throughout the 20th century in the organization's activities, not least as the hosting country for the Geneva-based ILO.

The argument is divided in two parts. First, the chapter investigates, in the form of a case study, the history of compensating a severe occupational illness (silicosis) under the accident insurance scheme. The argument highlights the process of recognizing silicosis as an insured occupational illness in Switzerland and Germany, with a particular focus on the role of international and transnational actors and processes in the first half of the 20th century. The second part begins with a general analysis of the relation between Switzerland and the ILO in the field of accident insurance and occupational safety during the 20th century. It then concentrates on the main national institution for accident insurance in Switzerland, the Schweizerische Unfallversicherungsanstalt (Suva), and its international contacts and activities. Thus, the chapter shifts the perspective from the international level to a national institution for social insurance. This allows an analysis of the international relations of a national welfare institution, comparing multilateral activities such as participation at the ILO or international congresses with bilateral contacts.

The role of the ILO and other transnational actors for the recognition of silicosis in the 1920s

The history of compensating silicosis is indeed an exemplary case to illustrate the significance of international trade union and expert networks for the ILO in the 1920s and 1930s. Historically, silicosis was the most important

occupational illness of the 20th century, causing much more damage than for example the asbestos-related illnesses with which silicosis is often compared.[5] Silicosis is caused by the continuous inhalation of quartz dust, causing over the years severe incapacities of the lung functions. In Western Germany, more than 10,000 workers (almost exclusively male) died from silicosis in the period after the Second World War; in France during the same period more than 40,000 workers in the coal industry alone died. In Switzerland, the Swiss national insurance institution, Suva, counted since the 1930s over 11,000 cases of which 3000 died and other 4000 sustained a permanent disability.[6] The profession mostly hit was the mining industry, but smaller trades such as the stonecutting profession were also affected. Because of tunnel and dam works, the alpine regions were equally hit.[7]

Although silicosis was known among miners since the early modern period, a specific medical concept for the illness was lacking until the early 20th century. In the latter 19th century, silicosis was usually seen as a special form of tuberculosis (and thus not as a work-related illness, which foreclosed the payment of benefits by accident or disability insurance). One important reason for this misinterpretation was the dominance of the bacteriological paradigm in the medical community until the First World War.[8] Bacteriological models stressed mono-causal, deterministic causalities that were based on organic agents.[9] With a clinical picture closely resembling cases of tuberculosis, many among the medical community found it simply not plausible, from their perspective of the bacteriological paradigm, that a lung disease such as silicosis would not be caused by organic agents but by an inorganic material as common and profane as stone dust.[10]

The process with which silicosis became a recognized occupational illness in Switzerland and Germany, and eventually covered and compensated within the national schemes of accident insurance, stood under the influence of a series of international and transnational actors. The ILO in particular played the role of a catalyst, although its influence on the national social policy actors was often indirect. Similarly important were two other actors: trade union organizations, on the national and international level, and international expert networks such as the international association of occupational physicians. The process of recognition can be divided into three stages.

1. The first stage stretches from the turn of the century until the beginning of the First World War, a period of course before the ILO was founded. These decades were marked by a locally situated process of knowledge production and the emergence of transnational networks, whose influence was still comparably weak. The labour movement, interested in questions of health policies since the mid-19th century, played a crucial role for the synthesis and the distribution of these early forms of locally fragmented knowledge about silicosis.[11] Switzerland, where the

union of stonecutters and stone-workers became an important actor, can serve as an illustrative example.[12] Here in 1912, the central board of the national Association of Stone- and Clay-Workers sent a petition to the Swiss parliament. The proposal demanded that the mining and stonecutter industries – at that time not yet regulated under the national industrial legislation – should be included into the professions covered by the Factory law of 1877 and put under the supervision of the national factory inspection.[13] This measure, the petitioners hoped, would also improve the legal protection in the area of lung dust diseases. The petition extensively refers to several scientific studies, mostly based on statistical methods that seemed to prove the occupational hazards of the stonecutting profession. The proposal quoted numerous academic and professional authors, including industrial hygienists, factory inspectors, national statistical offices, but also studies from sickness funds and trade unions from Germany and Switzerland.[14] These studies represented distributed forms of local knowledge and were mostly written in the years after the turn of the century. They often identified dust particles as causing the lung diseases, anticipating the later scientific consensus. At this stage, the actors mainly operated on a national level, albeit benefitting from the transnational circulation of expert knowledge.

2. The second period, starting shortly before the First World War and lasting until the end of the 1920s, was marked by the formation and influence of transnational expert networks. The starting point for the debates in Switzerland and Germany was the recognition of silicosis as an occupational illness in parts of the British Empire, first in 1912 in South Africa and 1918 in Britain itself.[15] British vital statisticians had already studied the causation of silicosis since the 1860s. After the capture of the Transvaal, where most of South Africa's mining industries were situated, during the Second Boer War in 1902, the new government appointed a medical commission to examine the lung diseases of the Transvaal mining workers – mainly to protect the Scottish and Welsh labour migrants working in the African gold and diamond mines. The commission eventually accepted the illness as a medical entity of its own, thus opening the door for the inclusion of silicosis as an illness compensated under a workmen's compensation system. This major step in the recognition of silicosis was actually part of a system of welfare privileges in a colonial context. In South Africa legal protection applied only to European migrant workers in the colonies; black miners were excluded from the new compensation scheme. The British legislation of 1918 covered all miners, although only with meagre compensations in the form of small lump sums.[16]

In Europe, the South African and British legislation was noted but not adopted. Silicosis first had to pass legal hurdles on the national level. In Germany, occupational illnesses were not insured under the

national accident insurance before 1925. And even in Switzerland, where occupational illnesses had been insured since the foundation of the National Accident Insurance in 1918, silicosis was originally excluded from the list of insured occupational illnesses, because the legitimacy of the diagnosis was disputed in medical circles. The handful of occupational physicians in the German-speaking countries arguing for the recognition of silicosis remained a small minority in the medical world. Until the mid-1920s, the respective government authorities did not listen to them, not least for fear of the financial consequences of insuring a new occupational illness with an unknown dimension.

This standoff situation only changed with the rise of the international labour movement as a new actor. In the early 1920s, the international trade union of the stone-workers adopted the Anglo-Saxon model and started to lobby political actors. In the first stage of this debate, the union argued legally and politically pointing at the progressive legislation in the British Empire. At a congress in Innsbruck in 1921, the stone-workers' union demanded that the distinction between tuberculosis and silicosis should be recognized internationally and thus also the autonomous status of silicosis as an occupational illness.[17] The union tried to convince national governments to change their social insurance legislation. However, the legal-policial strategy had failed already by 1922 as no European government immediately adopted the British approach. In 1924, the union changed its strategy and started enrol the ILO – a still young organization eager to leave a footprint in social policy debates – in its endeavours. With the tripartite structure of the ILO, the trade unions were directly involved in the decision-making process – and the stone-workers' union was successful in convincing Albert Thomas to take up their concern and turn it into an official policy of the ILO.[18] Thus in 1926, the Industrial Hygiene Section (IHS) of the International Labour Office became engaged in the silicosis debate. The IHS was headed by the Italian Luigi Carozzi (1875–1963), a reformist physician from the Milan school of occupational medicine. Carozzi seems to have used silicosis as a strategic issue in order to safeguard its discursive hegemony over issues of industrial health. The IHS stood in competition with other offices outside and inside the ILO, in particular with the health section of the League of Nations, which mainly focused on infectious diseases, and the ILO's Industrial Safety Section that was dominated by engineers and their policies of technical (instead of medical) prevention. Thus, the fight for the recognition of silicosis offered Carozzi and his Section a distinctive issue in the competition with other organizations: an occupational disease distinct from the epidemics the League of Nations' health section was dealing with, and an illness that depended on medical expertise in order to prevent it, different from the usual engineerial approach to

the prevention of industrial accidents, prevalent in the Industrial Safety Section of the ILO.[19]

First, the IHS concentrated on research activities, collecting material about the mortality of several occupations at risk – with the clear result that the evidence pointed at a distinct occupational illness in the form of silicosis.[20] The next step was to decide upon a legal strategy. In 1928, the IHS decided at a conference in Dusseldorf that its policy was to help silicosis be internationally recognized as an occupational illness.[21] To this end, the IHS tried to collaborate with other international organizations, namely international medical associations. The IHS successfully convinced the International Commission on Occupational Hygiene (responsible for organizing the International Congress for Occupational Hygiene) to take up the silicosis issue and make it a central topic for its congress in 1929 in Lyon.[22] The congress managed to build a consensus and supported a resolution to recognize silicosis as a new diagnostic entity.[23] This consensus was confirmed at a subsequent conference, organized by the ILO in Johannesburg in 1930.[24]

3. In retrospect, the Lyon conference turned out to be a watershed. Not only the ILO but also the responsible international medical community agreed on the recognition of silicosis. In 1929, the year of the Lyon conference, the responsible organization for the national accident insurance of the mining trades, the *Knappschafts-Berufsgenossenschaft*, decided to include silicosis on the official list of occupational illnesses (although only severe cases of silicosis would be compensated).[25] Three years later, in 1932, the national accident insurance in Switzerland followed the German example, but widened the compensation to all cases of silicosis that led to work incapacities, including the less severe forms of the illness.[26]

On the international level, the ILO continued to be an important voice in the debate about silicosis. Already before the recognition of silicosis in Germany, the ILO tried to coordinate the international research efforts about silicosis, for example at conferences in Johannesburg (1930) and in Geneva (1934). The organization was successful mainly on the scientific level (and less so on the legal level), for example by helping to standardize the diagnostic procedures and criteria (introducing a distinction between three stages of silicosis – a formula that was taken up by the international medical community). The ILO also tried to promote institutionalized compensation through national insurance systems. However, the power of the ILO to act upon national legislators was limited. Countries like France and Belgium, affected by silicosis through their mining industries, but more employer-friendly than Germany and Switzerland, were particularly sceptical and usually did not follow the ILO's Recommendations and resolutions in this field – at least not until 1945.

Generally, the period after the recognition of silicosis brought a new era for the relation of national and international social policy actors in Germany and Switzerland. Now the practice of insuring silicosis was more driven by the institutional contexts on the national level and national-specific factors became more important than the international discourse on the level of the ILO – national factors like the influence of corporate interests within the organization of the national accident insurance, or the economic significance of the various occupations at risk. Against this background, the influence of transnational discourses and actors lost its previous momentum.[27]

The interwar period and the years of the Second World War offer several empirical cases that show how the comparably high standards of the ILO were eroded and diluted in the hands of national policy actors. A few brief remarks on the situation in Switzerland and in Germany must be enough. Part of the diminishing influence of the ILO was the general crisis of the League of Nations, at the latest after Germany left the organization in 1935. On the national level, the ILO policies lost their significance within the mining industries in favour of the armament policies of the late 1930s and for the war economy during the Second World War. Thus, in both countries the policies of prevention by the national institutions for accident insurance gradually lost their strength, eventually giving way to a policy that privileged the demands of economic production and sidelined the measures of precaution against silicosis. Thus, during the Second World War, both countries witnessed a sharp rise in cases of silicosis – often very severe cases. But it was only after the end of the Second World War that the obligations for prevention were implemented again.

The ILO seen from a national perspective: the international relations of the Swiss Institute for Accident Insurance

For the second part of this chapter, I will shift the perspective to a national institution, the Swiss Institute for Accident Insurance (Suva). What status did the ILO and other international actors have in the daily business of a social insurance organization? First a few general remarks on the relation between Switzerland and the ILO. Switzerland, a founding member of the ILO, was a cautious follower of the ILO's Conventions and Recommendations (see Table 2.1: Ratifications of ILO Conventions in the fields of Occupational Safety and Social Security by Switzerland, 1919–2000). Of all the ILO Conventions in the fields of Occupational Safety and Social Security during the 20th century, Switzerland ratified only 30.6 per cent (56 out of 183). Compared to this general account, the percentage of ratified Conventions in matters of Social Security (40 per cent; six out of 15) and especially of Occupational Safety (44.4 per cent; eight out

Table 2.1 Ratifications of ILO Conventions in the fields of Occupational Safety and Social Security by Switzerland (1919–2000)

ILO Conventions in the field of occupational safety (1919–2000):
- Conventions total: 18 (3 before 1945; 15 after 1945)
- Conventions ratified by Switzerland: 8 (2 before 1945; 6 after 1945; not ratified: 9)

Conventions in the field of social security (1919–2000):
- Conventions total: 22 (15 before 1945; 7 after 1945)
- Conventions ratified by Switzerland: 6 (3 before 1945, 3 after 1945; not ratified: 16)

Conventions total by the ILO (1919–2000): 183
Conventions total ratified by Switzerland (1919–2000): 56 (not ratified: 127)

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of 18) indicate that the Swiss legislation for accident insurance was more consistent with the ILO's policies that other fields of welfare policies in Switzerland. This is clearly an effect of the particularities of Swiss welfare history. In the late 19th and early 20th centuries, Switzerland tried to follow the German model and its Bismarckian institutions. However, the process of legislation turned out much more difficult than expected. The first social insurance was only established in 1918 for the national accident insurance, administered by the newly founded Swiss Institute for Accident Insurance. In all other branches of social insurance, legislation was delayed, usually by negative popular votes in ballots that were required by the direct democratic constitution. Social policy measures were contested either for lack of financial resources (that is, popular fears of new taxes), federalistic resentments against strengthening institutions of the federal state or because the federal constitution did not provide the federal authorities with the necessary legislative authority.[28] Thus, in fields of old age insurance (where Switzerland introduced a social insurance system in 1948), unemployment insurance (introduced in 1977), sickness insurance (1996) or maternity benefits (2005), Switzerland usually had difficulties in ratifying Conventions of the ILO.[29]

Against this background, it was not surprising that Switzerland did not support the general policies of the Philadelphia declaration of the International Labour Conference in 1946. Switzerland's fragmented system of public and private insurances and its decentralized system of assistance differed fundamentally from the Beveridge-inspired model of universal and integrated social security services that the ILO envisaged.[30] Similarly, Switzerland was unable to ratify the most important ILO Convention in social security matters during the post-war decades, the Convention for Minimal Standards in Social Security of 1952. The Convention set specific minimal standards for nine fields of social security. The ratification procedure was designed in a flexible way. As soon as a country could subscribe to any three of the nine standards it was allowed to fully ratify the Convention.[31]

Even with this low threshold, Switzerland was not able to ratify the Convention. Only in the field of accident insurance did Switzerland fulfil the standards, whereas its old age, unemployment or sickness insurance did not pass the test. Only after the expansion of several branches of social insurance in the 1960s and 1970s (such as old age and disability pensions, and family allowances) was Switzerland in a position to finally ratify the minimal standards Convention in 1977.[32]

A closer look at the specific debates in Switzerland around Conventions related to accident insurance issues helps to illustrate some of the problems Swiss authorities had in adapting to the policies of the ILO. As mentioned, Switzerland had an early and comparably advanced national accident insurance. Thus, Switzerland did ratify some of the important Conventions in this field, notably Convention No. 18 on Workmen's Compensation for Occupatioal Diseases, prescribing the compensation of occupational diseases, and Convention No. 19 on Equality of Treatment in Accident Compensation (of 1925), which demanded that a national system of accident insurance would compensate foreign workers on the same level as its native workforce.[33]

The ratification problems were partly a consequence of the historical roots of the accident insurance. By importing the German model, Switzerland also adopted the Bismarckian system of class insurance, which meant that only the industrial sector was covered by the insurance, but not for example the agricultural workforce or the white-collar workers of the third sector.[34] This contradicted the often universal intentions of the ILO's social policies represented by Conventions for the protection of agricultural workers (Conventions Nos 10, 11, 12 of 1921 or Convention No. 121 of 1964) or by Conventions for accident compensation including the third sector (Convention No. 17 of 1921; Convention No. 148 of 1977).[35] Only in 1984 did Switzerland expand its accident insurance scheme into a universal system including workers from the agricultural and the service sectors.[36] This was not the only barrier for the implementation of the ILO policies. Another problem was that the labour protection was based on a system of compulsory accident insurance, combined with the regulation of workplace conditions, but not by the prescription and interdiction of hazardous products or machinery. The Suva offered financial incentives for measures of technical prevention used by employers, but it shied away from directly interfering in entrepreneurial freedom of action. Thus, Switzerland also declined to adopt those Conventions that offered strict regulations of industrial products or production technologies, such as Convention No. 13 prohibiting the use of white lead in painting (in 1921), Convention No. 119 prohibiting the production of hazardous machinery (in 1963) or Convention No. 170 regulating the use of chemicals in industrial production facilities (in 1990).[37]

How relevant was the ILO from the point of view of the Suva, especially when compared to the other international relations of the institute? The analysis of the Suva's annual reports, in particular the sections in which

Table 2.2 Activities of the Swiss Institute for Accident Insurance (Suva) 1918–1990

Year	Bilateral agreements	International scientific congresses	Activities related to international organizations
1918–1929	0	0	1
1930–1939	1	0	0
1940–1949 (40–44/45–49)	3 (0/3)	2 (0/2)	1 (0/1)
1950–1959	8	6	4
1960–1969	4	10	1
1970–1979	8	10	4
1980–1989	5	10	3

Source: Bericht und Rechnung der Schweizerischen Unfallversicherungsanstalt, 1918–1990.

the international relations and activities are listed, illustrates the tendencies and ambivalences of the Suva's international relations over the 20th century (see Table 2.2).

The history of the international contacts of the Suva shows that the ILO (including the ISSA) played only a limited role when compared to the significance of bilateral agreements or the regular participation at international scientific congresses, especially in the post-war period. Before the Second World War, the intensity of international contacts was generally low, regardless of their direction or partner organizations. The representatives of the Suva more or less abstained from participating at international conferences. Bilateral agreements in the area of social accident insurance were equally rare. In the 1920s and 1930s, under a political climate dominated by the right wing of the liberal party and by conservative movements, the Suva was busy dealing with domestic issues. The institute was heavily criticized for its putatively oversized budget and the seemingly excessive insurance premiums imposed on employers and employees.[38] At the same time, the organization had to prepare the epistemic ground for its work, namely to collect accident statistics and define mathematical and technical rules in order to set the appropriate insurance premiums.[39]

The insurance of migrant workers is a good example of the national approach to social insurance taken by the Suva. In the early 1920s, the question of insuring migrant workers was addressed in a passive way. The rule was that foreign nationals were entitled only to full insurance provisions (on the same level as Swiss workers) when their national accident insurance also offered non-discrimatory conditions to Swiss nationals working abroad. Still in 1923, the Suva knew of no country in which this principle of equal insurance was actually applied. Thus, in Switzerland, all foreign workers received only three-quarters of the regular benefits of the Suva.[40] In other words, five years after the constitution of the Swiss national accident insurance, the institute did not dispose of a single international agreement even

though Switzerland was one of the founder members of the ILO. At the same time, all Swiss employees working transitorily in a foreign country were fully insured by the Suva for a period of six months.[41]

After the mid-1920s, the Suva became more actively engaged in international debates. The year 1925 marks a turning point. At that time, the Suva began to partake in the Section for Accident Prevention (Abteilung für Unfallverhütung) of the ILO, in order to remain informed about the international trends in accident prevention and also to contribute actively to the research and publication activities of the Industrial Hygiene Section of the ILO. None other than Alfred Tzaut, the director general of the Suva, became a member of the Industrial Hygiene Section under Luigi Carrozzi and head of a sub-commission for occupational safety.[42] In this role he was for example responsible for writing a report on the international status quo in the prevention of accidents with wood machining.[43] These international activities seem to be motivated by the epistemic needs mentioned above: a need for appropriate statistical data and technical knowledge – this time from comparable institutions in other countries – in order to calculate correctly the premiums and benefits of the new branch of social insurance. In this respect the ILO was seen by the Suva primarily as a service provider and a knowledge-generating institution, and not (yet) as a crucial actor for the definition and promotion of international legal standards in social policies.

As mentioned above, the ILO agreed in 1925 upon the most important Convention of the interwar period in the area of accident insurance, the Convention on Equality of Treatment (Accident Insurance) obliging the signatory states to compensate foreign workers for work accidents through their own social insurances and with the same benefits as the national workers. The ratification of the Convention in 1927 also changed the international relations of the Suva.[44] Because most European states – including the northern part of Eastern Europe, though not the Soviet Union – also ratified the Convention, the measure in principle abolished the exclusion of foreign workers from entitlements of national accident insurances. However in many respects, migrant workers still remained discriminated against. In Switzerland for example, leisure accidents (for example on travel to work) were covered by the national accident insurance, but only for Swiss workers, as the ILO Convention was restricted to work accidents. Also, national differences in the structure of the benefits remained and a transnational appreciation of the causality of accidents and – more important – of occupational diseases was missing. This meant that migrant workers still suffered from various types of discrimination, for example when the causes for a partial incapacity of work was accepted in one country but denied in another one, or when, in the cases of occupational illnesses, a migrant worker was exposed to hazards in different countries and each country denied the entitlement for a disability pension, because it saw the decisive causes

for the illness in the work contexts abroad. As an effect of the remaining discriminations, the ILO Convention actually spurred the conclusion of bilateral agreements in order to deal with the still existing deficiencies – a process that gained momentum only after the Second World War.

During the interwar period, the Suva's international contacts stayed on a low level. Only one other international agreement was made: a bilateral contract with the Netherlands on the insurance of work accidents in the transport industry, in particular in the navigation of the Rhine, in 1938. This genuinely international trade was one of the typical fields of the early transnationalization of social policies.[45]

The period after the Second World War fundamentally altered the pattern of international relations of the Suva. Activities increased on all levels, from the conclusion of bilateral agreements to the participation at scientific congresses and at international organizations. In the late 1940s and the 1950s, the Suva implemented several Conventions and Recommendations of the ILO, notably on the organization of labour inspection (Convention No. 81), and on industrial safety and health protection issues. However, the adopted Conventions and Recommendations had a comparably limited and disparate scope; they did not reach the significance of the accident insurance Convention in 1925. But these were not the only ILO-related activities of the Suva. More important than the implementation of international regulation was the participation in expert organizations and networks close to the ILO, in particular under the umbrella of the ISSA. Switzerland became a member of the ISSA in 1950, briefly after the *Conférence internationale de la mutualité et des assurances sociales* reorganized and renamed itself in 1947 as the International Social Security Association.[46] As in the interwar period, the Suva had a vital interest in being updated about the state of the art of the technical and actuarial issues in accident insurance. Swiss delegations were regularly sent to the workshops and conferences of the ISSA and also to other international expert networks in the field of accident insurance and occupational safety. These events were usually focused around the exchange of opinions and experiences, for example on current trends in accident prevention, without taking any binding decisions.[47]

In general it seems that the cooperation with international organizations was important for the Suva either for technical reasons – to keep updated about the relevant expert debates – or for symbolic reasons. The participation at international organizations was important because it lent Switzerland the status of an internationally recognized welfare state – an important qualification in a time in which Switzerland caught up with the development in more progressive welfare states such as Germany or France.[48] Thus, the Swiss delegation was often happy to offer its services as a host country for activities of the ILO, as in 1963 when Switzerland hosted an international congress on occupational safety.[49]

Interestingly, this picture of an increased cooperation between the Suva, a typical example for a Western social insurance institution, and the ILO in the post-war decades is not in line with the common argument that the ILO lost its previous relevance for Western welfare states by intensifying the collaboration with non-Western member states, in particular the decolonized countries, in the 1950s and 1960s. This argument, made for example by Cédric Guinand and Daniel Maul, points to the ILO's post-war strategy of globalizing the social policy standards of European states, which meant that in the 1950s and 1960s the Conventions and Recommendations of the ILO were tailored to the needs of the developing countries and lagged behind the comparably dynamic development of Western European welfare states.[50] It seems that this situation offered for a country like Switzerland, that was in European terms also a welfare latecomer, the opportunity to catch up with the international social legislation of the ILO.

Even more important than the relations with the ILO were the bilateral contacts of the Suva. After the Second World War, and parallel to increasing intra-European migration, bilateral agreements became the cornerstone for the international harmonization and coordination of social security traditions among Western European welfare states.[51] In case of the Suva, bilateral agreements were primarily made with states that were related to Switzerland by migration, such as all neighbouring states, but also the Netherlands, Greece, Spain, Portugal and Turkey. These agreements usually stipulated the mutual recognition of insurance payments or benefits, or the harmonization of insurance cover for migrant workers. In financial terms, these agreements were often much more important than most ILO Conventions. Quantitatively, the Suva's bilateral agreements were two to three times more numerous than the international Conventions or Recommendations signed by the Suva.[52]

However, it would be wrong to numerically juxtapose bilateral and multilateral agreements, because both activities were interrelated. As mentioned above, the trend to bilateral agreements was partly spurred by the deficiencies of certain ILO Conventions, as in the case of the Equality of Treatment (Accident Compensation) Convention, 1925 (No. 19). As the equality of compensation between national and foreign workers was only guaranteed among the signatory states of Convention No. 19, the Swiss government worried about the unequal compensation standards that would result from ratifying the Convention. Foreign workers from countries that ratified Convention No. 19 were privileged compared to workers from non-signatory countries. Therefore, the Federal Council combined the ratification of the Convention with starting an active policy of bilateral agreements in order to secure equal levels of compensation among as many nationalities as possible.[53] Thus, the loopholes of an ILO Convention in the interwar period partly fuelled the increase in bilateral agreements after the Second World War.

Conclusion

The relation between the ILO and the national organizations for accident insurance in Switzerland and Germany during the 20th century points at the crucial influence of international or transnational actors on the national level of social policy-making. The case study on the recognition of silicosis shows that international organizations like the ILO did not act alone on the transnational level. They were supported by international trade union organizations or international scientific (in particular medical) congresses in their sensitizing of national policy actors. Moreover, there are important trade-off effects between multilateral and bilateral policy-making, as illustrated in the case of Switzerland's increase in bilateral agreements after the Second World War – a trend that was spurred by the shortcomings of some ILO Conventions in the interwar period. The process of international legislation driven by the ILO was particularly effective, even without any direct legal force on the national level. Indirectly, as a 'soft power', the ILO's Recommendations and Conventions caused a constant reflection among the Swiss authorities about the status of its national social insurance system when put into an international context and compared to other European examples. The ILO was important both on a cognitive and on a legal level. Its multiple research activities helped to shape the outlines of a 'European' or 'global' world of welfare states; at least it allowed member states such as Switzerland to perceive the international context of their own national welfare system. Legally, the ILO was the source of a steady stream of proposals to encourage convergence and standardize the different types of welfare states. As the case of Switzerland illustrates, these legal activities were far from ineffective. Even in times when the ILO's priorities were not on Western Europe but on developing countries, as in the 1950s and 1960s, Switzerland was constantly debating and accommodating itself to the ILO's legal benchmarks, even though they mostly consisted of minimal standards.

Notes

1. The definitions of international and transnational are based on P. Clavin, 'Defining Transnationalism', *Contemporary European History* (vol. 14, no. 4, 2005), pp. 429–439. Internationalism is based upon the activities of public institutions, whereas transnationalism emerges from the work of civil society organizations (such as trade unions, social movements or scientific experts).
2. T. M. Porter: *Trust in Numbers: The Pursuit of Objectivity in Science and Public Life* (Princeton: Princeton University Press, 1995).
3. H. Meller, 'Philanthropy and Public Enterprise. International Exhibitions and the Modern Town Planning Movement, 1889–1913', *Planning Perspectives* (vol. 10, no. 3, 1995), pp. 295–310.
4. For the relevance of expert knowledge for the ILO's policies, see S. Kott, 'Une "communauté épistémique" du social?', *Genèses. Sciences sociales et histoire* (vol. 71,

no. 2, 2008), pp. 26–46. For the ISSA, see C. Guinand, 'Zur Entstehung von IVSS und IAO', *Internationale Revue für Soziale Sicherheit* (vol. 61, no. 1, 2008), pp. 93–111.

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  6. For Germany, see J. Boyer: *Bundesministerium für Arbeit und Soziales, Sicherheit und Gesundheit bei der Arbeit. Bericht der Bundesregierung über den Stand von Sicherheit und Gesundheit bei der Arbeit und über das Unfall- und Berufskrankheitsg eschehen in der Bundesrepublik Deutschland im Jahre 2005* (Berlin, 2005), p. 180; for France, see P.-A. Rosental, 'Avant l'amiante, la silicose: mourir de maladie professionnelle dans la France du XXe siècle', *Population et sociétés* (no. 437, September, 2007,), pp. 1–4; for Switzerland, see M. Lengwiler, *Riskopolitik im Sozialstaat*, op. cit., p. 259.

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11. For the early labour protection activities of labour unions, see Teleky, op. cit., pp. 75–86.

12. R. Kolb: *Die Berufsverhältnisse der Steinarbeiter in der Schweiz und deren Gefahren in bezug auf Unfall- und Krankheitshäufigkeit* (Zürich, 1912), pp. 17–20.

13. Ibid., pp. 5, 15–27.

14. Ibid., pp. 17–18 ; pp. 22–27.

15. Teleky, op. cit., pp. 202–208; see also L. Teleky: *Bericht über die Erebnisse der Staubuntersuchungen in England, seinen Dominions und Amerika* (Berlin: Honning, 1928).

16. Teleky: *Bericht über die Erebnisse der Staubuntersuchungen in England, seinen Dominions und Amerika*, op. cit., pp. 6–8 ; L. Teleky, *History of Factory and Mine Hygiene*, op. cit., pp. 201–202.

17. R. Kolb, 'Staubkrankheit (Silikose) als unfallentschädigungsberechtigte Berufskrankheit', *Gewerkschaftliche Rundschau* (vol. 26, 1934), pp. 187–191.

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21. Ibid.; ILO: *La silicose*, Compte rendu de la conference internationale tenue à Johannesburg du 13 au 27 août 1930, Geneva.
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23. Kolb, op. cit., pp. 187–189; Commission internationale permanente pour l'étude des maladies professionelles, IVe Réunion de la Commission (Lyon, 3–6 avril 1929).
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30. For the position of the Swiss government towards the Philadelphia declaration, see Bundesblatt 1946, vol. I, pp. 780–798.
31. G. A. Johnston: *The International Labour Organization: Its Work for Social and Economic Progress* (London: Europa Publications, 1970), pp. 198ff.
32. The idea of a ratification already found the government's support in 1953; Bundesblatt 1953, vol. III, pp. 1006–1008; For the ratification in 1977, see Bundesblatt 1976, vol. III, pp. 1319–1341.
33. Switzerland ratified the Conventions in 1926: Bundesblatt 1926, vol. I, pp. 811–815.
34. Lengwiler, 'Transfer mit Grenzen', op. cit., pp. 47–51.
35. For the reasons against Conventions Nos 10–12 see Bundesblatt 1923, vol. II, pp. 77–81; For Convention No. 121: Bundesblatt 1965, vol. I, pp. 684–690; For Convention 17: Bundesblatt 1926, vol. I, pp. 799–810; for Convention No. 148: Bundesblatt 1979, vol. I, pp. 751–753.

36. M. Lengwiler, *Riskopolitik im Sozialstaat*, op. cit., pp. 102ff.
37. For Convention No. 13: Bundesblatt 1928, vol. I, pp. 517–559; for Convention No. 119: Bundesblatt 1964, vol. I, pp. 68ff.; for Convention No. 170: Bundesblatt 1991, vol. III, pp. 876–883.
38. Lengwiler, *Riskopolitik im Sozialstaat*. op. cit., pp. 231–233; see also Suva 1926, pp. 12ff.
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42. BIT 1925, p. 65.
43. Suva 1925, p. 11.
44. Suva 1929, pp. 4 et seq.
45. Suva 1938, p. 7.
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47. Examples: ISSA conferences in 1963 (on labour protection), 1977 and 1978 (both on accident prevention); other international scientific conferences: participation yearly since 1953, before: 1947–1949, see: Suva, Bericht und Rechnung, 1963, p. 7 ; 1977, p. 5 ; 1978, p. 7.
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3

The ILO, Feminists and Expert Networks: The Challenges of a Protective Policy (1919–1934)

Nora Natchkova and Céline Schoeni

Introduction

This chapter aims to shed new light on the ambivalent relationship between the International Labour Organization (ILO) and the main feminist organizations at the time when the guidelines were being drawn up for the protective policy promoted by the ILO between 1919 and 1934.[1] The purpose of the ILO, institutionally attached to the League of Nations (LON) since its creation in 1919, was to work for global post-war reconstruction on the basis of the principle of universal peace, through the harmonization of working conditions and the introduction of regulations on uniform working conditions in the member countries. In this chapter we will be looking at the problems surrounding the introduction of specific legislation governing women's employment. The ILO, as an institution, is particularly interesting for two reasons. First, it is where Conventions and Recommendations on conditions of employment for men and women are negotiated, which set standards designed to act as universal references. Secondly, because of its tripartite operation, it reflects the relationship between the main protagonists shaping the history of labour: states, employers' associations and workers' organizations. The Convention banning night work for women, adopted in 1919 and revised in 1934, and the creation of the Correspondence Committee on Women's Work at the ILO in 1932 will allow us to illustrate how interests converged and diverged between the social groups represented in the ILO bodies, and will also highlight the entryist strategies pursued and the efforts made to keep women as a social group out. Yet women were just as affected by the establishment of this new international regulatory framework, since it determined their working conditions and in effect restricted their access to skilled jobs by treating them as a separate section of the wage-earning classes. Joining together in rapidly expanding, supranational feminist organizations during the 1920s and 1930s, they developed a

number of strategies to try to gain a foothold in the ILO and impose their views. Their barrage of representations and the employment crisis of the 1930s persuaded the ILO to set up an expert network to legitimize its own role in the development of specific legislation for working women, but without giving this new structure a formal status to intervene in ILO policy.

Based on the archives of the International Labour Office (ILO Office), the ILO's permanent secretariat in Geneva, this chapter aims to show the role of gender relations in an analysis of the transnational policies developed by the ILO.

Women, the ILO and the ILO Office: a conflicting power relationship

The creation of the LON and the ILO generated massive enthusiasm among international feminist organizations.[2] The background here, without going into too much detail on the history of women's rights movements around the world, was that the feminist associations that had existed at national level and had long been labelled middle class – though they should more appropriately have been called reformist or reforming – had started to form an international movement at the turn of the 20th century.[3] The two largest organizations at the time were the International Council of Women and the International Woman Suffrage Alliance. The International Council of Women was founded in Washington in 1888 and was the first international women's organization to advocate a universal, broad and reforming programme.[4] The International Woman Suffrage Alliance was founded in 1904 by members of the International Council of Women who felt that the Council's programme was not militant enough in fighting for women's right to vote. Despite differences over the best way to win civic rights, the two organizations shared fairly similar views of the world. During the 1920s and 1930s they considered merging on several occasions, but because of the International Council of Women's dominant position, the International Woman Suffrage Alliance kept its distance.

These two associations, together with the International Federation of Working Women,[5] a forum for women trade unionists since 1919, saw the ILO as a way of advancing their political agenda, the cause of women at a global level, and above all the establishment of political and economic equality in national legislation. From the outset the aim of these most influential feminist organizations was to ensure that women played a part in the bodies attached to the LON, and particularly the ILO in view of its crucial role in the field of women's employment.[6] But they would face outright opposition to their inclusion in the ILO, ostensibly because women's interests were already represented through its tripartite operation. On 18 March 1919, for instance, the Commission on International Labour Legislation, which had been instructed by a decision of the Allied Supreme Council

at the Peace Conference to draft the rules and agenda for the first ILO conference in Washington, received a delegation of feminist associations.[7] At the meeting, Cécile Brunschvicg, on behalf of the International Woman Suffrage Alliance, proposed that women-only tripartite working committees should be set up in all the ILO member countries, and that each draft item of legislation specifically on women's employment should be submitted to them. The Commission on International Labour Legislation rejected this proposal on the following grounds: 'Several Delegates thought that the proposal was of too exclusive character and that there was no reason why a similar commission should not be set up as regard to men.'[8]

The Commission in question, which was so anxious about setting up single-sex working groups, was itself made up of 15 male delegates. The same applied to the first Labour Conference in 1919, where all the official delegates from the various member countries were men.[9]

Despite these problems, the feminist associations continued to fight, by various methods, to be included in the ILO and make their voices heard there. However it was a long and rocky road to build bridges with this new international body. Having considered setting up an International Women's Office in 1919 – a sort of female ILO Office – they decided in the end to rely on the legal equality enshrined in the LON Covenant to pursue their objectives.[10] The Covenant, adopted in 1919, states that women should have access without discrimination to all positions under or in connection with the LON.[11] The feminist associations were rapidly disappointed, however. Time and again in the 1920s, the International Council of Women and the International Woman Suffrage Alliance requested interviews and sent letters of protest to ILO officials denouncing the under-representation of women in the organization.[12] When these requests fell on deaf ears, they set up structures in the 1920s to provide external coordination for pressure groups lobbying the ILO in the interests of female workers. Two crucial moments should be mentioned here. In 1925, on the initiative of the International Council of Women, a Joint Standing Committee of Women's International Organizations was set up to ensure that suitably qualified women were appointed to LON bodies. At the same time closer cooperation was established with the ILO Office in the form of a Liaison Committee between the International Council of Women, the LON and the ILO Office. This new body met for the first time in August 1925 to decide on the arrangements for cooperation. Given that the ILO Office had no specific section on women's employment, the civil servant Martha Mundt, a German socialist who had studied economics and sociology, was asked to monitor women's employment issues, to maintain contact with the feminist associations and to report to the ILO Director, Albert Thomas.[13] For the ILO, working together like this was a way of maintaining good relations with the main international feminist associations. Even if the ILO could rely on the support of the female trade unionists in the International Federation of Working Women for its

policy of protecting women's employment, the backing of the International Council of Women and the International Woman Suffrage Alliance became crucial as the idea of specific regulations for women's employment became subject to an increasingly organized challenge by women both nationally and internationally in the interwar period. For instance, a number of northern European countries did not ratify the 1919 Washington Convention banning night work for women. Sweden told the ILO Office that it had taken this decision on the basis of the negative views expressed by trade unions with mostly female members.[14] The economic crisis of the 1930s, which provoked a violent offensive against women's employment,[15] made some governments more reluctant to accept the principle of differentiation between men and women in access to employment. Again in Sweden, the defence of women's right to work led by the feminist movements with the support of the socialist government helped to make the ILO's determination to extend its protection policy to the services sector appear even less legitimate.[16] Despite these disagreements about the ILO's policy on working women, the origins of which will be examined in greater detail below, what we must remember here is that until the Correspondence Committee on Women's Work was set up in 1932 the ILO had no dedicated body studying women's employment issues.

Creation of the ILO: the International Night Work Convention (1919)

The regulation of women's employment had, nevertheless, been one of the ILO's main concerns since it was set up.[17] Initially the stated aim of this regulation was to protect female workers' maternity and health from the hardships of industrialization. At the first International Labour Conference in Washington in 1919, two of the six Conventions adopted related specifically to women's employment. The first prohibited women from working in commercial and industrial undertakings for six weeks after giving birth, without any requirement for the employer to pay wages to female staff on leave. The second prohibited night work (from 10pm to 5am) in industrial undertakings for women of any age. Subsequently, during the 1920s, the ILO continued to work tirelessly on women's employment, adopting a number of Conventions and Recommendations designed either to extend the application of existing Conventions to sectors other than industry, or to prohibit women from doing work defined as unhealthy, arduous or dangerous for women.[18] These international standards introduced the idea of a biological and social difference between men and women which was used to justify specific legislation governing women's employment. This was by no means an obvious fact, it was simply a majority view that would be defended by the ILO and its officials against other egalitarian or liberal prerogatives supported by social actors in a weaker position on the international stage

and with little or no representation in the ILO. The clash between these different interests explains why the regulation of women's employment was so prominent in the Conventions adopted at the first International Labour Conference in 1919, and the problems in banning night work for women in the decades which followed. At the end of the First World War the main concern of the ILO founders was to achieve rapid agreement on the establishment of an international body to regulate economic competition between states and to curb the popular protest and/or revolutionary movements that were springing up in Europe and threatening the capitalist order.

In this context the ban on paid night work for women brought serious advantages. There was already a similar Convention on the subject, the Berne Convention of 1906, which had been signed by a large number of European countries.[19] In addition, since the International Congress on Labour Protection, held in Zurich in 1897, the labour movement overall – trade unions, corporations, socialists and reformers – had supported the demand for special protection for female workers, even though this issue had previously provoked debate and controversy. The fact that there was already international agreement on banning night work for women thus achieved two objectives that were fundamental to the creation of the ILO: it ensured speedy preparations for the first conference and the broadest possible support for the new international body and its prerogatives.[20] Like the introduction of the eight-hour day, one of the other major Conventions adopted in 1919, the condemnation of night work for women was supported by representatives of the employers, trade unions and governments of the countries attending the conference. However, their approval was not for the actual application of these principles – in national legislations there were a number of derogations which allowed both employers and the state considerable leeway – but for the introduction of a standard. The separation of wage-earners into two distinct groups according to gender, which was enshrined in the very first ILO Conventions, thus established a discriminatory core in the regulation of working conditions for all the ILO member countries. A cornerstone of the body of standards designed to promote legislation which supposedly 'protected' working women, the ban on night work actually perpetuated a social order which gave men priority in access to jobs and relegated women to the role of housewife and mother.

The wording of the 1919 ban on paid night work for women was largely drawn from the Berne Convention of 1906. There was no age distinction for women, and the notion of 'night' was defined as running from 10pm to 5am. However, the Washington Convention, ratified on a number of occasions after 1919,[21] extended the scope of the ban to the service sector and to work covered by services in the industrial sector, as well as to very small industrial undertakings with fewer than ten workers. The two decades after the First World War were characterized by structural changes to employment: the service, or tertiary, sector was booming and at the same

time a growing number of women were finding paid work there. Male employment did not experience the same changes, with most male workers still employed in the industrial sector. The following figures illustrate this general trend.[22] In Switzerland, of all women in work, the percentage of women in the industrial sector reached its lowest level in 1930 at 36.8 per cent, whereas the service sector employed 53.6 per cent women. The proportion of women working in the service sector out of the total workforce (men and women) remained around 50 per cent for the first three decades of the 20th century. In France, 57.7 per cent of female workers were working in the industrial sector compared with 17.9 per cent in the service sector in 1906, whereas by 1946 42.3 per cent were working in the industrial sector and 25.8 per cent in services. The proportion of women to men working in the service sector was 1 to 2 in 1906, and 1 to 1 in 1946. In Sweden the trend was exactly the same. The percentage of female industrial workers declined at the turn of the 20th century, from 20 per cent to less than 15 per cent. Conversely, the percentage of women in Sweden's public services increased from 8 per cent in 1910 to 25 per cent in 1930 and 49 per cent in 1940. The expanding service sector thus attracted a female workforce, threatening the terms of the gender division of labour and necessitating the redefinition of the concepts of men's and women's work. For female workers, the few reports produced in the 1920s on the impact of the ban on night work for women sent to the ILO stressed that the most highly skilled jobs had become inaccessible to women because of the ban, both in industry and in services.[23] For employers, the extension of the ban on night work for women restricted their freedom to use these able and less well-paid workers.

The economic crisis in the 1930s sparked renewed debate in many countries about regulating women's access to paid work, and the Night Work Convention was submitted for review. In the end, the rules on night work specifically for women were maintained, but derogations were allowed by the new 1934 Convention and the definition of the night period was adapted to suit production. At the same time, the ILO member states and directors were concerned by the international feminist associations' active opposition to the erosion of women's right to work resulting from short-term economic policies to tackle the crisis. In some circles the need for special protection for women's employment was used as an argument for keeping female workers out of the shrinking labour market, something which apparently concerned Marguerite Thibert in the early 1930s.[24] It was in this climate of tension that the Correspondence Committee on Women's Work was set up.

Creation of the Correspondence Committee on Women's Work at the ILO Office (1932)

The situation changed in the early 1930s as a result of pressure from the feminist organizations combined with the new international context. The

global economic crisis and unemployment helped to push the so-called problem of women's employment into the international spotlight and, in response to this, to the top of the list of feminist demands.[25] As early as 1930 there were a number of calls for a body to be set up in the ILO to examine issues relating to women's employment. Women in skilled jobs now had worse, less secure working conditions as a result of the policies adopted by various governments in the industrialized countries to tackle the crisis, and this became an additional factor which, as it were, forced the ILO to react and turn its attention to the problem of women's employment *in general*, rather than just from the point of view of banning night work for women in the industrial sector. It was against this background that the Correspondence Committee on Women's Work was set up over a period from 1931 to 1933, the main stages of which are described below.

At the 15th International Labour Conference held in Geneva in the spring of 1931, Eugenia Wasniewska, a technical adviser for the Polish workers' delegation, was invited to present a proposal of hers which had previously been submitted to the Conference President on the creation of an Advisory Committee on Women's Work within the ILO Office.[26] Wasniewska's idea was that this committee should conduct a thorough study of women's conditions of employment with a view to promoting effective international action to improve those conditions. The study she proposed should be carried out with 'the assistance of persons who have had special experience of the conditions of work of women in different countries corresponding to the chief types of organizations of women workers',[27] meeting in a tripartite committee as required under the ILO rules, and including women representatives.

The first setback came when the President of the Conference, to whom the request had been submitted, considered that the proposal could not be considered urgent and consequently could not be put to the vote. Her request was also not discussed in the plenum, but was supported within the ILO Governing Body by François Sokal, who was none other than the President of the 15th Conference who had said that the proposal was not urgent. Sokal represented the Polish government in the Governing Body, a position which he also held at a number of annual Conferences and in other international organizations in Geneva.

Discussion on the proposal resumed in October of that same year, at the 55th Session of the Governing Body, so with just 24 members representing the governments, employers and workers from the eight most industrialized countries plus four other countries from the rest of the world. With the exception of Miss Clark, accompanying Walter Riddell, the Canadian government representative on the ILO Governing Body, everyone attending the session was a man. Since the previous discussion a number of international and national feminist associations had written to Albert Thomas to express their support for Wasniewska's proposal.[28] These included the International

Woman Suffrage Alliance and Open Door International, an association which was to become increasingly prominent in international feminist circles in the 1930s largely because of its conflicting relationship with the ILO. The association had been founded as a breakaway group following an International Woman Suffrage Alliance conference on the issue of so-called protective legislation for women's employment three years previously.[29] Breaking with the dominant feminist ideas, Open Door International pursued equal opportunities in the productive sector and worked to give women unrestricted freedom in employment. It was therefore opposed to any legislation supposedly protecting women's employment promoted by the ILO, which it identified as an international bastion of male interests. Despite its clashes with the ILO, when it found out that a Correspondence Committee on Women's Work might be set up, Open Door International demanded to be represented on it, arguing that: 'The work of a committee is only useful if it is carried out objectively. A committee dealing with women's work can only produce a truly objective report if it includes members who consider that the special restrictions imposed on women workers demean their status and make it more difficult for them to earn a living. A committee made up of representatives of governments, employers and male workers does not necessarily include such members.'[30]

During the discussion in the Governing Body in October 1931 on setting up this committee, there was a stormy exchange of views.[31] The debate started with a proposal to adjourn the question on the pretext that it was not clear what the term 'women's work' meant and that female workers' interests were already defended by the workers' organizations. In the end it was voted not to adjourn the discussion, and the employers' and trade union representatives agreed that account should not be taken of Open Door International's request for egalitarian feminists to be included in the future Advisory Committee on Women's Work. Charles Schürch, the Swiss workers' delegate and secretary of the Swiss Federation of Trade Unions – the main Swiss trade union body – spoke twice to point out that the ILO did not have to enter into relations with Open Door International since it was not an occupational organization. Léon Jouhaux, Secretary-General of the Confédération générale du travail (General Confederation of Labour) and the workers' delegate for France, wholeheartedly agreed with this, saying that the idea was to set up a committee on questions of women's work, not a committee to discuss political questions. The Danish employers' delegate asked Albert Thomas not to take account of Open Door International's wishes in his report. In the end there was clear hostility from the various male members of the Governing Body, regardless of which social group they represented. Thomas therefore proposed to adjourn the discussion until the following session and to debate it on the basis of a report he would produce in the meantime on whether there was any possibility of agreeing to Wasniewska's request.

The third phase was when Albert Thomas submitted a report at the 56th session of the Governing Body in January 1932.[32] In this he put forward two important factors which supported Wasniewska's request and would justify the fact that the ILO, in accordance with its mission, had to provide itself with the resources to examine the problems of women's employment: the fact that women's employment was now spreading into an increasingly wide range of sectors, and the global economic crisis. The real challenge, however, was how to reconcile the feminists' expectations with the open reluctance of members of the Governing Body. A compromise was found in the definition of the status of the body to be responsible for handling women's employment issues. Thomas proposed to adopt the correspondence committee formula rather than the advisory committee proposed by Wasniewska. This was an important distinction, since the opinion of an advisory committee, a body responsible for debating in advance issues specific to a particular group of workers, had to be accepted. A correspondence committee, on the other hand, was made up of an indefinite number of experts (men and women), whose expertise on a particular aspect of labour was recognized nationally and internationally, but it was, above all, purely advisory in nature! Unsurprisingly, it was the second option which the Governing Body adopted. There was also some mention of the budgetary implications of choosing an advisory committee or a correspondence committee. If the second option was chosen, the ILO Office would not have to pay anything for the new structure to be set up. In the words of Harold Butler, Deputy Director of the ILO: 'The setting up of the committee would in itself cost nothing. Meetings of members of the Committee could not be held unless the Governing Body had voted the necessary funds for the purpose, either by including them in the budget, or by way of transfer.'[33]

This statement underlined another key element of the procedure chosen: if a specific budget was needed for a meeting of these experts, it would make it easier to monitor the committee's activities and subtly prevent its work in the ILO from being taken seriously.

The next stage, and this was where things became complicated, was to decide which experts were to be on the Correspondence Committee. To get the ball rolling, Albert Thomas put forward a list of women to the members of the Governing Body, but they vehemently disapproved of what they regarded as a misuse of powers, feeling that it was up to them to propose names. In the end the members of the Governing Body were given the opportunity, individually or collectively, to give their views on a provisional list. Taking account of the suggestions made, the ILO Office undertook to draw up a new list that would be submitted to the 57th session of the Governing Body. The discussions on this list began in April 1932. From the outset Albert Thomas expressed his concern, and the need 'to […] put an end to the agitation which the setting up of the Committee had aroused'.[34]

In the meantime, despite the opportunity they had been given, very few members of the Governing Body had said which candidates they wanted, whereas the feminists had sent 69 letters proposing major changes, involving the addition of 95 extra names!

In the end the final composition of the Committee was as follows. The Governing Body approved a list of 108 names – 96 women and 12 men – drawn up by Albert Thomas.[35] This included only eight of the 95 names proposed by the feminist organizations and excluded, with a few rare exceptions, feminists from the Open Door International tendency who openly opposed the ILO's protective policy. Thomas was more inclined to provide a platform for Catholic women's organizations than egalitarian feminists, but included a number of female members of the Christian trade unions in the Committee, feeling that the presence of these women 'did not mean duplication but seemed likely to provide a useful source of information from circles whose views would not otherwise be expressed on the Committee'.[36]

It should be pointed out that at the time, Christian circles, including the Christian trade unions, were known for their hostility to women's employment and for their international campaign for mothers to stay at home.[37] If we had to characterize the list and weight the various influences, we could say that slightly more than half of the 108 people involved occupied important posts in the trade unions in various sectors, usually at national level. Another third of the Committee members held prestigious posts in government structures (labour inspectors or ministers). The remainder were people who were already members of some LON committees and representatives of the international feminist associations which worked with the ILO – mainly the International Woman Suffrage Alliance and the International Council of Women – and supported its work even though they were critical that the institution held them at arm's length.[38]

Even though the list was adopted in April 1932, there was still some hesitation from the members of the Governing Body just before the vote about – and this is an important point – whether the female members chosen for the Committee could be regarded as experts. The British government delegate, for instance, backed by the British workers' delegate, was still opposed to the setting up of a Correspondence Committee to be consulted on women's employment. He felt that 'a Committee of this kind, which did not correspond to any sort of well-defined expert qualification and did not correspond to any of the real needs of the Office, could only be a source of embarrassment and impede the smooth working of the Organization'.[39]

Although this was not in itself an urgent issue, Albert Thomas, the Director of the ILO, asked the members of the Governing Body to give a definite decision 'in order to put an end to a widespread external agitation which, in the long run, was likely to be detrimental to the Organization'.[40]

These were the circumstances in which the list was adopted, and the women selected were contacted one by one to join the Committee as it

was set up. Having agreed in principle, each of them received a letter which once again stressed that the expert opinions they would be providing were not binding: 'The purpose of this Committee is solely to provide the bodies of the International Labour Organization responsible for the decisions to be taken with full information on the issue under consideration.'[41]

The letter also said that the ILO Office was free to consult as it saw fit any experts who it felt were qualified on a particular issue. This phase of defining the nature and operating rules for the Committee took a year, ending in spring 1933.

In practical terms, and despite the name used in the institution, the role of the members of the Correspondence Committee was not so much to act as experts but to fill the gaps in the ILO's information on women's conditions of employment in various countries. This is clear from a questionnaire which Marguerite Thibert sent to members of the Committee in June 1936 in order to obtain information about women's employment. She said in the accompanying letter: 'Members should limit their replies to those spheres of activity in which they are interested. The Office would therefore be glad if you would supply it with any data on these questions at your disposal, other than statistical information appearing in official publications.'[42]

Most of the data which the ILO Office wished to obtain related to the pay and various allowances received by men and women in different fields of work. The need to obtain additional data on such a key aspect as income highlighted the inadequacies of the official statistics. Thibert told members of the Committee that they were being consulted on a voluntary basis, but acknowledged the difficulty of the task: 'In view of the somewhat complex character of this information, the Office realizes that some time may be necessary before replies can be received. It would be glad to know, however, the approximative [sic] date on which you will be able to send the information and trusts that this will not be later than the end of 1936.'[43]

She was therefore entirely aware that members of the Committee were being asked to do a considerable amount of work free of charge, simply in order to make up for the lack of work done by states, trade unions and employers' organizations in the ILO member countries. Admittedly, the women consulted could take advantage of the ILO questionnaire to include data promoting an egalitarian employment policy for men and women. However, given how carefully the members of the Committee were selected and the size of the task they were being asked to do alongside their own jobs, the risk of the female/feminist experts subverting the ILO's policies was low. We should also not overlook the advisory nature of the Committee, which reflected just how little legitimacy women's employment issues had within the ILO Office. Marguerite Thibert was not even entitled to expect a definite reply, and the best she could hope for was to receive the information within six months.

With the further problems caused by the war, it became even more difficult for the ILO to obtain information from the Correspondence Committee. In 1944, for instance, Dora Schmidt, a Swiss member of the Correspondence Committee since its inception in her capacity as an assistant at the Federal Office of Industry, Arts and Crafts and Labour, replied to Marguerite Thibert about a question on working conditions in Switzerland: 'Before I deal with your questions in detail, I should inform you that I left the Federal Office of Industry, Arts and Crafts and Labour two years ago, at the end of 1941. I now work as an economics expert for the executive board of the Union Bank of Switzerland in Zurich, where I have a very interesting job. However, I am clearly much less up to date than I used to be on the issues you are interested in, and I can only give you my personal opinion without having all the data to hand that I used to have in my official position. I would therefore ask you to consult the relevant authority about whether I should remain on the Correspondence Committee on Women's Work.'[44]

In a way, the structure decided on by the members of the ILO Governing Body actually resulted in the main problems which they said they wanted to avoid. The use of 'experts' with an ill-defined field of expertise and without a proper, official mission to perform one of the ILO Office's tasks inevitably led to delays, inaccuracies and discrepancies, which meant that the issue of women's conditions of employment was not taken seriously. It is true that the composition of the Correspondence Committee, as defined at the outset, was not intended to last indefinitely, since the experts were appointed for three years. The outbreak of war and reorganization within the ILO Office during this period caused problems in renewing and adjusting the list of those consulted.

Conclusion: vagaries of the Correspondence Committee

Two factors should be highlighted by way of conclusion. First, the setting up of the Correspondence Committee on Women's Work was the ILO's first tentative step towards giving proper consideration to the issue of women's employment. However, as we have seen, the time was not yet right for the level of involvement and cooperation hoped for by the international feminist organizations. Secondly, although some hand-picked women gained the status of ILO experts, a prestigious position at the time, their work merely consisted of allowing the ILO to tap into their knowledge free of charge, without any guarantee in return that they information they supplied would actually be taken into consideration. In operational terms, the network of experts in the Correspondence Committee on Women's Work would become the rather fragile backbone supporting the work of a new structure set up at the end of 1933, the Women's and Young Workers' Division, forever linked with the name of Marguerite Thibert. This division was the first structure dedicated to the problems of women's employment in the

ILO Office. Extremely small when it was set up – there was only one person helping Thibert, whereas other divisions usually had five or six members – the division took on a wide range of tasks. To give some idea of what these involved, Thibert wrote a number of articles on women's work, supervised studies, indexed dozens of periodicals, gave talks, answered requests for information from governments, trade unions and feminist organizations, and monitored the application of the Conventions on women's employment and their revision. All of this work compiling data and analysing the development of women's employment resulted in 1938 in a first legislative summary. Even today this study, entitled *Le Statut légal des travailleuses*,[45] still constitutes an extremely valuable 720-page reference detailing the working conditions of women in 40 countries from various aspects: the development of women's work, women's unemployment, access to vocational training for women, equal pay, and the right to work. Thibert's tireless work overcame her Division's operational problems and perceived lack of legitimacy, and she came to embody the whole issue of women's employment in the ILO Office throughout the 1930s and the Second World War.

This short analysis of the International Night Work Convention and the setting up of the Correspondence Committee on Women's Work shows that paid employment for women was an important issue for the ILO, and the fact that it introduced legislation on the subject gave it legitimacy as an international body. The various Conventions and expert committees which it introduced and set up enabled it to impose a reference framework of standards. It has to be said, however, that the ILO focused more on serving the interests of some of the groups represented in the tripartite structures, and consequently played a part in keeping women out of its decision-making bodies.

Notes

1. See also the article in French: N. Natchkova and C. Schoeni, 'L'Organisation internationale du travail, les féministes et les réseaux d'expertes. Les enjeux d'une politique protectrice (1919–1934)', in I. Lespinet-Moret and V. Viet (eds), *L'organisation internationale du travail. Origine – Développement – Avenir* (Rennes: Presses universitaires de Rennes, 2011), pp. 39–51.
2. N. Natchkova, *Travail, luttes et inégalité: les femmes au coeur des négociations de l'Organisation internationale du travail et de l'horlogerie suisse (1912–1931)* (University of Fribourg, unpublished PhD, 2011); C. Lubin and A. Winslow, *Social Justice for Women: The International Labor Organization and Women* (London: Duke University Press, 1990), pp. 9–53; J.-M. Delaunay and Y. Denéchère (eds), *Femmes et relations internationales au XXe siècle* (Paris: Presses Sorbonne Nouvelle, 2006).
3. L. Rupp, *Worlds of Women. The Making of an International Women's Movement* (Princeton: Princeton University Press, 1997); K. Offen, *European Feminism (1700–1950). A Political History* (Stanford: Stanford University Press, 2000).
4. E. Gubin and L. van Molle (eds), *Des femmes qui changent le monde. Histoire du Conseil international des femmes* (Liège: Racine, 2005).

5. G. van Goethem, 'Protection ou égalité? Les femmes dans le mouvement syndical international (1919–1938)', in Delaunay and Denéchère (eds), *Femmes et relations internationales au XXe siècle*, op. cit., pp. 279–290.
6. C. Miller, 'Geneva – a Key to Equality: Inter-war Feminism and the League of the Nations', *Women's History Review* (vol. 3 , no. 2, 1994), pp. 219–245.
7. The delegation was composed of two international organizations, the International Council of Women (three representatives) and the International Woman Suffrage Alliance (five representatives), together with four French organizations: the Office des intérêts féminins (one representative), the Syndicats ouvriers confédérés (two representatives), the Syndicats professionnels indépendants (one representative) and the Ligue française du droit des femmes (one representative). See Natchkova, *Travail, luttes et inégalité*, op. cit., pp. 55–77.
8. J. T. Shotwell, 'Document 34. Minutes of the Meetings of the Commission on International Labor Legislation, February 1 to March 24, 1919', in *The Origins of the International Labour Organization* (New York: Columbia University Press, 1934), Vol. 2, p. 319.
9. There were 23 women listed among the delegates and advisers to the first International Labour Conference in Washington in 1919, but these were all, without exception, technical advisers, which meant that they were not entitled to vote. See League of Nations, *International Labour Conference. First Annual Meeting October 29 – November, 29 1919* (Washington, 1920), pp. 5–10.
10. E. Gubin, 'Pour le droit au travail: entre protection et égalité', in E. Gubin et al. (eds), *Le siècle des féminismes* (Paris: éditions de l'Atelier/éditions Ouvrières, 2004), pp. 161–178.
11. M. Marbeau, 'Les femmes et la Société des Nations (1919–1945), Genève, la clé de l'égalité?', in Delaunay and Denéchère (eds), *Femmes et relations internationales au XXe siècle*, op. cit., pp. 163–176.
12. The sources are kept in the ILO archives in series D 600/207/* 'Various Protests concerning the Representation of Women's Delegates at the ILC (1924–33)'.
13. Natchkova: *Travail, luttes et inégalité*, op. cit., pp. 142–150.
14. N. Natchkova and C. Schoeni, 'Qui a besoin de "protéger" les femmes? La question du travail de nuit (1919–1934)', *Travail, genre et sociétés* (no. 20, 2008), pp. 119–121.
15. C. Schoeni, *Travail féminin: retour à l'ordre!* (Lausanne: Antipodes, 2012).
16. N. Natchkova: *La division sexuelle du travail comme expression des rapports de pouvoir entre les sexes. Lecture à travers les exemples de la Suisse, la France et la Suède durant l'entre-deux-guerres*, Contribution to the Journées internationales de sociologie du travail (Nancy, June, 2009). Available online at http://gree.univ-nancy2.fr/encours/?contentId=6323.
17. M. Gaudier: *La question des femmes à l'OIT et son évolution (1919–1994)* (Geneva: International Institute for Labour Studies, 1996); C. Paoli-Pelvey, 'Normes de l'Organisation internationale du Travail relatives au travail des femmes: évolution et perspectives', in B. Despland (ed.), *Femmes et Travail* (Lausanne: Réalités sociales, 1991), pp. 73–87.
18. Lubin and Winslow: *Social Justice for Women*, op. cit., pp. 25–32.
19. U. Wikander, A. Kessler-Harris and J. Lewis (eds), *Protecting Women: Labor Legislation in Europe, the United States, and Australia, 1880–1920* (Chicago: University of Illinois Press, 1995); L. Auslander and M. Zancarini-Fournel (eds), *Différence des sexes et protection sociale* (Saint-Denis: Presses universitaires de Vincennes, 1995).
20. Natchkova and Schoeni, 'Qui a besoin de "protéger" les femmes ?', op. cit, pp. 111–128.

21. Ibid.
22. S. Christe et al., *Au foyer de l'inégalité. La division sexuelle du travail en Suisse pendant la crise des années 30 et la Deuxième Guerre mondiale* (Lausanne: Antipodes, 2005), pp. 296–300; A. Myrdal and V. Klein, *Women's Two Roles* (London: Routledge & Kegan Paul, 1968), pp. 42–77.
23. ILO archives. D 601-2010-58-6 '1st Session of the ILC Washington 1919. Revision of the Draft Convention on Night Work of Women. Correspondence with & actions taken by the Women's Organisations. Sweden 01.04.1931'. 'Synthèse des résultats de l'enquête de l'Administration du travail et de la prévoyance sociale, Suède, 18.12.1926' ['Summary of results of the survey by the Labour and Social Welfare Administration, Sweden, 18.12.1926'].
24. Since 1934, Marguerite Thibert was chief of the brand new ILO section for women's and children's work. See F. Thébaud, 'Réseaux réformateurs et politiques du travail féminin. L'OIT au prisme de la carrière et des engagements de Marguerite Thibert', in Lespinet-Moret and Viet (eds), *L'Organisation internationale du travail*. op. cit., pp. 27–38; Natchkova: *Travail, luttes et inégalité*, op. cit., pp. 142–163.
25. Schoeni, *Travail féminin: retour à l'ordre!*, op. cit., pp. 63–90.
26. ILO, *Minutes of the 55th Session of the Governing Body of the International Labour Office, Geneva – October 1931*. Ninth Sitting. Relations with Womens' Organizations, pp. 654–655.
27. Ibid., Appendix E. Resolution submitted by Wasniewska at the Fifteenth Session of the International Labour Conference, p. 813.
28. For this correspondence, see ILO archives. WN 1001. 'Dossier: création du Comité de correspondance pour le travail féminin: février 1931–avril 1932' ['Subject: setting up of the Correspondence Committee on Women's Work: February 1931–April 1932'].
29. E. Gubin, 'Pour le droit au travail: entre protection et égalité', in Gubin et al. (eds), *Le siècle des féminismes*, op. cit., pp. 161–178; A. Devos, 'Défendre le travail féminin. Le groupement belge de la Porte ouverte 1930–1940', *Sextant* (no. 5, 1996), pp. 91–116; W. Thönnessen, *The Emancipation of Women. The Rise and Decline of the Women's Movement in German Social Democracy 1893–1933* (London: Pluto Press, 1973), pp. 148–152.
30. ILO archives. WN 1001. 'Dossier: création du Comité de correspondance pour le travail féminin: février 1931–avril 1932. Lettre de Louise De Craene-Van Duuren (fondatrice et présidente du Groupement belge de l'Open Door international) aux membres du Conseil d'administration de l'OIT, 11.10.1931' ['Subject: setting up of the Correspondence Committee on Women's Work: February 1931–April 1932. Letter from Louise De Craene-Van Duuren (founder and chairwoman of the Belgian Group of Open Door International) to members of the ILO Governing Body, 11.10.1931'].
31. ILO, *Minutes of the 55th Session of the Governing Body of the International Labour Office, Geneva – October 1931*. Ninth Sitting. Relations with Womens' Organizations, pp. 654–655.
32. ILO: *Minutes of the 56th Session of the Governing Body of the International Labour Office, Geneva – January 1932*. Appendix IV. Fourth Item on the Agenda. Activities of the Organization as Regards Women's Work. Report by the Office, pp. 109–111.
33. Ibid., First Sitting, p. 7.
34. ILO, *Minutes of the 57th Session of the Governing Body of the International Labour Office, Geneva – April 1932*. First Sitting, p. 219.

35. The completely revised list is given in ibid., Appendix VIII. Setting of the Committee of Experts on Women's Work (Eighth Item on the Agenda), pp. 352–356.
36. Ibid., p. 352.
37. C. Bard: *Les filles de Marianne. Histoire des féminismes 1914–1940* (Paris: Fayard, 1995); J. Chabot: *Les débuts du syndicalisme féminin chrétien en France (1899–1944)* (Lyon: Presses universitaires de Lyon, 2003).
38. Schoeni: *Travail féminin: retour à l'ordre!*, op. cit., pp. 43–49.
39. ILO, *Minutes of the 57th Session of the Governing Body of the International Labour Office, Geneva – April 1932*. First Sitting, p. 223.
40. Ibid., p. 219.
41. ILO archives. WN 1001/01. 'Dossier: création du Comité de correspondance pour le travail féminin, mai 1932–juillet 1932. Lettre-type aux expertes du Comité de correspondance (non signée), 05.07.1932' ['Subject: setting up of the Correspondence Committee on Women's Work. Standard letter to experts in the Correspondence Committee (unsigned), 05.07.1932'].
42. ILO archives. WN 6/01/1/1936. 'Conditions of Labour of Women Economic Situation and Legal Position under the Labour Legislation'. Copy of circular No 204/01/1 by Marguerite Thibert (unsigned), distributed by the BIT on 1 June 1936.
43. Ibid.
44. ILO archives. WN 1/59 'Correspondence with Dr. Dora Schmidt. Berne'. Letter signed by Dora Schmidt, addressed to Marguerite Thibert, Head of Women's and Young Workers' Division, 23.02.1944.
45. ILO, *Le Statut légal des travailleuses* (Geneva: Studies and Documents collection, Series I, No. 4, 1938).

Part 2
The ILO and the Production of Social Standards

4
Modern Unemployment: From the Creation of the Concept to the International Labour Office's First Standards

Ingrid Liebeskind Sauthier

Introduction: the issue of 'invention'

One way of defining unemployment is to see it as the reverse of work. Although these two notions cannot be dissociated, their historical development has nevertheless been at a different pace. Fresh insights over the last thirty or so years into the history of work, unemployment and more broadly the social state have highlighted the major shifts in the ways in which these notions were represented following the radical changes brought about by the Enlightenment and by industrialization. The polysemy of work and its representations over the centuries has led to a number of interpretations, including the representation of the modern notion of work which was invented in the 18th century.[1] Modern 'unemployment' was also 'invented' (and not 'discovered') by the social reformers between the late 19th and the early 20th centuries[2] in the wake of the burgeoning *social* state.[3] The time lag between the construction of the modern concepts of work and unemployment would have major repercussions on the fate of those without work at the end of the 19th century, a period marked by economic, social and technological change. The circles of social reformers of all persuasions would rally to find solutions to this scourge. The way in which these concepts developed is examined briefly in the first part of this chapter.

The work of the social reformers was to lead to a definition of modern unemployment which paved the way for the new social standard represented by unemployment insurance and its accompanying provisions. To gain an idea of the changes brought about by making unemployment into an aspect of social justice, we have to bear in mind that this had become necessary for the introduction of a new organization of work required by the modern wage relationship.[4] Codifying non-work and transposing it into political measures in practice made it possible to promote the industrial and social progress of the time. This meant that there was no longer any time

lag between work and unemployment, as it had become an objective fact in the same way as work (second part).

The International Labour Organization (hereafter the ILO) took up the baton after the First World War: the preamble to Part XIII of the 1919 Peace Treaty, which laid the foundations for an international labour organization responsible for protecting workers, sets out a programme which already contains the theme of unemployment. The issues to be tackled, and the protagonists and their networks, therefore remained the same from the turn of the century to the period beginning in 1919. The social reformers who had become international officials would extend and develop their work within the new international organization by creating ('inventing') new legislative procedures which were 'unparalleled and flexible enough to gain the broadest possible support among states',[5] the Conventions and Recommendations, in order to meet the goals of international social harmonization. The third part of this chapter examines the path which led to the 1919 Washington Conference and analyses the initial standards on unemployment drawn up thereafter.

Dealing with the 'social question' raised by those without work up to the 19th century

While the place and meaning of work has changed over time and, at each stage, a new work organization has been put in place, the rejection of those without work has continued to be a constant, with poverty representing a factor of social destabilization. In France's Ancien Régime, rigid social structures and a narrow labour market prevented the most disadvantaged from gaining a foothold in the traditional organization of labour, making them vulnerable and leading to a mass disaffiliation.[6] The 'good poor', those unfit for work, were helped by assistance, while those who were fit but had no work had no access to the protection available in a highly ordered and status-ridden society and were repressed. These people, whose circumstances were highly precarious, got by with various types of wage or proto-wage relationships and formed, in Castel's view,[7] a 'fourth estate' engendered by the serious shortcomings of labour organization.

From the 18th century, 'the invention of abstract work'[8] meant that work was considered to be the only common measurement in the trade relationship between producers.[9] This development was placed on a concrete footing by the industrial revolution and new production conditions from the mid-18th century onwards in the United Kingdom. Free access to work was felt to be a solution to the problem of those who had no work, but the abolition of the guilds did not prevent labour market imbalances. As a result, those who could not find work, becoming mendicants and beggars, were subject to legal sanctions. This was the era of what Foucault called 'le grand renfermement', the great confinement.[10] From the mid-19th century,

work became 'the essence of man', and was considered to be the model for creative activity and even the foundation of the social relationship. Castel has nevertheless called the new wage-earning status resulting from contractual employment relationships the 'ground zero of a wage-earning status'.[11] It offers no guarantee or rights, protection having been abolished. Industrialization thus brought about a new poverty caused by the new organization of work and not by not working. It led to social insecurity, precarious employment and unemployment, especially for the unskilled. The mass disaffiliation that investigations[12] of this poverty have revealed is this time 'within the process of wealth production',[13] with the state keeping out of the issues of economic *laissez-faire*, its only interventions being to guarantee property rights and remove market barriers.

The invention of modern unemployment

Since the problem of unemployment was seen as the 'social issue' of the time, social reformers, whether politicians or members of public administrations, lawyers, statisticians, academy members or economists were obviously endeavouring to find solutions to the problems of those without work. Some among them devoted themselves entirely to this issue and others had other responsibilities as well, but they all drew on national and international networks; these networks were formed by the various international congresses organized on social issues and the international associations to which they led. These meetings were forums for discussion and for the circulation of information on the various national experiments, but were also intended to pave the way for international law. The International Statistical Institute, set up in 1885, considered that good labour statistics were the foundation of any social reform. The notion of an index, applied to unemployment for the first time in 1899 by G. H. Wood (1874–1945), a mathematical statistics theorist, was adopted to measure the volume of unemployment, the industrial situation being considered to be the cause of unemployment. The Frenchman Arthur Fontaine (1860–1931)[14] and the Belgian Louis Varlez (1868–1930)[15] were leading members of the institute. The AIPLT (International Association for the Legal Protection of Workers),[16] set up in 1900 by Arthur Fontaine and the Belgian lawyer Ernest Mahaim (1865–1938)[17] among others as a discussion forum for scientists, employers and trade union delegates, was involved in drawing up the first international labour Conventions (Berne, 1905[18] and 1913[19]) and collated the information to be used to draw up future international law. The International Labour Office, a permanent body attached to the AIPLT, used statistics to provide a 'scientific foundation for action in the social field'[20] while the International Association for the Fight against Involuntary Unemployment, also tripartite and set up in 1910 by Max Lazard[21] and Varlez, who was its Secretary-General until 1924, wanted to apply social insurance to the risk of unemployment. In 1911, Varlez

proposed cooperation between the International Statistical Institute and the International Association for the Fight against Involuntary Unemployment. A joint committee from the two associations attempted to develop internationally comparable unemployment statistics; this shows that the awareness of the need for internationally comparable statistics predated the establishment of the ILO in 1919.

The role of the protagonists of this culture of reform makes it possible to retrace the long process which led to the formulation of the social standard of modern unemployment and the ensuing political measures, providing a foundation for the ILO's initial standards on unemployment. We shall look briefly below at the contribution which various leading figures made to the debate on and solutions to the problem of unemployment without going into detail about national differences, without claiming to be exhaustive and without looking at scenarios which failed and the controversies which peppered the road towards this new social standard. Between 1880 and 1910, two developments changed the way in which people at the time viewed the causes of unemployment: first, progress with statistics based on indices and unemployment rates by profession, and second, a change in the way in which unemployment was interpreted. These changes were linked and some advocates of these ideas played a paramount role. The extent of industrial poverty brought about by what was now chronic unemployment meant that specific action was necessary. By pooling their many skills, the reformers drew up, over thirty years, a definition of modern unemployment and thereby helped to bring about change in the world of work.

The 'Ghent system' (voluntary unemployment insurance)

One of the initial answers to the problem of endemic unemployment of the late 19th century was mutualism; the unions, through mutual assistance, used members' subscriptions to finance the assistance paid out, making it possible to distinguish voluntary from involuntary unemployment and to classify the unemployed. As their finances were not sufficient, however, to support unemployed workers during major crises, there were calls for state intervention to create jobs. In Belgium, the municipal council of the town of Ghent set up a special committee on this issue in 1898 with Varlez, a lawyer at the Court of Appeal, as its secretary. In 1900, he set up the *Gentse Werkloosheidsfonds*, a municipal unemployment fund which he chaired until 1920 and which paid a supplement to the unemployment benefits paid by the unions or made up for any deficits. This was the 'Ghent system' which Varlez promoted throughout Belgium and abroad. In 1906 he reformed the employment grant created in 1891, providing this scheme with the resources and powers to act as an intermediary between employers and jobseekers. In the same year he became a member of the International Statistical Institute. Involved in drawing up international labour law, he was a founder of the AIPLT and became its first Secretary-General. The Belgian

Henri Fuss, who between 1909 and 1916 was head of the Paris secretariat of the International Association for the Fight against Unemployment in the publications department, editing the Association's *Bulletin* for four years with Max Lazard, was in March 1919 appointed Inspector of Employment Grants and Unemployment Funds at the Ministry of Industry, Labour and Reconstruction in Brussels.

The British model (compulsory unemployment insurance)

Changes in the way in which unemployment was perceived went through many stages. In the United Kingdom, the 1834 Poor Law, which was stigmatizing and inappropriate, was no longer able to meet the new challenges posed by the changes that industrialization was bringing about, and reformers from all sides had been thinking since the 1880s about the changes that needed to be made to ways of tackling social issues. This led to the British social insurance system dating from 1906–1911. The new system looked at the problem of poverty from the point of view of protection and introduced a state-run social system.

If one name should be picked out from the protagonists of these changes, it would be the economist William Beveridge. He was recruited in 1908 to the Board of Trade and took part in drawing up British legislation on unemployment insurance and labour force placement within the Liberal government. He attributed the causes of unemployment to the functioning of the market economy rather than indolence or immorality in his work *Unemployment: A Problem of Industry*,[22] which rapidly became the experts' 'bible'[23] and was one of the key stages along the road towards the modern concept of unemployment. His diagnosis was that labour organization within the major cities led to a precarious wage relationship generating under-employment, labour and spatial mobility and a lack of skills. As a result, it was necessary to create a regular wage-earning sector in order to help unemployed people to be integrated. Regular employment had in practice become an absolute necessity for a labour market which was being completely restructured as a result of the labour rationalization and mass production that were beginning to emerge. The distinction between under-employment and unemployment helped to define a new social category, that of 'modern unemployment'. The political consequences of this approach were reflected by reforms to social organization, and institutional systems were proposed by *legislators* and *statisticians*[24] and were all new methods of action:

- A network of public labour exchanges which were free of charge was set up in 1909 by the Labour Exchange Act. Beveridge became the head of this national placement system which aimed to distinguish between the poor and the unemployed who had up to then been 'in an institutional vacuum'[25] and to help them to find new jobs, and which became the cornerstone of the newly introduced unemployment insurance system.

- The National Unemployment Insurance Act of 1911, setting out a compulsory insurance scheme, was the second stage of the specific scheme for the unemployed, who had to attend the labour exchange to confirm that they were actually unemployed and for how long. Funding was joint, with the state and employers paying contributions enabling benefits to be paid in the case of unemployment.
- Assistance work or public works programmes were organized if unemployed people could not be rationally placed, making it possible to regulate the volume of employment.

These measures gave regular workers the right to benefit from unemployed status if they lost their jobs, with, in return, a duty to take their place in the wage-earning sector needed for the establishment of the Taylorist organization of labour. This made it possible to organize a homogeneous national labour market and to regulate the overall volume of employment. The 'genuine' or 'involuntarily' unemployed were defined as people fit for work, regular workers temporarily without a job, looking for work and deserving assistance.

The French reformers

In France, the principle of national public assistance provided the foundation for the invention of social assistance law between 1893 and 1913, the debate on insurance taking off only in the late 1920s as it had been delayed by opposition from both the conservatives and the labour movement. Real progress had nevertheless been set in motion, particularly by Arthur Fontaine who headed the statistics section of the Labour Office at the Ministry of Labour from 1891. He directed the Office for twenty years from 1899 onwards. As a member of the International Statistical Institute, he took part in the creation of the AIPLT (chairing the French section up to his death). He was the creator of the first international labour treaty, the Franco-Italian treaty of 1904 setting out the principle of equal treatment of national and immigrant workers in the two countries on a reciprocal basis as regards the application of social insurance laws. This treaty foreshadowed Article 3 of the ILO's 1919 Convention No. 2 on unemployment. In 1907, at the beginning of an economic crisis, the Office published for the first time a retrospective series of 'annual general unemployment averages' for 1900–1907, showing seasonal variations in unemployment. He was a member of the Committee set up in 1908 to 'study measures to mitigate the unemployment resulting from economic crises' by the Ministry of Labour and Social Welfare. The Committee was tasked with monitoring the symptoms of economic crises and seeking 'ways of preventing unemployment'. Its composition was similar to the ILO's future committees: it contained MPs and Senators, employer and worker members from the Higher Labour Council, leading figures from the Paris Statistical Society, and civil servants. In June 1911,

the work of the Committee was taken over by the 'standing committee for research on industrial unemployment forecasts' set up at the French Statistics Office (Lazard being one of the secretaries and Albert Thomas one of the members). It recommended scheduling work in view of the period of unemployment that it was anticipating. Fontaine was also a member of the International Association for the Fight against Unemployment.

The National Unemployment Fund was set up during the war.[26] Fontaine set up a Standing Committee for the Study and Prevention of Unemployment and worked with Thomas. On this occasion he was again a precursor of great importance for the future of the ILO's tripartite organization: he took charge, within the French Ministry, of 'the recruitment, placement and protection of the work force and the conclusion and supervision of contracts with suppliers and heads of enterprise'.[27] It was the 'exceptional circumstances of the war which necessitate tripartite cooperation to ensure that industrial resources serve the security of the state'.[28] Thomas, the future director of the International Labour Office from its creation to his death in 1932, was a member of parliament for the Seine and then the Tarn *département* in the SFIO[29] parliamentary group from 1910 to 1921. Coming into contact with reforming circles, he became interested in trade union-ism and the cooperative movement and was involved in several reviews. As a member of the French Association for the Fight against Unemployment from its creation in 1911, he experienced a form of tripartism. During the First World War, he was Under-Secretary of State at the Artillery and Military Equipment Department and then director of the Ministry of Armaments and War Output up to September 1917, where he continued his policy of cooperation between employers and trade unions, chairing the meetings of the Standing Committee for the Study and Prevention of Unemployment (CPEPC). In September 1918, he attended the 4th Inter-allied Labour and Socialist Conference which was working to have labour legislation clauses included in the future Peace Treaty.

The 1919 Peace Treaty, establishment of the ILO and the first standards on unemployment

Some members of the circle of reformers and the working world prior to the First World War, who had already taken the path of internationalism and had already tried out tripartism, met in 1919 to draw up the Peace Treaty and set up the ILO at the Peace Conference. They put their experience to good use and made the most of the links forged from the end of the 19th century within political circles and associations. This was particularly true of the following figures: Fontaine, who 'was among those most keen for labour clauses to be included in the Peace Treaty'[30] and chaired the Governing Body of the International Labour Office from 1919 to 1931, within which he helped to support the stances taken by the Office; Thomas, who was

directly involved up to his death in drawing up and arguing for standards on unemployment and in discussions on the functioning of the economy designed to correct any shifts in the wrong direction with a view to preventing and eradicating unemployment; Lazard, who helped draft Part XIII of the Treaty of Versailles and set up the International Labour Office, was a French government delegate to the International Labour Conferences and chaired the unemployment commission at the 1919 Conference; Varlez, sent as a legal expert in the Belgian delegation, ran the Office's unemployment and migration division from 1920 and acted as secretary to the unemployment commission; Fuss,[31] seconded to the Office at the request of Thomas in 1920,[32] joined the unemployment division in May that year and became its director in 1922; and Mahaim, who chaired the International Labour Conference in 1930, then the Office's Governing Body in 1931 and 1932. These leading lights shared a 'reforming zeal' based in particular on the usefulness of scientific methods for understanding international problems in a rational way without any national bias.[33]

The International Labour Office was set up at the 1919 Peace Conference, on 11 April, in accordance with the terms of Part XIII of the Peace Treaty. This was followed by the constitution of the organizing committee for the first International Labour Conference to be held in Washington in October 1919, chaired by Fontaine. On 10 May, this committee sent a letter from London with a questionnaire relating to the second item on the agenda for the International Conference, worded as follows: 'Questions relating to ways of preventing unemployment and remedying its consequences', and covering the nature and extent of the problem, the prevention of unemployment and any measures taken to remedy it. The problem of unemployment was therefore being addressed right from the Office's inception. This can obviously be attributed to the post-war context and concerns about reconstruction and the fate of demobbed troops, but is also due to the fact that this was an issue which had occupied reformers during the thirty years prior to the war, who had delineated, conceptualized and standardized it. The issue was now one of achieving the goals of international social harmonization through the application of the new legislative instruments of Conventions and Recommendations.

Governments were asked to send full documentation on legislation and current practice as regards unemployment. The organizing committee was able, by collating the questionnaires sent by governments, to draw up proposals providing a starting point for the unemployment commission appointed during the Conference to draft the first standard on unemployment. It was divided into three sub-commissions: 'prevention of unemployment', 'employment and insurance' and 'migration'. The first was chaired by Lazard who proposed that Varlez should be asked to attend, as a technical adviser, all the meetings of the sub-commissions and the meetings of the main commission without having any voting right, which was approved.

The minutes of the unemployment commission[34] show proposals that were not included in the future Convention, such as the forwarding of information on 'general economic activity' to the Office:[35] or the surprising suggestion entitled 'Advisability of abolishing private land tenure' and suggestions that steps should be taken with the League of Nations to regulate the distribution of raw materials and to set maritime freight rates. Other topics were rejected for reasons of competence.[36] Whatever the reasons given, the commission was firmly of the view that the ILO was empowered to address economic questions, something that was very quickly and very regularly disputed by all sides, even within its Governing Body, chiefly by government delegates, and in particular by the League of Nations. The findings of the prevention sub-commission highlight the difficulty of proposing measures to prevent and effectively combat unemployment which 'has deep-seated and complex causes, undoubtedly closely linked to modern production and consumption conditions',[37] an argument which followed on from Beveridge's 1909 findings. The commission's work led to Convention No. 2 and Recommendation No. 1 on unemployment accompanied by Recommendation No. 2 on reciprocity of treatment for foreign workers. The Convention contains only three points formulated in a very general way.

When ratifying this Convention, what were countries undertaking? They 'merely' had to provide the International Labour Office with statistical and legislative information so that 'systems can be compared and methods improved'[38] (Article 1). Standardizing labour statistics and making them more comparable, through the work of the Office with the assistance of the Committee of Statistical Experts and a series of conferences of labour statisticians, was in practice felt to be a preliminary to the construction of international labour law.[39] The statistical data to be gathered concerned the wage-earning population, which needed to be defined, employment agencies and the various insurance and assistance schemes already existing in the countries ratifying the Convention. Information on legislation included 'the texts of laws or regulations concerning unemployment, draft laws, etc.' which were to be studied and published. Countries adopting the Convention were to set up a system of free public employment agencies under the control of a central authority (Article 2) and including representatives of workers and employers, which the ILO considered to be essential from the point of view of protecting workers and returning them to work in good conditions, appropriate organization of the labour market being ensured by state control. The United Kingdom's system obviously served as a model, especially as the sub-commission on insurance and employment agencies, chaired at its meeting of 7 November 1919 by the Englishman J. F. Price, had proposed to take the outlines of the system used in the United Kingdom as a starting point for discussion.[40]

Under Article 3, countries ratifying the Convention and which had already established a system of unemployment insurance had to establish

a system of reciprocity of treatment for foreign workers between the states concerned. The drafting of this article was no easy matter as there were strong reactions from the delegates from the USA and Canada, both countries of immigration. Samuel Gompers, President of the American Federation of Labor (AFL), put forward various arguments: he considered that some emigration was not spontaneous but organized by employers so as to be able to break the workers' movements in the US: 'Every time there is a strike in the USA, for instance the steel or coal strike, people say that the strike has been provoked not by Americans but by foreigners.'[41] His view was therefore that the adoption of new protection measures would increase emigration to the US at a time when 'working hours have been greatly reduced in some coal mines' and, the working class being isolated in the USA, 'it needs to be protected and work found for the four million demobbed Americans before even thinking about emigration'.[42] The Canadian Senator Robertson considered that 'this reciprocity is of no interest to Canada as Canada is solely a country of immigration and the adoption of the Convention could well provide a weapon for opponents of the unemployment insurance system which Canada is currently attempting to introduce'.[43]

Organizing a system of unemployment insurance was not on the agenda of this first Convention, given that it was impossible to decide between the British system (compulsory unemployment insurance), and the Ghent system (voluntary unemployment insurance – with the state subsidizing existing schemes). 'It is felt that social conditions and levels of industrial development differ to such an extent in the States concerned that it would not at present be possible to include a clause of this kind in the planned Convention on unemployment. However, the issue is of such importance that it is desirable to allude to it in the form of a Recommendation to be presented by the Conference.'[44] The Commission's timid approach to this issue is also explained by opposition such as that surprisingly voiced by Gompers, who considered that 'the measures which the (US) government could take to establish unemployment insurance or unemployment benefit would pose a serious threat to US workers. Organized workers are the most affected by the issue of unemployment but they are opposed to the idea of any State intervention in this area'.[45]

Recommendation No. 1 on unemployment was to 'establish an effective system of unemployment insurance'. It had the merit of including unemployment insurance in the sphere of social insurance and in international law,[46] and reflected the determination to apply a stage-by-stage policy. It needed to produce practical effects in a number of countries so that it could subsequently be the subject of a Convention establishing compulsory unemployment insurance. This cautious strategy was probably reasonable in the light of the scant progress that had been made with legislation at the time and 'if the Conventions represent a maximum of protection, there is a danger that they will not be applied, and it might happen that even if an important

movement of public opinion is created, little actual progress might be made owing to the fact that States are always free not to ratify'.[47] These comments are from 1931 and show how pragmatic and consensual the ILO had to be.

The Recommendation also deals with the prohibition of fee-charging employment agencies and the development and international coordination of public employment agencies. This issue was of major importance during the economic recession which started in 1929 and led in 1933 to Convention No. 34 on fee-charging employment agencies. It lastly recommended the coordination and performance of public works to be reserved for periods of unemployment. This proposal for counter-cyclic public expenditure carried on from proposals already being made at the beginning of the century. The issue would also be covered by new Recommendations in 1937, as will be discussed below.

The main strands of legislative action – employment agencies, insurance, public works – were therefore defined by the first Convention on unemployment, accompanied by two Recommendations; these themes were further broken down, detailed and supplemented throughout this period, leading the ILO to adopt, in the period between the wars, three Conventions and seven Recommendations on this issue.[48] The International Labour Office was keen to extend and strengthen the new international standard of 1919 on unemployment, but the economic situation, in a period when liberal views held sway, made progress in this area difficult. The Great Depression, however, could only highlight how urgent it was for the Office to institutionalize unemployment insurance, something which took place in 1934 through the adoption of Convention No. 44 ensuring benefits or allowances for involuntarily unemployed workers, following Recommendation No. 44 of 1933 on unemployment insurance and the various forms of assistance for workers. This Convention would be ratified only by the United Kingdom (29 April 1936) and Switzerland[49] (14 June 1939). Only Japan, however, completely rejected it.

How did these standards fare among industrialized member countries? The very different situations prevailing explain why the 1919 Convention had not come out in favour of one of the two systems of unemployment insurance, that is, voluntary or compulsory. Among the industrialized countries, those which had adopted compulsory insurance were Germany, Austria, the United Kingdom, Italy, Switzerland (12 cantons) and Norway from 1938. Voluntary insurance was applied in France, Denmark, Finland, Belgium, the Netherlands, Sweden and Switzerland (11 cantons). In Australia, Queensland decided on compulsory insurance, while assistance was offered in New South Wales, South Australia and Victoria. There was no unemployment insurance in Japan and Canada; their action to combat unemployment focused on placement and public works. In August 1935 the US adopted the Social Security Act, giving the different states the option to apply their own law on unemployment benefits.

The International Labour Office's work was not just confined to standards. The Conventions and Recommendations marked the outcome or the starting point of lengthy investigations, expert analysis and reports, as can be seen in the case of unemployment from the output of series C of the *Studies and Reports*[50] collection.

The International Labour Office's strategy for progress: the example of public works

Among others, the issue of public works helps to illustrate several aspects of the Office's operation; it is particularly typical of the way in which the Office addressed a problem on which little progress was being made, and also of its relationship with the experts which it called upon. It shows that in some cases the drafting of standards, which was the ILO's prerogative, involved cooperation with the Joint Committee on Economic Crises set up by the Economic and Financial Organization (EFO) of the League of Nations and the Office from 1924; these three factors highlight aspects of the Office's strategy for progress.

The issue of public works, raised from 1919 onwards, had had little effect but continued to concern the Office; it was taken up at several subsequent sessions of the International Labour Conference and at the 1926 Conference there was a vote on a resolution concerning 'the organisation of public works so as to counteract the fluctuations of private business'. The Office was tasked with submitting a report to the Joint Committee on Economic Crises on the organization of public works to prevent unemployment, in order to examine the 'financial obstacles to the putting into operation by public authorities of the Recommendation referred to above concerning the organisation of public works'. This Committee met just before the opening of the International Economic Conference in 1927 after the Office had appointed various experts to sit on it.[51] These included John Rotherford Bellerby[52] who, having worked as an economist at the Office from 1921, in particular on the study 'The 1920–1923 unemployment crisis',[53] had just left the Office and was called as an outside expert because of his personal work[54] *within* the Office[55] and in its networks.[56]

The correspondence sent to the experts provided them with some information and concluded 'that the views of the experts honouring the Office by providing their assistance are entirely free as regards both the methods to be recommended and the substance of the problems posed'.[57] A memo from Thomas to Fuss relating to the minutes of the committee meeting itself sheds light on relations between the Office and the League of Nations: 'I was really interested and in some cases even amused. Not that I really want to see the level of pedantry displayed by Serruys[58] who is so afraid of seeming to accept the Washington Convention, but, all in all, the Office led the committee and it was on our document that we worked and around us, as I wished, that all the efforts were focused'.[59]

An Office survey among member countries led in 1931 to a report entitled 'Unemployment and public works'[60] which was well received by the international press, with one caveat: 'The various studies that it contains have to be read with a measure of scepticism. It will be seen that there are far-reaching contradictions in discussions by official economic experts on the crisis and unemployment and that the remedies they seek continue to be inconsistent'.[61] In his Director's report to the Conference in 1931,[62] Thomas comments on this study which 'shows how a general policy of public works might be carried out. We have suggested for Europe the idea of international public works. This has been derided. The idea was considered of very little value and very badly thought out. In the course of a few weeks, however, it has gained ground. The attention of the Credit Committee [of the League of Nations] has been drawn to the scheme which might be submitted to it in view of the unemployment problem'. He refers to Keynes[63] to justify this public works policy as a remedy for crises.[64] However, as a result of opposition from the Credit Committee, employers' delegates,[65] the unemployment committee[66] and the death of Thomas in 1932, the plan[67] presented to the Governing Body of the Office in April 1932, came to nothing. It contained in particular an ambitious plan for European public works (railways, motorways and electricity) intended to combat unemployment, launched by a united Europe through a policy of economic recovery. The committee nevertheless adopted a Resolution in January 1932 in which it stressed to governments that 'the international action which has been undertaken with regard to public works should be pushed forward with the greatest possible energy'.[68] In June of the same year, the International Labour Conference (ILC) adopted a Recommendation in particular advocating 'the return to circulation of immobilized capital by all appropriate means and in particular through the adoption of a policy of public works'. During the preparations for the World Economic Conference in June 1933, the Office rallied together with the conference's preparatory committee and the League's Committee on Public Works to have this issue included on the agenda.[69] The question of public works, raised in 1919 by the ILO, and on which cooperation with the League of Nations had been sought, seems to have been taken up with some reluctance initially, but was considered more seriously by the League later on because of the continuing economic crisis, as is shown by the creation of the Committee on Public Works. This about-turn and the nature of relations between the two organizations would be worth examining in greater depth.

The Office's work on this issue took concrete form at the 1937 ILC, during which Recommendations No. 50 and No. 51 on national and international public works were adopted; they were organized in a way which went beyond the strictly legislative and concerned the economy, a field in which the ILO was not felt to have competence, which was why EFO cooperation was essential if matters were to be pushed forward; relations

with the EFO continued, moreover, throughout the period between the wars on various subjects.

Conclusion

The period between the world wars was a period of transition for the ILO, which helped to establish the international model of social insurance, in particular by introducing compulsory insurance for some groups and participation by the social partners in its management.[70] For fifteen years or so, the scale of unemployment focused the Office's attention on its symptoms. By the end of the period, it was being addressed in the broader framework of studies of the labour market and employment policies, thereby anticipating the post-war period. Lastly, its discussions, opinions and wide-ranging work on the crisis and ways of resolving it prepared for the period after the Second World War. The development of the fate of those without work from the creation of the category of modern unemployment up to their inclusion within social security as set out in the Philadelphia Declaration of 1944 sheds light on what it means to be unemployed today, with the status of unemployed people becoming more precarious as radical changes affect the labour market and have knock-on effects on employment.

Notes

1. See in particular G. Jérôme, 'De l'invention du chômage à sa deconstruction', *Genèses. Sciences sociales et histoire* (vol. 46, no. 3, 2002), pp. 60–76 ; C. Topalov, 'Invention du chômage et politiques sociales au début du siècle', *Temps modernes* (no. 496–497, 1987), pp. 53–92. C. Topalov, *Naissance du chômeur, 1980–1910* (Paris: Albin Michel, 1994), p. 15, points out that the use of the word 'invention' was not 'just a sop to the intellectual fashion of the time, but an affirmation that the relationship between representations and society cannot be conceived solely in terms *of "awareness"*. M. Mansfield, R. Salais and N. Whiteside (eds), *Aux sources du chômage 1880–1914* (Paris: Belin, 1994).
2. R. Salais, 'La formation du chômage comme catégorie: le moment des années 1930', *Revue Économique* (vol. 36, issue 2, 1985), pp. 321–366.
3. A social state which 'presupposes the antagonism of classes even while diverting them […] We would like to suggest that it sublimates these antagonisms, that is to say, as with all forms of sublimation, that it represented a fiction of sorts'; R. Castel, *Les métamorphoses de la question sociale. Une chronique du salariat* (Paris: Fayard, 1995), pp. 268–269. Published in English as *From Manual Workers to Wage Laborers: Transformation of the Social Question* (New Brunswick and London: Transaction Publishers, 2003).
4. Establishing the modern wage relationship made it necessary for particular conditions to be met: delimitation of the working population, meticulous enumeration of the various types of employment, clarification of ambiguous types of work, clear demarcation of working time and non-working time, accurate calculation of working time, and so on, in Salais, op. cit., 1985.

5. M. Virally, 'La valeur juridique des recommandations des organisations internationales' *Annuaire français de droit international* (no. 2, 1956), p. 79; D. Guérin, *Albert Thomas au BIT, 1920–1932 – De l'internationalisme à l'Europe* (Geneva: Europa, 1996), p. 17.

6. Disaffiliation, according to Castel, op. cit., p. 36, is being cut off from the primary networks of integration.

7. Castel, ibid.

8. B. Zimmermann, 'Du travail au chômage: éléments pour la genèse d'une catégorie sociale', *19th International Congress of Historical Science* (Oslo, 2000), p. 4.

9. A. Smith (1723–1790), *An Inquiry into the Nature and Causes of the Wealth of Nations*, 1776, the first major treatise on liberal capitalism.

10. M. Foucault, *Histoire de la folie à l'âge classique* (Paris: Gallimard, 1972).

11. Castel, op. cit., p. 213.

12. See in particular: for the United Kingdom, E. Chadwick, *Report on the Sanitary Conditions of the Labouring Population of Great Britain, 1842* (Edinburgh, 1965); for France, A. J. Blanqui, *Des classes ouvrières en France pendant l'année 1848* (Paris: Paulin et Cie, 1849); L. R. Villermé, *Tableau de l'état physique et moral des ouvriers employés dans les manufactures de coton, de laine et de soie* (1st ed. 1840, repr. Ivry-sur Seine: Editions de l'Atelier, 1989).

13. Castel, op. cit., p. 230.

14. See I. Lespinet-Moret, 'Arthur Fontaine, grand commis de la nation et ambassadeur du travail', *Histoire et société* (April 2003), pp. 111–120; M. Cointepas, *Arthur Fontaine (1860–1931), Un réformateur, pacifiste et mécène au sommet de la Troisième République* (Rennes: Presses Universitaires de Rennes, 2008); and www.ilo.org/public/french/region/eurpro/paris/france/presence/arthur.htm.

15. See J. Van Daele, *Van Gent tot Genève, Louis Varlez, en biografie* (Ghent: Academia Press, 2002); 'Histoire du libéralisme social', Liberaal Archief, Annex as part of the CGSLB Congress (15 February 2008).

16. The association was active up to the First World War. It was relaunched in 1923 and merged in 1925 with the International Association for the Legal Protection of Workers and the Committee of the International Congresses on Social Insurance to form the International Association for Social Progress. Throughout the 1920s, it provided some of the International Labour Office's managers and experts.

17. He was the instigator of the first International Congress on Labour Law (Brussels, 1897). See J. Van Daele: 'Engineering Social Peace: Networks, Ideas, and the Founding of the International Labour Organization', *International Review of Social History* (vol. 50, no. 3, 2005), pp. 435–466.

18. Prohibition of night work for women in industrial employment and on the use of white phosphorus in the manufacture of matches, the former being adopted by the following countries: D, DK, F, I, L, NL, CH, P, S, AU-H., B, E, GB, and the latter by the first seven countries.

19. The first technical strand of a new dual conference to discuss two draft conventions was discussed at this conference: the prohibition of night work for young industrial workers, whose ratification was prevented by the war.

20. Guérin, op. cit., p. 13.

21. Lazard (1875–1953), was the author of *Le chômage et la profession* (1909) which aimed to establish that the risk of unemployment could be insured for each occupation or industry using unemployment rates by occupation to assess it.

22. W. H. Beveridge: *Unemployment: A Problem of Industry*, 1909 and 1930 (London, 1930).

23. According to Topalov, *Naissance du chômeur*, op. cit.
24. The path is long in terms of statistics, and there was a great deal of trial and error before the issue of measuring unemployment was actually resolved. See Topalov, *Naissance du chômeur*, op. cit.; D. Kevonian, 'La légitimation par l'expertise: le Bureau international du travail et la statistique internationale', in *Albert Thomas, société mondiale et internationalisme – Réseaux et institutions des années 1890 aux années 1930, Les Cahiers Irice* (no. 2, 2008), pp. 80–106 ; I. Liebeskind Sauthier, 'Histoire de la définition du chômage', *Courrier des Statistiques* (no. 127, May–August 2009).
25. J.-L. Besson, M. Comte and P. Rousset, *Evaluation des politiques de chômage – Eléments de problématique*, Vol. 1, Centre de documentation des sciences humaines au CNRS (1987).
26. The municipalities decided whether or not to set one up depending on their needs. However, unemployed people receiving institutional assistance from an assistance fund could only do so in towns with more than 10,000 inhabitants, the threshold from which such a fund became big enough to be of interest to and to attract the urban working classes.
27. In J.-M. Bonvin, *L'Organisation internationale du travail – Etude sur une agence productrice de normes* (Paris: Puf, 1998), p. 12, cited by B. Schaper, *Albert Thomas, Trente ans de réformisme social* (Assen: Van Gorcum, 1959), p. 108.
28. Bonvin, op. cit., p. 12.
29. *Section française de l'Internationale ouvrière* was a socialist political party founded in 1905 which in 1969 became the French Socialist Party.
30. E. Raguin, 'Arthur Fontaine', *Annales des Mines*, 1932, Vol. 1 (www.annales.org/archives/x/afo.html)
31. Author of several studies in the *Revue international du Travail (International Labour Review)*, including 'L'évolution du chômage en 1925' (vol. 14, no. 2, 1926), pp. 212–240; 'Monnaie et chômage' (vol. 16, no. 5, 1927), pp. 625–642; 'Rationalisation et chômage' (vol. 17, no. 6, 1928), pp. 851–867.
32. Letter from Albert Thomas of 26 March 1920 (in reply to the letter from L. Varlez to AT of 9 March 1920), AILO, CAT (ILO Archives, Albert Thomas Cabinet).
33. G. Sacriste and A. Vauchez, 'Les "bons offices" du droit international: analyse de la constitution d'une autorité non politique dans le concert diplomatique des années 1920', *Critique internationale* (no. 26, 2008), pp. 101–117.
34. ILO, Archives of the International Labour Office (AILO): D601/700 – Minutes of the Unemployment Commission of the first International Labour Conference, 1919.
35. Ibid., Minutes of 7 November 1919, first sub-commission (prevention), p. 26.
36. Ibid., Minutes of 15 November 1919, p. 41.
37. Ibid., p. 44.
38. 'Reports prepared by the Organising Committee', *Official Bulletin (OB)*, Vol. 1 (August 1920), pp. 380–381.
39. 'Director's report', *International Labour Conference* (1939), p. 101.
40. AILO: D601/700, op. cit., p. 45.
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49. ILO: Among the countries studied here. Ireland and New Zealand also ratified this Convention.
50. In particular in the *Studies and Reports* series, Series C Unemployment, no. 1, 1920–no. 25, 1945.
51. Max Lazard, Professor Wagemann, Chairman of the Federal Statistical Office in Berlin, Dr Weber, economic adviser to the Swiss Trades Union in Berne, Ernest Mahaim, Liège, Dr Erik Sjöstrand. Letter from Maurette to these experts of 19 April 1927, AILO, U.6/1/2.
52. AILO, Letter from Henri Fuss of 9 April 1927: 'I have decided to ask you to sit, if you are willing, as an International Labour Office expert on the Joint Committee on Economic Crises', AILO, U.6/1/2.
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54. *Control of credit as a remedy for unemployment*, publication by the Association internationale pour la lutte contre le chômage (Paris: Marcel Rivière, 1923).
55. J. R. Bellerby, *Monetary Stability* (London: Macmillan, 1925). 'Stabilisation of employment in the United States', in ILO *Studies and Reports*, Series C (Unemployment), no. 11 (Geneva, 1926).
56. 'Bellerby is currently in regular correspondence with the most eminent economists in Britain and America, and in many other countries, in connection with the problem of stabilising prices by controlling credit. This correspondence is of utmost importance and is of considerable use for the work that the Office has now been asked to undertake in conjunction with the Economic and Financial Organisation. It helps our cause and provides us with valuable information.' See report by Fuss on Bellerby of 1 July 1924, in AILO, U.6/1/2.
57. AILO, Letter from Maurette of 19 April 1927, in AILO, U.6/1/2.
58. D. Serruys (1875–1950), Representative of the League of Nations' Economic Committee, see www.ena.lu/daniel-serruys-011400132.html
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60. ILO, 'Unemployment and public works', *Studies and Reports*, no. 15 (Geneva, 1931).
61. ILO, 'La critique sociale' (October 1931), p. 130, in AILO, U 8/7 Publications on unemployment – 'Unemployment and public works'.
62. Ibid., p. 250.
63. J. M. Keynes, in *The Times*, 7 August 1929; *Treatise on Money* (London, 1931).
64. Albert Thomas, Director's report, International Labour Conference (Geneva, 1931), p. 42.
65. AILO: CAT B 7; Guérin, op. cit., p. 92; and E. Bussière, 'L'organisation économique de la SDN et la naissance du régionalisme économique en Europe', *Relations internationales* (no. 75, 1993), pp. 301–313.

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68. AILO – D Diplomatic 756/100/3 – International Labour Office – 56th Session of the Governing Body, 3rd item on the agenda: Report by the unemployment committee, Geneva, 13 January 1932, p. 2
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5
ILO Expertise and Colonial Violence in the Interwar Years

J. P. Daughton

In 1925, the Temporary Slavery Commission of the League of Nations was in the midst of investigating how best to end global slavery when a troubling report was submitted for its consideration. Unlike most reports received by the commission that described the existence of slavery primarily in autonomous non-European countries such as China and Abyssinia, this one documented rampant abuses in Portuguese Angola and Mozambique, that is, in territories directly under European control. The report was submitted to the League by a group of distinguished philanthropists, and was written by Edward A. Ross, one of the most prominent American sociologists of his day.[1] The report, based on thousands of interviews with residents in both colonies, described how Portuguese officials and white settlers regularly beat, raped and even killed Africans with impunity. At the core of this abuse, Ross argued, was a forced labour system in many ways worse than slavery.

In sixty pages of examples, Ross described cases of Africans being forced to work in desperate conditions for months and sometimes years without pay. No one was exempt, not the elderly, pregnant women or children as young as twelve. The consequences were predictable: unable to work their own land, those forced into labour suffered from chronic semi-starvation, miscarriages and disease. Social networks broke apart as individuals were sent far from home to work, sometimes never to return. Many fled across frontiers in hope of evading the so-called labour tax, leaving villages abandoned and the countryside depopulated. A group of fifty villagers described their situation to Ross in blunt terms: under the 'iron grasp' of Portuguese colonialism, 'nobody cares whether they live or die'.[2]

Ross's was one of the most detailed of hundreds of letters, memos and studies of European colonial abuses sent to the League of Nations and the International Labour Organization (ILO) in the interwar years. Similar reports described unacceptable working conditions in colonies and mandates, including the Belgian Congo, French Cameroon and Togo, New Guinea,

and the Dutch East Indies, as well as in non-colonial locales such as Liberia and the Putamayo region in South America. It quickly became apparent that if officials were to remain true to Article 23 of the League of Nation's Covenant – 'to secure and maintain fair and humane conditions of labour for all men, women, and children' – they would have to investigate not only slavery but also compulsory labour regimes in regions under European control or direct influence. Indeed, the 1919 Treaty of Germain-en-Laye required that the League investigate 'slavery in all its forms' regardless of geography or sovereignty.[3] So, in 1926, the League resolved to draft a Convention on forced labour to complement the international regulation of slavery.[4] Rather than handling the issue itself, however, the League directed the ILO to oversee the process, which concluded with the drafting of the Forced Labour Convention of 1930.

The ILO's work on colonial forced labour has been largely overlooked by many historians of empire.[5] But while its ultimate impact may have been, as one scholar has put it, 'disappointing', the process of investigating, negotiating and drafting a Convention on forced labour was one of the most wide-sweeping efforts to reform cases of brutality and injustice of European colonialism ever attempted.[6] The Convention's stated target was compulsory labour across the globe, but correspondence and reports archived at the ILO make it clear that officials considered forced labour during the interwar period to be a largely colonial problem and a primary cause of violence and suffering in Europe's overseas empires. The story of the Forced Labour Convention of 1930, therefore, offers a fruitful opportunity to explore the varied strategies used by an international organization in reforming colonialism in the interwar period.

This chapter considers the ILO's successes and failures in trying to regulate European empires on issues of justice, violence and hardship. Its central claim is that the work of the ILO cannot be adequately judged solely on the basis of the diplomatic impact of the Convention. Officials at the ILO certainly believed the Convention to be a powerful statement of international norms of behaviour regarding forced labour and they worked hard to see it ratified by all member nations. But, from the outset, they remained well aware of the inherent limitations of the convention. The process of drafting the Convention, sponsored as it was by the League of Nations and shaped by a panel of experts who were largely colonial insiders from member nations, was steeped in liberal notions of 'trusteeship' and the rhetoric of 'civilization'.[7] Critics of colonial excesses were marginalized from the Convention proceedings and were allowed to voice only relatively benign statements of disapproval. ILO officials were aware of these limitations and made a concerted effort to ensure that more damaging reports of colonial abuses were not entirely censored.

As a result, the ILO's Native Labour office carefully documented and archived abuses and acts of violence in many European colonies. In so

doing, the ILO's work in the interwar years helped shape a significant shift in the way Europeans and non-Europeans reported and understood the plight of people living under colonial rule. Thus, it is the broader cultural consequences of the ILO's work, rather than its immediate legal and political impact on international practices, that must be considered to appreciate its full historical relevance. The ILO's most profound legacy was less about forced labour *per se* than about giving shape to a new international concern about colonial suffering. By interacting with a complex network of individuals, movements and organizations, the ILO's Native Labour Section was able to disseminate information about and expose European empires' penchant for causing suffering.

<p style="text-align:center">***</p>

One of the first acts of the Paris Peace Conference in 1919 was to lay the foundations for the creation of the International Labour Organization.[8] From the outset, the ILO had two main missions: regulation and information. *Regulation* would be achieved through annual conferences that would draft Conventions setting international standards of labour. *Information*, in most cases, meant providing details to governments about how best to improve labour relations and to develop workforces. But in the case of forced labour, regulation and information were at odds from the outset. Much of the information that the ILO gathered on forced labour – such as Edward Ross's account of Portuguese Africa – was potentially humiliating to imperial powers and threatened to ostracize governments that were essential to the success of the still fledgling ILO. Indeed, Ross's report provided a lesson on this very issue. After the League made Ross's report available to a number of European delegates, the Portuguese government printed a detailed forty-page denial of all of Ross's findings.[9] Needless to say, this did little to foster a spirit of cooperation.

Learning from their mistake, officials at the ILO made sure that public shaming would have no place in future public negotiations. Nor was this conservative approach to making public criticism out of step with ILO colonial policy, for in no way was the organization anti-colonial. Just as the League of Nations' mandate system was founded on the notion of trusteeship, the ILO remained committed to the idea that colonialism was a necessary step in bringing civilization and economic development to backward societies.[10] Harold Grimshaw, a British lawyer who directed the Native Labour Division at the ILO, was not even opposed to compulsory labour as long as it was regulated and fulfilled needs essential to the colonial states. Therefore, the ILO had to undertake the difficult task of defending colonial workers' rights to humane treatment without raising ethical questions about the legitimacy of colonial rule.

ILO officials tried to strike a balanced tone by taking a number of key steps. They assembled a Committee of Experts to examine the major questions associated with forced labour. Chosen in consultation with major European

governments, the experts were drawn largely from the ranks of colonial administrations, thus avoiding suspicion that they were anti-imperialist in any way. A number of them had proven their commitment to international diplomacy by participating on the Mandate Commission or in the drafting of the Slavery Convention.[11] One of the chief roles of the experts was to help draft a questionnaire that would be sent to all member states requesting information regarding each state's existent forced labour legislation and soliciting opinions on the uses of forced labour more generally. The questionnaire thus drew governments into the process of investigating forced labour, giving them a direct stake in the debates over its regulation. Finally, ILO officials made sure that their publications and discussions focused on regulatory progress and avoided casting blame on specific nations. The use of well-respected and pro-colonial experts, close interaction with governments, and the control of information all assured that more scandalous reports of colonial abuses would remain excluded from the process.

Nowhere was the ILO's reluctance to discuss the ugliness of abusive practices more evident than in 1929, at the 12th Session of the International Labour Conference in Geneva, where forced labour was a main agenda item. The debate was completely lacking in references to beatings, depopulation or any suffering whatsoever. In fact, some speakers emphasized the hardships suffered not by labourers, but *by Europeans* in their selfless pursuit of empire. Taking the floor, the Portuguese delegate, for example, re-imagined forced labour as a benevolent tool, saying, 'As soon as any civilized country brings civilization to a country in a lower stage of advancement, it has a right to require a certain amount of industry on the part of the peoples which it is benefiting.'[12] An Australian delegate was more to the point, he said that in some instances natives had to be made to work because they were 'improvident and lazy'.[13] And a Spanish delegate took the opportunity to celebrate his nation's humanity with a remarkable rewriting of the past: 'all the principles laid down by the League of Nations in the twentieth century,' he stated, 'were applied by Spain in the sixteenth century.'[14]

The conference was not without speakers who condemned what one delegate called the 'whitewashing' of conditions in certain colonies. But these speakers were reprimanded for being outspoken. Shiva Rao, the Indian Workers' Delegate and one of the very few colonial subjects at the conference, objected that 'we may try in whatever way we like to classify forced labour, to defend it by fine expressions such as "the sacred trust of civilization"; but the main point for this Conference to grasp is that forced labour is essentially a vicious system from its foundation.' He was also one of the only speakers to point out that it was unfortunate that none of the 'coloured people . . . most affected by this question' were invited to attend the conference, as India was the only European colony invited to participate in the ILO. Surprisingly, Rao's fairly self-evident comments – ones

completely in step with the ILO's findings – met with disapproval. The government delegate from India bemoaned Rao's inexperience in the diplomatic arena and criticized the 'rather grudging spirit' of his speech.[15]

More penetrating criticism met with even harsher reproach. The German workers' adviser, likely embittered by the loss of Germany's colonies under the Treaty of Versailles, criticized the ILO for failing to provide appropriate descriptions of the suffering of forced labourers, such as the 25,000 workers who he said 'died off like flies' building the Brazzaville-Pont Noire railroad.[16] Relevant as the German's statement seems to have been, he was repeatedly interrupted by the session president who warned him not to criticize what had taken place in various colonies.[17]

In the end, the predominant argument to emerge from the conference debate was bland enough to be palatable for all: the ILO stood firmly against forced labour, but was supportive of the need to civilize indigenous subjects. No one captured this reasoned tone better than the French workers' delegate, Léon Jouhaux, who pronounced:

> It is said . . . that the necessities of civilization require the use of forced labour to raise the native peoples out of their present state . . . It is a fact that these races must be raised; it is a fact that they must be taught to work. But we ask whether forced labour would ever teach any native race to work . . . Forced labour leads to a disgust for work and to hatred of all forms of labour.[18]

Jouhaux portrayed the prohibition on forced labour not as a challenge to colonialism but as a defence of it. Essentially reiterating the central tenets of the French colonial *mission civilisatrice*, the convention deemed forced labour objectionable not because it was brutal and caused suffering, but because it threatened to impede the real progress that colonialism ideally promoted.

In 1930, the International Labour Conference adopted a Convention that called for the end of forced labour 'within the shortest possible period'. Articles 4 and 6 of the Convention banned the use of forced labour 'for the benefit of private individuals, companies or associations' as well as the use of official or administrative pressure to encourage indigenous populations to work for private enterprises. The Convention did not, however, ban the use of forced prison labour or the use of compulsory labour in cases of emergency, which it defined broadly to include war, famine, flood, fire, animal or insect invasion or any situation 'that would endanger the existence or the well-being of the whole or a part of the population'.[19] It also called for the abolition of the use of chiefs in the administration of compulsory labour and required that only able-bodied men between the ages of 18 and 45 be requisitioned for forced labour.[20] Finally, the Convention regulated a host of other issues, from the maximum weight of a porter's load to the number of hours per day and days per year that could be demanded of labourers.

The ILO's director, Albert Thomas, and his associates believed that the Convention would be a considerable force in moving countries toward examining the forced labour issue. Thomas noted with pleasure that the Convention had immediately caused the French parliament to discuss forced labour and regulate it. While he admitted that the final proposed legislation fell short of the spirit of the Convention, he emphasized that no regulation would have left 'the door open to all abuses'.[21] A 1933 report noted that the British had not only ratified the Convention, but they were also making sure that it translated into 'the everyday facts of Native life'. The same report claimed that the Convention had led to 'much heart-searching and scientific investigation' in Belgium. It concluded that the Convention had 'proved a useful instrument for Native advancement' and further 'efforts for its universal acceptance' were warranted.[22]

Such optimism likely belied deeper scepticism. Pro-colonial interests across Europe expressed opposition to the Convention before it was even drafted, mostly on the grounds that it interfered with domestic politics over which no international body had sovereignty. An article in France's *Le Temps* deemed international regulation potentially 'more harmful than useful' and argued that it would only interfere with existing French laws that had been conceived in 'the most broadly humanitarian spirit'.[23] Behind the scenes, many people involved with colonial efforts were even more critical of the ILO's convention. In early 1930, representatives from Belgium and Portugal – two of the more widely criticized empires – met at the Ministry of Colonies in Paris to discuss how the three powers could best respond to the proposed regulation. In France, pro-colonial organizations, like the Union Coloniale Française, the Académie des Sciences Coloniales, and the Ligue Maritime et Coloniale, did little to hide their disapproval of international action. Calling international regulation a 'menace', these groups rejected the very term 'forced labour' due to its association with slavery and rejected all 'foreign' involvement in colonial matters.[24] Albert Thomas and others at the ILO remained ever cognizant of such dissenting opinions.[25]

Of the major European powers, Britain, France and the Netherlands had ratified the Convention by the late 1930s. Thus, in theory, more than three-quarters of Europe's colonial and mandate territories were covered by the Convention, though France did not completely abolish forced labour until 1946. Belgium did not ratify the Convention until 1944; Portugal waited until 1956. The discussions in the 1920s and 1930s had pressured these two countries to regulate forced labour. But, in Belgian and Portuguese colonies, forced labour remained a part of life for African subjects until decolonization.[26] And, across the colonial world, ratification of the Convention remained a dead letter in regions where officials administered by whatever method they pleased. In parts of French, Belgian and especially Portuguese Africa, where concessionary companies often operated in a state of virtual independence, and where colonial governments lacked the resources and resolve to police

the countryside, it is hard to imagine a Convention capable of stopping abuses of power – a fact that many at the ILO remained only too aware of.

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The story of the ILO's attempt to regulate forced labour could end with the Convention. But to do so would be to misunderstand the role the ILO played in contributing to interwar attitudes about colonial hardship. The remarkably uncontroversial discussion of forced labour at the International Labour Conference, the strong opposition to international regulation voiced in many imperial capitals, and the fairly meaningless promises to live up to the spirit of the ILO's regulations reveal only one aspect of the results achieved by the Convention. Officials at the ILO, especially in the Native Labour Section, had great hopes for the Convention as a method of shifting norms of acceptable behaviour and moving empires toward the goal of ending the use of forced labour even for public projects. But they realized that governments alone could not be trusted to monitor conditions in their own empires.

Thus, in the years leading up to and following the drafting of the Convention, to offset its limitations in policing Europe's colonies, the ILO became a major international centre for documenting labour abuses and related hardships in the colonial world. As such, it not only helped shape the way in which colonial abuses were documented; it also helped forge a network of individuals and societies committed to ending the abuse of indigenous populations in European empires.

From the mid-1920s, the ILO's Native Labour Section actively collected information regarding the forced labour issue, from laws passed and opinions expressed in Europe to the experiences of indigenous labourers around the world. The ILO was at the centre of a web of bureaux and correspondents in Europe's capital cities – London, Brussels, Lisbon, Rome and elsewhere – that gathered news, monitored public opinion and made contacts with governments and private organizations. In 1931, for example, the bureau in Paris updated the Geneva office on the Congrés de la Société indigène along with information about how the ILO might become more closely involved with the organization. The Parisian correspondent also collected information about French colonial legislation that the ILO needed, sent along news about the colonial exposition held that year in the Bois de Vincennes, and sent clippings of articles from French newspapers on the work of the ILO.[27] In the early 1930s, Albert Thomas and other officials at the ILO also nurtured better relations with the staunchly pro-colonial Institut Colonial Français. Among other strategies for improving public relations, ILO officials determined that sending Jean Goudal, who had recently travelled to Indochina on an ILO mission, to make a presentation at the Institut might help 'dispel the prejudice' that many there felt toward international regulation.[28] Such efforts to sway opinions were an important way in which the ILO helped win support from some its most ardent critics.

In addition to fostering connections with pro-colonial groups in Europe, the ILO also forged relations with Swiss, French, British and Australian indigenous rights' groups like the Bureau International pour la Défense des Indigènes, the Ligue contre l'Oppression Coloniale, and the Anti-Slavery and Aborigines' Protection Agency. The ILO also corresponded with missionary organizations, both Catholic and Protestant, in Britain, France, Rome, Finland, New Zealand and elsewhere that shared information on subjects ranging from inhumane colonial labour systems to the devastating impact of 'grog' (alcohol) on Pacific islanders.[29] The ILO and the League of Nations worked closely with these organizations to educate the public about the importance of fair labour practices and to spur popular support for the Convention. Not only did ILO officials exchange correspondence directly with each of these organizations; they also put different groups and individuals in touch with one another and encouraged exchanges of information. Where information was lacking, ILO officials contacted journalists, missionaries and travellers for accounts of understudied regions.

By the 1930s, the ILO headquarters in Geneva had become an address where anyone – from scholar to traveller – could send unsolicited letters or reports on issues dealing with forced labour. But officials were always careful about sources. Officials from the director downwards corresponded with one another constantly, scrutinizing the methodologies and debating the reliability of received reports, be they from official or unofficial sources. They privileged documentary-style, first-hand accounts of colonial labour systems that provided clear evidence of abuses and that could be corroborated with government reports and other published materials. Such an approach protected the ILO from critics' accusations that the organization was quick to make unfair claims about colonial labour conditions in the empires of European member states. In the end, the archive amassed by the ILO was not just about colonial labour; it was probably, in its day, one of the most extensive depositories of what we would now call human rights violations. The collection documented a litany of colonial abuses, including murder, rape, ritual humiliation, severe social dislocation, poor hygiene conditions, disease and depopulation – all stemming from insufficient or corrupted labour regulations. But it also charted the progress made in pushing member states to pass stricter laws relating to indigenous workers.

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The impact of this international interest in colonial hardship is not easy to assess. But there are at least two ways in which the ILO brought a novel dynamic to interwar discussions about colonialism. First, the ILO's desire to document colonial hardship both coincided with and contributed to a significant shift in how Europeans, including the French, examined and understood colonial rule. Throughout the 19th century,

there were plenty of accounts detailing the way non-Europeans suffered. Humanitarians described the horrific consequences of droughts and famines. Missionaries told of the victims of slave traders and cannibals. But in these cases European imperialism was rarely considered culpable in any way. Very few writers explored the impact of colonial policies or governance on indigenous people. There were certainly isolated affairs – cases of extreme violence or injustice of a colonial army or official – that made the press and momentarily inflamed passions.

But the focus of the ILO and its associated reporters was fundamentally different. They set out to document what social scientists and political activists today often call 'social suffering' – quotidian miseries that result from living conditions created by political, economic and institutional power.[30] The ILO's effort to uncover and understand this kind of suffering began a process of making plausible what many of us find self-evident today: that, despite the promises of the civilizing mission, European colonial rule, in its very structure, was prone to cause violence, hardship and social strife.

In addition to participating in a shift in the way some Europeans viewed colonialism, the ILO was an active player in the formation of an international network of scholars, journalists and non-state organizations concerned about the harmful effects of European colonization. The gathering, sharing and disseminating of information made it easier for an array of people to conduct more efficient research and produce well-documented studies. Moreover, the ILO helped organize international conferences that brought together activists and scholars, who, prior to the 1920s, would infrequently, if ever, have shared the same stage.

A single archived file offers a sense of the reach of the ILO's networks. At the front of a file of correspondence with the Bureau International pour la Défense des Indigènes, officials at the ILO, including Albert Thomas, shared notes about the following subjects: a recent visit of W. E. B. Du Bois, who was travelling in connection with the Anti-Slavery and Aborigines' Protection Society; a lecture given by Félicien Challaye, an ardent French critic of empire; a meeting with French feminists Gabrielle Duchêne and Madeleine Rolland (sister of Romain Rolland, himself involved in indigenous-rights work) of the Ligue internationale des femmes pour la paix et la liberté; and visits by Duong Van Fiao of Indochina and Mohammed Hatta of Indonesia. These people and organizations were discussed around issues ranging from native lands in South Africa to the inclusion of more non-Europeans in official discussions in Geneva.[31]

In some instances, networks brought together representatives from European powers and their colonies in a novel way. In 1927, for example, the ILO played a prominent role in a conference called 'The Relations Between the White Races and the Races of Color'. The conference was directed by the outspoken French colonial critic Félicien Challaye, and the list of speakers was as varied as it was distinguished: Henri Junod, the

Swiss director of a major international indigenous rights organization; the German ethnologist Leo Frobenius; Dr Albert Schweitzer, famous for his medical clinic in Gabon; the future Indian prime minister Jawaharlal Nehru; Duong Van Giao, a prominent Vietnamese activist for colonial reform; and Roger Baldwin, a founder and director of the American Civil Liberties Union. Joining them were speakers from Indonesia, Madagascar, Mexico, Britain and elsewhere.[32]

Other ILO-organized events fostered networks that were even more potentially threatening to European power. In 1929, for instance, the ILO organized a meeting of Asian workers from Japan, India, China, and other countries. Topics of discussion included the 'equality of treatment of all workers' and the improvement of working conditions across the continent to the standards found in Europe. More worrisome to critics of the ILO, the conference also proposed to examine ways of encouraging the adoption of 'international social legislation' with the goal of 'combating the excesses of imperialism and capitalism'. A sign of the potential threat that such events posed is that the conference was tracked by the French Académie des Sciences Coloniales in Paris. Someone at the Académie, probably the president, Paul Bourdarie, underlined the phrase 'combating the excesses of imperialism', undoubtedly with horror.[33]

Conferences such as these ones were a departure from the pre-First World War period in a number of ways. Most obvious, they were remarkably international in their makeup, often allowing Europeans from competing imperial nations to share insights with one another about the benefits and drawbacks of colonial policies. Such international exchanges made the common government claim – that imperial policies were domestic issues and not open to international critique – less and less tenable. More important, though, such meetings fostered exchanges between Europeans and representatives from the very regions injured by abusive labour practices. They offered an intellectual and political refuge of sorts, where at least some colonial subjects could critique colonial governments in an internationally recognized space.

This space offered colonial subjects an opportunity to challenge European claims to civilization. Since at least the early 19th century, Europeans had used their assumed superior level of civilization to promote and justify conquest. Now, in conferences and other meetings, the supposed beneficiaries of European science, art and humanity were allowed to debate the promises and inconsistencies of civilization. Such events helped legitimize criticisms from colonial subjects that were regularly censored or that often resulted in imprisonment and even torture in the empire.

In this way, while the ILO continued to defend colonialism, much of the information that they helped to produce ultimately fed anti-colonial rhetoric in Europe's empires. In the interwar years, the misery caused by colonial regimes became a rhetorical cornerstone of anti-colonial movements.

As early as 1922, for example, Ho Chi Minh had used forced labour as a rallying cry to all colonized peasants. 'More than your peasant brothers of the metropole,' he wrote, 'you suffer long days of work, of misery. [. . .] You are often constrained by forced labour, by murderous portage and interminable corvées . . .'[34]

Ho's rhetoric was not unique. Abusive labour practices were invoked across the globe to inspire colonial subjects to throw off the yoke of empire – including in French Africa, Indochina and beyond. Labour practices were certainly not the only form of colonial violence to abhor: military conquests, police brutality and political oppression were realities in many regions. But since employment represented arguably the most fundamental relationship between Europeans and indigenous people, many anti-colonial activists associated poor labour conditions most closely with colonialism's disturbing capacity to disregard their humanity. Thus, one of the unintended consequences of the ILO and the League of Nations – organizations committed to trusteeship and continued colonial rule – was to legitimate, albeit indirectly, the political claims of independence movements across Europe's empires.

The fact that officials at the ILO, along with the many European critics of colonial policies who worked with them, helped give weight to political claims that ultimately eroded the moral foundations of empire does not morally vindicate them in any way. European empires were far from falling in the interwar years and in some important ways the League of Nations and the ILO, with their commitment to trusteeship, helped buttress European power overseas. The ILO's work on forced labour is not, in short, a story of triumphant humanitarianism. Nonetheless, it is clear that the interwar years witnessed a profound shift in the way that many people, in colonies and imperial metropoles alike, viewed the impact of colonial policies on indigenous populations. The promises of 'civilizing missions' were for the first time held up against the realities of reports from a variety of sources – individuals who witnessed and documented the effects of colonization first-hand.

While the ILO's official aim in examining forced labour might not have been to undermine the moral foundations of empire, its close examination of how colonial policies and practices shaped the lives of common people living under European rule did just that. As the American lawyer, academic and expert on international law, Joseph Chamberlain, pointed out in 1933, the ILO's campaign to regulate forced labour exposed 'an evil situation which had too long been allowed to rest undisturbed'. By its very act of condemning the exploitation of human beings, Chamberlain continued, the ILO made strides in establishing 'an international conscience' and in pressuring states to guarantee better working conditions.[35] Such a 'conscience' could not be created by the organization alone, or even from the words of its Conventions. Rather, it was forged by ILO officials'

determination to foster networks of individuals and organizations – both private and governmental – committed to debating the political and moral consequences of forced labour. As representatives of an institution, ILO officials may have been limited in their abilities to expose the horrific consequences of colonialism. But by participating in a network of individuals and organizations, they enabled others to make their indignation known.

Notes

1. E. A. Ross, *Report on Employment of Native Labor in Portuguese Africa* (New York: Abbott Press, 1925), located at the Archives of the League of Nations (LNA): Mandates, R66 / 45003 / 23252.
2. Ibid., p. 12.
3. This point was made explicit by Sir Frederick Lugard. LNA: Mandates, R66 / 45242 / 23252, 'Note sur le travail forcé, présentée par Sir Fr. Lugard', 29 juillet 1925.
4. See J. P. Chamberlain, 'Forced Labor', *Annals of the American Academy of Political and Social Science* (no. 166, March 1933), pp. 80–85. The Slavery Convention did abolish forced labour regimes for private use, but left unresolved the nature of its use for the public good. This became one of the central issues investigated by the ILO in the subsequent years.
5. Notable exceptions include M. Callahan, *Mandates and Empire: The League of Nations and Africa, 1914–1931* (Brighton: Sussex Academic Press, 1999) and *A Sacred Trust: The League of Nations and Africa, 1929–1946* (Brighton: Sussex Academic Press, 2004); S. Pedersen, 'The Meaning of the Mandates System: An Argument', *Geschichte und Gesellschaft* (vol. 32, no. 4, 2006), pp. 560–582; and F. Cooper: *Decolonization and African Society: The Labor Question in French and British Africa* (Cambridge: Cambridge University Press, 1996). None of these studies, however, deals in detail with colonial forced labour.
6. R. Niezen, *The Origins of Indigenism: Human Rights and the Politics of Identity* (Berkeley: University of California Press, 2003), p. 36.
7. On the ideological origins of the League's colonial policies, see K. Grant, *A Civilised Savagery: Britain and the New Slaveries in Africa, 1884–1926* (New York: Routledge, 2005).
8. On the ILO, see G. A. Johnston, *The International Labour Organization: Its Work for Social and Economic Progress* (London: Europa Publications 1970).
9. Portuguese Delegation to the VIth Assembly of the League of Nations, 'Some Observations on Professor Ross's Report' (Geneva, 1925).
10. A. Anghie, *Imperialism, Sovereignty, and the Making of International Law* (Cambridge: Cambridge University Press, 2004), p. 137.
11. Chamberlain, 'Forced Labor', op. cit., p. 81.
12. Proceedings of the International Labour Conference, 12th Session, Volume I (Geneva: International Labour Organization, 1929), p. 44.
13. Ibid., p. 58.
14. Ibid., p. 53.
15. Ibid., pp. 45–48.
16. Ibid., p. 63.
17. Ibid., p. 69.
18. Ibid., p. 50.
19. Forced Labour Convention of 1930, Article 2 (c), (d), and (e).

20. Ibid., Articles 10 and 11.
21. ILO Archives (ILOA), Native Labour, N206/1/34/3/1 (1930), Letter from A. Thomas to M. Cambrini, 16 September 1930.
22. ILO Archives, N206/1/01/3 (1933), 'The Geneva Forced Labour Convention', no author, 13 December 1933.
23. 'Le travail obligatoire aux colonies', *Le Temps* (28 May 1929).
24. Académie des Sciences d'Outre Mer, Paris (hereafter, ASOM), MSS 324: Copy, letter from the presidents of the Académie des Sciences Coloniales, the Union Coloniale Française, the Ligue Maritime et Coloniale, and the Comité de l'Indochine to M. le Président du Conseil, 16 January 1930.
25. See, for example, ASOM, MSS 324, letter from Albert Thomas to Paul Bourdarie, Geneva, 10 January 1930.
26. P. Manning, *Francophone Sub-Saharan Africa, 1880–1995* (Cambridge: Cambridge University Press, 1998), p. 116.
27. ILO Archives, N206/1/22/3, Native Labour, Information and documents forwarded by Paris Correspondent.
28. ILO Archives, N206/1/22/9, Correspondence with M. Gheerbrandt, Institut Colonial Français, Paris; in particular, see the Minute Sheet, from Goudal to Weaver, 18 March 1935.
29. Correspondence with these organizations can be consulted in the N206 series at the ILO Archives.
30. A. Kleinman, V. Das and M. Lock, 'Introduction', *Daedalus* (vol. 125, no. 1, 1996), p. 10. This is a special issue of *Daedalus* on social suffering.
31. ILO Archives, N206/1/01/3, 'Minute' sheets.
32. ILO Archives, N206/1/01/3, 'Les Rapports des races blanches avec les races de couleur', 26 August to 8 September 1927.
33. ASOM, MSS 324, Paul Bourdarie, 'Une Conférence des travailleurs asiatiques', Bureau International de Travail, Genève, 3 Décembre 1929.
34. Ho Chi Minh, quoted in B. Fall, *Le Travail forcé en Afrique Occidentale française (1900–1945)* (Paris: Karthala, 1993), pp. 254–255.
35. Chamberlain, 'Forced Labor', op. cit., p. 85.

6
The Contribution of the ILO to the Formation of Public International Cooperative Law[1]

Hagen Henrÿ[2]

Introduction

In an article written in honour of Nicolas Valticos, former Director of the Standards Department of the International Labour Office (the Office), Politakis and Markov wonder whether 'les recommandations internationales du travail' are not the 'instruments mal exploités ou (le) maillon faible du système normatif …'.[3] The present chapter seeks to give at least a partial answer to this question by developing the idea that the Promotion of Cooperatives Recommendation, 2002 (No. 193) of the International Labour Organization (ILO) constitutes the nucleus of public international cooperative law. This law is binding and creates obligations for governments, employers and workers, as well as the cooperative organizations of ILO member states. Consciously or unconsciously Politakis and Markov imply with their question that we live currently in one normative system. Indeed, the globe is moving towards a system of legal systems. The borderlines of these legal systems do not coincide any more exclusively with the borderlines of states.[4] This new setting is decisive in arguing that Recommendation No. 193 is a legally binding instrument.

After having recalled in Part II some past ILO activities in the field of cooperatives in general, and of cooperative law in particular, I shall deal with the contribution of the ILO to the formation of public international cooperative law in Part III. Both parts document preliminary results of a research that requires complementing and deepening in many a respect.

The ILO, cooperatives and cooperative law: a short review

Preliminary remarks

It might be a surprising statement saying that the ILO is active in the field of cooperative law, and what is more, that it has contributed to the formation

of public international cooperative law. The mandate of the ILO in the field of law is mainly portrayed as relating to the setting of labour standards and the monitoring of their implementation. By labour standards we generally understand that body of rules which govern the relationship between those who control the means of production and those who contribute to the production through their work (labour law in its narrow sense) or, in addition, also those rules which govern the social protection of the latter and work safety (labour law in the broad sense).[5] Cooperative law does not form part of these labour standards if it is limited to regulating the structure of 'association(s) of persons . . . (who) meet their common economic, social and cultural needs . . . through . . . a(n) ... enterprise'. The ILO promotes this definition of cooperatives through Recommendation No. 193.[6] The exclusion of cooperative law from the scope of labour law is further underlined by the fact that the labour law in its narrow sense applies in cooperatives in general only mutatis mutandis and, by definition, it cannot apply in workers' cooperatives.

The mandate of the ILO in the field of cooperative law can therefore not be derived from its mandate to deal with labour standards. I shall come back to this after having scrutinized the ILO activities in the field of cooperatives/cooperative law in general in view of footprints which could indicate the way towards the formation of public international cooperative law. The word 'way' is used in its double sense, as a chronological path and as method. Outside treaties, most public international law emerges through a densification in time and an extension in space of often heterogeneous elements of behaviour by subjects of international law. Independently of their individual juridical value, these elements add either up to a common practice or create a commonly shared expectation, if not trust, that future behaviour would follow the pattern they designed so that any behaviour to the contrary would be considered as (legally) not acceptable.

ILO activities in the area of cooperatives and of cooperative law

One cannot understand the history of ILO activities in the field of cooperatives and of cooperative law without paying tribute to Albert Thomas.[7] He had been a French politician, a government minister during the First World War, a social reformer and closely involved in the cooperative movement[8] before he was nominated first Director-General of the Office. From the beginning of his Office term he tried to include cooperatives into the ILO. Thanks to his initiative the Governing Body of the ILO (the Governing Body) decided in 1920, that is, immediately after the start of operations of the ILO, to establish a Cooperative Branch.[9] Its role was described as follows: to collect all information on the cooperative movement and to develop relationships with the principal national and international cooperative organizations. In 1921 the International Labour Conference endorsed this decision and specified[10] the role of the Office

in these terms: 'study the different aspects of cooperation which are connected with the improvement of the economic and social conditions of workers.'

Attempts in the 1920s to have cooperatives represented in the bodies of the ILO on an equal footing with governments, employers and workers[11] failed for reasons I could not establish. From 1946 to 1953 the Governing Body was assisted by a Cooperative Consultative Committee representing the various cooperative sectors.[12] Only in 1948, and after long discussions,[13] did the International Cooperative Alliance (ICA), the representative organization of many national cooperative organizations, obtain consultative status with the ILO.[14]

The relationship between the ILO and the cooperative organizations materialized to a large extent through the close collaboration between the ILO and the ICA. Nowadays this close collaboration is expressed through the 2004 Memorandum of Understanding (MoU) between the ILO and the ICA, the only MoU the ILO has concluded to date with an international NGO. At the last review meeting in 2007 the parties agreed to concentrate their common efforts on four areas, one of which is cooperative policy and legislation.[15]

All along the Office has endeavoured to gather data on the different types of cooperatives in view of creating knowledge to be shared with member states and the public at large. Its means are research, publications and technical cooperation. In 1937 the Chief of the Cooperative Branch undertook a technical cooperation mission to Morocco concerning cooperative matters. This mission may be seen as the beginning of technical cooperation in general. A second mission, to Iran, was organized in 1947.[16] Between 1952 and 1968[17] the Office carried out some 200 missions to 65 countries through a large technical cooperation program of UNDP.[18] During this time approximately 100 experts advised countries of the South. Often this advice included advice on cooperative law.[19] However, the first technical cooperation mission which exclusively concerned cooperative law did not take place until 1950. It was undertaken to the Republic of Turkey where the Office was to elaborate a new cooperative law.[20]

One would certainly have to establish the details of the technical cooperation missions concerning cooperative law. But independently of their contents and their form, that is, advice given by staff members of the Office or brokered by the Office, the transmitted knowledge did not express a common will of the ILO and its member states. Only through the adoption of the ILO Co-operatives (Developing Countries) Recommendation, 1966 (No. 127) did such common will take shape and a decisive step towards the emergence of public international cooperative law was taken.[21]

From thereon and until the end of the 20th century, technical assistance was based on this recommendation, mainly through a large programme concerning the reform of cooperative policies and laws called COOPREFORM.

But Recommendation No. 127 cannot yet be considered a source of public international cooperative law. Neither its addressees nor its content qualify it as such. It is addressed to developing countries, members of the ILO, and only to the governments of these countries. Other subjects of public international law are not addressed. Furthermore, the content of Recommendation No. 127 does not reflect a universal consensus. Quite to the contrary, Recommendation No. 127 reflects a vision of cooperatives as a means in the hands of governments. This vision determines the implementation of Recommendation No. 127 as far as cooperative law is concerned. This cooperative law continues to be inspired by the cooperative legislation of the British colonial powers in India at the beginning of the 20th century.[22] In the industrialized countries, on the other hand, efforts concentrate on differentiating cooperative law from the law applicable to joint-stock companies.[23] It is to be noted that during colonial times the Office worked on cooperative issues only in the industrialized countries; after independence of the colonies it tended to concentrate its efforts on the newly independent states.

The limitation of Recommendation No. 127 to the 'developing' countries does not even allow it to be qualified as regional international law.

The last phase leading to the emergence of public international cooperative law starts with the preparation[24] and adoption of Recommendation No. 193. Recommendation No. 193 reflects another approach than Recommendation No. 127. It is addressed not only to the governments of all ILO member states, but also to employers', workers' and even cooperative organizations in these countries. Given the political, economic and social changes since 1966, and especially those since 1989, the Governing Body thought it indeed opportune to propose to the International Labour Conference a new instrument which would be of universal applicability, would confer more autonomy to the cooperatives and their (potential) members and which would define cooperatives as enterprises, though of a special type.

Recommendation No. 193 refers many times to cooperative law, albeit less elaborately and systematically than Recommendation No. 127.[25] Based on Recommendation No. 193, the Office has assisted some 60 countries in their efforts to reform cooperative law.

Recommendation No. 193 – public international cooperative law: 13 arguments

The juridical value[26] of Recommendation No. 193

The ILO Constitution

The International Labour Conference adopts Conventions and Recommendations. As for their respective legal value, the difference may not be reduced to the former being legally binding and the latter not.

Articles 19 and 30 of the ILO Constitution, as well as Article 7 of the Standing Orders of the International Labour Conference concerning the Committee on the Application of Conventions and Recommendations, do not allow for such an interpretation.[27] The wording of the ILO Constitution is rather specific on this:

- once adopted by the International Labour Conference, the governments of the member states must submit the relevant Convention or Recommendation to the competent authorities 'for the enactment of legislation or other action' (Article 19.5(b) and 19.6(b), respectively).
- like any international treaty, Conventions become legally binding through ratification. The wording the Constitution uses concerning further effects of the ratification of conventions in Article 19.5(e) and 19.6(d) creates the impression that non-ratified Conventions and Recommendations remain without any legal effect. Without insinuating that Recommendations have the same juridical value as ratified Conventions, which would be arguing outside the Constitution, I shall however argue that Recommendation No. 193 is legally binding. Article 19.6(b) expresses the expectation by ILO member states that Recommendations do not just remain on the books, but would be implemented
- under Article 19.6(c) member states have to inform the Director-General of the Office of the measures taken in order to comply with Paragraph 6(b) of the same Article
- should a member state not comply with this obligation, any other member state may seize the Governing Body under Article 30 and under Article 19.6(d) the member states have to 'report to the Director-General . . . the position of the law and practice in their country in regard to the matters dealt with in the Recommendation, showing the extent to which effect has been given, or is proposed to be given, to the provisions of the Recommendation and such modifications of these provisions as it has been found or may be found necessary to make in adopting or applying them.'[28]

The fact that, based on the proposal by the Office, the International Labour Conference opted for the adoption of a Recommendation instead of a Convention may not be interpreted as opting out of the legal nature of the instrument.

The wider context

The following 13 arguments are designed to distinguish Recommendation 193 from Recommendations adopted by other organizations and, on a number of points, also from other ILO Recommendations. Thus they are to support the core idea of this contribution[29] which is to say that, despite its classification as a Recommendation, Recommendation No. 193 is a legally binding source of public international law.

The arguments are as follows:

1. Resolutions and Recommendations of international organizations may be sources of public international law,[30] although they are not mentioned among the sources listed in Article 38 § 1 of the Statute of the International Court of Justice. Despite the wording of § 2 of Article 38 – 'This provision shall not prejudice the power of the Court to decide a case *ex aequo et bono*, if the parties agree thereto' – I agree with other authors that the list of sources contained in § 1 is not exhaustive.[31]

   Not all recommendations have the same juridical value, however.[32] Contrary to the word 'Convention', which signifies a well-defined reality, the word 'Recommendation' refers to diverse realities.

2. The ILO has a constitutional mandate to adopt standards on cooperatives:[33]
   - the preparatory texts[34] and Recommendation No. 193 itself do not mention the constitutional basis of the Recommendation. Article 12, § 3 of the Constitution empowers the ILO to 'make suitable arrangements for such consultation as it may think desirable with recognized non-governmental international organizations, including international organizations of . . . cooperators'. This provision does not refer to cooperative law. It suggests only consulting with cooperative organizations when elaborating labour standards because of the specificities that might exist in cooperatives.[35] But it does not constitute a mandate for the ILO to create cooperative law
   - presumably having the activities of the ILO outlined above and concerning cooperatives in mind, Orizet writes:[36] '. . . the International Labour Organization . . . has always taken the view that, whatever their form, cooperatives are a type of social institution that comes within its competence.' ILO member states never opposed this view, despite the fact that until 1966, the year when Recommendation No. 127 was adopted, there was neither a collective opinion on this issue, nor was there any respective universal instrument. However, this does not suffice to constitute a mandate concerning cooperative law
   - considering a tendency towards enlarging the notion of labour law to include all rules which deal with income generation[37] and with social protection, one could include cooperative law at least partially in labour law and thus constitute a mandate. This would meet the opinion of the cooperative movements themselves who rightly point out the fact that cooperatives contribute considerably to the wellbeing of their members. But this question would only be relevant if the mandate of the ILO were limited to labour law. This is not the case. Article 1 of the Constitution stipulates: 'A permanent organisation is hereby established for the promotion of the objects set forth in the Preamble to this Constitution . . .' The first object 'set forth in the Preamble . . .' is

'peace . . . based upon social justice'. Labour law is certainly the most important of the means through which social justice must be pursued, but it is not the only one. The ILO and its member states have a margin to decide on the means to employ. The question is therefore whether cooperative law is an adequate means to achieve social justice. The answer to this question may be found in an analysis of the cooperative laws and of their implementation in the various countries. We observe that in a growing number of states the texts of cooperative laws oblige cooperatives expressly to contribute to social justice.[38] We also observe that in a growing number of states implementation of these texts is improving.

An additional argument is this: one of the underlying objectives of setting international labour standards in the wider sense has always been to avoid social dumping in a world of free international trade. This is why the ILO has been trying to negotiate the inclusion of social clauses into international trade agreements. In today's world of globalized production[39] where globally acting enterprises are outside the reach of (international) law, this objective must be applied to structuring enterprises, hence the statement that the legal type of the enterprise matters.[40]

3. Recommendation No. 193 was adopted with two abstentions only, that is, by a large majority.[41] In public international law such large majorities add (legal) weight to an instrument.

4. As the decisions by the International Labour Conference reflect not only the will of governments, but also that of social partners, they are more representative than those of other international organizations and therefore carry particular weight.

5. As the delegates to the International Labour Conference have a free mandate,[42] which qualifies the ILO not only as an international organization, but also a transnational one, its decisions tend to reflect more than the sum of the interests of the member states of the ILO. This is a unique case in international lawmaking, a case of transnational legislation.[43]

6. In a globalized world, characterized
   - by diminishing democratic participation in lawmaking,
   - by a growing informalization of economies and
   - by an increased influence of private standards and lawmaking on public lawmaking,[44]

the integration into Recommendation No. 193 of the definition, as well as the cooperative values and principles as enshrined in the 1995 ICA Statement on the cooperative identity (the ICA Statement),[45] that is, the integration of a text of a nongovernmental organization which reflected the democratically arrived at opinion of some 700 million cooperative members at the time, carries special weight when assessing the legal nature of a Recommendation.

Weighting the ICA Statement in our context requires revisiting the notions of law and of lawmaking. Independently of the question of whether[46] or not[47] it is possible to define law, law is 'une façon sans cesse renouvelée d'imaginer le réel. "Intermédiaire entre le monde des faits sensibles et le monde idéal"'.[48] While allowing a permanent rebalancing of the various forces in society, law represents the constantly reworked consensus between the diverging visions these various forces might have. This consensus depends on the concepts and perceptions of law which groups have during the processes leading to these consensus. Apart from radically transforming production – from the production of goods and services to that of the production of knowledge[49] – globalization changes these processes profoundly. Technological changes and migrations over the past decades force us to find orientation within time frames which were unknown up to then and they induce a reorganization of social spaces with profound consequences for law. While in the past the conditions of space and time were expressed in a multitude of geographically limited internormativities,[50] current globalization confronts us with what Emongo calls 'interculture'.[51] This interculture leads to an ever more frequent and intensive meeting of radically different, often dephased, internormativities within the spaces of countries.

The reorganization of social spaces has not only changed the conception of law, but also lawmaking procedures and it has redefined the sources of law. States have become too small for global actors and too big for the administration of the interculture.[52] Layers of national, international, supranational and transnational law superpose each other and meet a growing corpus of standards set by private actors.[53]

The special relationship between the ILO and the ICA, the nature of the ICA and hence of the ICA Statement have to be considered within this context of standard-setting by private actors. The 'legal' relationship between the ILO and the ICA is defined by, among other things, a number of cross-references in the texts discussed here, namely Recommendation No. 193 and the ICA Statement: as indicated, Paragraphs 2 (definition of cooperatives) and 3 (the cooperative values and principles) of Recommendation No. 193, as well as its Annex (cooperative principles), are word-for-word extractions from the ICA Statement. Through this inclusion into Recommendation No. 193 the International Labour Conference recognized the ICA as the world organization representing cooperative movements. Since the adoption of Recommendation No. 193 in 2002 Article 12 § 3 of the ILO Constitution cannot be read otherwise than as designating the ICA as representing cooperative organizations. At its General Assembly in 2001 the ICA endorsed,[54] the ILO 'Guidelines for cooperative legislation',[56] which also guide the Office in its assistance to its constituents and cooperative organizations concerning cooperative law. The ICA

has been the guardian of cooperative values and principles since 1895. It is the biggest and probably also the oldest international NGO. This gives it a special legitimacy in our debate. But even more importantly, the ICA is democratically structured and it represents today close to 1 billion individual members. Given the democratic deficits of regional and international lawmaking, as well as of standard-setting by private entities, the opinion of these cooperative members, as condensed and expressed through the ICA Statement, must count.

7. Recommendation No. 193 merely concretizes legally binding international and regional Human Rights instruments[57] which contain all the basic legal guarantees for freely setting up and running a genuine cooperative. Strictly argued, one could derive the juridical value of Recommendation No. 193 from these Human Rights instruments.

8. The legal nature of Recommendation No. 193 stems also from it reflecting a repeated pattern of behaviour of the ILO member states at international/intergovernmental level:

   • in 1966 the International Labour Conference adopted the above-mentioned Recommendation No. 127. Recommendation No. 127 is used as an argument here despite the fact that Recommendation No. 193 'revises and replaces' it (Paragraph 19). ILO standards lose their validity only through a formalized derogation procedure. Recommendation No. 127 has not yet been included in such a procedure. In addition, it contains, as said, a separate chapter on cooperative legislation which is to a large extent reflected in the preparatory report of the International Labour Office to the International Labour Conference which adopted Recommendation No. 193.[58]

   • in 2001 the United Nations adopted the 'Guidelines aimed at creating a supportive environment for the development of cooperatives'.[59] They were adopted by consensus, that is, also with the consent of the member states of the ILO.

   The contents of these two instruments converge to a large extent with Recommendation No. 193 as far as cooperative law is concerned.

9. An analogous argument can be used concerning regional instruments adopted after Recommendation No. 193:

   • in 2003 the European Union promulgated Regulation 1435/2003 on the Statute for a European Cooperative Society (SCE)

   • in 2008 ICA Americas adopted the Ley marco para las cooperativas de América Latina

   • the countries of Mercosur have had since 2009 a Common Cooperative Statute [60]

   • in 2010 the member states of OHADA, the organization for the harmonization in Africa of business law, adopted a uniform cooperative law

10. The texts mentioned under points 8 and 9 make frequent reference to one another, thus reinforcing Recommendation No. 193. Some of these

texts refer to, and some reflect, universally recognized cooperative values and principles. The UN Guidelines and the EU Regulation refer to the ICA Statement; the preparatory report for the EU Regulation refers to Recommendation No. 193;[61] as mentioned, Recommendation No. 193 integrates the substance of the ICA Statement; the Ley marco para las cooperativas de America Latina refers to the ICA Statement, to the UN Guidelines and to Recommendation No. 193[62]

11. Furthermore, a number of states have since demonstrated their respect for the main content of Recommendation No. 193 when adopting new laws, revising existing ones and/or planning to do so. They are thus establishing a praxis at the national level[63] which will soon qualify – if it has not already – as a source of public international law as listed in Article 38, § 1 of the International Court of Justice.

12. In 2009 and for the first time a supreme court referred to Recommendation No. 193 in its decision concerning the legal qualification of worker cooperatives.[64]

13. Lastly, a group of cooperative law specialists gave support to the central arguments put forward here when advising Cooperatives Europe, the European regional organization of the ICA, EURICSE, the European Research Institute on Cooperative and Social Enterprises at Trento University and the EKAI Center, a research institute of the Mondragon Corporation and Mondragon University, on their 'Study on the implementation of the Regulation 1435/2003 on the Statute for a European Cooperative Society (SCE), October 5, 2010, commissioned by the European Union'.[65]

The scope and content of Recommendation No. 193 concerning cooperative law

Like any Recommendation adopted by an international organization, Recommendation No. 193 has external and internal legal effects. As for the external effects, that is, those concerning other subjects than the ILO itself, these need to be established case by case and are not dealt with here.

The internal effects are that Recommendation No. 193 binds the ILO as an organization. As mentioned, Recommendation No. 193 creates obligations for governments, and employers' and workers' organizations, as well as the cooperative organizations of the ILO member states. This is a result of the nature of the relationship between the ILO and the member states. By adhering to the ILO, the member states accept the legal obligation to pursue the objectives laid down in the ILO Constitution (social obligations). In our case this objective is peace based upon social justice. Recommendation No. 193 reminds the member states of their social obligation to pursue social justice and it specifies the contents of this obligation.[66] By constituting the ILO, the member states mandated the ILO to assist them through the Office to fulfil

their social obligations.[67] Fulfilling these obligations is, therefore, a joint task of member states and the ILO.[68] In our context, the above-mentioned ILO 'Guidelines for cooperative legislation' specify the Office's work in the field of cooperative law.

The member states have to respect the contents of Recommendation No. 193 unless they are able to demonstrate that it is not adequate for the achievement of the objective of social justice. They carry, so to speak, the burden of proof.[69] No state has as yet attempted this kind of proof. Should a party which voted in favour of Recommendation No. 193 do so, it would possibly violate the principle of the prohibition of 'venire contra factum proprium', which also applies in public international law.

This might be the only difference between Recommendation No. 193 and a ratified Convention.

Given that Recommendation No. 127 is much more systematic and complete than Recommendation 193 as far as cooperative law is concerned and that the latter, as mentioned, 'revises and replaces the former', the question arises as to whether the International Labour Conference wanted to diminish the weight of Recommendation No. 193 concerning the substance of cooperative law.

Several arguments may demonstrate that this is not the case. First of all, Recommendation No. 127 has not been abrogated. Recommendation 127 therefore retains a certain value, at least for purposes of interpretation. Furthermore, on the basis of Recommendation No. 127 a substantial number of states and supranational structures had started to develop a common core concerning cooperative law which may be qualified as the 'general principles of law recognized by civilized nations' in the sense of Article 38, § 1, c) of the Statute of the International Court of Justice.[70] Indeed, the contents of public international cooperative law may be divided into two categories, principles which guide legislators and a growing common core of legal rules on cooperatives.

The details of this common core need to be further researched, using the method/s of comparative legal science.[71] But one may already now note that a growing number of cooperative laws reflect a similar view of the role of government in the development of cooperatives (promoting without interfering, separating promotion from supervision/control); translate the cooperative principles into legal rules; respect the autonomy of cooperatives; respect the rule of equal treatment of cooperatives by taking into account their specificities;[72] reflect the organization of cooperation between persons (members) in view of promoting their economic, social and cultural interests through an enterprise. That is, more and more laws incorporate the universally recognized definition of cooperatives as contained in Paragraph 2 of Recommendation No. 193 and they limit their scope of application to the form of organizing cooperation without reference to any specific activity.[73]

Conclusion

The arguments developed here should suffice to demonstrate the existence of public international cooperative law.

It will be important for the ILO, and others, to not only consolidate the work, but also to do everything so that this common understanding of cooperative law, this *acquis universel*, be used rationally and sensibly so as to reverse the current tendency of homogenizing the laws regulating business organizations according to the criteria characterizing capital-centred enterprises. The value of cooperative law also consists to a large extent in its respect for differences between enterprise types. Differences create diversity.[74] Diversity, in turn, is a source of peace and, as we have seen, peace is the first object of the ILO mentioned in the Preamble of its Constitution.

Notes

1. Revised and updated January 2011.
2. Privatdozent Dr iur, Head of EMP/COOP, the Cooperative Branch of the International Labour Organization (ILO, 2007–2011). The contribution is not an official document of the ILO.

   I would like to thank Ms Christine Dötzer and Ms Katharina Göbel who searched the archives and libraries. Without their help I would not have been able to write this contribution.
3. G. Politakis and K. Markov, 'Les recommandations internationales du travail: instruments mal exploités ou maillon faible du système normatif?', in J. C. Javillier, B. Gernigon and G. Politakis (eds), *Les normes internationales du travail: un patrimoine pour l'avenir. Mélanges en l'honneur de Nicolas Valticos* (Geneva: Bureau international du Travail, 2004).
4. See in this respect F. Ost, 'Mondialisation, globalisation, universalisation: S'arracher, encore et toujours, à l'état de nature', in C. A . Morand (ed.), *Le droit saisi par la mondialisation* (Brussels: Bruylant 2001); J. Chevallier, 'Mondialisation du droit ou droit de la mondialisation ?', in ibid., 'Fragmentierung des Rechts. Was ist es – und wenn ja, wie viele?', *Frankfurter Allgemeine Zeitung*, 17 June 2010.
5. The notion of 'cooperative law' is, of course, much wider than what even this broader term signifies. It encompasses cooperative law proper, labour law, competition law, taxation, accounting standards et al., as far as these laws bear on the structure or operations of cooperatives. It also includes implementation procedures and mechanisms. The notion is hence rather close to that of 'institution'. Among the many definitions of 'institutions', the one by North seems to be the most widely known; cf. D. North: 'Institutions', *Journal of Economic Perspectives* (vol. 5, no. 1, 1991). I follow the definition by Granger which is closer to legal thinking; cf. R. Granger, 'La tradition en tant que limite aux réformes du droit', *Revue internationale de droit comparé* (vol. 31, no. 1, 1979), pp. 44, 106.
6. See for the full definition of cooperatives, Paragraph 2 of the ILO Promotion of Cooperatives Recommendation, 2002 (No. 193).
7. See A. Thomas, *A la rencontre de l'Orient. Notes de voyage 1928–1929* (Geneva: Société des amis d'Albert Thomas, 1959).
8. He was also a member of the Board of the International Cooperative Alliance (ICA)

9. ILC Report VII (1), 1965, Introduction

10. See ILC 3rd session 1921, Vol. I, 565; Procès Verbaux d'Administration 1922, 301; Report VII (1): The role of cooperatives, 1964/1965, pp. 1ff.

11. See 4ième session de la Conférence internationale du Travail 10/1922: 'Les coopératives devraient pouvoir exprimer leur opinion sur toute question de droit du travail les concernant de la même façon que les entreprises privées.'

12. *Informations coopératives* (no. 3, 1971), p. 30.

13. *International Labour Review* (no. 6, 1973).

14. At its 107th session the Governing Body of the ILO confers upon the ICA consultative status and the Director-General qualifies in his report to this session the ICA as the most representative cooperative organization (cf. GB107/20/18)

15. This information is based on personal knowledge.

16. *International Labour Review* (no. 6, 1973).

17. Ibid.

18. UN Expanded Program of Technical Assistance (EPTA; UNDP TA 164-4-d-3-1-1)

19. *International Labour Review* (no. 6, 1969); J. Orizet, 'The Co-operative Movement since the First World War', *International Labour Review* (no. 6, 1969), pp. 42, 45. In 1922 already the Governing Body reports on a great number of requests by governments and other organizations concerning legal problems of cooperation (cf. BIT, Procès Verbaux d'Administration, session 11–12, p. 86). The 1927 International Economic Conference asked the Office to inquire about the incorporation of the cooperative principles into the various national cooperative laws; see 'Dix ans d'Organisation internationale du Travail' (Genève: BIT 1931), Chapitre III, 294; ILC Report VIII (1) 1965, Introduction, p. 3. The *International Labour Review* confirms the interest of the ILO in cooperative law. See, for example, the following issues: 5/1925; 10/1948; 1959; 2/1965; 6/1969; 6/1973; 1992. See also *Cooperative Information* (2/1970; 4/1970; 3/1971; 3/1972).

20. *Cooperative Information* (no. 1, 1970), p. 67.

21. This Recommendation contains a full chapter (Chapter III) on cooperative law.

22. The so-called 'British Indian pattern of cooperation'. See H. H. Münkner (ed.), *100 Years of Co-operative Credit Societies Act, India 1904. A Worldwide Applied Model of Co-operative Legislation* (Marburg Consult for Self-Help Promotion. International Co-operative Alliance, Asia and Pacific, 2005)

23. See A. Egger, 'The Co-operative Movement and Co-operative Law', *International Labour Review* (vol. XII, no. 5, 1925).

24. In 1993 and in 1995 the Office organized two meetings of experts to debate the necessity of having a new instrument concerning cooperatives. Cooperative law plays an important role in these debates. Cf. International Labour Conference, 89th session 2001, Report V (1), 2001, Promotion of cooperatives, p. 1.

25. Refer to footnote 21 in relation to Recommendation No. 127. Recommendation No. 193 mentions cooperative law explicitly in its Paragraphs 2., 6., 8. (2), 9., 10., 18., c) and d) and numerous times implicitly.

26. I use the term 'juridical value' to signify several aspects, namely 'legal nature', 'binding force', 'legal effects' and 'juridical value', without always distinguishing them correctly in the text. As for such a distinction, see M. Virally, 'La valeur juridique des recommandations des organisations internationales', *Annuaire français de droit international* (Vol. II, 1956). Reprinted in *Le droit international en devenir* (Paris: Presses Universitaires de France, 1990), p. 174.

27. It could be interesting to compare the difference between Conventions and Recommendations to that between directives and regulations passed by the European Union.
28. See also Article 7.1(b) of the General Standing Orders of the (International Labour) Conference.
29. I have expressed this idea earlier. The arguments put forward now are to remove my own doubts as to whether they suffice to argue for the existence of a public international cooperative law or whether one cannot but report on the 'emergence' of such a law. In the latter sense, see H. Henrÿ, 'Guidelines for Co-operative Legislation', *Review of International Co-operation* (vol. 94, no. 2, 2001), pp. 50–105, cited here, p. 56. As of 2005 the ILO published the opinion that indeed such a public international law had emerged; see H. Henrÿ, *Guidelines for Cooperative Legislation*, 2nd revised edition (Geneva: International Labour Organization, 2005), p. 5.
30. Cf. M. Montt Balmaceda: *Principios de derecho internacional del trabajo. La OIT*, 2a edición (Santiago de Chile: Editorial Jurídica de Chile, 1998), p. 138; Politakis and Markov, op. cit., p. 513; M. N. Shaw: *International Law*, 4th edition (Cambridge: Cambridge University Press, 1997), pp. 92ff. A. Verdross and B. Simma, *Universelles Völkerrecht. Theorie und Praxis*, 3. Auflage (Berlin: Duncker & Humblot, 1984), pp. 518–523; J. Verhoeven: *Droit international public* (Brussels: Larcier, 2000), pp. 335ff and 447; Virally, op. cit., pp. 169ff.
31. See, for example, D. Kennedy, *International Legal Structure* (Baden-Baden: Nomos 1987), pp. 18ff.
32. Virally, op. cit.
33. This has indirectly been confirmed recently by the (independent) Experts of the Committee on the Application of Conventions and Recommendations (Art. 7 of the Standing Orders of the International Labour Conference). Their 2010 General Survey concerning employment instruments in the light of the 2008 ILO Declaration on Social Justice for a Fair Globalization places Recommendation No. 193 firmly within the employment instruments of the ILO.
34. See footnote 24.
35. A. Bronstein, 'En aval des normes internationales du travail: le rôle de l'OIT dans l'élaboration et la révision de la législation du travail', in Javillier, Gernigon and Politakis (eds), op. cit., pp. 219–224 takes as an example the consultation of the Cooperative Branch during the elaboration of labour standards.
36. Orizet, op. cit., p. 42.
37. Recommendation No. 193 itself puts emphasis on income generation. See its Paragraph 4., a).
38. I had prepared a more detailed list of those elements of the legal structure of cooperatives which allow them to contribute to social justice as part of sustainable development for the Meeting of Experts who, in 2009, advised the UN on the desirability and feasibility of an international year of cooperatives; see H. Henrÿ, 'Cooperatives, Crisis, Cooperative Law', paper presented at the Expert Group Meeting organized by the Department of Economic and Social Affairs (DESA) of the United Nations, 'Cooperatives in a world in crisis', 28–30 April 2009 in New York; at: www.un.org/esa/socdev/egms/docs/2009/cooperatives/Hagen.pdf
39. By 'globalization' in the legal sense I understand the abolition of all barriers so as to allow the means of production, especially capital and labour, to be 'used' everywhere. As for a differentiation between the French terms 'mondialisation', 'globalisation' and 'universalisation', see Ost., op. cit.

40. See H. Henrÿ, 'The Legal Structure of Cooperatives: Does it Matter for Sustainable Development?', in H. J. Rösner and F. Schulz-Nieswandt (eds), *Beiträge der genossenschaftlichen Selbsthilfe zur wirtschaftlichen und sozialen Entwicklung. Bericht der XVI. Internationalen Genossenschaftswissenschaftlichen Tagung 2008 in Köln*, 2 Bde. (Berlin: LIT Verlag, 2009), Bd.1; and 'La promoción del modelo empresarial cooperativo por la Alianza Cooperativa Internacional y la Organización Internacional del Trabajo en el nuevo orden económico global', *Revista de la Cooperación Internacional* (vol. 42, no. 1, 2009), pp. 7ff.

41. See B. Roelants, 'The first World Standard on cooperatives and on their promotion. Recommendation 193/2002 of the International Labour Organization', *RECMA, Revue internationale de l'économie sociale* (no. 289, 2003).

42. See Article 4.1. of the ILO Constitution.

43. See P. C. Jessup, *Transnational Law* (New Haven: Yale University Press, 1956) and G. Schnorr, *Das Arbeitsrecht als Gegenstand internationaler Rechtsetzung* (Munich: Beck, 1960). Schnorr saw this form of legislation as an evolution of international society towards a transnational community. In his footnote 10 he refers to Jessup (1947). Similar, see Virally, op. cit., p. 181.

44. In multi-faceted and complex processes lawmaking is shifting from parliaments to governments, and from governments to courts (see A. V. Bogdandy, *Gubernative Rechtsetzung. Eine Neubestimmung der Rechtsetzung und des Regierungssystems unter dem Grundgesetz in der Perspektive gemeineuropäischer Dogmatik* (Tübingen: Mohr Siebeck, 1999); and Bogdandy, 'Democrazia, globalizzazione e il futuro del diritto internazionale', *Rivista di diritto internazionale* (2004), p. 317; L. Israel, *L'arme du droit* (Paris: Presses de Sciences-Po, 2009) and from national to regional, inter- and transnational levels. In addition, public lawmaking meets private standard-setting. The rules of the global capital market are the most striking example. Noteworthy is the transformation of stock exchanges in the form of associations into stock companies, and the quasi standard-setting by the Financial Accounting Standards Board (FASB) and the International Accounting Standards Board (IASB).

45. *International Co-operative Review* (vol. 88, no. 4, 1995), p. 85.

46. H. L. A. Hart, *The Concept of Law* (Oxford: Oxford University Press, 1961), p. 1. See also L. Assier-Andrieu, *Le droit dans les sociétés humaines* (Paris: Nathan, 1996), p. 40.

47. B. Z. Tamanaha, 'A Non-Essentialist Version of Legal Pluralism', *Journal of Law and Society* (vol. 27, no. 2, 2000), pp. 296–313.

48. Assier-Andrieu, op. cit, p. 38 (referring to Gurvitch).

49. See H. Simon, 'Abends verlässt das Vermögen die Firma', *Frankfurter Allgemeine Zeitung*, 8 March 2010, p. 10.

50. A term borrowed from Carbonnier and adapted. By 'internormativity' I understand two concomitant, constantly changing phenomena, namely the interconnection of the different categories of 'rules' of behaviour (in quotation marks as the juridical is also to be found outside of 'rules') and the processes of juridicization and of dejuridicization of these rules, that is, their movement from law to non-law and vice versa. These processes are neither good nor bad per se. In addition, their direction does not depend on political will only. See H. Prantl, 'In welcher Welt wollen wir leben?', *Universitas* (no. 6, 2007), pp. 555–558. Recently, see Israel, op. cit.

51. L. Emongo, 'L'interculturalisme sous le soleil africain: L'entre-traditions comme épreuve du nœud', *INTERculture* (no. 133, 1997), p. 10 describes the intercultural

as follows: 'L'interculture ne s'épuise ni dans la recherche d'un consensus uni-
versel, ni dans un modus vivendi universel, qu'il soit éthique, social, du droit
international, etc. Le fait interculturel est la toile d'araignée dans sa totalité, c'est
le donné par excellence dont est concerné chaque fibre, chaque chose, tout ce qui
est, le divin, le cosmique, l'humain.' See also L. A. Obiora, 'Toward an Auspicious
Reconciliation of International and Comparative Analyses', *The American Journal
of Comparative Law* (Fall 1998), p. 669.

52. See T. Koizumi, 'Cultural Diffusion, Economic Integration and the Sovereignty of
the Nation-State', *Rechtstheorie, Beiheft* (no. 12, 1991) p. 313. See also Ost, op. cit.,
p. 15.

53. See footnote 44.

54. See ICA, *Review of International Co-operation* (vol. 95, no. 1, 2002), pp. 42–45.

55. The inter-agency Committee for the Promotion and Advancement of Cooperatives
whose members are the FAO, ICA, ILO and the UN.

56. See Henrÿ, 'Guidelines . . .', op. cit.

57. See especially the International Covenant on Civil and Political Rights, doc.999
UNTS 171 (1966) and the International Covenant on Economic, Social and
Cultural Rights, Doc. 993 UNTS 3 (1966). See also H. Henrÿ, 'Co-operative Law
and Human Rights', in ILO (ed.), *The Relationship between the State and Cooperatives
in Cooperative Legislation* (Geneva: ILO, 1994), pp. 21ff. See also Ost, op. cit.,
p. 33.

58. International Labour Conference, 89th session 2001, Report V(1): op. cit.,
Chapter II, p. 3.

59. UN doc. A/RES/54/123 and doc. A/RES/56/114 (A/56/73-E/2001/68.

60. Estatuto de las Cooperativas (Mercosur/PM/SO/ANT.NORMA 01/2009).

61. See Communication from the Commission to the Council and the European
Parliament, the European Economic and Social Committee and the Committee
of Regions on the promotion of cooperative societies in Europe, COM (2004).

62. See the Foreword to *International Cooperative Alliance for the Americas, Framework
Law for the Cooperatives in Latin America*, 1st ed. (San José: Costa Rica, 2009),
explaining the rationale of this model law.

63. For example: Cambodia, China, Fiji, Nigeria, Norway, Turkey, Uruguay, Vanuatu,
Vietnam.

64. See Corte Suprema de Justicia de Argentina in the 2009 case Lago Castro, Andrés
Manuel c/ Cooperativa Nueva Salvia Limitada y otros and the comment on
the decisión by Professor Dante Cracogna. Both texts in La Ley (t.2010 –A),
pp. 290ff.

65. The text is available at: http:/ec.europa.eu/enterprise/policies/sme/promoting-
entrepreneurship/social-economy/ or at: www.euricse.eu/node/257. See especially
pp. 29, 81, 120, 121 ff., 160, 167 and footnote 56.

66. E. Décaux,, *Droit international public* (Paris: Dalloz, 1999), p. 47 (referring to the
example of the relationship between the Charter of the United Nations and the
Universal Declaration of Human Rights). See also Virally, op. cit., p. 186.

67. ILO Constitution, Article 10, 2.b).

68. Virally, op. cit., p. 182.

69. Interpretation given to Article 19, 6.(d) of the ILO Constitution. See also the
2nd argument.

70. In this sense see also J. Fazzio and G. Ullrich, 'The ILO. Cooperative Service
over 75 Years', *Review of International Cooperation* (vol. 89, no. 1, 1996), p. 52.
The resolutions of the Ministerial Conferences organized by the ICA Regional

Office for Asia and the Pacific since 1983 also contribute to shaping this law, especially the 1999 and 2007 Resolutions (see H. H. Münkner, 'Internationales Genossenschaftsrecht', in *Von der Sache zum Recht. Festschrift für Volker Beuthien zum 75. Geburtstag* (Munich: Beck, 2009), pp. 349–363. See also the 11th argument.

71. See in this respect W. S. Barnes, 'La société coopérative. Les recherches de droit comparé comme instruments de définition d'une institution économique', *Revue internationale de droit comparé* (vol. 3, no. 4, 1951), p. 569.

72. Recommendation No. 193, Paragraphs 3., 6., 7., 8. (1) (b), 10. (1); UN Guidelines (Res.56/114), Paragraph 3; UN Guidelines (A/56/73), Paragraphs 4., 6., 11., 15., 21. As for the EU member states, see also the above-mentioned 'EU Regulation and the Communication from the Commission to the Council …', op. cit.

73. Which is in line with Paragraph 7. (2) of Recommendation No. 193.

74. See Henrÿ, 'The Legal Structure of Cooperatives …', op. cit.

7
The ILO and the International Technocratic Class, 1944–1966

Jason Guthrie

This chapter examines the International Labour Organization's (ILO) Andean Indian Programme (AIP) as a space of conflict, negotiation and resistance. Analysis moves from a critical synthesis of the various technical models and theoretical schemas that informed the AIP's discourse to an outline of the practices that comprised the Programme's community development activities throughout the 1950s and early 1960s. Several elements converged in the AIP's operations. First, Latin American social critics, politicians, and policy-makers had historically defined the 'integration' of indigenous peoples as a 'problematic' but essential aspect of national and regional 'modernization'. As the Bolivian case illustrates, in response to the concerns of regional governments, the AIP offered a theory and a methodology of social and economic change. Second, the AIP embodied a rationality of government that combined support for 'the rule of experts' with anti-totalitarianism. This somewhat contradictory stance was the result of a conflict within the political philosophy of Cold War liberalism: confidence in the superiority of liberal economic and political models, on the one hand, tempered by memory of the anti-Fascist struggle and the uncertainty of an ongoing conflict with the Soviet Union, on the other. Third, and last, the politico-economic solution posed by a Fordist-Keynesian consensus positioned 'technical assistance' and 'community development' as techniques for achieving economic growth and rationalization. In the spaces of the Andean Programme, these disparate elements transformed the ILO from an organization focused on research and standard-setting to one concerned with 'integration', population security and economic rationalization.

From early in its history, the ILO laid a claim to the problems of 'indigenous workers' that seemed to foreshadow its involvement with the Andean Indian Programme. As the legal scholar and historian Luis Rodríguez-Piñero suggests, throughout the 1920s and 1930s, ILO interest in matters affecting 'indigenous workers' was reflected in the organization's 'Colonial Code'.[1]

The ILO's implementation of this code 'consolidated the organization's formal competence in "indigenous" affairs, at a historical moment when the difference between the status of colonial peoples and indigenous groups living in independent countries was irrelevant in international law'.[2] Drawing on notions of colonial trusteeship, the ILO drew up 'a different set of international labour standards specifically aimed at disciplining the conditions of exploitation of "indigenous workers"'.[3] The organization's attentions to the conditions affecting 'indigenous workers' prior to the Second World War would make subsequent declarations of a special area of interest all the more appropriate and convincing.

Even as the organization sought to regulate the exploitation of indigenous labour, the ILO's interest in the Andes region percolated through a broader web of international conferences and meetings. In 1936, for example, delegates to the first regional conference of ILO members from the American States first discussed the need to study the situation of indigenous peoples that resided in several Latin American nations.[4] In 1943, the ILO, together with the Bolivian and United States governments, conducted a study of Bolivia's economy and social structure. Neither the conference nor the study resulted in a concrete plan. However, the authors of the joint investigation recommended that the ILO organize a 'far-reaching program [*sic*] in the Labor field' to address the integration of Bolivia's indigenous population.[5] Despite sporadic interest in the Andes region and its people, serious planning for a permanent Programme did not occur until 1949. In that year, a conference resolution on the 'conditions of life and work of indigenous populations' (at the Fourth Conference of ILO American States Members) again addressed prospects for an ILO sponsored Programme. This time the resources of the newly created United Nations Expanded Technical Assistance Programme (UNETAP) were cited as the basis for action. The UNETAP proposal received further impetus three years later, when the ILO's Committee of Experts on Indigenous Labour (meeting in La Paz, Bolivia) urged the creation of a 'joint field working party' to assess conditions on the ground for a permanent Andean mission.[6]

By the early 1950s, a new sense of urgency seemed to be pushing some sort of Andean Programme to the top of the ILO's agenda. David Efron, an Argentine economist who joined the staff of the International Labour Organization in 1944, was chief among those experts who insisted that 'now is the time for the [International Labour] Office to take the initiative' and intensify its work on indigenous populations.[7] From Efron's perspective, hesitation on the part of the ILO risked 'the crystallization of an undesirable situation', in which other organizations or governments would take the initiative ahead of the ILO. Given the organization's previous efforts to subject the conditions of 'indigenous workers' to critical international scrutiny, Efron feared that inaction would be taken as a sign of the ILO's increasing irrelevance. To send the opposite message, he counselled that

the Programmes of other organizations 'should not be permitted to develop without immediate appropriate coordination [with] the ILO'.[8]

Reinforcing Efron's passionate appeals for action, the failure of previous efforts in the region suggested an opportunity to reshape the ILO's international profile. Throughout the 1940s, the governments of Peru, Bolivia and Ecuador had rejected a number of United Nations (UN) proposals, including a series of seminars on child and community welfare sponsored by the UN Department of Social Affairs, on the grounds that they were 'piecemeal, provincial, over-simple, unscientific and impractical'.[9] Intensification of the Cold War and the priority it gave to aiding social and economic development in the 'Third World' urged a different strategy. In contrast to earlier proposals, the multilateral Programme envisioned by the ILO and presented to the UN Technical Assistance Board (UNTAB) in the early 1950s would be 'integrated, organic, regional, scientific and practical'. The mission would 'develop every approach and technique which seem[ed] practically useful in breaking down obstacles to integration'.[10] Thus, the notion that half-measures had limited past efforts in the Andes region was an important backdrop for ILO action and made the AIP into much more than a project in 'the Labor-field'.

If ILO interest in the condition of indigenous peoples can be calculated in terms of decades, the impact of colonization on the Andes region spanned centuries. It should come as no surprise, therefore, that indigenous 'integration' had been a subject of interest to Latin American intellectuals and politicians for some time. Indeed, a discourse of Indigenism or *Indigenismo* encompassed the study of indigenous peoples and cultures as a central category of historical, scientific and social analysis.[11] Its modern genesis in Latin America traced back at least to the turn of the century, to a politically diverse group of authors influenced by European positivism. In Bolivia, the country's humiliating defeat in the Pacific War with Chile (1879–1884) had stimulated renewed efforts to address the 'indigenous problem'. Thereafter, a succession of Bolivian authors and social critics such as Alcides Arguedas, Franz Tamayo and Tristán Marof linked the social and economic 'integration' of indigenous peoples to reform and modernization.[12] Yet, it was only after the Chaco War (1932–1935) involved Bolivia in another doomed military contest that this elite discourse of Indigenism began to merge with a broader political movement focused on overthrowing the old oligarchic order that then dominated the country. By the early 1950s, one of Bolivia's left-of-centre political parties, the National Revolutionary Movement (MNR), had cobbled together a new political coalition, which included middle-class intellectuals, urban student radicals, an energized rural population, and mine workers. In 1952, this fragile alliance swept the MNR to power in a quick and bloody revolution.[13]

The MNR's political triumph stemmed from its support of universal suffrage, its promise to nationalize the tin-mining industry, and its eventual

endorsement of land reform. Yet, as historian Laura Gotkowitz concludes in her recent reappraisal of the revolution's origins, by the time that 'the MNR's urban revolution triumphed in 1952, another revolution – a rural indigenous revolution – was already unfolding'.[14] Gotkowitz's work suggests that a generation of 'Indian' leaders emerged in the wake of Bolivia's war with Paraguay to organize a new rural-based indigenous movement. This movement pressed for the passage of constitutional amendments in 1938 that prohibited rural servitude and expanded the 'social rights of workers, women, and children'.[15] The movement and its leaders also helped organize the country's first National Indigenous Congress in 1945. Although a bloody crackdown in rural areas followed these achievements in 1947, the traditions of resistance endured and contributed to the MNR's subsequent rise to power. The MNR, for its part, benefited from the earlier movement described by Gotkowitz – even as it sought to reign in the revolution in the countryside.

A successful revolutionary coup d'état notwithstanding, the MNR's grip on political power was far from secure. Indeed, the ability of any party to control the isolated, mountainous regions of the Bolivian countryside remained a challenge for the country's weak state apparatus. The question of how to govern was complicated by the MNR's need to both run the country and mollify the diverse political interests that brought the party to power. In this situation, the MNR's interests resonated with the reform agenda of the AIP in at least one important respect. As the Bolivian Foreign Minister Walter Guevara explained, the MNR was interested in the AIP 'because one of the five fundamental points of the programme for the new regime is the incorporation of the indigenous population into the national community'.[16] The new government sought out and the AIP provided a rationality of governance that addressed what many Bolivians had long considered the country's most profound political, economic, and social conundrum: indigenous 'integration'.

In the policy discourse of the AIP, indigenous 'integration' was an experiment designed to test 'the skills in social engineering of the United Nations and the Specialised Agencies'.[17] The ILO plotted the Andean Indian Programme into successive phases or stages, including an initial phase of 'experimentation', a second phase involving expansion and community development, and a third phase that stressed 'nationalization'. This model involved the establishment of action bases and colonies, under the direction of international experts, in select locales of Bolivia, Peru and Ecuador. With the certitude of a science, 'integration' discourse equated state-sponsored cultural assimilation with an evolutionary event. It was asserted, for example, that the Andean Programme would 'integrate' the indigenous peoples of Bolivia in a 'peaceful process of evolution', such that 'two ethnic groups may fuse into one national economic and social life'.[18] The 'two ethnic groups' of this binary consisted of indigenous peoples

and Bolivia's politically and culturally dominant *mestizo* population. While the division of Bolivian society into these two groups dramatically underestimated or intentionally downplayed the country's actual ethnic diversity, it reflected the goal of shaping Bolivia into a homogenous state that could effectively control and contain ethnic and social conflicts within its own borders.

The emphasis on building homogeneity out of difference expressed a new concern with 'population' that merits some consideration. No longer concerned with the 'indigenous workers' of the ILO's prewar 'Colonial Code', the focus of the AIP was the 'indigenous population', 'indigenous peoples' or even the Bolivian nation. This move was, at least in part, attributable to a broader shift in the strategies of governance of postwar liberalism. In truth, of all the forces that shaped the Andean Indian Programme, liberalism was most explicitly a 'style of thinking about government'.[19] And, by the 1940s, after decades of national and international crises, it had undergone a profound reorientation. In his 1956 study *Swords and Plowshares*, the political scientist Inis Claude captured an important aspect of this change, describing the impact on international institutions: 'If the liberalism which inspired the League [of Nations] was essentially a nineteenth-century phenomenon, the doctrinal foundation of the night-watchman state,' Claude interposed, '[then] the liberalism which underlay the new [international] system was the twentieth-century version, the theoretical support of the welfare state.'[20] The shift from the schema of the 'night-watchman state' to that of the 'welfare state' implied a greater emphasis on the 'security' of whole populations, that is, the standard of living, quality of life, degree of liberty, and so on that could be found in a society. With the effort to, as one ILO official put it, extend 'the concept of the Welfare State to cover all the economically significant portions of the earth's surface',[21] populations on the margins of an expanding system of global trade and geopolitical manoeuvring became the targets of international reform.

The concern with security, which in the case of the Andean Programme was sometimes difficult to distinguish from the goal of 'integration', was an important aspect of the ILO's approach to community development in which the AIP served as a series of 'laboratory experiments' to test and evaluate different techniques and practices.[22] But a corollary of this style of governance, which emphasized the security of whole populations, was the necessity of experts to act as the architects, administrators and foot-soldiers of reform. Indeed, because of their importance to the deployment of the Andean Indian Programme and other community development projects, I refer to these experts collectively as the 'international technocratic class'.[23] Use of the word 'class' here suggests a taxonomic grouping – that is, one that specifically facilitated the practices of community development – as well as a particular status and type of authority. Individual experts rarely thought of themselves as being engaged in a struggle with other 'classes',

but their support of political and economic liberalism and their relationship to a particular mode of capitalist expansion is, as we shall see, rather hard to ignore.

The most important quality shared by this group was its common reservoir of individual and collective authority: its 'expertise'. With knowledge in fields such as labour law and industrial relations, agriculture, economics, medicine and anthropology, the faith of the technocratic class in the capacity of science and technology (or 'know-how' as it was often described) to radically transform society for the better was a source of group cohesion and identity.[24] This commitment united the experts who directed the AIP despite differing backgrounds and nationalities. Indeed, the ILO's Director-General from 1949 until his retirement in 1970, the American David A. Morse, shared this technocratic perspective, orchestrating the organization's Cold War-era expansion into the field of community development.[25]

Morse's wartime reminisces are some of the earliest evidence of his views about what was then the nascent field of development economics. Stationed in Europe as a Captain in the United States military, Morse had confronted firsthand the challenges to social and economic development that existed in a society devastated by years of war, fascist tyranny and misrule. In Italy, he came down firmly on the side of 'wip[ing] the slate clean' of fascist syndicalism, while 'leaving the door open for self organization along the lines desired by the [Italian] people'.[26] Yet, because his encounters with the workers themselves led him to doubt Italian labour's capacity to succeed on its own, he identified the need for a worker exchange and technical assistance programme to provide the necessary expertise. The answer to the 'underdevelopment' of Italian labour relations, he insisted, was 'aid by those experienced with life under . . . democratic principles'.[27]

When Morse returned to the USA after the war, he arrived with a new appreciation for labour's importance as an international issue and as a strong supporter of increasing American technical assistance abroad.[28] As an official in the US Department of Labor, Morse argued in favour of increasing the diffusion of American technical knowledge: 'the techniques and "know-how" of . . . industrial efficiency and management.'[29] Similarly, he forecasted that the ILO could make its greatest contribution by working toward 'the removal of those conditions which lead to war', especially the poverty that 'has been a fertile breeding ground for both fascism and communism'.[30] Armed with this vision of a post-war order in which the spread of technology and 'know-how' was essential to the achievement of peace, stability, and social justice he argued that the ILO was an important mechanism for the transmission of a progressive influence 'throughout the world'.[31]

But it was not just Morse who promoted these ideas. The technocratic class that managed the field operations of the ILO was confident in its ability to act as a change agent. Moreover, the experience of the Second World War

had convinced the ILO's leadership in Geneva that projects such as the Andean Indian Programme would highlight the organization's relevance to the emerging post-war world. Indeed, officials directly involved with the day-to-day operations of the AIP echoed David Morse, drawing similar associations between the deployment of expertise and the promotion of population security. For example, Enrique Sanchez de Lozada (the AIP's first regional director) believed that the ILO had an interest in the issue of indigenous integration 'from [a] purely technological point of view', as well as a matter of 'human relations'.[32] Exiled to the United States during the 1930s, Lozada was a professor of international law and a former Bolivian diplomat who became a vocal supporter of what he called 'regional internationalism', which he suggested could be achieved 'by endeavoring to influence, through example, other sections of the world in the ways of peaceful international living' and 'by actively eradicating totalitarian theories within the [Western] Hemisphere itself'.[33] According to Lozada, regional internationalism 'can be well integrated in world internationalism', a 'dynamic conception of the world of tomorrow . . . which will be universal in scope but which will tend to solve the problems of everyday life'.[34] As the AIP's Regional Director, Lozada confronted daily the challenges of translating ideas such these into the specific practices of community development.

The Andean Programme was a method of social integration and a mechanism for administering rural populations that relied heavily on international experts, but it was also a technique of economic reorganization. Along with its emphasis on integration, security and expertise, the AIP's practice of community development reflected a particular model of economic rationalization known as 'Fordism'.[35] Encompassing a collection of techniques characterized by continuous innovation in the production process, Fordism reached the height of its influence in the decades immediately following the Second World War, as post-war planners at the national and international level sought to develop 'the proper configuration and deployment of state powers', capable of 'stabiliz[ing] capitalism, while avoiding the evident repression and irrationalities . . . that national socialist solutions implied'.[36] When combined with Keynesian ideas about the need for governmental institutions to balance production and consumption through monetary and fiscal policy, Fordism suggested a compelling alternative to decades of war and economic autarky. On the one hand, the Fordist-Keynesian fix prescribed an intensive and on-going rationalization of production – of the sort proven to be so powerful in the United States during the war – in order to maximize productivity and create conditions approaching full employment.[37] On the other, it necessitated a new 'mode of regulation' to bring stability to the global economy.

The most obvious manifestation of Fordism's influence may have been international trade agreements or economic mechanisms that directly prescribed increased efficiency and productivity. But Fordism necessitated

rationalization not just in the production of automobiles and widgets. In order to persist and thrive, the impact of Fordism on the composition of social knowledge (both in terms of the generation of ideas and their subsequent implementation) had to be just as profound and long-lasting as its affect on the factory floor. It is in this sense that the rise of 'community development' and 'technical assistance' embodied the synthesis of Fordism as a technique for the circulation of normative standards of social and technological achievement as measured by criteria such as 'standard of living' and degree of 'social integration'.

The priorities that rose to prominence at the ILO in the 1940s and 1950s addressed several areas critical to sustaining this Fordist-Keynesian model, including improvements in labour productivity, technological efficiency and administrative organization. The 1944 'Philadelphia Declaration', a general statement of the ILO's post-war aims and purposes, illustrates the organization's commitment to these goals. The Declaration echoed the ILO's social democratic heritage, stressing a commitment to labour regulation and the extension of workers' protections, but also heralded ambitious new priorities.[38] It addressed the need 'to expand production and consumption, to avoid severe economic fluctuations, to promote the economic and social advancement of the less developed regions of the world, to assure greater stability in world prices of primary products, and to promote a high and steady volume of international trade'.[39] The Declaration's call for the ILO to address these issues implied a level of technical and administrative responsibility that went beyond the organization's traditional standard-setting activities; it summoned new organizational capacities into being.

The Philadelphia Declaration also repositioned the organization's historic commitment to social justice, which it grounded in what can be described as an 'ideal of freedom defined within the framework of an abstract humanism'.[40] The document's sole human rights provision affirmed that 'all human beings . . . have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity'. While the Declaration's defence of human rights represented an important departure from Fordism's focus on productivity and efficiency, it also served as the basis for a new, expanded programme of action, which included commitments to achieving 'full employment and the raising of standards of living', the promotion of 'the right of collective bargaining', 'the continuous improvement of productive efficiency', and 'the collaboration of workers and employers' to facilitate economic and social development.[41] Reflective of an emerging international consensus, the Declaration looked to a future in which economic growth and efficiency, along with the promise of full employment, would neutralize social and economic conflicts.[42] High productivity combined with mass consumption would be a rising tide that lifted all boats.

While the Philadelphia Declaration constituted a vision that had yet to be implemented, the 'primary purpose' of the technical assistance programme adopted by the International Labour Conference in 1949 was to help fuel 'increase[s] in production and in opportunities for employment in the less developed countries of the world.'[43] Along with improvements in production, the new programme defined as 'vital' the need 'to raise steadily and progressively the level of consumption' in the developing world.[44] In this way, expansion of the organization's field operations was deemed 'essential to the raising of living standards in [developing countries]', while helping 'at the same time to raise standards of living in the world as a whole'.[45] The ILO would continue to rely on 'research and standard setting'. But, as one official put it, 'now there [is] a new spirit in the development of practical operational programmes'.[46] Through its publications and expanded field operations, and drawing on the Philadelphia Declaration as a blueprint, the ILO would preach what David Morse called 'the gospel of increasing productivity'.[47]

As an initial thrust of the ILO's strategy to extend its field operations, the Andean Indian Programme gave a privileged place to the technique of economic rationalization through increasing productivity and consumption. This can be observed in the three phases of the AIP mentioned above. You will recall that the first 'experimental' stage constituted 'an effort to determine the best methods of achieving [the AIP's] objectives'.[48] In this initial stage, as in those that followed, the 'action base' became the focal point of activity. It was to be a dynamic space, comprising multiple operations: it was an experimental agricultural station, a vocational training centre, a rural school for fundamental education, a medical clinic, and a research site for generating new knowledge about the region and its people. In the characterization of the ILO's Deputy-Director Jef Rens, the action bases were the 'linchpins of the whole Andean program',[49] the take-off point for the AIP's broader objectives.

A tactical variation on this model was the AIP's colonization or 'community resettlement' projects, designed to bring indigenous groups into regions where labour was relatively scarce, especially for agricultural production. For some ILO officials, colonization or 'the transfer of a great percentage of [the indigenous] population to areas that [would] ensure them better living conditions' constituted the 'true solution to the problem of the Andean populations'.[50] At the AIP's first colony, located at Cotoca, Bolivia, land titles were promised to individuals, but the focus was on developing cooperative systems of agricultural production. As Rens explained, Cotoca utilized 'a combination of private ownership to supply individual stimulus to the Indians and large-scale exploitation [of land] to meet the economic needs of the community as a whole'.[51] Similarly, a memo on the use of cooperatives concluded that, '[t]he basic idea [was] to take advantage of the traditional communal organization and

mutual aid system of the Indians and attempt to change it into modern market-oriented cooperatives'.[52]

The AIP's colonization programme had the practical objective of combining traditional forms of communal organization with an emphasis on 'self-help' and a market-based approach to introducing new seed varieties, irrigation systems and cultivation methods. In this way, indigenous labour would be incorporated into the national labour market to overcome a traditional reliance on subsistence agriculture. Indeed, from the perspective of some Bolivian government officials, the implementation of the cooperatives made it possible for the state to prioritize agricultural production 'destined for consumption in the markets of the cities'. This was a necessary step, argued one state minister, given 'the present tendency of the farmer to return to a self-sufficient agrarian economy'.[53] From the moment the first AIP expert set foot in the country, the Bolivian government was desperate to break the system of subsistence agriculture that kept production low and forced the country to rely on imports to feed its population. The appropriation of indigenous labour to raise production levels was the point at which 'integration' and the AIP's goal of long-term economic rationalization intersected.

During the Andean Indian Programme's so-called second phase, 'the work of the action bases was extended over an increasing number of surrounding communities and emphasis was placed on training at the community level through the organization and follow-up of courses for indigenous social promoters and auxiliary workers'.[54] This phase also sought the 'development of material facilities in the indigenous communities (irrigation, roads, school buildings, improved housing, etc.)', as well as the construction of new action bases and the 'strengthening of those already in existence'.[55] The shift in focus represented by phase two of the Programme came in 1956, as administrators in Geneva determined 'that the initial and experimental stage should now come to an end and that it is high time for our programme to enter its consolidated and expanding phase'.[56] With an emphasis on increasing the influence of the Programme by deepening connections with local communities, stage two represented the ILO's effort to secure the AIP's institutional presence and importance in the regions where it operated.

The third phase of the Programme represented a move toward 'gradual "nationalisation" of projects'. As an aspect of the larger goal of economic rationalization, the principal objective of phase three was to 'link more effectively all the projects with national economic development plans',[57] so that they would 'gradually be integrated into the national programmes and become the responsibility of national administrative machinery, depending as little as possible on external assistance'.[58] To do so, even on paper, was no easy task and required 'coordinated action' between 'the different [ministerial] departments, in all the regions inhabited by the indigenous populations'.[59] Nationalization would mark a culmination: the successful

integration of AIP practices into civil society and the apparatus of the Bolivian state.

Summarizing the intent of the Andean mission, ILO Deputy-Director Jef Rens concluded that it was no less than 'a gigantic campaign of education and enlightenment among the Indian population designed to point the way to a better life'.[60] Rens saw the need to build a new class of workers that would contribute to economic growth, through their increased productivity and consumption. 'The Indian population,' he wrote, 'formed a reserve of manpower which would prove indispensable in the economic development of [Bolivia].'[61] In a somewhat different vein, he instructed the AIP's Regional Director that '[t]he important thing is to create a class of farmers having sufficient land so as to be able to live under conditions of ease'. By providing land to farmers instructed in the techniques of modern agricultural production, he concluded that the governments of the Andean countries would not only be performing 'a great service to the economy of [their] countr[ies], but will also ensure a new policy for the future'.[62] In short, the AIP emphasized the participation of indigenous peoples as both producers and consumers of the region's prospective wealth, with the promise of future benefits to national, regional and international economies.[63]

Yet, what Rens cited as a hope for the future became a source of tension between the AIP's technocratic operators and the population targeted by the Programme. In 1956, for example, a group of settlers at the AIP's Cotoca colony ran up against the gap between their conception of the project and the technocratic goals of the international experts and administrators. On 29 March 1956 the Chief of Mission for Cotoca hurriedly informed the AIP's Regional Director that, 'a meeting of the colonists had been held without his permission and that he had discovered it by chance'.[64] Though non-violent, their actions set off alarm bells among the settlement's group of international experts. According to the only known record of the incident, the colonists themselves claimed that they formed the ad hoc committee to air grievances and to negotiate the terms of the cooperative with the AIP's Regional Director, Enrique de Lozada.[65]

Lozada responded to the organizing efforts of the colonists by reminding them of the overarching purpose of the Cotoca settlement: '[T]he Cotoca Project,' he asserted, 'was a shared endeavor between the Andean Mission and the colonists that had not been designed for their benefit only[,] but also was to help to define, in an experimental way, the aspects that it was advisable to multiply, in the future, to the usefulness of a great number of *campesinos*.' Thus, he continued, '[t]hey were "pioneers" who, in common with the mission, were to create the prototype of a form of colonization likely to multiply'.[66] Representatives from the committee organized by the *colonos* replied that, 'it was precisely because of this that they believed they had the right to express their opinions with the administration and to ask for explanations of all the problems encountered by

the Project'.[67] Indeed, in a moment of absolute candor the Cotoca Mission Chief confessed that the anger and frustration 'of the colonists [was] perfectly justified since their reclamations [of the mission lands] were founded on the promises which had been made to them', to receive titles for their own land and to participate in organizing the cooperative.[68] The colonists had done their part to turn Cotoca into a place where they could live with their families. For his part, de Lozada believed that the Programme could succeed 'only insofar as the members of the colony [took] an active part in [its] achievements'. Thus, on this occasion he 'did not find it convenient to contradict' the views expressed by the colonists, for fear that, if he 'attack[ed] the interest that [they] expressed in the project', the settlement would collapse from within.[69]

As the Cotoca example suggests, the AIP's design targeted the Bolivian state and nation as a whole, providing social services to rural populations while attempting to catalyse the levers of national economic growth. The international technocrats who administered the Andean Indian Programme could point to any number of factors that prevented the 'integration' of indigenous peoples, including racial and ethnic prejudice, the legacy of centuries-old legal servitude and discrimination, illiteracy and so on. However, at its core, the AIP was an experiment in institution- and nation-building, which emphasized the spread of scientific and technical 'know-how' through the deployment of its action bases and colonies. 'The underlying problem', which the AIP was meant to address, was defined as 'an administrative one'.[70] This premise disciplined the practices of the AIP from its inception.

After the Second World War, the ability of international organizations and communities of experts to deliver knowledge and administrative resources to the periphery of international capitalism was an important measure of their success. At the ILO, this meant dramatically expanding the organization's field operations, which in turn placed a high value on the capacity of experts to reform 'the social world through economic growth and administrative rationalization'.[71] As the organization's Director-General, David Morse, explained in 1949, 'nothing could more gravely jeopardize the usefulness of an organization like the International Labour Organization than the failure to take account of historical trends and where necessary to adapt quickly its methods and procedures to changing circumstances'. 'The ILO must legislate,' advised Morse, 'but [it] must also act!'[72]

Adding to the urgency of the moment, the link between technical assistance and community development and execution of the ILO's international reform goals came just as much of the world's attention shifted toward a struggle for 'hearts and minds' in 'developing countries'. Indeed, a few months into his first term as Director-General, Morse confessed to a friend in the United States that, 'I see now where the efforts which I am making in the field of technical assistance . . . in under-developed countries, especially

in Asia and Latin America, is an indispensable part of the total effort to insure that democracies survive'. The ideological fight with the Soviets and their allies would be, Morse wrote, 'extremely difficult', largely because the agents of communism 'have such absolute control' over their people. In the West, he concluded, '[o]ur greatest card is our productive capacity; our freedoms, but above all, the need to maintain a healthy social and economic system'.[73] He and others hoped that projects such as the Andean Indian Programme would enable the ILO to navigate successfully between the aspirations of its 'Philadelphia Declaration' and the uncertainties imposed by the Cold War. Understood as an apparatus of reform, the AIP has at least a dual significance: as part of a strategy of self-preservation for the ILO itself and as a technique for the circulation of new forms and discourses of rationality.

Notes

1. L. Rodríguez-Piñero, *Indigenous Peoples, Postcolonialism, and International Law: The ILO Regime, 1919–1989* (Oxford: Oxford University Press, 2005), p. 12. As with much of the existing literature that examines the work of the ILO in the area of indigenous affairs, Rodríguez-Piñero's interest in the AIP and the ILO stems from its relationship to evolving international legal standards concerning the rights of indigenous peoples. Indeed, to the extent that ILO Convention No. 107 (passed in 1957) and Convention No. 169 (passed in 1989) informed international efforts to promote and protect the rights of indigenous populations, the ILO played a pioneering role. See also S. J. Anaya, *Indigenous Peoples in International Law* (Oxford: Oxford University Press, 2004); R. Niezen, *The Origins of Indigenism: Human Rights and the Politics of Identity* (Berkeley: University of California Press, 2003); and C. Tennant, 'Indigenous Peoples, International Institutions and the International Legal Literature from 1945–1993', *Human Rights Quarterly* (vol. 16, no. 1, 1994), pp. 1–57. Setting aside the relative importance of the ILO Conventions, my interest in the Andean Indian Programme lay in the matrices of relations it contained. The AIP was (at least nominally) meant to address the material conditions/standards increasingly defined as necessary for the enjoyment of rights that indigenous peoples *already* possessed as citizens of a sovereign state. It was not concerned, per se, with the creation of *new* rights.
2. Rodríguez-Piñero, op. cit., p. 12.
3. Ibid., p. 18. As Rodríguez-Piñero notes, largely as a result of decolonization, the modern definition of 'indigenous' has since taken on a different meaning, referring to 'culturally distinct groups living within the borders of independent states that are the descendants of the peoples that inhabited the region prior to colonization', ibid., p. 40.
4. Through the conferences, 'the growing saliency of the organization's colonial policy during [the 1920s and 1930s] interacted with the American states' official discourse on the "Indian problem" to create a specific policy within the ILO's regional policy without questioning the organization's competence – either in formal or technical terms', ibid., p. 333. The importance of Indigenist discourse to the formation of the AIP is discussed below.

5. The citation of the ILO report, *Labour Problems in Bolivia* appears in J. Rens, 'Latin America and the International Labour Organization', *International Labour Review* (vol. 80, July 1959), p. 10. See also his fuller treatment of the project in J. Rens, *Le plan andin: contribution de l'OIT a un projet-pilot de cooperation technique multilaterale* (Brussels: Emile Bruillant, 1987).

6. ILO Archives (hereafter ILOA), TAP 6-01-2 (J.1), Collaboration of the UN with the ILO report, 6 July 1951. See also Rodríguez-Piñero, op. cit., pp. 78–82.

7. ILOA, TAP 6-01-2 (J.1), Efron to Fano, et al., 22 August 1951. Throughout his career at the ILO, Efron worked in the office of the Workers' Relations Service, the Conditions of Work Division, and the Rural and Indigenous Workers Division. He was also heavily involved in the production of the ILO's landmark 1952 study, *Indigenous Peoples*; ILO, *Indigenous Peoples: Living and Working Conditions of Aboriginal Populations in Independent Countries* (Geneva: International Labour Office, 1953). After earning a doctorate at the National University of Buenos Aires, a PhD in Social Science from Columbia University, and completing post-doctoral work at the Sorbonne and the College de France in Paris and the Friedrich Wilhelm Universistät in Berlin, he worked as a Latin American analyst for the National Planning Association (NPA) in Washington, DC. In 1945, a book published by the NPA and co-authored by Efron had called upon international authorities to assist in creating the necessary administrative institutions to execute comprehensive national planning and noted that the ILO in particular would 'gain effectiveness by being closely integrated with dynamic authorities which would provide the economic basis for advancing standards, instead of having to rely as in the past on purely legislative action in each country'; G. Soule et al., *Latin America in the Future World* (New York: Farrar & Rinehart, 1945), p. 297. Working for the NPA brought Efron into contact with Nelson Rockefeller's Office of the Coordinator of Inter-American Affairs, for whom he completed two studies on Latin American resource development. During the war he contributed numerous pamphlets, articles and speeches on the topics of Pan-Americanism, Latin American democracy, and the fascist threat in South America; ILOA, Dossier de l'Office du Personnel, Efron curriculum vitae.

8. ILOA, TAP 6-01-2 (J.1), Efron to Fano et al., 22 August 1951.

9. ILOA, TAP 6-01-2 (J.1), Collaboration of the United Nations with the International Labour Organization, 6 July 1951.

10. ILOA, TAP 6-01-2 (J.1), Technical assistance to Latin American countries, 1 December 1951. In 1952, UNTAB authorized a survey mission to the Andes region, which became the basis for the Andean Programme. Although the ILO successfully fought to lead the Andean mission, and was responsible for planning and directing the AIP's day-to-day operations, the project would also rely upon expertise from the Food and Agriculture Organization (FAO), the United Nations Education, Science, and Culture Organization (UNESCO) and the World Health Organization (WHO). Over time, UNESCO would become the epicentre of UN community development programmes, but as of the early 1950s institutional pathways were more fluid.

11. Rodríguez-Piñero writes that, '"Indigenismo" designates a political, social, cultural and artistic movement that developed in Latin America mostly during the first half of the twentieth century, characterized by vindication of the Indian ('el indio') and indigenous cultures ('lo indio') as fundamental elements of "national" cultures in Latin American countries'; Rodríguez-Piñero, op. cit., p. 54. While Rodríguez-Piñero's definition neatly synthesizes the perspective found in

the 20th-century social sciences, the intellectual and political echoes of 'indigenism' throughout Bolivian history suggest an older, more complicated genealogy, a full discussion of which is beyond the scope of the current chapter.

12. For the Bolivian contribution to this discourse see J. Salmón, 'El discurso indigenista en Bolivia (1900–1956)', unpublished PhD dissertation (University of Maryland, 1986). One can also profitably seek out the original authors' texts; A. Arguedas, *Pueblo enfermo* (Santiago: Ediciones Ercilla, 1937); *Raza de bronce* (Buenos Aires: Editorial Losada, 1945). F. Tamayo, *Creación de una pedagogía nacional* (La Paz: Ministerio de Educación, 1944). *Creación* was a collection of articles that Tamayo published in the Bolivian newspaper *El Diario* during 1910. See also T. Marof, *La justicia del inca* (Brussels : Librería Falk Fils, 1926).

13. As events in Bolivia slowly built toward the collapse of the political and economic status quo, the influence of Indigenism spread throughout Latin America. One catalyst of this regional activity was a series of Inter-American Indigenous Conferences, the first of which was held in 1940, at Pátzcuaro, Mexico. Rodríguez-Piñero, op. cit., p. 175. For a more extended discussion of Indigenist discourse as it related to the various Inter-American conferences and to the concept of integration see also D. Polanco, *Autonomía regional: La autodeterminación de los pueblos indios* (Mexico City: Siglo XXI, 1991); A. D. Marroquín, *Balance del indigenismo: informa sobre la política indigenista en América* (Mexico City: Instituto Indigenista Interamericano, 1977). The Treaty of Pátzucuaro led to the creation of the Inter-American Indigenist Institute (*Instituto Indigenista Interamericano* or III) and focused new attention on the marginalization of indigenous groups. III, 'Convention providing for the creation of an Inter-American Indian Institute (with annex)' concluded at Mexico City on 29 November 1940, in *United Nations Treaty Series*, No. 904. See also Rodríguez-Piñero, op. cit., p. 57.

14. L. Gotkowitz, *A Revolution for Our Rights: Indigenous Struggles for Land and Justice in Bolivia, 1880–1952* (Durham, NC: Duke University Press, 2007), p. 6.

15. Ibid., p. 15.

16. ILOA, TAP 6-01-2 (J.1), ILO Correspondent in Bolivia re the Joint Field Mission to the Andean Highlands. Although the document does not indicate an author or date, the letter number suggests it was sent sometime in the spring of 1952 and that the author was David Blelloch.

17. E. Beaglehole: 'A Technical Assistance Mission in the Andes', *International Labour Review* (vol. 68, no. 6, June 1953), pp. 520–534.

18. ILOA, TAP 6-01-2 (J.1), Technical assistance to Latin American countries on the problems of indigenous populations, 1 December 1951.

19. For this notion, and for the discussion of government rationality found there, I am indebted to the essays contained in G. Burchell et al. (eds), *The Foucault Effect* (Chicago: University of Chicago Press, 1991).

20. I. Claude: *Swords and Plowshares: The Problems and Progress of International Organizations* (New York: Random House, 1956), pp. 87–88.

21. D. Blelloch, 'Technical Assistance: Programmes and Policies', *International Affairs* (vol. 44, no. 1, 1952), p. 50. Blelloch was an ILO representative on the initial survey mission approved by the UNTAB and which led to the establishment of the AIP.

22. ILOA, Z 1/1/1/1 (J.6), Mr. Rens' Mission Notes, spring 1958.

23. Since the 1960s, studies of the major industrialized countries have tended to view technocracy as part of the modernzation process, that is, as a mechanism evolved to deal with the expansion of the modern state and its powers. See, for example,

J. Meynaud, *Technocracy*, trans. by P. Barnes (New York: Free Press, 1969); F. Fisher, *Technocracy and the Politics of Expertise* (Newbury Park: Sage Publications, 1990); R. D. Putnam, 'Elite Transformation in Advanced Industrial Societies: An Empirical Assessment of the Theory of Technocracy', *Comparative Political Studies* (vol. 10, no. 3, 1977), pp. 383–412. Alternatively, technocracy is sometimes understood as accompanying a process of post-industrial de-politicization, a result of the decline of political ideologies, or even as the consolidation of powerful forces within the government hostile to the democratic political process. See for example, Z. Brzezinski, *Between Two Ages: America's Role in the Technetronic Era* (New York: Viking, 1970); D. Bell, *The Coming of Post-Industrial Society: A Venture in Social Forecasting* (New York: Basic Books, 1973); A. W. Gouldner, *The Future of Intellectuals and the Rise of the New Class* (New York: Continuum, 1979); F. W. Heuberger and H. Kellner:, *Hidden Technocrats: The New Class and New Capitalism* (New Brunswick: Transaction, 1992); S. G. Brint, *In an Age of Experts: The Changing Role of Professionals in Politics and Public Life* (Princeton: Princeton University Press, 1994); H. J. Perkin, *The Third Revolution: Professional Elites in the Modern World* (London: Routledge, 1996). More recently, the historian Patricio Silva and others specializing in the study of Latin America, have turned their attention to the historical forces 'facilitating the rise of technocratic groups', such as the balance of different political forces within a country at a specific moment of its history. P. Silva, 'State Public Technocracy and Politics in Chile, 1927–1941', *Bulletin of Latin American Research* (vol. 13, no. 3, 1994), p. 282. See also M. A. Centeno, 'The New Leviathan: The Dynamics and Limits of Technocracy', *Theory and Society* (vol. 22, no. 3, 1993), pp. 307–335; *Democracy within Reason: Technocratic Revolution in Mexico*, 2nd ed. (University Park: Pennsylvania State University Press, 1997); M. Centeno and P. Silva (eds), *The Politics of Expertise in Latin America* (New York: St Martin's Press, 1998). Following this line of inquiry, the questions hopefully raised by this chapter are generated from the perspective that the international technocratic class provides a useful way of thinking about the existence and the mechanics of an international network of people, policies and institutions defined by their relationship to a particular mode of capitalist regulation.

24. As the Society for International Development (SID) described its membership to readers in the 1950s, 'these workers in international development may be thought of as the army – the land, sea, and air forces – the officers, the dough-boys sloshing through the mud – who have volunteered for service in the real twentieth century war, a war to build, not annihilate civilization; expand, not extinguish life; engender, not repudiate love.' SID, 'Introducing Ourselves', *International Development Review* (No. 1, October, 1959), pp. 3–4.

25. Historian Daniel Maul has attributed David Morse's influence to the establishment of what he describes as the 'ILO way', that is, the organization's 'unique integrated approach to development'; D. Maul, '"Help Them Move the ILO Way": The International Labour Organization and the Modernization Discourse in the Era of Decolonization and the Cold War', *Diplomatic History* (vol. 33, no. 3, 2009), pp. 387–404. Morse's contributions to the ILO's developmentalist turn are unmistakable, but whether the methods deployed by the organization under his tenure were in fact 'unique' is far less certain. In the case of the AIP, what the ILO described as the 'integral method' was often difficult to distinguish from the community development projects conducted by other international bodies, leading some UN observers to question the appropriateness of the ILO's

role. As part of a strategy to deflect such criticism, the ILO denied that the AIP was a community development project, while confessing in private that, 'strictly speaking the [AIP] fell outside the competence of the ILO'. Morse himself was led to wonder 'whether the ILO could carry on indefinitely such a multi-lateral and multi-agency programme'. ILOA, Z 11/10/8, Director-General's Meeting to discuss the Andean-Indian Programme, 4 November, 1957. On criticism of the programme by United Nations officials see for example the comments of Dr Alejandro Oropeza Castillo in ILOA, TAP-A 1-1-0 (J.1), D'Ugard to Ammar, 12 February 1958.

26. D. A. Morse, Journal, 1943–1945, Folder 6, Box 67, David A. Morse Papers, Mudd Manuscript Library, Princeton University (hereafter DMP). Before joining the ILO, Morse was a Regional Attorney with the United States National Labor Relations Board, served as a Captain in the US Army during the Second World War, and worked as in the Labor Department under US President Harry Truman. While stationed in Europe during the Second World War, Morse was appointed Chief of the Labor Division of the Allied Military Government, which made him responsible for configuring labor policy in the occupied territory of Italy.

27. D. A. Morse, 'Some Comments on Labor Relations in Italy from 26 Nov. 43 to date', Morse to Director, Labor Sub-Commission, ACC, March 1, 1944, Folder 1 'Sicily and Italy, 1944–1946,' Box 68, DMP.

28. In the Labor Department, Morse served on several committees and in a number of official roles, including as Deputy Chairman of the International Social Policy Committee and head of the newly created Bureau of International Labor Affairs, a new section within the Labor Department that sought to expand the Department's role in shaping American foreign relations. By the time he left the Department of Labor for the ILO in 1948, he had held the positions of Assistant Secretary of Labor, Under Secretary of Labor, and Acting Secretary of Labor.

29. D. A. Morse: *The United States and World Labor* (Washington, DC: US Department of Labor, Bureau of Labor Standards, 1948), p. 8. The outcome of the Second World War and the 'outstanding position of the American economy, of American industry and of American labor,' he wrote, had brought the United States 'to a place where [it] must assume a role of leadership', ibid., p. 1.

30. D. A. Morse, 'America's Stake in the International Labour Organization [statement before industrial relations conference, chamber of commerce of the USA , New York City, March 11, 1948]', DMP.

31. D. A. Morse: *The United States and World Labor*, op. cit., p. 8.

32. ILOA, TAP AND 2 (1953), De Lozada to Morse, 22 October 1953.

33. De Lozada, 'Lozada's historia: Introduction', Folder 52, Box 6, CIAA, Washington Files, Nelson A. Rockefeller Papers, Rockefeller Family Collection, Rockefeller Archive Center, Sleepy Hollow, New York (hereafter NRP–RAC).

34. De Lozada, 'Lozada on world regionalism', Folder 52, Box 6, CIAA, Washington Files, NRP–RAC.

35. In his posthumously published *Prison Notebooks*, the Italian Marxist author Antonio Gramsci described Fordism as a process of rationalization in which 'the whole life of the nation' is made to 'revolve around production'. Through 'a combination of force . . . and persuasion', Gramsci saw Fordism leading to the emergence of a 'new type of man suited to [a] new type of work and productive process'; A. Gramsci, *Selections from the Prison Notebooks of Antonio Gramsci*, ed. and trans. by Q. Hoare and G. N. Smith (New York: International, 1971), p. 285. Beginning in the 1970s, Fordism acquired renewed significance in the work of

the so-called 'régulation school', associated with such scholars as Michel Aglietta, Alain Lipietz and others. Proponents of the régulation theory divide the study of capitalism in general and Fordism in particular into two separate, but intimately related categories of analysis: a 'regime of accumulation' and a 'mode of regulation'. The former 'describes the stabilization over a long period of the allocation of the net product between stabulation and accumulation' and 'implies some correspondence between the transformation of both the conditions of production and the conditions of the reproduction of wage earners'. Thus, its proponents argue that a specific regime of accumulation can prevail only so long as the relationship between production and social reproduction remains 'coherent'. This is accomplished by a particular set of 'norms, habits, laws, regulating networks and so on', which ensures 'some regularity and permanence in social reproduction' and promotes 'the approximate consistency of individual behaviors with schema of reproduction'. These normative standards, and the institutions responsible for their circulation and production, constitute the 'mode of regulation'; A. Lipietz, 'New Tendencies in the International Division of Labor: Regimes of Accumulation and Modes of Regulation', in A. J. Scott and M. Storper (eds), *Production, Work, Territory: The Geographical Anatomy of Industrial Capitalism* (Boston: Allen & Unwin, 1986), p. 19. See also, for example, M. Aglietta: *A Theory of Capitalist Regulation: The US Experience*, trans. by D. Fernbach (Thetford: Lowe and Brydone, 1979); A. Lipietz, 'Towards Global Fordism?', *New Left Review* (vol. I, no. 132, 1982), pp. 33–47; R. Boyer and Y. Saillard (eds), *Régulation Theory: The State of the Art* (London: Routledge, 2002); B. Jessop (ed.), *Regulation Theory and the Crisis of Capitalism*, 5 vols (Cheltenham: Edward Elgar, 2001). Critics have pointed out that the version of Fordism championed by the régulation school is more an ideal type than an accurate reflection of the historic development of international capitalism. This and other criticisms are not taken lightly, but the distinction between Fordism as a regime of accumulation and a mode of regulation nevertheless remains an immensely useful theoretical construction. The concept of a mode of regulation, in particular, provides a way to conceptualize the circulation of Fordism as a collection of normative standards, institutional networks, and practices to spaces or situations where mass production methods remain of minor significance to patterns of work and daily life. For criticism of regulation theory see, for example, J. McDermott, 'History in the Present: Contemporary Debates about Capitalism,' *Science & Society* (vol. 56, no. 3, 1992), pp. 291–323; G. Baca, 'Legends of Fordism: Between Myth, History, and Foregone Conclusions', *Social Analysis* (vol. 48, no. 3, 2004), pp. 169–178.

36. D. Harvey, *The Condition of Postmodernity: An Enquiry into the Origins of Cultural Change* (Oxford: Blackwell, 1990), p. 129.

37. Fordist innovation is characterized by the incorporation of 'workers' "know-how" … in the form of machinery'; Lipietz, 'Towards Global Fordism?', op. cit., p. 34. On the historical importance of the American model see M. Rupert, *Producing Hegemony: The Politics of Mass Production and American Global Power* (Cambridge: Cambridge University Press, 1995).

38. Under the provisions of the Versailles Treaty, the ILO was formally recognized as the 'permanent machinery' for executing the 'General Principles' embodied by Article 427 of the treaty, which insisted that 'there are methods and principles for regulating labor conditions which all industrial communities should endeavor to apply'. Among the nine principles specifically identified were the belief that labour is not 'a commodity or article of commerce', the right of free association

by workers and employers, the payment of a living wage, support for the eight-hour day and forty-eight hour week, the abolition of child labour, and equal pay for equal work between men and women: *The Versailles Treaty* (London: Stevens & Sons, 1919).

39. ILO, *ILO Constitution Annex*, Declaration concerning the aims and purpose of the International Labour Organization, International Labour Conference, 26th Session, Philadelphia, 1944.

40. M. Calinescu, *Five Faces of Modernity: Modernism, Avant-Garde, Decadence, Kitsch, Postmodernism* (Durham, NC: Duke University Press, 1987), p. 41.

41. ILO, *ILO Constitution Annex*, op. cit.

42. On the formation of this consensus see C. S. Maier, 'The Politics of Productivity: Foundations of American International Economic Policy after World War II', *International Organization* (vol. 31, no. 4, 1977), pp. 607–633; A-M. Burley: 'Regulating the World: Multilateralism, International Law, and the Projection of the New Deal Regulatory State', in J. G. Ruggie (ed), *Multilateralism Matters: The Theory and Praxis of an Institutional Form* (New York: Columbia University Press, 1993); M. Rupert, *Producing Hegemony: The Politics of Mass Production and American Global Power* (Cambridge: Cambridge University Press, 1995); and V. De Grazia, *Irresistible Empire: America's Advance through Twentieth-Century Europe* (Cambridge, MA: Belknap, 2005). Anthony Endres and Grant Fleming emphasize the cautious approach adopted by economists at international organizations toward the rise of Keynesianism, at least until the mid-1940s; A. M. Endres and G. A. Fleming: *International Organizations and the Analysis of Economic Policy, 1919–1950* (Cambridge: Cambridge University Press, 2002). For an assessment of the different perspectives that informed the ILO's Philadelphia Declaration see O. Liang, 'Governing Globalization: Labor Economic Paradigms and International Labor Standards at the International Labor Organization, 1919–1998', paper presented at 'Interactions: Regional Studies, Global Processes, and Historical Analysis', Library of Congress, Washington, DC, 28 February–3 March 2001.

43. ILOA, Z 6/1/7/1, Technical assistance: ILO programme notes, 1949.

44. ILOA, Z 6/1/7/1, Statement of Mr Philip M. Kaiser, 1949. Kaiser cited the ILO report in his testimony before the House Committee on Foreign Affairs regarding the International Technical Cooperation Act of 1949.

45. ILOA, Z 6/1/7/1, Technical assistance: ILO programme notes, 1949.

46. ILOA, Z 6/1/7, Report on the technical working group on migration, 23 and 24 March 1949. The comment was that of the ILO representative to the meeting, R. A. Metall. Metall was describing the preparedness of the ILO to carry out 'inquiries and projects for economic development', in cooperation with other international organizations. The meeting discussed the results of an Economic Commission for Latin America report on migration to the region. See also ILOA, Z 6/1/7, Memo to D-G and Eric Hutchison, undated. The unknown author of the memo wrote that, 'From now on, the I.L.O., without diminishing its legislative activities, should however consider it to be of the same (if not greater) importance to have for each matter within its competence a general programme of technical assistance to governments. This is an entirely different application of the activities of the I.L.O. but through it the I.L.O. should be in a better position to fulfill its objectives.'

47. David Morse, 'Broadcast over WCFM, 26 September 1952', Folder 2, Box 82, DMP.

48. ILOA, Z 11-10-8, AIP plan for consolidation and transfer, undated.

49. J. Rens, 'The Andean Programme', *International Labour Review* (vol. 84, no. 6, 1961), p. 434.
50. ILOA, TAP-A 1-1 (J.3), De Lozada to Ammar, 12 April 1956.
51. ILOA, Z 11-10-8, AIP negotiations with UNESCO, 26 November 1955.
52. ILOA, TAP-A 1-1-0 (J.2), Special comment on cooperative farming, 13 March 1959. The memo was a list of Recommendations generated by specialists at the Food and Agriculture Organization to be added to an AIP Special Fund proposal for Bolivia, Peru and Ecuador.
53. ILOA, TAP-A 1-1 (J.3), Ortiz to Castillo, 7 February 1956.
54. ILOA, Z 11-10-8, AIP plan for consolidation and transfer, undated.
55. ILOA, Z 11-10-8, (AIP/M.2/2) Tentative suggestions relating to a possible expansion of the AIP, undated.
56. ILOA, TAP-A 1-1-0 (J.1), Ammar to de Lozada, 10 October 1956.
57. ILOA, Z 11-10-8, AIP Plan for Consolidation and Transfer, undated.
58. ILOA, TAP-A 1-1-0 (J.1), Ammar to de Lozada, 10 October 1956.
59. ILOA, TAP-A 1-1-0 (J.1), Rens to d'Ugard, 18 July 1958.
60. Rens, 'The Andean Programme', op. cit., p. 441.
61. ILOA, Z 1/1/1/16 (J. 6), Mr. Rens' Mission Notes, Spring 1958.
62. ILOA, TAP-A 1-1 (Jacket 3), Rens to de Lozada, 25 February 1956.
63. The AIP's rhetorical emphasis on building up the middle class anticipated thinking in the US-sponsored Alliance for Progress. In 1961, Arthur Schlesinger Jr. (a special assistant to US President John F. Kennedy) urged that US policy be directed toward 'carry[ing] the new urban middle class into power and produce, along with it, such necessities of modern technical society as constitutional government, honest public administration, a responsible party system, a rational land system, an efficient system of taxation, mass education, social mobility, etc.'; A. Schlesinger, 'Report to the President on Latin American Mission February 12–March 3, 1961', in E. C. Keefer et al. (eds), *Foreign Relations of the United States, 1961–1963, Volume XII, American Republics* (Washington, DC: United States Government Printing Office, 1996), p. 11.
64. ILOA, TAP-A 1-1 (J.3), de Lozada to Ammar, 29 March 1956. Cotoca was the AIP's premier 'community resettlement' project, in which volunteers were selected to relocate from the Andean highlands to build a new community cooperative in the eastern department of Santa Cruz, Bolivia. In addition to the organization of an agricultural cooperative, the bargain the settlers struck with the AIP and the Bolivian government involved the issuance of individual land titles. When these titles failed to materialize as promised, some of the settlers began to take matters into their own hands.
65. Ibid.
66. Ibid.
67. Ibid.
68. Ibid.
69. Ibid.
70. ILOA, TAP 6-01-2 (J.1), Collaboration of the UN with the ILO report, 6 July 1951.
71. H. A. Giroux: *Border Crossings: Cultural Workers and the Politics of Education*, 2nd ed. (New York: Routledge, 2005), p. 36.
72. David Morse, 'Report to Fourth Conference of American State Members [of the International Labour Organization]: Montevideo, 1949,' Folder 1, Box 17, DMP.
73. David Morse to Elinore Herrick, January 31, 1949, Folder 141, Box 53, DMP.

Part 3
The ILO and National Spaces: From Social Norms to Social Rights

8
Global Corporatism after the First World War – the Indian Case

Madeleine Herren

Introduction

However specific topics and periods might be evaluated, the International Labour Organization (ILO) and its executive, the Bureau International du Travail (BIT), wrote a remarkable history. Not only did the ILO survive the Second World War; the organization launched a considerable number of multilateral treaties and established a history of successful technical cooperation, which is at the core of a rich literature on the ILO. Recently, the ILO's particular structure, the triparite representation of state, workers' and employers' organizations is increasingly questioned as a possible role model for international organization and global governance. The shift of attention from an International *Labour* Organization to its characteristics as a primary *International* organization brings a twofold question to the fore: is international corporatism the new master narrative of 21st century international organizations? And if this is the case, how will ILO history change by focusing on the organization's political potential beyond the topic of labour, as indicated in the development of changing research interests from Alcock's classical study to the role of the ILO in the history of human rights and decolonization?[1]

This chapter historicizes recent discussions on global corporatism by looking at ways in which ILO membership has been put to use other than as input to national labour legislation by presenting the case of India. In the first part, global corporatism is located in the debates on the reform of the United Nations and the search for an understanding of international politics as more than a game among sovereign states. Although connected to the ILO's institutional structure, global corporatism shifts the focus away from labour relations and introduces the idea of international politics as a result of institutionalized cooperation between states, international organizations, civil societies and capital. In its second section, this chapter investigates the heuristic potential of global corporatism by asking whether the history of an ILO connected with other international organizations and not limited to

the number of ILO Conventions could be useful in a global approach that goes beyond the unspoken aim of presenting a process for fulfilling Western standards in labour legislation. Empirical evidence is provided by the case of India after 1919. Although at the time India was neither a sovereign state nor one of the most advanced states in labour legislation with well-organized Trade Unions and Federations, the ILO became a forum for Indian decolonization and the stage upon which an Indian position independent from and occasionally even contrary to the British position was presented. The conclusions will ask what kind of history can be told from this angle.

Global corporatism and the industrialized form of international relations

The end of Cold War coalitions introduced a not yet well-investigated need for change in the organization of the United Nations. At the same time, newly founded international organizations brought together NGOs and IGOs in hitherto unknown forms of cooperation. The World Commission on Dams, created in 1998,[2] served as a prototype for such new platforms, where international civil society, business associations and established international organizations such as the ILO overcome the institutional differentiation between governmental and non-governmental, between for-profit and non-profit actors. In the search for a new paradigm the United Nations' Millennium Forum is based on the former Secretary General's call for the United Nations to enlarge its operational base substantially. As Kofi Annan said, 'the United Nations once dealt with governments. By now we know that peace and prosperity cannot be achieved without partnerships involving governments, international organizations, the business community, and civil society'.[3] The concept of enlarged partnership plays a crucial role in the ongoing United Nations Intellectual History Project.[4] According to the plan for a 'Global Compact' the United Nations should include much more than just sovereign states, where entanglements between transnational and international activities are prevented by a special admission procedure for so called non-governmental organizations, and where the specification of technical cooperation comes along with a separation between political and non-political aims. In debates on an appropriate concept, the scientific community is focusing on 'global corporatism'. According to Marina Ottaway[5] global corporatism describes a trend in the United Nations' ongoing reform process which focuses on bringing NGOs into the work of international organizations. The corporatist form of these ideas calls 'for direct representation by functional interest groups in the process of decision-making'.[6] Compared to the existing form of decision-making, global corporatism challenges both the exclusive agency of sovereign states on an international level, and also the concept of a civil society, provided with individual rights and empowered to act in a democratic system.

Of course, this new form of corporatism differs widely from the concept developed after the First World War, which brought new actors into the international system, but also developed into fascist forms of corporatism. As a topic in modern history, debates on corporatism had a revival with the rise of liberal neo-corporatism, but this discussion was mostly limited to the (German) scientific community in the 1980s.[7] Why in the 21st century should corporatism in its global form have more success in historiography? First, the search for new models of international organization coincides with a growing interest in public diplomacy, a principle announced by Woodrow Wilson and a key element of Wilsonian internationalism. As Thomas J. McCormick mentioned more than 20 years ago, multilateral internationalism, labelled as Wilsonianism, and corporatism lie close together. Both shared the idea of 'enlarging instead of dividing the pie';[8] in both approaches problem solving was accomplished by institutionalized cooperation. Although the equating of Wilsonianism with multilateralism and internationalism needs revision especially for the 1930s, the method-ological benefits are obvious: it is indeed not reasonable to presume that people interested in the principle of institutionalized cooperation carefully differentiated between international and national activities. Therefore, it is indeed useful to include all forms of border-crossing entanglements to avoid an overestimation of the states' decisions in international organizations and, yes, it is especially helpful for the 1920s and 1930s to regard leaders of corporatist institutions as prime movers in the field of national foreign policy. Opening institutional borders between diplomacy, epistemic com-munities (such as ILO experts) and nationally organized but internationally active stakeholders goes along with the rising importance of individual activities. Although different international organizations overlap, the prime movers of international networking are mostly individuals rather than the structure provided by corporatism. For the epoch considered, however, the group of internationalists is a small, select elite, although involved in activities on a global scale.

The merging of diplomacy and corporatism became evident in the close connection of the ILO to other international organizations. Far beyond the often quoted singular function as a remedy against communism, the ILO provided first of all an impressive connectivity. The ILO had more members than the League of Nations, was closely connected to the Paris Peace Treaties and deeply embedded in a rich variety of international organizations, even in those of the 19th century bourgeois international type: founded in 1870, the International Arbitration League addressed ILO concerns in its self-representation in 1938.[9] From 1935 to 1939 the famous economist and labour historian Lewis L. Lorwin represented the BIT[10] in the Geneva Research Centre, one of the League's most important research institutions. The Jewish Agency for Palestine referred to the ILO;[11] the Institute of Pacific Relations, the most important platform

of Asian-American relations, included ILO observers;[12] several pacifist organizations carefully planned their meetings parallel to ILO conferences and sent memoranda and delegations to Geneva. In special fields of interest, the ILO even brought together experts from different international organizations, a strategy which can be seen in the highly politicized question of migration and the protection of refugees. In 1924, under the auspices of the ILO, the International Committee of Private Organizations for the Protection of Migrants was formed.[13] In addition, the ILO sent a delegate to the Nansen Office of International Refugees, BIT Director H. B. Butler participated in the governing body of the Office in 1938.[14] Besides having close connections to different institutions for technical education, the ILO library hosted the seat of the International Committee of Schools for Social Work.[15] The BIT Director had an advisory function in the International Educational Cinematographic Institute in Rome.[16] and the International University Federation for the League of Nations sent temporary collaborators to the chronically understaffed ILO and League of Nations bureaus.[17] The same dense entanglement can be observed in the health and medical section, where experts from various organizations worked as technical advisers. All the forms of institutional cooperation mentioned above came together with special connections between the ILO and international trade unions and employers' organizations. To take an example, the International Organization of Industrial Employers declared 'preparations for the work of the Governing Body of the International Labour Office, the Committees of the International Labour Office, International Labour Conferences, Tripartite Technical meetings' as core elements of the organization's activities.[18] Although quantitative evidence is difficult to provide, the ILO seems an often-quoted reference even for organizations without a focused interest in labour legislation.

How can we describe the political impact of these networks? The newly established group of international civil servants did not understand the Geneva institutions as a foreign office with global format, but as 'machinery'. The idea of a machine working in Geneva with the efficiency of Ford's newly established assembly lines shaped the image of internationalists, and was confirmed and transmitted by American newspapers. Edward J. Phelan, later ILO director and chief of ILO's Diplomatic Division in 1931, explained during a conference in Chicago the 'new international machinery' as a form of structural change: 'Government has become a technique of consultation, persuasion, education, influence, conciliation', a mechanism reaching across borders.[19] Without wanting to overstress this industrialized form of how to make international relations visible, the focus on labour and capital based on the world economy presented both an entitlement to participation for those who had co-financed the First World War, and access to forms of international cooperation not limited to the rules of international law or

the idea of Christian-driven pacifism. Although in the 1930s, the growing political tensions and economic crises strengthened nationalism and brought disenchantment to believers in ideas of worldwide governance, debates about the need for an International Economic Organization confirmed an ongoing interest in border-crossing networks. The economist Eugene Staley did not believe in the magic of international conferences, or in dramatic appeals. But he suggested improving 'the institutional machinery' and 'greater recognition of the fact that the world economy consists of factories, farms, consumer and producer groups, individuals, not merely of national states'.[20] His proposal included a 'world development program'. This idea served on the one hand as a measure against Japanese aggression, but on the other, fostered the idea that 'international development projects' for regions outside Europe might serve as a warm-up round for international cooperation.[21]

To sum up, the ILO attracted a wide range of international organizations, its tripartite structure being adapted to transgress national representation. After the First World War, an at least incipient development of global corporatism came along with conceptual debates on 'global governance' *avant la lettre*. Interestingly, these debates did not fade away with the ongoing eclipse of the political scenery; rather, technical cooperation gained in importance as an alternative to the disappointed prospect of political cooperation. Turning attention to the blurring spheres of international cooperation, the very existence of well-confined and equally strong tripartite partners shifts away somewhat from being the only and exclusive benchmark for an ILO-related history. The case of India may shed light on the political potential of an *international* rather than exclusively *labour*-focused ILO. Simultaneously, the participation of Indian delegates in this organization gains a historical value not limited to measuring the distance to Western benchmarks of social and economic development.

Indian participation in the ILO – internationalizing India as a process of decolonization

Recently, Erez Manela underlined the importance of Wilsonianism in self-determination. He located the beginning of decolonization in the Paris Peace Conference,[22] now understood more as a transnational than just a diplomatic event. Indeed, countries and societies at the periphery of power found new ways to present their political demands by using their manifold international connections. India is a remarkably successful example of how a not yet independent country consistently used its signature on the Paris Peace treaties as a way to access the stage of international relations. Being a signatory power however did not fully disguise the pretence of sovereignty, but opened up a new discourse of national self-representation. We might even go so far as to say that although focused on the League, Indian representatives

were even more and better established at the ILO, and made use of global corporatism to gain visibility for India as a sovereign actor in international relations. Of course, this strategy has less to do with the expression of Wilsonian international cooperation and much more to do with the clever use of multiple agencies in international relations and the wielding of an effective weapon against British rule.

A historical reading of such activities therefore has to analyse the tensions between the presence of an internationally active corporatist elite on one side, and the rather marginal development of Indian social policy as a typical sign of underdevelopment on the other. A now growing interest in Indian labour history and ongoing postcolonial debates[23] help to understand the dilemma this elite experienced: Indian authors publishing on ILO topics broke the monopoly of Western interpretation at the price of leading a debate on Indian backwardness. This dilemma served to invigorate national coherence among an Indian elite whose origins differed widely. Indian internationalists interested in the ILO included a small circle of persons occupied as international civil servants, a rising epistemic community in the field of social sciences and an already internationally organized group of employers. The political and historical valuation of these different groups of Indian internationalists depends very much on whether the focus of research follows the difference of labour legislation or the use of the ILO as an example of the successful Indian usage of a global stage.

Following the perspective of international labour legislation, the Government of India's interest in the ILO increased through its fear of communism. The example of the Russian revolution, nationalism and the influence of the First World War made 'trade unions mushroom all over the country on a scale previously unknown'.[24] This situation resulted in the opening of an Indian Labour Bureau in May 1920, and the introduction of labour legislation in accordance with ILO Conventions (15 of the 43 Conventions were ratified before 1939).[25] As Dipesh Chakrabarty explains, weak organization structures in Indian trade unions did not preclude that their leaders would refer to much older forms of leadership (zamindari), and that workers, cohering in their self-understanding as the poor, would prefer to be represented by the rich.[26] From this point of view, the social distance to the Indian representatives in Geneva does not imply an analysing of their activities as nothing more than a small elite's leisure.

To understand from which position the Indian power-play in the League of Nations' multilayered networks started, and why the ILO was its oft-quoted example, it is important to mention the history of Asian representation: at the very beginning of the ILO, Indian representatives claimed a special position and applied as members of the ILO's governing body. The problem was solved by the decision that the governing body of the ILO should include eight states of chief industrial importance with representation of non-European states.[27] This approach had long-lasting consequences.

In 1935, this list included France, Germany, Great Britain, India, Italy, Japan, the USSR and the USA, while Belgium and Canada were no longer mentioned. The Indian position was marked by the coincidence of the ILO's foundation with the stipulation of Asian representation. For a contemporary master narrative with decision-making caught in quantitative statistics, India was difficult to overlook, since India had more railway mileage than France, and only Britain exceeded the number of Indian maritime workers.[28] Although backward in Western perception, internationalists diagnosed in an early stage of ILO history Asia's 'unstirred potentialities of intellect, energy and material wealth'[29] – and a Western fear of cheap working conditions. Against this background of political importance and despite backwardness in labour legislation, Indian international networking should not always be misunderstood as that of occupying a marginal and peripheral position. In fact, three elements strengthened the Indian position after the First World War: first, a rather disparate but dense network of Indian participation in international organizations with the ILO as a politically strong intersection; second, the use of these channels for nationalist purposes; and third the political situation, which, after the withdrawal of Japan from the League of Nations and the beginning of the Sino-Japanese conflict, turned India in the eyes of ILO officials more and more into a synonym for an Asia whose participation had accompanied the International Labour Organization since the 1920s.

Indian participation in international organizations

In 1938, 646 organizations qualified for an entry in the League's Handbook of International Organizations – an impressive number when compared to not more than 71 states mentioned in the League of Nations' statistical Yearbook.[30] The League's Handbook does not include the whole picture of international organizations. Organizations under the League's control are not itemized – neither the communist Internationale, nor all trade unions. In the sections Labour/Professions and Trade/Industry the list shows a substantial increase in labour-related international organizations even between 1929 and 1938 from 58 to 74 (Labour) and from 26 to 65 (Trade and Industry).[31] The attribution of the organizations indicates the League's ordering principles, which, of course, were rather artificial. However, even without considering that religious and scientific organizations discussed labour as well, social policy was part of the section with the third highest increase after religious and scientific organizations between 1929 and 1938.[32]

   Indian representation covered the broad spectrum of international institutions and included the International Bureau for the Publication of Customs Tariffs in Brussels, organizations to promote free trade, the International Chamber of Commerce, international trade unions and trade associations (for example, the International Federation of Master Cotton Spinners). In some of these organizations, personal networks brought in additional connections.

In the International Organization of Industrial Employers, the Indian representative's daughter, Mary Erulkar, worked for the ILO.[33] Indian representation was mentioned by the International Federation of Trade Unions, the International Transport Workers Federation,[34] and appeared in standardization committees (such as the International Electrotechnical Commission), in powerful organizations on communication and transit (such as the International Broadcasting Union, the International Railway Congress Association, and the International Advisory Committee on Wireless Communication). In the International Commission for Air Navigation, Indian representation was connected to Tata Sons. The list is incomplete without mentioning border-crossing networks coordinating efforts on law and administration (the International Police Conference, the International Prison Commission), associations discussing urbanism (the International Association for the Development of Linear Cities), and spiritual and religious circles (International Bahai, the Eudiac Order, the World Congress of Faith, the International Missionary Council, the Sufi Movement, the YMCA). The Pan-Pacific Union shows Indian participation; this is also true for sports organizations (the International Olympic Committee, the International Hockey Federation), women's organizations and international scientific and peace associations (the World Committee against War and Fascism, the International Congress of Anthropological and Ethnographical Sciences, the International Committee on Historical Sciences, the International Phonetic Association, the International Society for Radiobiology, the World Federation of Education Associations).[35] What is more, the Islamic Research Association, the All Asian Women's Conference and the Theosophical Societies administered their powerful networks from international offices located in India. Of course, the activities of these organizations need further investigation, but the memberships provide preliminary evidence for a careful revision of implicit centre–periphery assumptions. In 1938, the International Federation of University Women counted 61 members from India;[36] the Vice-Chairman of the Medical Women's International Association was Dr Margaret Balfour, who published on Indian working-class women,[37] and Indian sections shaped the numerous feminist networks organized as Associated Country Women of the World, Equal Rights International, the International Council of Women, and the International Alliance of Women for Suffrage and Equal Citizenship.[38]

Major Indian firms such as Tata participated in international communications associations, such as the International Air Traffic Association, founded in 1919. David Solomon Erulkar from Scindia Steam Navigation Company Ltd, with its seat in London and a close connection to Indian nationalist circles, represented the Indian employers at the ILO conferences, and in 1937 chaired the International Organization of Industrial Employers, a body founded in 1920 with the aim of providing information to the ILO. The steamship owner was crucial for the debates on the equivalence of British

and Indian seamen and a member of the respective Indian association of steamship owners.[39] Indian business connections were closely entangled with the International Chamber of Commerce, one of the rather mysterious but well-connected international organizations. The Indian national committee had a powerful composition. Ridgeway mentioned as president Sir Rahimtoola M. Chino, Kt., as members of the council Lala Padampat Singhania, David S. Erulkar, Hemchand Mohanlal; in addition A. B. Mehta, D. G. Mulherkar and Chandulal Jeychand Gujar occupied additional functions.[40] Other employers' networks went to the Indian Institute of Economic and Social Research, which was the case for Ghanshyam Das Birla, who also served as an employers' delegate in Geneva. Birla lived in London, chaired the Indian Chamber of Commerce and belonged to the group of internationally well-connected Indian businessmen who had to handle what Mehta called 'two parallel sets of commercial and industrial organizations'.[41] Indeed, Indian trade associations had an exclusively European historical background until the First World War. The first Indian Commercial and Industrial Congress went back to 1915, and then became the Federation of Indian Chambers of Commerce, complemented by a smaller and still European Associated Chamber of Commerce. Although after the First World War parallel organizations existed, European associations still had much more influence, semi-official power and access to government than did the new Indian organizations. Mehta, president of the Indian Federation, therefore underlined the presence of these Indian associations in Geneva, pointing to the 'favourable impression' of the Indian employers' organization at the ILO and their representation in the Council.[42] Global corporatism, with the possibilities it offers to exploit a variety of channels, indeed offers an interesting opportunity for strengthening nationalist approaches. However, such arrangements did work under certain historical circumstances; the ILO introduced corporatist arrangements within concise national limits: with the exception of the dominions and India, only sovereign states were members of the ILO, and only India pushed this point in the special circumstances of decolonization.

Wilsonian sciences, 'indigenization' of information, and Indian nationalism

An ongoing process of Indian claims to collecting and presenting information shaped the scientific debate, and most literature on Indian participation in the League of Nations and ILO was published after the First World War, as Jasmien Van Daele has mentioned in her survey.[43] The change from being an object of study to a self-representing agency happened on different levels and gained the attention of those European scientific networks which were closely related to Wilsonianism and therefore ready to introduce Indian literature as an area study in an internationalized field of

research. Vera Anstey, a professor of economics at the London School of Economics after she returned from India in 1921, wrote regular reviews on Indian authors in the economics literature, presenting the works of the social scientist Radhakamal Mookerjee, the economist G. Findlay Shirras, or the social policy and economic experts A. N. Agarwala, C. N. Vakil and P. S. Lokanathan. Among others these researchers formed a young generation of Indian academics, who mostly belonged to the Indian Economic Association, founded in 1917. They published in the 'Bulletin of Indian Industries and Labour', also founded after the First World War. They presented the lively proof of the ongoing increase in economic research in India in the 1920s. In 1925 economics achieved third place after English and history as the most popular subjects of arts degrees in the twelve Indian universities.[44]

This 'indigenization' of information in the field of economics was closely connected to access to international platforms. It is of some importance to mention that, in this context, scientific deliberations on India belonged to the 'Wilsonian sciences', to international relations, to political science and economics – a remarkable difference to the 19th century, where Asia appeared as an object in oriental studies and in the scientific branches of Christian missions. Under the umbrella of the corporatist arrangement, Indian characteristics contributed to insight into world problems, as well as a topic of interest for journals with a broader public, such as *Foreign Affairs*.

In an increasingly nationalistic argumentation the ILO became one of the most frequently repeated themes: in 1936 Shiva Rao explained the conditions of industrial labour to the American public and did not forget to underline India's reputation in the ILO.[45] Indeed, the Indian position in the ILO was both an opportunity to perform as 'India' on an international platform without being forced to discuss the highly fragile commitment between the princely states and British India – and to establish in the corporatist arrangement a position against the British. Lanka Sundaram made this point in his publication on the international status of India. Sundaram, one of the young Indian academics who had a temporary fellowship in the information section of the League of Nations in 1931,[46] explained the 'international status of India' and saw the signing of ILO Conventions as a reinforcement of gaining sovereignty, a process which had started with the signing of the Paris peace treaties.[47]

Integrated into the scientific community and in additional corporatist arrangements, the Indian representatives in Geneva gained considerable influence – and did not stop explaining the importance of India in several contemporary publications.[48] B. Shiva Rao, member of the Indian Workers' delegation at the ILO Conference in 1929–30, represented the Indian Trade Unions to the British organization and published in the American Academy of Political and Social Sciences.[49] P. Padmanabha Pillai, member of the Economic and Financial Section of the League and later head of the Indian ILO office in Delhi, shaped the public image of India's economic

potential.[50] Indeed, from the point of view of corporatist arrangements, the Indian voice in the ILO had gained a highly visible profile and a certain uniformity, which covered the complex and disparate entity that was Indian trade unionism. The election of Indian officials to the ILO governing body, therefore, could be celebrated as a further success in the decolonization process, although opinions about economic policy differed widely between Gandhi and Nehru, for example.

The Indian use of international platforms for national purposes resulted in British resistance on several occasions: the opening of an ILO regional branch in Delhi accentuated both the Indian takeover of information collection and the problems of monitoring such corporatist arrangements in London. In 1925, the Labour Office of Bombay was authorized to correspond directly with foreign governments. However, the British India Office tried to limit border-crossing communication to the simple exchange of publications.[51] A first look into the material of the Government of India shows the constant preoccupation of the governmental administrations in India and London with regulations of international representation of India, from fundamental questions of diplomatic representation to administrative decisions granting free visas to Indian delegates visiting congresses in the UK. In 1929, Purushottama Padmanabha Pillai, director of the Indian regional ILO office and ILO correspondent, pushed the point by asking for diplomatic privileges. Finally, the India Office in London asked the Foreign Office about the position of ILO representatives, 'but,' as the clerk involved wrote, 'they didn't know and preferred not to find out'.[52] In the 1930s, an intervention in the Council of State forced the Home Office to find out what international conferences Indians were participating in – whereupon each branch of the administration declared they did not have enough information.[53]

Looking back from 1945, Egon Ranshofen-Wertheimer, a former civil servant at the League of Nations, mentioned the 'delicate problem of the relationship of young Indians to the British Indian administration'.[54] Indeed, against the wishes of the India Office in London an appointment to an international civil service was hardly imaginable. However, neither the still small group of Indian civil servants in Geneva nor a strategy of suppression from London could prevent Indian topics appearing in contemporary social science literature. Several efforts of the Indian delegation in League and ILO conferences gained public attention. In a world where the supposed lack of adaptability to European culture was an argument for expulsion of Indian workers from South Africa,[55] the Indian occupation of international scientific networks worked otherwise: the slow reversal from European literature on India to Indian research institutions and scholars went through the fine channels of those newly founded national organizations which were closely connected to international networks. From the methodological point of view, therefore, it is much more useful

to investigate the transnational connections than just to count persons occupied in international organizations.

Disputes about increasing nationalism in an international context also appeared in confrontations between national metaphors and social investigations. In 1927, this question was at the core of an international discussion on the status of Indian women. Katherine Mayo, a celebrated American journalist, deduced from the status of women in India that the country was not ready for independence.[56] Of course, the mere title of the book – *Mother India* – was a provocation, linking the metaphor of national independence to women without rights and education, subdued and forced to lead a miserable life. In the wide range of protests against the book the elite of social reformers took the opportunity to disprove the book's emotionally charged perspective by citing the findings of internationally employed experts such as Dr Margaret Balfour (for example, Natarajan, editor of the *Indian Social Reformer*).[57]

Within the multilayered use of apparent hard facts, the question is: how important were all these border-crossing entanglements? How crucial are nationalized forms of internationalism, where border-crossing networking has more national than cosmopolitan aims? Although more research is needed to reveal the whole picture of global corporatism, ILO history offers the evidence of its political importance *ex negativo*: the Free City of Danzig, although with a higher degree of sovereignty than India, was excluded from ILO membership. In the Indian case, the increase of membership in international organizations continued even during the years of crisis: global corporatism turned out to be quite a crisis-resistant business – and the political development in Asia rather encouraged the Indian position. When Harold Butler assumed the ILO directorate after Albert Thomas's sudden death in 1932, a new era of interest in Asia began. Butler established an overseas section, enlarged the participation of extra-European countries and published under his own name a volume on labour problems in the East within the ILO economic publication series.[58] Due to the already ongoing war between Japan and China, the plan to present a survey on labour problems in Asia was transformed into a study with India as the centre of interest. This study was followed by an extensive publication on industrial labour in India, published by the ILO just one year later in 1939.[59]

Conclusions

In recent debates about the adjustment of the United Nations to the 21st century, corporatism is gaining paradigmatic value even beyond the institutional and thematic focus on labour and the introduction of this concept into international politics by the foundation of the International Labour Organization in 1919. In the globalized form discussed today, corporatism paves the way for a reinterpretation of the United Nations from an assembly

of states to a network of relationships between different actors. This approach puts into perspective sovereignty as a precondition for participation in international politics and the idea of cooperation between formally institutionalized industrial relations. This chapter questions the historical epistemology of global corporatism and the shifting of global labour from a history of successfully ratified ILO Conventions to a history which focuses on the ILO as an international platform for political decision-making even beyond labour-related topics, and independently of the ILO's institutional history. The findings show the close connection between the ILO and a wide range of different organizations with interests beyond topics of labour. The case of India indeed confirms the political value of the ILO – even though Indian labour organizations were newly established and the participation of India in international labour legislation remarkable but not overwhelming. All the more, an explanation is needed for why Indian participation in the ILO was turned into a political instrument, useful for presenting India as an already decolonized sovereign state. Through the lenses of a corporatist arrangement of international organizations this success was dependent on the implementation of both a master narrative which understood international regulations as a 'machine' on the one hand, and the formation of a 'Wilsonian science' in the field of economics on the other. The idea of an international organization as a 'machine' instead of a culturally biased imaginary of pacifist ethics paved the way for non-Western participation. In turn, for an Indian intellectual elite 'Wilsonian science' broke the barriers to advancement within a civil service controlled from London and gave them access to global visibility as contributors to international journals, and as members of international organizations and administrations. With the formation of an internationally active elite related to the ILO, already globally active Indian tycoons interested in social reform came together with labour representatives, both sides unified by the common aim of decolonization. The example of a debate on Indian backwardness launched by an American report on 'Mother India' shows how the discourse of experts countered the widely held image of India. Finally, the consideration of global corporatism contributes to understanding the internationally active individuals who experienced Geneva as a place closer to sovereign India than London. However, further research is needed, in the form of a critical investigation examining global corporatism in its function as an invisibility cloak for social problems in Indian factories.

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9
Dictatorship and International Organizations: The ILO as a 'Test Ground' for Fascism

Stefano Gallo

> The world could benefit from a socialism,
> even authoritarian, which is rational and methodical.
> [Albert Thomas, 1932[1]]

Although very interesting, relations between the International Labour Organization (ILO) and the Italian fascist government have never been studied in depth. The only work on this subject, providing us with an introduction, dates back nearly forty years.[2] Italian researchers have not paid a great deal of attention to the ILO, considering it to be little more than an offshoot of the League of Nations: the few exceptions all steer clear of any discussion of the role played by fascist Italy and allude to it only in passing.[3] In this chapter, I shall examine this issue, focusing mainly on the ten years from the March on Rome to the death of Albert Thomas (1922–1932): my chapter therefore stops well before the breakdown of diplomatic relations following Italy's invasion of Ethiopia. It is difficult to go beyond anything more than hypothesis because there is so little research on this subject; my view, nevertheless, is that relations between Geneva and Rome in the area of International Labour Organization issues are a very relevant way of shedding light on aspects of both the fascist regime and the ILO which have not been studied in any detail.

The starting point

Recent contributions have stressed how important international non-governmental organizations and informal transnational networks are in understanding the history of international organizations.[4] Approaches of this kind have helped to shift the focus away from the 'state-centred' vision of the past. At the same time, relations with the nation-state continue to be seen as one of the most interesting aspects of both the transnational approach and studies of international organizations.[5] The invitation to 'see beyond the State'[6] does not mean that the state should be ignored,

however, as that would lead to a distorted analytical focus. It is precisely the proliferation of perspectives decentralized away from the rhetoric of the nation-state which makes the reinterpretation (one could almost say resemantization) of national policies and institutions[7] into one of the most stimulating subjects for research.

It has recently been said that 'historians must put national developments in context, and explain the nation in terms of cross-national influences, but must be equally aware that what constitutes the spaces, institutions, and traditions of nations has changed over time':[8] using a transnational perspective to trace the history of the nation and the role of the state therefore multiplies the levels and extends the boundaries of what is being studied and increases what can be observed, going beyond the barriers erected by national historians. This operation tends to reinvent an area of analysis in keeping with the developments observed: the common aim is not to impose new 'straightjackets' but to put forward analytical instruments more suited to a complex world.[9]

We shall endeavour to take this direction here, aware that there is no magic recipe: 'the nation should be decentred, though the exact meaning of this approach could only be worked out in detailed historical practice.'[10] Analysis of the relations between the delegates of a state and an organization such as the ILO, where the role of non-governmental actors was enhanced, seems to us to be an ideal starting point. A study of a state's participation in an international organization focuses on a very small number of players responsible for communication channels between the two agencies and on a larger number of people interacting with the institutional networks (diplomats, officials, labour leaders, business people, academics, journalists). Their scope of action is nevertheless transnational and changeable: account has to be taken of changes in the political climate and national public opinion as regards the international organization, and the latter's behaviour towards the member country, as well as other players who may be involved. None of these factors is set in stone, nor is outside the sphere of influence of those in charge politically. The hypothesis is as follows: using a multi-level approach which takes as much account of the players as of the institutional and cultural factors which have helped to determine their freedom of action – in short, an approach which studies the vast 'world in between' the decision-making centres of a state and those of an international organization – makes it possible better to comprehend the operating dynamics of both the fascist regime and the ILO.

Various initial aspects suggest that we need to call into question some long-standing views. To promote improved labour protection through standards, the ILO was able to call on collated statistical data and the system of international Conventions ratified by parliamentary debate. For the ILO, the fact that a member country was a dictatorship raised an obvious problem: there was a serious threat to both these resources in Italy.

First of all, official statistics, closely controlled by the regime, were unreliable. Through his friendship with various officials, the International Labour Office's correspondent in Rome, Angiolo Cabrini, a former socialist activist, managed to provide Geneva with statistics which he considered to be correct, on the condition that the BIT did not cite its sources (!). The unusual nature of this practice was justified by the 'special circumstances' in which he had to work under the fascist regime.[11] Moreover, Parliament had gradually lost its plurality and legislative powers. With the electoral reform of 1928, this process was taken to the extreme, reducing elections to the ratification of a single list; in fascist Italy normative power was now in the hands of the executive: a simple government decree was all that was needed for ratification: 'All the Genoa and Geneva conventions can be ratified by a decree-law, without involving Parliament. Fourteen conventions, in a single decree, are therefore to be put to the Cabinet,' Thomas wrote after a private meeting with Benito Mussolini on 7 February 1924:[12] seven of these were in practice ratified at one go. The extent to which international organizations need the support of public opinion and private associations and their 'amplifying' function is well known.[13] In Italy, however, this mechanism was very complex: the tradition of private intermediary bodies, which recent studies consider to be probable factors in bolstering fascism,[14] was jeopardized by the hardening of the regime and the demise of freedom of association (1925–1926).

At the International Labour Conferences [ILC] between 1923 and 1935, attention focused on this aspect of fascism in particular. Every year, the legitimacy of the workers' representatives (Edmondo Rossoni, followed by Luigi Razza, and then Tullio Cianetti) from a country in which trade union freedom had been lost was challenged by protests from other workers' representatives (led by the French trade unionist Léon Jouhaux) against the Italian workers' delegate. This continuing debate about the fascist spokesman for Italian workers was led by those who felt that fascism and the ILO were irreconcilably opposed.[15]

The ILC nevertheless always supported the Italians, who played an active part in the work of the ILO up to 1935. At the time of the invasion of Ethiopia, the ILO considered Italy to be second among the 'industrialized' countries as a result of the number of Conventions ratified by its government. On 2 October 1935, the Italian government had in practice ratified 21 Conventions. This was slightly below Belgium (23), but immediately above France and the United Kingdom (19) and Germany (17).[16] The Italian government delegate also gained the confidence of the ILC and was appointed president of the 17th Session in June 1933. Thomas, for his part, was severely criticized by the socialists for his openness to fascism, which they felt went beyond the bounds of normal 'diplomacy'. On several occasions, the Italian press, unstinting in its attacks on Geneva, depicted him as a 'friend of fascism', portraying him as a convert to the regime's philosophy, and went as far as to predict a shift towards fascism within the BIT.[17]

Italy's ongoing presence within the ILO can be explained by the legally vague way in which Part XIII of the Peace Treaty was worded. The reference to the role of Parliament, for instance, clearly included in the first version, was then omitted so that federal governments, such as the USA, could sign up to it.[18] In addition, there was no definition, even minimal, of the principle of trade union freedom. The criteria which gave workers' organizations effective autonomy were discussed at the 10th Session of the ILC (June 1927); the debate nevertheless showed that it was impossible to draw up a legal convention which everyone could accept: 'The principle of the universality of the ILO, entitling each member country to decide on its own most appropriate method of labour organisation, took priority over the principle of trade union freedom'.[19] Fascist Italy's participation is largely explained by the shortcomings of the Constitution signed in Washington in 1919 under which there was no provision for actual measures against governments. At the time, this was a prerequisite for making the text as universal as possible and guaranteeing the sovereignty of states. Even when faced with the serious violence against non-fascist unions in Italy, the BIT could do no more than monitor whether the government's actions complied with national laws, as Thomas explained to the Italian socialists in November 1925.[20]

It should be borne in mind that Thomas, whose aim was to bolster a structure which was still fragile and lacking in legitimacy, as the ILO then was, felt that the institution was receiving considerable support from Italy because of the number of Conventions which it was prepared to sign. He was not, however, taken in by the bluff surrounding Mussolini's statements ('He keeps repeating the same things: Italy wishes to stress that it is at the forefront of social policy. This is obviously the watchword,' Thomas commented outside a meeting with Il Duce in May 1928[21]). Thomas nevertheless felt that the non-democratic countries had their uses: 'I have gone as far as citing the dictatorships of Spain and Italy to force ratifications from governments which needed to show international opinion that they were not reactionary governments,' Thomas wrote to Willy Donau, the BIT's correspondent in Berlin, on 9 December 1925.[22] Similarly, moreover, many anti-fascist exiles took much the same view of Italy's presence in Geneva:

> Fascist Italy is part of the Governing Body of the International Labour Office, so that it can gain tacit acceptance there that the commitment 'to endeavour to ensure and maintain fair and humane working conditions' does not in principle entail a duty for the individual States to grant their own nationals freedom of assembly, organisation and association.[23]

This is a conventional explanation – by standards and diplomacy – which sees the key to the mutual tolerance between fascism and the ILO in the advantages brought about by a strategic union. I nevertheless believe that it is possible to go further. My argument is that the two subjects which

I propose to study are connected by more numerous and deeper-seated links of a structural, political and cultural nature.

Margins of manoeuvre

First, account has to be taken of the similarity between corporatism in Italy and tripartism in Geneva. The supervised inclusion of delegates from the economic actors (employers and workers, monitored in different ways by the dictatorship) in the decision-making and discussion centres of the state administrative machine, especially as regards legislation on labour relations, was one of the fascist regime's 'key topics'.[24] The integration of private actors into the state, a process common to those countries in which forms of organized capitalism were gaining ground, could nevertheless take place in very different ways, even though the ultimate goal was better management of economic and social life.[25] One thing is sure: from a formal point of view, the ILO confirmed that participation by worker and employer representatives, taking on a role which had up till then been the sole preserve of the state, was legitimate. 'The tripartite structure of the ILO has no meaning if it is given over, as tradition to some extent dictates, solely to workers' claims': Bernard Béguin thus traced the formula of threefold representation back to the administrative experiment at the British Ministry of Labour (where Harold Butler and Edward Phelan worked), which he defined as 'a British "civil service" concept'.[26] This experiment was in keeping with other organizations developed at the same time, such as the *Conseil National Économique* in France. Franco De Felice saw the tripartite nature of the ILO as a model founded on 'a harmonising approach to society (a functional relationship between the part and the whole)' drawing on Durkheim's thought, with which Thomas was familiar.[27] It should be noted that the initial challenge to the Italian workers' delegate at the ILC in 1923 focused on the joint nature of the fascist workers' organization, which initially included employers. This ran counter to the tripartite nature of the ILO as there was no clear-cut distinction between the social actors. From a legal point of view, the criticism was more substantive, albeit politically less effective, than that which would be repeated in later years, once a line had been drawn between workers' and employers' organizations. What is interesting here is the key place occupied by the principle of collaboration between the classes flaunted by fascism.

Such a stance suggests that we should not neglect the 'conflict limitation' aspect of the ILO and its innovative institutional nature, along the same lines as experiments taking place elsewhere in Europe at the time. It is possible to find common ground with fascism: both were original solutions to the common denominator of 'corporatism', the 'functional cooperation' between interests which created spaces for institutional mediation between workers and employers, laying down 'a kind of challenge to the

class struggle'.[28] The ILO can in practice be seen as 'the last attempt [. . .] to try out the democratic potential' of corporatist tripartism 'before its authoritarian development in the 1930s'.[29]

At least until 1935, when Italy decided to invade Ethiopia, the combination of corporatism and international cooperation was even able to serve the ambitions of fascism despite its unrelenting nationalism. In 1934, the Italian government delegate gave the press a geopolitical study (subsequently translated in France and the United Kingdom) calling for a 'world reorganization on corporative lines', and cooperation between states in order better to distribute the planet's natural resources and population. These were not original ideas: the rules of the 'international game' were obviously far from set in stone.[30]

The debate on the ILO's interventionism (which many states were keen to limit), over and above the issue of corporatist stances, was a point of agreement between the two. The central place of labour in the ILO management's thinking favoured an expansion of the scope covered by 'labour issues'.[31] Interference in the economy and the free market had been one of Thomas's most difficult problems: bear in mind, for instance, the stand-off between the ILO and France in 1920 over agricultural work, the discussions of economic questions with the League of Nations, and the ILO's initiatives on unemployment and the ILC's resistance.[32] Italy, which had come out in favour of an extension of the ILO's powers before fascism,[33] paradoxically maintained this position, calling for an incisive ILO with powers on various fronts. From 1923 (the Corfu crisis with the League of Nations), Mussolini's attitude was to 'stay in Geneva, while changing it from inside':[34] Italy's dynamic role and desire to change the international institutions from inside made it into a potential ally of the ILO, even though it harboured different goals and often acted in an ambiguous way. More, having the advantage that it could allow itself a greater margin of manoeuvre – like all dictatorships – Italy could go further than other countries in promoting the ILO's powers.

This kind of stance in some cases led the fascist delegates to support the motions of the workers' delegations. Comparing the votes of the various groups during the ILCs, Torsten Landelius has shown the apparent incongruity of the Italian delegations' preferences, noting 'a paradoxical situation': the workers' delegate 'as a rule [. . .] voted with the Workers' group on all votes, except those concerning the protests against his own credentials'; the employers' delegates very often supported the stance taken by the workers and in some cases even opposed the employers' group.[35] The working hours episode is a good example here. The call for a reduction to a 40-hour week in industry, after the ILO had approved an eight-hour day, became a hobby-horse for the workers' group. According to a letter from 1932 from De Michelis, published in August in *Informations sociales*, the fascist government considered that a Convention reducing the working

week to 40 hours urgently needed to be adopted to tackle the international economic crisis. The demand for a session of the ILC devoted to this issue went further 'left' than Jouhaux's previous proposals, thereby speeding up the debate, which led to an extraordinary meeting of the Governing Body in September 1932. At this meeting, the Italian employers' delegate was the only one among the employers to support the motion, calling for no further time to be lost.[36] The outcome was that a preparatory technical conference was called, during which there was a major debate, 'one of the liveliest and most important in the Organisation's history', according to Harold Butler.[37] Whatever the Italian government's intentions, this was a step in the direction of the workers' representatives, leading ultimately, however, to no more than a generic Convention in 1935.[38]

Immigration was another favourite area for Italian proposals. In 1924, at its own initiative, the government organized a major conference in Rome which was attended by the main countries of emigration and immigration, the aim being to 'have the conference vote for a permanent international institution for emigration and immigration problems and services'.[39] An independent institution occupying itself with migration issues would have been a serious threat to the League of Nations and the ILO.[40] This attempt ended in practice by persuading those states which had previously been opposed (including the largest 'destination countries') to accept ILO intervention in this field, fearing the success of an initiative of the kind proposed by Italy; as a result the ILO was able substantially to extend its scope of action in this field.[41] This episode also made it possible for the Italian government delegate (perhaps not entirely wrongly) to claim a positive role for the organization. Italy's position meant that it could act on two fronts at the same time, internally and externally, alternately showing the threatening or cooperative face of fascism. In any case, from 1924 there is no doubt that the creation of a committee within the ILO responsible for mediation and international agreements on migration flows fitted in with Thomas's and De Michelis's plans. The idea subsequently fell by the wayside, but the members of the Governing Body remained convinced that Italy had made a valuable contribution towards tackling a very tricky problem. The political role of De Michelis did not prevent recognition of his considerable scientific skills in the migration field.[42]

Actors

The proximity between the ILO and fascism was therefore closer and more functional, giving rise to ambiguous and contradictory episodes (for instance Thomas's highly criticized participation in the Congress of Corporations in Rome in May 1928, and the affair of the Italian Charter of Labour exhibition in Geneva,[43] as well as many other minor episodes[44]). The regime's use of violence and its authoritarian nature was obviously the stumbling block in

this rapprochement between the two partners. In November 1925, Thomas said frankly to Mussolini:

> The whole world is at present facing the problem of organising authority in democracies, and the whole world is at present tending towards a reform of parliamentarism. Your government could have taken the lead. It could have been the instigator. It is not doing so because of all the appalling violence which is discrediting it abroad. What else can I say![45]

Having fleshed out a more complicated picture, we need to find out what common ground there was between the ILO and that section of fascism with which it had the closest links, a subject which attracted Thomas's biographer, Bertus W. Schaper, 50 years ago.[46]

First of all, Italian delegates played an active part in the construction of the ILO throughout the period in question, and even before 28 October 1922: Gino Olivetti, Angiolo Cabrini and in particular Giuseppe De Michelis, the real key to understanding the Italian presence in Geneva.[47] De Michelis had had contacts with Thomas before 1919, when they together negotiated the posting of Italian workers to France during the First World War. In 1919 De Michelis was directing the Central Labour Force Placement Office and in particular the General Commissariat for Emigration, an institution set up in 1901 to manage migration policy, answerable to the Foreign Ministry, but with considerable autonomy, the Commissariat being a kind of 'personal ministry' for De Michelis who worked there from 1904. With his acknowledged intelligence and diplomatic skills, in 1925 he was appointed President of the International Agricultural Institute and served on many international committees.[48]

De Michelis and Cabrini were the most important players in the cooperation between fascist government circles and the BIT as is borne out by the wealth of correspondence kept in the ILO archives in Geneva. They were not therefore 'direct products' of fascist power but intermediary players who supported fascism and used their address books to achieve a common goal: keeping Italy within the group of nations which had signed the Washington Pact in 1919. De Michelis had many acquaintances in economic and diplomatic circles linked to the Foreign Ministry, while Cabrini could draw on his contacts in the trade union and corporatist worlds. They were both threatened by the consolidation of the dictatorship but managed to keep a role in the regime.[49] In 1927, De Michelis was deprived of the General Commissariat for Emigration, over which he had a kind of 'personal authority', but was appointed senator and retained his role in Geneva, alongside many other activities (including the presidency of the International Agricultural Institute), enabling him to continue to play a role in the international arena with a degree of autonomy. Cabrini kept the Rome Office of the BIT, after fearing the worst: this meant that he could

continue his political work, albeit cautiously. They both benefited from the importance that Mussolini attached to the opinions of foreign observers and the (limited) obligations that the Conventions ratified by Italy imposed on the very real internal economic dynamics, with a view to strengthening links between the fascist authorities and the ILO. In addition to the union leaders (Rossoni, Razza, Cianetti), there were also the supporters of the corporative experiment, in particular but not only Bottai: an extended group of technicians, lawyers and journalists lobbying the economic ministries expressed considerable confidence in the BIT. There was, however, considerable mistrust in nationalist circles, which never hid their hostility but did not get what they wanted until 1936. Up to that date, Mussolini's attitude towards Geneva was a favourable one.[50]

Although Cabrini and De Michelis took up some of these ideas, they never fully toed the official line: their wide-ranging life experience, the friendships that they had and their personal interests meant that their attitude was rather qualified, not to say ambiguous. For instance, Cabrini, an experienced reforming socialist, felt that he had a crucial role to play in ensuring a forum for discussion and freedom in fascist Italy. The journal which he edited, *Informazioni sociali*, the Italian version of the *International Labour Review*, published the minutes of the debates about the Italian workers' delegate, and extracts from BIT studies on trade union freedom which contained criticisms of fascism.[51] As a political personality recognized by the regime, Cabrini was able to work as a 'Social Red Cross' offering tangible help to the old socialist leaders who were being persecuted and to 'all those injured and exiled by the political struggle'.[52] However, any attempts to obtain areas of real 'free trade unionism' (which he considered to be the 'basic negotiation'[53]) from the regime were doomed to failure; as a result, the anti-fascist exiles accused Cabrini of 'selling out' to the regime.

His work was possible in practice as a result of the 'freedom conferred' by fascist trade unionism and corporatism, which were seeking international legitimacy. Devoted to the cause of socialism, Cabrini's activities served at the same time as political propaganda for the 'new state': at the forefront of social legislation, Italy was ratifying Conventions, defending the rights of migrants, and putting forward original solutions which went beyond the liberal approach. In short, what was already appearing was the Italian anti-capitalist and anti-communist 'third way'. In this way, although 'red' and 'white' trade unionism was repressed domestically, the representatives of this 'social fascism' showed genuine support for the ILO, despite the attacks from international socialist circles.[54]

Cultural issues

The stance taken by Cabrini and De Michelis and the aspirations of part of the regime tallied with two other elements which made Geneva into a

propitious area for action. First of all, Thomas, along with many other 'social technicians', was aware of the 'curious and original' charm of the normative experience of fascist corporatism. They were attracted in particular by its practical achievements, such as the state trade union, collective agreements, the labour magistrature and compulsory arbitration and placement which they felt to be a kind of 'State socialism'.[55] The following comes, for instance, from an ILO report drafted by I. Bessling on Italian social projects in connection with collective labour relations:

> If the premise, not just of trade union freedom, but in particular of economic freedom (or even freedom itself) could be sacrificed, it would have to be admitted that the plan genuinely anticipates professional regulation of the future. It achieves some of the aspirations common to any union movement and, however paradoxical that may appear, it is in keeping with the endeavours of the best theorists of trade unionism.[56]

In May 1928, Thomas wrote in his travel diary:

> It is not just in Italy but in all countries that trade unions are becoming increasingly prominent in State organisations. This is a widespread development. [. . .] The trade union State is taking shape everywhere. [. . .] It would be stupid, moreover, to refute the idea, because of political circumstances and the dictatorial method, that Italy has come up with new and more systematic formulae than elsewhere for all these necessary developments.[57]

A sheen of 'social innovation' made fascism interesting to people of an acutely social-technocratic frame of mind, despite the ongoing frustration brought about by the regime's violence and extremist nationalism. Examples abound in this respect. Over and above the technicians, the attitude of many members of the Governing Body was benevolent in view of De Michelis's long diplomatic experience as well as the objective security offered by the 'fascist formula': the combination of innovative social reforms (felt to be inevitable at a time of crisis) and respect for traditional hierarchies, welded together by a deep-seated anti-bolshevism. The Governing Body's discussions are very clear on this point: Italy was not an unwelcome guest, but a long-standing member of the family.

What is of interest to us, however, is another factor characteristic of the thinking of the ILO's Director, which had a considerable influence on relations with Italy. Thomas had a kind of historicist faith in the 'real currents of the history of labour', leaving aside the real situation of freedom. In particular, the notion of trade union action in its relationship with politics and power which Thomas shared with some Italian reformist socialists is crucial in understanding his approach.[58] Proximity to the state, far from

representing the negation of the trade union, could be an opportunity: 'it seems, moreover, that the union movement of the corporations may take its leaders much further than they think (that is the thinking of the socialists, especially Modigliani)'.[59] The cooperative movement was also a potential tool for social progress within fascism: 'I think [. . .] that cooperation which is genuinely in keeping with the cooperative method within the regime could, provided the necessary balance is there, play a major role and correct the excesses of the corporative regime'.[60]

To ensure that his ideas were not misconstrued, and at the same time to suggest the role that the Italian socialists could play, Thomas on several occasions drew a comparison with the French Second Empire and the historic role played at the time by the workers' associations. It seems useful to look at this aspect in more depth. As a student at the École Normale Supérieure and the author of meticulous reconstructions of the period between the Second and the Third Republics (in particular in *Histoire socialiste (1789–1900)*, edited by Jean Jaurès), Thomas never departed from the historical approach.[61] The example of the left-wing opposition under Napoleon III seemed to him to be an ideal way of finding solutions to the Italian situation which had, in his view, reached stalemate: the participation of the Republicans in the 1857 elections, the ensuing compromises by the group of five elected deputies, the cooperation of Henri Tolain and other workers in the Imperial Commission for the London Exhibition, all these factors, which had attracted accusations of treason from dissidents forced to live abroad (the 'exiles' of the time), ultimately helped to return democracy to France.[62] Reading the history of the Second Empire written by Thomas at the beginning of the 20th century, through the prism of his relations with fascism, helps us to understand his emphasis on historical comparison. From this point of view, fascism would be brought down by an internal movement, by the activities of those who had accepted compromise, from potential Italian Tolains, for instance Giuseppe Canepa or Rinaldo Rigola, the 'Comrades trying to work under the present regime'.[63]

Thomas's legendary activism was reflected by an almost boundless confidence in the possibility of action, even within the limits of the regime's structures. The discovery of the many socialists working within the fascist trade unions which Thomas made at the end of the Congress of Corporations mentioned above, was to bear out his ideas:

> Rossoni took me to the room where the organisers were meeting. This was a somewhat improvised meeting at the end of the Congress but one which did not lack character. The men there were obviously the backbone of the movement. [. . .] Another striking thing was the fact that they included a number of socialists, trade union administrators who wanted to save their organisation. Rossoni often says it is these socialists who give his movement its strength. Cabrini is meeting some of them.

It should also be noted that seeing both of us there gives them a sense of relief.[64]

Support the militants working inside fascism, and trust in social progress promoted from outside: this was the way, in Thomas's view, in which the ILO could make a decisive contribution to the fall of the dictatorship in Italy:

> It should be borne in mind that, even despite the employers, we will obtain the reforms set out in the Peace Treaty. That is our bedrock. That is the contribution we can make to Italy's return to a regime of freedom and pure democracy. The political transformation of which we speak so often will take place only if there is serious social progress. I do not think I am mistaken when I keep referring to my history of the Second Empire. The path will be the same. The banned will blame those who have stayed and denounce any compromises. However, these are compromises which will pave the way first for social progress and then for political revolution.[65]

Despite his disappointment at the inertia of the corporative plans (what Thomas called 'logomachies') and at the police or political repression of initiatives felt to be unacceptable by the fascist elites, in a stagnating situation where there was little movement towards a democratic process, Thomas continued fiercely to defend his line of action, shared by Cabrini. On a trip to Italy less than two months before his death, he noted with disappointment that 'any active opposition has completely disappeared and even the spirit of rebellion of the past has gone'.[66] Referring to his last meeting with Mussolini in March 1932, he said with a mixture of sarcasm and bitterness, faced with the umpteenth pompous statement by Il Duce:

> He became very animated and said that the left-wing men were wrong not to come with him: 'What I am doing is socialism, something real. My industrialists are forced to follow our instructions. Every time there is a dispute, the workers win out, the labour magistrature rules in their favour, etc. . . .' That is a song which he has sung to me on many an occasion.[67]

Fascism undoubtedly proved to be a much more robust power system than expected, and much more frustrating for those who were hoping against hope that matters would turn out differently. Even so, Thomas continued to take an interest in the regime's practical achievements. He replied to Cabrini, in a letter of 29 February 1932:

> Despite all the disappointments which we have experienced over the last ten years, despite the gap between our dreams and reality, how can we

fail to be struck by the genuinely and thoroughly revolutionary period in which we are living, the shake-up of every current regime, the elements of socialism or at least of an organised economy which can already be seen within the capitalist economy itself! I think I told you what Jaurès said, which struck me so much in 1907 and which I still remember: 'In 50 years' time, an enormous proportion of socialism will have been achieved . . . but the socialists will be the last to see it.' We, at least, are trying to see it.[68]

Conclusions

'Ultimately, Thomas's attitude to fascism was that of an international official of consequence who, he felt, could not be a party man, but had to be truly international, something which he took to mean as thinking like a historian.'[69] Schaper's subtle words would seem to be borne out by what has been said up to now. Thomas never lost his ability to take a critical attitude and was always aware of the need to keep an objective and informed stance, even when judging one of the most complex aspects of fascism, that is, its relationship with 'modernity'. At the same time, Thomas's attitude developed into one of positivist historicism as a result of his deep-seated trust in the democratic value of more rational social organization, which was destined to be resoundingly rejected.[70] The diplomatic and political relationship between fascism and the ILO is part and parcel of this issue.

Looking in more depth at this aspect of Thomas, 'one of the most persuasive and influential advocates of modernisation' in Europe,[71] through the comprehensive information on Italian corporatism collected by the ILO, could help in tackling one of the most fertile and interesting areas of study of the history of fascism: Italy's 'corporative modernization' in the period between the wars by the bodies most closely involved in the world of labour (the unions and corporative administrations). This research seam, far from being exhausted, needs to be supplemented by the broader question of the relations between 'social progress' and 'political development', between labour organizations and democracy, and also the question of 'socialism not recognised by the socialists' which offers much food for thought.[72] Analysis of the legal framework and its changes, added to analysis of the trade union experience, had a major influence on the judgment of Thomas, who, over and above the duties incumbent in his role, was genuinely curious about the results of an experiment which he considered original. It also seems important to look in depth at the role that the ILO played in the conflicts within the regime: although it is true that 'during the period between the Wars the international arenas became a particular resource for national experts [. . .] lacking local recognition',[73] this statement is also true of those political players who saw the ILO as a means through which they

could achieve their own ends in the national arena. Especially in a country like Italy where the scope for public debate was tightly controlled, or even banned, the transnational arenas had a major and very special value. In this respect, seeing the 'circulatory regimes of the social field'[74] as potential political battlefields may shed an entirely new light on the importance of the transnational level, even for a state governed by a nationalist ideology par excellence.

Notes

1. Letter from Albert Thomas to Angiolo Cabrini, BIT correspondent in Rome, 5 January 1932: Archives of the International Labour Organisation [AILO], Cabinet Albert Thomas [CAT] 5-43-8-2.
2. R. Allio, *L'Organizzazione Internazionale del Lavoro e il sindacalismo fascista* [The International Labour Organization and Fascist Trade Unionism] (Bologna: Il Mulino, 1973)
3. F. De Felice, *Sapere e politica. L'Organizzazione internazionale del lavoro tra le due guerre 1919–1939* [Knowledge and Politics. The International Labour Organization in the Interwar Period 1919–1939] (Milan: Franco Angeli, 1988); P. Dogliani, 'Progetto per un'internazionale 'aclassista': i socialisti nell'Organizzazione internazionale del lavoro negli anni venti' ['The Project of a 'Non-class' International: the Socialists in the International Labour Organization during the 1920s'], *Quaderni della Fondazione Feltrinelli* (vol. 34, 1987); C. Sorba, 'Organisation Internationale du Travail e Bureau International du Travail', *Rivista di storia contemporanea* (vol. 15, no. 2, 1986), pp. 275–312.
4. P.-Y. Saunier, 'Borderline Work: ILO Explorations onto the Housing Scene until 1940', in J. Van Daele et al. (eds), *ILO Histories. Essays on the International Labour Organization and its Impact on the World during the Twentieth Century* (Brussels: Peter Lang, 2010).
5. P. Clavin, 'Defining Transnationalism', *Contemporary European History* (vol. 14, no. 4, 2005), pp. 421–439.
6. M. Connelly, 'Seeing beyond the State: the Population Control Movement and the Problem of Sovereignty', *Past and Present* (no. 193, November 2006), pp. 197–233.
7. See, in this respect, S. Kott, 'Une ''communauté épistémique'' du social? Experts de l'OIT et internationalisation des poliques sociales dans l'entre-deux-guerres', *Genèses* (no. 71, June 2008), pp. 26–46. Kenneth Bertrams and Sandrine Kott, introducing this issue of *Genèses* dedicated to 'Transnational social action', even speak of 'a *heuristic return* to the nation-state' (p. 3).
8. I. Tyrrell, 'Reflections on the Transnational Turn in United States History: Theory and Practice', *Journal of Global History* (vol. 4, no. 3, 2009), p. 458.
9. See the forum, moderated by C. Sorba, 'Sguardi transnazionali' ['Transnational perspectives'], *Contemporanea* (vol. 7, no., 1, 2004).
10. Tyrrell, op. cit., p. 458.
11. 'For a host of reasons which you will understand, it is not healthy to go into too much detail about the Italian services and in particular individuals who make it possible for my Office to provide you with information, statistics, etc.' (Letter from Cabrini to Thomas, 26 March 1926: AILO, CAT 5-43-7-1).

12. AILO CAT 1-24-1-8.
13. A. P. Cortell and J. W. Davis Jr, 'How Do International Institutions Matter? The Domestic Impact of International Rules and Norms', *International Studies Quarterly* (1996, Vol. 40, No. 4, December), pp. 451–478.
14. Involving a discussion of Robert Putnam's argument, see H.-K. Kwon, 'Associations, Civic Norms, and Democracy: Revisiting the Italian Case', *Theory and Society* (vol. 33, no. 2, 2004), pp. 135–166; D. Riley, 'Civic Associations and Authoritarian Regimes in Interwar Europe: Italy and Spain in Comparative Perspective', *American Sociological Review* (vol. 70, no. 2, 2005), pp. 288–310.
15. Allio, op. cit.
16. www.ilo.org/ilolex/english/newratframeE.htm (accessed 19 March 2009). On the same date, Spain had signed almost all the Conventions (33), and Bulgaria had signed 29, but they were not considered to be industrialized countries.
17. C. Malaparte, 'La fascistizzazione dell'Ufficio internazionale del lavoro' ['The fascistization of the International Labour Office'], *La Conquista dello Stato*, 15 March 1926.
18. C. Howard-Ellis, *The Origin, Structure & Working of the League of Nations* (Clark, NJ: The Lawbook Exchange, 2003; original edition 1929), p. 226.
19. E. Vogel-Polsky, *Du Tripartisme à l'Organisation Internationale du Travail* (Brussels: Éditions de l'Institut de Sociologie de l'Université Libre de Bruxelles, 1966), p. 190.
20. 'I am in a difficult position but, as far as I can, I will try to ask the right questions from the legal and legislative point of view and thus be of use,' Thomas replied to the demands of the socialist union leaders Ettore Reina, Enrico Benzi and Ludovico D'Aragona, in Milan, on 10 November 1925 (AILO, CAT 1-25-13-2).
21. Meeting of 4 May 1928: AILO, CAT 1-28-1-4.
22. D. Guérin, *Albert Thomas au Bit 1920–1932. De l'internationalisme à l'Europe* (Geneva: Institut européen de l'Université de Genève, 1996), p. 38.
23. S. Trentin, *Le Fascisme à Genève* (Paris: Marcel Rivière, 1932), pp. 248–249.
24. See G. Santomassimo, *La terza via fascista. Il mito del corporativismo* ['The Fascist Third Way. The Myth of Corporatism'] (Rome: Carocci, 2006).
25. C. S. Maier, *Recasting Bourgeois Europe. Stabilization in France, Germany and Italy in the Decade after World War I* (Princeton: Princeton University Press, 1975); M. Salvati, 'The Long History of Corporatism in Italy: A Question of Culture or Economics?', *Contemporary European History* (vol. 15, no. 2, 2006), pp. 288–310.
26. B. Béguin, *Le tripartisme dans l'Organisation International du Travail* (New York-Geneva: Carnegie, 1959), pp. 8–10. The preparatory document paving the way for Part XIII of the Peace Treaty was presented by the British delegation: E. J. Phelan, 'British Preparations', in J. T. Shotwell (ed.), *The Origins of the International Labour Organization* (New York: Columbia University Press, 1934). On this subject, see also the article by Olga Hidalgo-Weber in the same volume.
27. De Felice, op. cit., p. 18. 'I am pleased,' Thomas wrote to De Michelis on 8 December 1925 'to be one of the democrats most deeply convinced by organicist […] and not atomistic thinking' (AILO, CAT 6C-2-1).
28. Guérin, op. cit., p. 21.
29. Sorba, op. cit., p. 312.
30. G. De Michelis, *La corporazione nel mondo* [Corporatism in the World] (Milan: Bompiani, 1934) [translations: *World Reorganisation on Corporative Lines* (London: G. Allen & Unwin, 1935); *La corporation dans le monde* (Paris: Denoël et Steele, 1935)]. Before its publication in Italian, the author asked Mussolini for permission to ask Arthur Henderson and Henry Bérenger to write the introductions to the

English and French versions respectively: *Appunto per il Duce*, 22 November 1933, in Archivio Centrale dello Stato (Rome), Segreteria particolare del Duce, Corrispondenza ordinaria, b. 1006, f. 509.061. On the international dissemination of the 'managed geopolitical expansions', see A. Bashford, 'Nation, Empire, Globe: The Spaces of Population Debate in the Interwar Years', *Comparative Studies in Society and History* (vol. 49, no. 1, 2007), pp. 170–201.

31. See, for instance, the failed attempt to tackle the housing question, in Saunier, op. cit.
32. M. Tortora, *Institution spécialisée et organisation mondiale: étude des relations de l'Oit avec la Sdn et l'Onu* (Brussels: Bruylant, 1980), pp. 89–97. Alcock cites a letter from Butler to Thomas in late 1930, where he comes out in favour of 'shifting our centre of gravity, so to speak, from the purely social to the economic sphere by devoting the whole of our attention to the effects on the workers of the World Depression'; A. Alcock: *History of the International Labour Organization* (London: Macmillan, 1971), p. 123.
33. See Sorba, op. cit., pp. 284–285.
34. E. Costa Bona, *L'Italia e la Società delle Nazioni* [Italy and the League of Nations] (Padua: Cedam, 2004), p. 31.
35. T. Landelius, *Workers, Employers and Governments. A Corporative Study of Delegations and Groups at the International Labour Conference 1919–1964* (Stockholm: Norstedt & Söner, 1965), pp. 86–87.
36. *Informations sociales* (vol. 43, no. 7, 15 August 1932), pp. 238–239. For the Governing Body debate: *Informations sociales* (vol. 44, no. 1, 3 October 1932), pp. 4–10.
37. *Informations sociales* (vol. 45, no. 4, 23 January 1933), p. 106.
38. For the ILC debates, in addition to official publications, see the memoires of the leader of the fascist union of industrial workers: T. Cianetti, *Memorie dal carcere di Verona* [Memories from Verona Prison], edited by R. De Felice (Milan: Rizzoli, 1983), pp. 225–228.
39. Letter from Cabrini to Thomas, 28 April 1924, in AILO, CAT 5-43-4-2.
40. P.-A. Rosental, 'Géopolitique et État-providence. Le BIT et la politique mondiale des migrations dans l'entre-deux-guerres', *Annales HSS* (vol. 61, no. 1, 2006), pp. 99–134.
41. On 13 June 1924 Thomas reported to De Michelis: 'I have obviously been questioned about the Emigration Conference. [. . .] I added that the Conference included a lesson for our Organisation: one of taking a more active role on emigration than in the past. I will see what we can do from the point of view of our section, and whether the idea of a permanent Committee should be taken up' (AILO, CAT 7-507).
42. A biographical notice from 1932 says: 'Mr De Michelis should now be seen as the most competent expert in the international field as regards social legislation and labour demographics' (AILO, D 700-403-1-34). This surfeit of praise is indicative of the reputation which he enjoyed at the time.
43. The episode is mentioned in B. W. Schaper, *Albert Thomas. Trente ans de réformisme social* (Assen: Van Gorcum & Co., 1959), p. 287. A close comparison between the principles of the ILO and the assertions in the Italian Labour Charter (obviously in favour of the latter) can be found in G. Bottai, 'Introduzione', in G. De Michelis (ed.), *L'Italia nell'Organizzazione Internazionale del Lavoro della Società delle Nazioni* [Italy in the International Labour Organization of the League of Nations] (Rome: Istituto Italiano di Diritto Internazionale in Roma, 1930), pp. xxv–lvii.

44. One example is representative. During the 9th Session of the ILC, in June 1926, replying to the challenge against Rossoni by the International Trade Union Federation, De Michelis read a telegram from the socialist Reina (secretary of the Italian Federation of Hatters and the International Union of Hat Workers) which gave an assurance that the two bodies were freely operating in fascist Italy. In practice, this was a special case brought about by Thomas's action: 'it is because of the intervention by Cabrini and myself, or rather an intervention by Cabrini in my name, that the international secretariat has remained in Italy and has been taken on by Reina' (Thomas's travel diary, 15 November 1925: AILO, CAT 1-25-13-2). A small area of 'very limited freedom' was obviously being portrayed as representative of the overall context in Italy, causing embarrassment for Thomas.

45. Interview between Thomas and Mussolini of 6 November 1925 (AILO, CAT 1-25-13-2).

46. Schaper, op. cit., pp. 283–292.

47. De Michelis was a government delegate from the Genoa conference (June–July 1920) onwards; Olivetti was an employers' delegate from the 3rd Session of the ILC (Geneva, October–November 1921); Cabrini was a government delegate in Paris (March–April 1919) and then, from 1920, the BIT's Italian correspondent.

48. M. R. Ostuni, 'Giuseppe De Michelis', *Dizionario biografico degli italiani* [Italian Dictionary of Biography], Vol. 38 (Rome: Istituto della Enciclopedia italiana, 1990).

49. This was despite strong pressure, after the March on Rome, to replace both Cabrini and De Michelis (letter from Cabrini to Butler of 22 December 1922, in AILO, XO 34-1-1a; note from Thomas to Butler of 14 March 1923, in AILO, CAT 5-43-6b).

50. It should be borne in mind that fascist polycentrism was always controlled by Mussolini: see J.-Y. Dormagen, *Logiques du fascisme. L'État totalitaire en Italie* (Paris: Fayard, 2008).

51. For instance, the supplement to the April 1927 issue and the article 'La libertà sindacale' [Trade Union Freedom], *Informazioni sociali* (vol. 6, no. 12, December 1927). Allio used the minutes published in *Informazioni sociali* to reconstruct the debates about the Italian workers' delegate (a very questionable approach).

52. Letter from Cabrini to Butler, 28 March 1936 (AILO, XC 34-1-1b).

53. Letter from Cabrini to Thomas, 21 October 1926 (AILO, CAT 5-43-7-2: the bundle contains very interesting documents on the steps which Cabrini took in late 1926 to help the CGL [*Confederazione generale del Lavoro*/General Confederation of Labour]).

54. 'We have only one International which is none other than the International Labour Office', said Rossoni to provoke the socialists at the 8th Session of the ILC (Geneva, May–June 1926): cited by De Michelis (ed.), *L'Italia nell'Organizzazione*, op. cit., p. 474.

55. The following two passages illustrate the two extremes between which Thomas's position can be situated: 'Whatever the debate raised by compulsory arbitration, professional representation and the position of unions in the State, these notions of social organisation are obviously the inevitable outcome of all the organic endeavours of the workers' movement in the 19th century' (interview with Mussolini, 6 November 1925: AILO, CAT 1-25-13-2); 'I cannot support a system which goes against all the social development of the 19th century, in the industrial countries, by attempting to re-establish absolute administrative and

political, even police, control of trade union associations' (letter to De Michelis, 8 December 1925: AILO, CAT 6C-2-1).

56. I. Bessling, *Analyse du projet de loi italien sur la réglementation des rapports collectifs du travail*, 8 February 1926 (AILO, CAT 5-43-4-4).

57. Thomas's travel diary, 4 May 1928 (AILO, CAT 1-28-1-4).

58. According to an interview with D'Aragona on 10 November 1925 in Milan, Thomas wrote: 'ultimately, a trade unionist always seeks support from Power. Workers are fundamentally pro-government. This was Jouhaux's situation between 1920 and 1922. D'Aragona is complaining bitterly that he has not been allowed to pursue a policy of conciliation. He thinks that it would have saved the Confederation' (AILO, CAT 1-25-13-2).

59. 'In Modigliani's view, it is in particular through the trade union movement that socialism can be preserved and can be attacked. In his opinion, the Italian movement has very much been a class movement. The fascists, whether they like it or not, will not be able to contain the working class masses if they do not make substantial concessions as regards wages and working conditions. Sooner or later, the working class masses, if dissatisfied, will in all likelihood turn on them': minutes of the meeting with Giuseppe Modigliani, Gino Baldesi, Ludovico D'Aragona and Giacomo Matteotti, in Rome, 7 February 1924 (AILO, CAT 1-24-1-8).

60. Travel diary, 16 May 1928 (AILO, CAT 1-28-1-4).

61. A. Thomas, *Le Second Empire (1852–1870)*, in J. Jaurès (ed.), *Histoire socialiste (1789–1900)*, Vol. X (Paris: Jules Rouff et Cie, 1907); and the two chapters *Napoleon and the Rise of Personal Government (1852–1859)*, and *The Liberal Empire (1860–1870)*, in *The Cambridge Modern History*, Vol. XI (London Macmillan, 1909). As regards Thomas's historical output, see A. Aglan, 'Albert Thomas, historien du temps présent', in A. Aglan, O. Feiertag and D. Kevonian (eds), *Albert Thomas, société mondiale et internationalisme. Réseaux et institutions des années 1890 aux années 1930*. Proceedings of the study days of 19 and 20 January 2007. Université Paris-I Panthéon-Sorbonne, in *Cahiers d'IRICE* (No. 2). Available at: http://irice. univ-paris1.fr/spip.php?rubrique68 [accessed 11 March 2009].

62. The letter which Thomas wrote to the socialist leader Filippo Turati, exiled en France, on 23 May 1928 is particularly touching: 'When I went back to Paris the other day, before coming back here, Blum told me that you had refused to meet me. You know the respect and affection which I have always had for you. I have been greatly upset by your refusal. I did not think that you would treat me so unfairly. [. . .] Not long ago I wrote the history of the Second Empire. Alongside vigorous protests and proscription, there was also the work accomplished by the Proudhonian workers of Paris, those who might be regarded as traitors and betrayers as I am today. Their work was useful too' (AILO, CAT 1-28-2-5). See A. Schiavi, *Esilio e morte di Filippo Turati 1926–1932* [Exile and Death of Filippo Turati 1926–1932] (Rome: Opere nuove, 1956).

63. Travel diary, 16 May 1928 (AILO, CAT 1-28-1-4). Rigola was the first secretary of the *Confederazione Generale del Lavoro*.

64. Ibid.

65. Ibid. It is interesting to note that in late 1929, the Italian communists also decided that the fascist unions had to be the internal front in the battle against the regime, using any ground conceded: see P. Spriano, *Storia del Partito comunista italiano* [The History of the Italian Communist Party], Vol. 2, *Gli anni della clandestinità* [The Underground Years] (Turin: Einaudi, 1969), p. 238.

66. Travel diary, 17 March 1932, in AILO, CAT 1-32-2.

67. Ibid.
68. AILO, CAT 5-43-8-2. Cabrini wrote in this respect, in a letter to Thomas of 23 June 1927: 'our friends in Amsterdam are still in prehistoric times as far as unionism is concerned' (AILO, CAT 5-43-7-3).
69. Schaper, op. cit., p. 291.
70. See De Felice's thinking: *Sapere e politica*, op. cit, pp. 97–99.
71. M. Fine, 'Albert Thomas: A Reformer's Vision of Modernization, 1914–32', *Journal of Contemporary History* (vol. 12, no. 3, 1977), p. 545.
72. On unionism and the fascist corporative framework, see also I. Stolzi, *L'ordine corporativo: poteri organizzati e organizzazione del potere nella riflessione giuridica dell'Italia fascista* [The corporative order: organized powers and the organization of power in the juridical thinking of Fascist Italy] (Milan: Giuffré, 2007); A. Gagliardi, *Il corporativismo fascista* [Fascist corporatism] (Roma-Bari: Laterza, 2010).
73. Kott, op. cit., p. 27.
74. P.-Y. Saunier, 'Les régimes circulatoires du domaine social 1800–1940: projets et ingénierie de la convergence et de la différence', *Genèses* (No. 71, June 2008), pp. 4–25.

10
US New Deal Social Policy Experts and the ILO, 1948–1954

Jill Jensen

The International Labour Organization (ILO) played a key role in the US approach to global socio-economic affairs in the years immediately following the Second World War. The US federal government significantly bolstered activities in conjunction with the ILO, part of the United Nations after 1947, fully aware of the agency's significance in relation to post-war economic and social welfare. In its Declaration of Philadelphia, the ILO in fact elaborated upon President Roosevelt's powerful January 1944 call for an 'economic bill of rights' insisting that all people deserve economic security and job opportunities.[1] Roosevelt's New Deal and the ILO both supported state regulation of labour standards and broad social protections through the idea of 'social security'. After the war, two former New Deal activists, Frieda Miller and Arthur Altmeyer, took advantage of ILO support to push for greater, not less, state action in the support of workers' welfare in the United States and abroad. But they attempted to make the New Deal global at a time when the direction of US labour and social policies took on an increasingly confrontational tone given a political environment in the country which was quickly turning away from the welfare state.

This chapter describes how ideas central to the United States during the New Deal found a new venue for expression in the ILO's post-war formula. It does so through a focus on a pair of US–ILO activists, two individuals who represented two distinct streams of evolving labour standards policies: the first related to the development of legal standards on equal wage protections and the other to institutionalizing social security. Both forms aimed at providing economic security for individuals, whether through equal employment standards or the management of social risks. By 1948, the ILO had turned in earnest to such issues extending beyond conditions in the workplace toward the general social environment. US attention to the reconstruction of Europe, along with the larger project of restructuring international economic and political relations, pushed experienced New Deal policy-makers onto the international stage with such pursuits.

Many of these same individuals continued to influence US domestic policies.

But, as Europe on the whole embraced social democracy, US attitudes towards the ILO underwent a series of trials regarding notions of social equality and access to opportunity, entangling public welfare disputes deep within the dilemmas of US international policy. To elaborate on these battles, and to humanize the policy-making process, I explore the influences and motivations driving two exceptional US social activists as they engaged with the ILO.

Frieda S. Miller assumed the directorship of the US Women's Bureau in 1945, focusing her efforts on programs to support women workers forced to accept certain disadvantageous readjustments in the labour market after the war.[2] Miller was a noted expert on labour standards laws and part of a group of labour feminists who utilized the women's trade union movement and social investigation tactics to see to their legal compliance.[3] She had been involved with the ILO since 1936, and in conjunction with its post-war aims offered an assessment of equality of opportunity, family security and fair wages. In doing so she attempted to push the ILO to reconcile its approach to gender disadvantage in the workplace by combining a call for post-war equality of treatment with long-standing defence of the special burdens of the wage-earning woman, especially mothers facing an increasingly long 'double day'. Calling the challenge one faced by 'workers, homemakers, and citizens',[4] Miller simultaneously spoke out to US government officials and the broader public on economic justice for wage-earning women far before the ultimate success of the 1963 US Equal Pay Act or the women's movement for equal rights in the late 1960s. She took advantage of the ILO as a resource to promote her vision of women's right to earn amidst dynamic changes influencing the post-war female workforce on an international scale.

Arthur Altmeyer, Commissioner of the Social Security Administration, remained the leading US expert on international social security policies in the early post-war years. He offered what he called a 'philosophy and practice' of social security to fellow US policy-makers and international experts within the ILO, based on a thorough understanding of the US federal system and the political dynamics that created it.[5] As an advocate of the 'Wisconsin School', Altmeyer supported a version of social insurance based on an earnings-related contribution model, yet one with significant government oversight.[6] Over the course of his career, he greatly impacted the evolution of the US social welfare state. He also ran into major obstacles stemming from the Cold War in his efforts to push for greater state involvement. Through the ILO, Altmeyer cooperated with foreign experts to develop social security mandates as he formulated ongoing proposals for the US programme. He and others in the Federal Security Agency's Office of International Relations also worked to train international experts to design and administer social insurance systems abroad.

Both Miller and Altmeyer faced significant challenges in terms of their ambitions during the early post-war years and, despite significant agreement with many of their allies in the ILO, in the end faced three key constraints that shaped their effectiveness. The first involved divisive US views during the early years of the Cold War over how best to promote economic security for citizens, pitting 'free market' capitalism against anything that hinted at state socialism. Related to this, though described as a social rather than an economic problem, were obstacles to laws on equitable pay and extended welfare provision within a federal–state system that proved hesitant to regulate social relations in any form. Finally, they faced an unyielding and cumbersome national bureaucracy, still struggling to define the post-war priorities of the United States. Once Miller and Altmeyer left the domestic stage they both chose to carry on their work in the international realm, which offered them far greater latitude in their efforts.

Their engagement within the ILO represented an important trend often overshadowed in scholarship assessing the more subversive side of US actions abroad during the early Cold War. Often against the grain, these individuals worked to realize more systematic guarantees for workers, even as social policy in the United States remained burdened by structural, racial and gender inequalities. Within the country, powerful lobbies led by conservative business groups railed against expensive government social welfare initiatives for all, calling these too 'socialistic', and positioned the ILO as a most subversive supporter.[7] Meanwhile, the Soviets themselves chose to remain outside the ILO and communist pundits also viciously disparaged its work. The Cold War produced many negative consequences, not least among them the growth of vast military states, yet the competition between economic systems that it codified also created pressures for serious attention to social welfare rights and economic justice. Within the ILO between 1948, with its return to Geneva from wartime Montreal, and 1954, the year the Soviet Union finally rejoined, the institution engaged over just wages, enhanced employment opportunities for women, and social security – and Miller and Altmeyer were there promoting a particular US version of these rights and justices.

Employment improvements for women: the debate over equal pay for equal work

Out of the efforts of Miller and others, the notion of offering equal pay to male and female workers in comparable jobs came to the forefront of US policy debates in the years following the war. After demobilization, returning soldiers flooded the US labour market and working women, who had done relatively well in terms of securing high-paying jobs with benefits during the war, found themselves forced to return to low-wage 'women's trades'. Back in the textile mills, laundries and restaurants, wage-earning women

saw their salaries decrease, working conditions decline, and themselves in job categories left unregulated by New Deal wage and hour protections.[8] As Director of the US Women's Bureau, Miller was painfully aware of conditions associated with these jobs. Since the 1920s she had been fighting to ensure greater economic security by way of enhanced employment opportunities for women. The 1938 Fair Labor Standards Act set a minimum wage throughout the country, but had failed to solve the problem of discretionary wage levels, most certainly for occupations such as domestics left outside its coverage.[9] Public policy, in fact, failed to include basic labour protections for women engaged in household paid labour. Meanwhile, post-war America was rife with reactionary effort to 'put [women] back where they came from', as one cultural commentator put it, through a concerted media 'attack' against women who needed to work.[10]

As a labour economist, minimum wage expert and labour rights activist, Miller first lobbied for protective regulations and against pay discrimination through the Women's Trade Union League (WTUL), a coalition of unionists and middle-class reformers sympathetic to the needs of low-income women and families. Part of a second generation of social feminist activism, Miller had worked at the famous Hull House social settlement in Chicago, which offered social and human services to a primarily immigrant population. Although from an upper-middle-class family, through such experiences she became aware of the inequities endemic in modern capitalist economies relating to gender and active in the pursuit of policies that would address problems relating to the disproportionately unfair distribution of income. She moved on to teach 'social economics' at the women's college, Bryn Mawr, in Pennsylvania, well known in the realm of US reform and civic action. Here, she helped organize a Summer School for Women Workers in Industry and developed an ideology on women's economic and social justice.[11]

After making a name for herself as a New York factory inspector, in the 1930s Miller became directly involved with the ILO through her colleague, Frances Perkins.[12] She took over for the latter as New York Industrial Commissioner after Perkins left for Washington to become the first female Secretary of Labor, under US President Franklin Roosevelt. Within the context of the New Deal, Miller contributed to the development of state-level unemployment insurance programmes and – as a main focus throughout her career – minimum wage law administration. Simultaneously, she served as US government representative to the ILO, raising resolutions at international labour conferences relating to fair wages.[13] After the war, she was involved in several ILO commissions, including those on women's work, equal remuneration and the employment of home-based domestic workers. Mobilizing support for her efforts, she nurtured relations with US trade unions, social reform groups and international specialists on women's employment, notably Ana Figueroa of Chile and Kerstin Hesselgren of

Sweden. Outreach of this sort across institutional and national boundaries was absolutely necessary for Miller since in the early post-war years the Women's Bureau had diminished resources. Set within the Department of Labor, which had its own budgetary difficulties, projects run by the Women's Bureau in particular were consistently under threat.[14] Miller therefore took advantage of all the help she could garner from the ILO and the transnational reform networks it produced to see to it that women advance their chances of finding good, secure jobs. Her role as US representative during Governing Body debates on the ILO's post-war constitution and association with International Labor Office staff, many of whom she had come to know in Montreal, meant she exercised a considerable influence on US–ILO relations.[15] Through the Correspondence Committee on Women's Work, Miller encouraged her ILO colleagues to address the issue of equal pay.

Due to the work of international feminist lobby, coming from the likes of the Inter-American Commission of Women and female advisers from Europe, Australia and China, the UN Charter specifically advocated equal rights for men and women.[16] The ILO was in the process of an important transition period in regard to women's work as pressure from the UN and international women's groups – part of a long-standing feminist tension over full equality – encouraged the Organization to re-evaluate its life-long protectionist stance on female employment. UN requests came initially from the Communist-influenced World Federation of Trade Unions (WFTU), relating to both wage protection and equal pay.[17] The UN's Commission for the Status of Women meanwhile called upon the ILO to commit to policies removing 'all discrimination based on sex', yet a faction within qualified this request by saying that where standards were particularly low, special protection may be necessary to protect the health of women.[18] Commenting on the failures of the ILO to adequately address the issue, Polish delegates also introduced a resolution within the ILO itself, calling for greater attention to equal pay as part of its wages policy at the 1949 International Labour Conference in Geneva.[19] These propositions directly questioned the foundational premise of special labour laws for women and, although the Office was actively preparing its stance on equal remuneration, deliberation on the subject would take years before the ILO would finally outline new international standards. As details moved forward the US Women's Bureau contributed numerous position papers on the economic impact of equal pay prepared during US legislative campaigns already under way.[20]

When the issue was discussed in 1950, the tripartite ILO Committee on Equal Remuneration failed to reach significant agreement on potential equal pay proposals. Governments were split on the issue and the United States itself offered no firm commitment despite Miller's advocacy, although she did claim to have countered several 'debilitating amendments' coming from her British colleagues that she felt would in the end undermine the proposals.[21] On the whole, workers' representatives endorsed a Convention while

employers almost unanimously maintained that equal pay for equal work was not suitable for international regulation. Lena Ebeling, a human resource administrator with the US paint firm Sherwin-Williams, eventually swayed toward halfhearted support of a Recommendation. Frustration, it appears, brought Miller and Ebeling together as cautious allies, involving what Miller saw as a core problem in defining the meaning of equal remuneration for work of equal value.

Despite attempts to explain that US manufacturers based pay scales on strictly delineated job categories, Miller found it difficult to correct what she interpreted as a misunderstanding among other delegates to the ILO committee on the organization of mass-production industries.[22] A strict notion of how implementation would be carried out was for her an 'essential preliminary to any form of fruitful international wage discussion'. In neither Spain nor France, she explained to government officials in Washington, is there an acceptable term for what Americans called 'job content', and in countries such as India there had been no thorough nation-wide job analysis conducted.[23] These complications revealed discrepancies between industrialized and non-industrialized nations, but also in the way the United States and European countries conceptualized exact forms of employment. Such differences led to a major battle the following year over both the form and scope of the regulation proposed.

Wage rates for large-scale manufacturing in the United States were, on the whole, fixed in relation to job specification, but Miller was sceptical about whether legal remedies would in the end address the problem of systemic gender inequalities. For without strict monitoring, efforts were sure to fail. Prior legislation in New York outlawing pay discrimination had proved significantly unenforceable in Miller's opinion when employers consistently reclassified job descriptions.[24] Back home, most government officials were less than sanguine about the issue of equal pay in the first place. If US economic justice campaigns made little headway in the immediate post-war period, it was due to countervailing forces that not only called for women to return to the home, but worked against the very notion of basic social equality. It was doubtful, a government position paper noted in 1947, whether the United States could recognize job opportunity guarantees for all within the notion of the 'right to work', which was considered 'incompatible with the principles of private enterprise economy'.[25]

Even with these difficulties, the International Labour Office moved forward on drafting a Convention on equal pay for a vote in 1951.[26] Despite obstacles confining her own official stance to that consistent with the US position overall Miller served as Reporter for the drafting committee. Its vice-chairman, Gullmar Bergenström, a representative for employers from Sweden, rightfully noted the sheer complexity of the issue given the distinct forms of political economy in the different countries. In discussions Miller offered three specific contributions to the norms being established by the

ILO. The first involved careful consideration based on some form of job-type measurement to facilitate greater accountability. The next was to push for a Recommendation for methods of application in addition to a Convention on general principles. Finally, in agreement with others involved, she advocated outlining a method of determining wages in relation to both national laws and private collective bargaining agreements.[27]

Once the official Conference vote took place, the British, Swiss and Indian governments – all of whom had expressed opposition to such regulation – abstained rather than voted against the Convention. The largest bloc advocating the standards came from Latin America.[28] Yet it was in fact the Polish government, backed by the Czechs, which pushed for the by far most enhanced commitment from member states. In the end these Soviet bloc countries complained that the final outcome of the drafted labour codes provided no precise measures and no firm obligations. Only 'full commitment to equal remuneration would fully aid in raising the standards of living for the workers of the world,' the Poles argued. In the early years following the creation of the Equal Remuneration Convention, 1951 (No. 100), Soviet Bloc countries and continental Western European nations had the best records of ratification. The more industrially advanced Latin American countries with strong labour movements, such as Mexico, Argentina and Brazil, also ratified the Convention early on.[29]

The US government in the end approved the Convention but, as was usual, offered significant reservations during national debates relating to the nature of competence within a federal system that offered considerable power to individual states.[30] Meanwhile, discussions that had taken place in Geneva stimulated renewed attention to domestic equal pay legislation. For years, Miller and her allies had been trying to gain support for a Women's Status bill, calling for legal protections against gender discrimination in employment and the creation of a national women's commission to study US laws with regard to a policy of equality.[31] Miller offered numerous testimonies during this time in which she referred to ILO standards. Before Congress she called wage discrimination a threat to the general pay levels of all workers, as well as immoral and inefficient.[32] She also argued that women wage-earners would benefit from the extension of labour standards to cover domestic service worldwide, constituting a large proportion the female workforce, though falling outside most legal provisions.[33]

Given her interest in including domestic workers in the United States under labour standards, Miller also became involved with a committee of experts that focused specifically on domestic labour globally.[34] In her assessment, she expressed hopes that the ILO was entering a new phase of activity in addressing the complications of transnational domestic paid labour, but criticized member states for their 'callow assumptions of responsibility in a hitherto untouched field'.[35] In terms of US national policies, household workers were finally incorporated into the US Social Security system in

1951, but still barred from most wage and hours regulations. The nature of the job's informal wage relationships, though, continued to disadvantage women in terms of contributory retirement funds. On the international level, no ILO Convention materialized at that time explicitly dealing with domestic workers, although it remained one of the largest employment categories worldwide for girls and women. The argument through the ILO rested in the notion that all standards, unless expressly excluding domestic workers, would cover them in their scope.[36] The reality was otherwise, since this increasingly undocumented workforce lacked citizenship rights or other such work status protections that might include them in labour standards legislation.

Returning to the topic of equal pay, US federal legislation on the subject did not emerge from these ILO efforts. Still, as Miller's comments in reference to the campaigns explain, equal pay's full significance could only be appreciated when 'faced in relation to the whole of the ILO work in the field of wage protection'.[37] She and others hoped modern development could provide greater opportunity for women throughout the world, but remained cognizant that poverty and hardship remained the plight of many women, even in the industrialized world. In the US this was the case particularly amongst African Americans who worked disproportionately in domestic service or other low-wage occupations. And although ILO officials spoke often of progress in the fight for equal wages, severe complications remained in realizing equity in employment. Along with early ratifications coming from Europe and Latin America, Convention 100 continued to attract global attention and was ratified by many new nations in Africa and the Middle East following decolonization. The Convention was eventually classified as one of the ILO's core labour standards; yet it remains one of the most common forms of inequality in the workplace and fails to fully address the needs of workers in the informal sector. ILO gender activists continue to fight for greater opportunities for women and the conversation goes on as to how social rights and employment rights can work together to ensure pay equity.

After leaving the Women's Bureau in early 1953, Miller went to work for the ILO's Expanded Program for Technical Assistance in the Asian Region, conducting surveys on conditions facing working women abroad and lecturing on her findings.[38] She explained to those back in Geneva that her goal was to offer greater attention to women's place in producing and sharing in the wealth of her society by reporting on conditions, defining problems and ascertaining measures meant to address the challenges women faced.[39] She outlined the same priorities for women in the US as she did internationally, noting there were two kinds of standards – industrial standards and social standards. Among industrial standards, first and foremost, were those dealing with decent working conditions, job training and equal pay. Among the social standards Miller stressed services of the

community such as child-care, public transportation and access to health and education services outside of working hours. She also encouraged those she worked with not to isolate the problems of women from more universal approaches to health, education and social freedom, 'all of which they are a part'.[40] Through the ILO she sought out international support for policies advocating economic independence of workers as the best approach given the circumstances women on the whole faced in the post-war world. Still, policy-makers focusing on the right to economic stability did so also through the emerging concept of 'social security'.

Internationalizing social security

Arthur Altmeyer served with Miller at several ILO conferences and, by the 1950s, both had become prominent international social welfare experts. During the heady days of the New Deal in the 1930s, Altmeyer had come to federal government service to work on unemployment compensation and old-age insurance. Secretary Frances Perkins quickly recruited him into the Department of Labor. After serving on the President's Committee on Economic Security, Altmeyer moved to become the leading administrative officer of the US Social Security programme, overseeing the burgeoning system of old-age benefits for qualifying retired workers and coordinating federal–state grants for unemployment insurance. As a student of institutional labour economics, Altmeyer emerged as a foremost advocate from the 'Wisconsin School', which he preferred to equate to a loftier 'Wisconsin Idea'. It advocated for Altmeyer and others the informed use of social institutions to better the general welfare of citizens.[41] Within this formula he remained a life-long advocate of a market-based, earned-right system of social insurance as had been developed by his mentor at the University of Wisconsin, John R. Commons.[42] Recognizing the need for international coordination of social security, President Roosevelt sent Altmeyer to lead US delegations to ILO regional conferences of the American States during the Second World War.

In cooperation with ILO Director John Winant, who also served on the US Social Security Board, both men helped develop important and lasting ties between the ILO's Social Insurance Section and US government offices. Altmeyer, who eventually replaced Winant as head of the Social Security Board, went on to chair the Inter-American Committee on Social Security, which drafted statements on the benefits of international social policy. This ILO-affiliated body influenced the formulation of the general social security proposals included within the ILO's Declaration of Philadelphia.[43] After the war, Altmeyer sat as an adviser to the UN Social Commission where he pushed for greater international action through worldwide social welfare projects. President Truman assigned him to oversee preparatory arrangements for the UN International Refugee Organization and he spent months in Geneva

in late 1947 while balancing his obligations in Washington.[44] There he consulted with 'old friends' he knew in the ILO's Social Insurance Section, but also forged relations with other European specialists, such as Pierre Laroque, architect of the French social security system. In fact, Laroque served with Altmeyer as a fellow officer on the ILO's Committee of Social Security Experts, along with M. B. Knowles from the United Kingdom and Gertrude Steinberg of the Netherlands.[45]

Throughout the years, amid serious controversies surrounding the direction of the US system of social security, Altmeyer acted as a public spokesman for the US form of contributory, wage-based social insurance. It was this model, as opposed to state-funded, universal social insurance, that he highlighted at international gatherings.[46] He worked also to draft ILO social security training programmes with ILO social insurance expert Maurice Stack, whom he knew from efforts in the Western Hemisphere.[47]

Within the United States, Altmeyer was considered a social policy innovator, but he was always forced to legitimize social protection as an earned right, as opposed to a charitable right. Yet support of human welfare through individual economic wellbeing remained for him the aim of social security and his personal perspectives often contradict those of his official viewpoints. Altmeyer expressed the notion that wage-loss replacement was in no way different than needs-based funds. 'Though people sometimes hold those rights arising out of contributions as more valid,' he wrote in the reform magazine *Survey Graphic* in 1945, 'I do not believe that such a distinction can be made.'[48] Altmeyer thus pushed for robust social assistance programmes within the ILO while accepting limited forms of social welfare at home. As an administrator, he supported many tactical decisions that seemed to compromise the description of social security offered in his numerous articles and speeches, a testament to the restraints created by the US political system and national ideology. Nevertheless, Altmeyer did believe that *eventually* the US social security system would evolve to include, for example, comprehensive public health services covering the entire national population.[49]

By 1950, however, he argued that redistributive, uniform pensions would lead to 'economic chaos', as campaigns against state intervention in the economy grew in magnitude.[50] US domestic fights led to a visible tension between Altmeyer and his critics over the evolution of policy in a country obsessed with economic growth and progress. In a comparable sense there was a practical tension within the internationalization of the New Deal itself as State Department officials warned Altmeyer and others against using the UN in the capacity of a 'do good and spending organization'.[51]

Undeterred, Altmeyer saw the ILO as a partner in what he called a 'tremendous international activity' within the field of social welfare.[52] Over the years he exchanged a great deal of information with the International Labour Office on organizational and actuarial aspects of social security.

Under the auspices of 'International Services', Altmeyer's Social Security Administration maintained a significant staff to train fellows and students from other countries in social welfare provision.[53] These efforts were not 'purely technical' in scope according to his memos, and he reminded those within government service that his staff in fact determined the development of general US international policy in this regard.[54] He was therefore highly active in consultations on programmes with various ILO member nations and offered Maurice Stack extensive lists of US experts for possible technical assistance projects run through the ILO Office.[55]

ILO-affiliated social welfare experts came together, first in Geneva in October 1949 and then in Wellington, New Zealand, in February 1950, to draft a Convention which would provide what they called a 'comprehensive revision' of ILO policy. According to an outline presented at the first meeting of experts in 1950, the aim was a 'new conception' of social security which would literally transform the world. The ILO was preparing to compile its list of separate social insurance standards into one wide-ranging social security formula.[56] The task was significant as the conceptualization of social security was still literally a work in progress, even within countries such as the United States, New Zealand, Canada and Great Britain that had formally adopted the term. Beyond the fact that it encompassed a new approach, interpretations on how to move forward generated further debate. Social security, no doubt, formed a vital part of a vision pulsing through the ILO that called for greater protection of human welfare through the management of economic risks. From the perspective of the US government, it was important to push for robust social security schemes in 'vulnerable' countries to 'build up a stable force of urban, industrial workers internationally'.[57] Thus, US views on international social security related significantly to preventing social unrest within what they assumed would be quickly industrializing settings of the 'free world'. The vision remained consistent with Roosevelt's vision of global security, but now with a Cold War twist in a decolonizing global arena, and one which stood against threats to 'Western' capitalism.

Altmeyer and the strategists in the State Department with an eye to Soviet influence were not the only ones interested in the ILO's Convention on social security. Charles McCormick, a national business leader serving as US employer delegate to the ILO, was dismayed with the on-going drafting process of the Social Security Convention. He accused ILO Office staff of changing the text after a vote in committee by revising payment schedules and downplaying voluntary plans in its formula, always a vital part of the US private–public welfare system. McCormick reacted by alerting US congressional members of the dangers of allowing an outside entity – even an inter-governmental institution – to 'designate' federal law.[58] A great deal of misinformation circulated in the United States about ILO social security statements. One angry doctor wrote to liberal Minnesota Democratic Senator

Hubert Humphrey, a government representative to the ILO, for explanation about a letter he had received from the American Medical Association. With the title, 'ILO Attempts Backdoor to Socialization', this diatribe claimed ratification of the ILO Convention would automatically lead to compulsory public health insurance, which was simply incorrect.

Without US-employer delegation support, nor that of other national employers for that matter, delegates to the 1952 International Labour Conference passed Convention No. 102, which clarified basic minimum standards for national systems surrounding nine branches of social security. Ratification required member states to offer proof of competency in three of these nine categories: medical care, sickness benefit, unemployment benefit, employment injury benefit, family allowances, maternity care allowances, invalidity pensions and survivor's pensions. The final text necessarily reflected a compromised approach to the policy of social security, allowing ample exceptions but at the same time outlining potentially comprehensive systems through multiple forms of protection. It condoned cooperation between public and private insurance programmes, offering the option of flexible coverage and benefits rates, and called for minimum inclusion of only 50 per cent of all those actively employed and their dependents. For 'less developed' nations, drafters debated the notion of a qualifying benefit period, but in the end endorsed the multiple branch form to allow for an evolution within programs, just as national environments should.[59]

The US delegation to the conference in Geneva included several well-known national leaders. Robert Myers, Chief US Social Security Actuary, served as US technical expert. For symbolic deference, Frances Perkins, now former Secretary of Labor, joined the delegation as another US government adviser.[60] But even Perkins' presence, given her avid support of both social security and the ILO, failed to quiet US criticism. In light of the proceedings, US business representatives argued that the ILO was attempting to exert pressure on matters relating exclusively to national policy (the role of the ILO in the first place). Still, such accusations became increasingly important over the next several years as US public sentiment against the ILO mounted.[61] Even government delegates, though they voted in favour of the Convention, made it clear they supported bringing the separate sections together and allowing ratification on the basis of only one branch. 'Thus, the journey of nine steps would be made starting by one step rather than requiring an initial jump of three,' Altmeyer explained.[62] US officials realized that they would not be in a position to ratify the Convention since only the federal system of old-age and survivor's insurance qualified.

In 1952, the fight over the future direction of Social Security in the US hit a peak with a new campaign launched by the Chamber of Commerce that sought to restructure the domestic programme, pushing it towards greater voluntary provision. The system tilted further away from comprehensive

coverage and definitively excluded medical protections – moving more and more away from the aims of Altmeyer. In the coming years, the US social insurance programme expanded coverage to greater numbers, but kept occupational restrictions and maintained benefits proportional to income. It also included almost no preventive health services beyond those offered to military personnel or war veterans until the 1960s with Medicare and Medicaid for the aged and the poor. The 1952 landslide presidential election of Republican Dwight Eisenhower in fact put a stop to the expansion of New Deal-style social welfare. Ending twenty years of Democratic rule, Eisenhower supported a Social Security system that remained limited in scope as a matter of principle. Meanwhile, legislators reminded civil servants such as Altmeyer that Social Security was not a social contract, but a 'statutory right' always subject to future legislation.[63]

The shift in parties forced Altmeyer and several others intimately familiar with the activities of the ILO to leave US government service. But he continued to sustain his advocacy for international social policy. He travelled to Turkey, Iran, Pakistan and Peru as an adviser in the development of social welfare systems and led international training seminars.[64] Altmeyer remained convinced that western democracies, by supporting the 'intimate dignity of all humans', could work to demonstrate that human misery was not inevitable.[65] Social welfare projects, including social security systems for developing countries, could be designed and run by a new technical class of policy administrators. These specialists, including those from developing nations themselves, were to be trained through the ILO.[66]

The ILO's Minimum Standards of Social Security Convention resulted from a great compromise mediated by international experts; it included significant influence from the United States. It accepted Altmeyer's 'restricted' form of social protection alongside the option of more universal application as enumerated by the Beveridge Plan in Britain, for example. Its full scope of benefits applied to the economically active population of an admittedly industrial workforce, thus making it less applicable to developing economies. Despite a rather disappointing history in terms of ratifications, though, we should not underestimate the importance of the moment that led to its drafting as an expansion of earlier ILO labour standards into the realm of social welfare and human rights. Early ratifications came from Scandinavian countries and the United Kingdom, as nations quickly developing robust post-war social welfare systems. These were soon followed by the Federal Republic of Germany and Austria, both with a long history of social insurance. Another surge of ratifications came decades later, after the fall of the Soviet Union in the early 1990s, by former Eastern bloc nations, several which had been present for the debates in 1952.[67] The Convention never proved appropriate for most decolonizing countries and only six Latin American nations ever ratified it, including Brazil in 2009 which brought the final number of ratifications to 47. The United States not only

failed to ratify Convention No. 102 but after 1953 failed to ratify *any* ILO Convention again until 1988.[68]

The Soviet Union rejoined the ILO in 1954, marking an end of an era and moving quickly into another that garnered far less US support towards the ILO and social security rights. In the past, experts understood this shift in terms of mounting Cold War rivalries, which is certainly an important part of the explanation.[69] Another core factor centred on distinct US views that focused exclusively on aggregate prosperity as opposed to individual social welfare. Industrial relations and personnel management specialists replaced New Dealers as US representatives to inter-governmental bodies. These new experts gained attention within domestic intellectual circles as the doyens of late-1950s American modernization theory. This next generation of US internationalists focused on economic growth as a main priority as opposed to social reform.[70] Miller and Altmeyer found themselves relegated from power within the United States but were not restricted from a larger debate on international humanitarianism through the ILO or other United Nations bodies. Within these venues the fight between communism and capitalism spilled over into a battle between social democracy and a US liberal individualism. These contests remained significant to the ILO in terms of mobilizing state action for the purpose of human welfare.

Notes

1. F. D. Roosevelt, 'Message to Congress on the State of the Union, January 11, 1944', *The Public Papers & Addresses of Franklin D. Roosevelt*, Samuel Rosenman (ed.), Vol. 13 (New York: Harper, 1950), pp. 40–42; ILO, *The Declaration of Philadelphia* (Montreal: International Labour Office, 1944), p. 3.
2. The US Women's Bureau, part of the Department of Labor, promoted the welfare of working women. It served as a research body and a think tank for policy relating to women's opportunities in the job market.
3. For the development of the term 'labour feminists', see D. S. Cobble, *The Other Women's Movement*: *Workplace Justice and Social Rights in Modern America* (Princeton: Princeton University Press, 2004), pp. 4–8.
4. *United States Women's Bureau, Report on 1948 Women's Bureau Conference: the American Woman, Her Changing Role: Worker, Homemaker, Citizen* (Washington, DC: US Department of Labor, 1948).
5. See A. Altmeyer, 'Ten Years of Social Security', in W. Haber and W. J. Cohen (eds), *Readings in Social Security* (Englewood Cliffs: Prentice-Hall, 1948), pp. 79–88.
6. M. Weir, A. S. Orloff and T. Skocpol, *The Politics of Social Policy in the United States* (Princeton: Princeton University Press, 1988), p. 213.
7. For Senate hearing testimonials against the ILO and 'socialized medicine', for example, see J. S. Hacker, *The Divided Welfare State: The Battle over Public and Private Social Benefits in the United States* (New York: Cambridge University Press, 2005), p. 398.
8. C. Harrison, *On Account of Sex: The Politics of Women's Issues, 1945–1968* (Berkeley: University of California Press, 1988), pp. 39–51.

9. S. Mettler, *Dividing Citizens: Gender and Federalism in New Deal Public Policy* (Ithaca: Cornell University Press, 1998), pp. 198–205.

10. Harrison Smith, editor of the *Saturday Review of Literature*, noted this at a 1948 Women's Bureau Conference. *The American Woman*, op. cit., 79.

11. A. Orleck, *Common Sense and a Little Fire: Women and Working-Class Politics in the United States* (Chapel Hill: University of North Carolina Press, 1995), pp. 136, 206.

12. On Miller's work with the New York Sanitary control board, see E. Boris, *Home to Work: Motherhood and the Politics of Industrial Homework in the United States* (Cambridge: Cambridge University Press, 1994), p. 248.

13. Box 8, folder 170, Miller Papers, Arthur and Elizabeth Schlesinger Library on the History of Women in America, Radcliffe College, Harvard University.

14. E. Boris and M. Honey, 'Gender, Race, and Labor Department Policies', *Monthly Labor Review* (vol. 111, no. 2, 1988), p. 30.

15. Robert Watt, AFL representative, to Edward Phelan, January 7, 1946, on Miller's role, Z 1/61/3/3, ILO Archives; Miller to Morse, March 21, 1947, on Governing Body responsibilities, box 8, folder 183, Miller Papers; Miller to Mildred Fairchild, head of the ILO's Service for Women's Work, box 10, folder 208, Miller Papers.

16. T. Skard, 'Getting Our History Right: How Were the Equal Rights of Women and Men Included in the Charter of the United Nations?', *Forum for Development Studies* (vol. 35, no. 1, 2008), p. 44.

17. P. Määttä: *Equal Pay, Just a Principle of the ILO?* (Norderstedt: Demand GmbH, 2008), pp. 55, 91. The WFTU placed the issue of equal pay on the ECOSOC agenda early in 1948, Z 14/2/3 (J.1), ILO Archives.

18. 'Resolution to ILO Presented by Australia and the United States', box 8, folder 184, Miller Papers; Myrddin Evans to Edward Phelan, on the pressure coming from the CSW, January 28, 1948, Z 14/2/3 (J.1), ILO Archives.

19. 'International Labor Organization', *International Organization* (vol. 3, no. 3, 1949), p. 532.

20. Based on research in support of the 1945 Women's Equal Pay bill (S. 1178) drafted by the Women's Bureau. For example, 'Memo on Equal Pay Study', May 29, 1951, box 9, folder 185, Miller Papers.

21. These proposals included inserting phrases such as 'as rapidly as national conditions would allow'.

22. Report of Committee on Item V– Equal Remuneration of Men and Women Workers of Equal Value', June 30, 1950, box 9, folder 185, Miller Papers.

23. Ibid.

24. Orleck, op. cit., p. 254.

25. 'Committee on International Social Policy: Right to Work', May 22, 1947, box 9, folder 184, Miller Papers.

26. 'Principles on Equal Remuneration: Position Paper for US Delegation, 33rd International Labor Conference, Geneva, 1951', box 8, RG 47, Social Security Administration, Office of the Commissioner, General Correspondence (hereafter simply RG 47) National Archives, College Park, MD (hereafter NA).

27. ILC, 'Committee on Equal Remuneration Seventh Sitting', June 19, 1951 and 'Outline Draft, Committee Report: Equal Remuneration of Men and Women Workers', June 27, 1950, box 9, folder 185, Miller Papers.

28. International Labour Conference 'Committee on Equal Remuneration Supplement to Report VII (2)', June 1951, ILC 34-417, ILO Archives.

29. All ratification details are taken from the ILOLEX database of International Labor Standards Conventions: www.ilo.org/ilolex/english/convdisp1.htm [accessed 29–30 March, 2010].

30. United States Congress, *Hearings by the United States House, Committee on Appropriations* (Washington, DC: GPO, 1952), p. 251.

31. 'The Status of Women: Need for a National Policy', April 1, 1947, Box 45, League of Women Voters, Iowa Women's Archives, courtesy of the Women and Social Movements in the United States Project: http://womhist.alexanderstreet.com/lwvi/doc9.htm [accessed 25 March 2010].

32. Statements of Miller before the House Committee on Education and Labor, in Support of HR4408 and HR 4273, Women's Equal Pay Act of 1947, Feb 10, 1948, and on Equal Pay for Equal Work for Women, May 19, 1950, box 8, folder 168, Miller Papers.

33. 'ILO Meeting of Experts on Employment of Domestic Workers', 1951, box 9, folder 187, Miller Papers.

34. Miller chaired the Experts on the Status of Conditions of Employment of Domestic Workers meeting in early July 1951. She had appeared before Congress in 1949 during debates on whether to include domestics in Social Security. Cobble, op. cit., p. 290.

35. 'ILO Meeting of Experts on Employment of Domestic Workers', 1951, box 9, folder 187, Miller Papers.

36. ILO, *Decent Work for Domestic Workers: Fourth Item on the Agenda* (Geneva, 2009), p. 16. At the ILO's 100th conference in June of 2011 delegates finally passed Convention No. 189, the Domestic Workers Convertion. It aimed to improve working conditions for tens of millions of domestic workers worldwide, disproportionally women from the Global South.

37. 'Committee Report: Equal Remuneration, June 20, 1950', box 9, folder 185, Miller Papers.

38. Miller to David Morse, June 19, 1956, on public lectures in the US and Canada on ILO regional development, box 10, folder 220, Miller Papers.

39. 'Conditions of Women's Work in Seven Asian Countries', and notes, box 9, Miller Papers. The ILO published Miller's final report in 1958.

40. Miller to Nicole de Barry, of the Comite d'Initiative International, November 13, 1945, box 28, RG 86, Women's Bureau Records, General Correspondence 1919–1948, NA.

41. A. Altmeyer, 'The Wisconsin Idea and Social Security', *Wisconsin Magazine of History* (vol. 42, no. 1, 1958), pp. 19–25.

42. Commons' vision of promoting economic wellbeing rested in the notion of mitigating conflict between special interest groups through government regulation. The Wisconsin version of social insurance contrasted with more redistributive social policies such as the Townsend Plan, which advocated a flat-rate pension for all over the age of 60 funded out of general tax reserves. For more extensive analysis, see T. Skocpol, *Social Policy in The United States: Future Possibilities in Historical Perspective* (Princeton: Princeton University Press, 1995), pp. 147, 212.

43. A. Altmeyer, 'The Progress of Social Security in the Americas in 1944', *International Labor Review* (vol. 51, no. 6, 1945), pp. 699–719; 'Social Security Consultation on Income Maintenance and Medical Care, Montreal, 9–12 July, 1943', 40:G25, MG 27, Papers of Ian Mackenzie, National Archives of Canada, Ottawa, Ontario.

44. Altmeyer to John Steelman, Assistant to President Truman, May 24, 1947, Box 9, folder 'IRO', Papers of Arthur J. Altmeyer, Wis Mss WP (hereafter Altmeyer Papers), Wisconsin Historical Society, Madison, WI.

45. 'Report: Committee of Social Security Experts Meeting, Geneva, October 24–28, 1949', box 7, RG 47, NA.

46. Altmeyer, 'International Cooperation in Achieving Social Security', address to the American Labor Conference of International Affairs, New York, January 12, 1942. Reel 20, ALCIA Records, Tamiment Library's Wagner Labor Archives, New York University.

47. Edward Phelan to Carter Goodrich, Governing Body chairman, January 18, 1944, on US Social Security personnel working with the International Labor Office, Z 8/1/16, ILO Archives; Stack to Altmeyer, June 27, 1950, on Altmeyer's influential support on studies leading to ILO training programs. Box 7, RG 47, NA.

48. A. Altmeyer, 'Ten Years of Social Security', *Survey Graphic* (September 1945), p. 369.

49. Altmeyer to President Truman March 15, 1946, box 3, folder 7, Altmeyer Papers; Altmeyer, 'How Can We Assure Adequate Health Service for All the People', address in Chicago, December 2, 1945; idem, 'The President's National Health Program', in Buffalo, New York, May 23, 1946.

50. K. McQuaid, *Uneasy Partners: Big Business in American Politics, 1945–1990* (Baltimore: Johns Hopkins University Press, 1994), p. 86.

51. Memo from Secretary of State Acheson, May 3, 1949, regarding New Deal era Attorney General Frances Biddle in relation to the Economic and Social Council, box 65, Papers of Dean Acheson, Truman Library.

52. Altmeyer, 'Some Issues Facing Social Welfare Today', Speech in Buffalo, NY, March 13, 1951.

53. Altmeyer memorandum to SSA staff, 'International Services', Sept. 20, 1949, box 5, RG 47, NA.

54. Altmeyer to Eunice Milton of the Bureau of Public Assistance, June 30, 1950, box 9, RG 47, NA.

55. Altmeyer to Stack, June 27, 1950, box 5, RG 47, NA.

56. The revision would bring past ILO Conventions relating to topics such as workers' compensation and various forms of social insurance under a single heading; ILO, 'Committee of Social Security Experts Meeting of Officers, Geneva, October 24, 1949', box 7, RG 47, NA.

57. 'Social Security, 1950 Estimate: Relation to Economic Development', box 7, RG 57, NA.

58. McCormick to Tobin, December 5, 1951, box 9, folder 9, Altmeyer Papers.

59. E. Reynaud, 'Social Security for All: Global Trends and Challenges', *Comparative Labor Law and Policy Journal* (vol. 27, no. 2, 2006), pp. 123, 143.

60. Perkins was highly involved in the US–ILO relations, especially on social security. For details, see G. Martin, *Madam Secretary, Frances Perkins* (Boston: Houghton Mifflin, 1976), pp. 429–440; also, box 5, Perkins Files, Women's Rights Collection, Schlesinger Library, Radcliffe College.

61. Altmeyer to Tobin, January 16, 1953, box 9, folder 9, Altmeyer Papers.

62. 'Memorandum to Senator Murray from Altmeyer on US position to Social Security Proceedings at the 34th Session of the International Labor Conference', [ND], box 9, folder 9, Altmeyer Papers.

63. For a definitive debate during a House Ways and Means Committee meeting, see US Congress, *House Committee on Ways and Means, Analysis of the Social Security System: Hearings before a Subcommittee of the House Committee on Ways and Means,*

83rd Cong., 1st sess., 1953, pp. 982–1007; See also A. Altmeyer, *The Formative Years of Social Security* (Madison: University of Wisconsin Press, 1966), pp. 221–235.

64. A. Altmeyer and R. Ferrero, *Estudio económico de la legislación social Peruana y sugerencias para su mejoramiento* (Lima, Peru, 1957); for various international programs, box 9, RG 47, NA.

65. A. Altmeyer, 'Training for International Responsibilities', in A. Altmeyer, A. Myrdal and D. Rusk, *America's Role in International Social Welfare* (New York: Columbia University Press, 1955), pp. 57–59.

66. Ibid., p. 81.

67. The Czech Republic, Slovenia and Slovakia ratified Convention 102 in the 1990s and Poland, Serbia, Romania and Bulgaria have all done so since 2000.

68. In 1953 the United States ratified Convention No. 74 on the Certification of Able Seamen Convention (1946) and in 1988 ratified Convention No. 144 on Tripartite Consultation (1976).

69. D. P. Moynihan, *The United States and the International Labor Organization* (PhD dissertation, Fletcher School of Law and Diplomacy, 1960); W. Galenson, *The International Labor Organization: An American View* (Madison: University of Wisconsin Press, 1981).

70. See, for example, N. Gilman, *Mandarins of the Future: Modernization Theory in Cold War America* (Baltimore: Johns Hopkins University Press, 2003).

11
Industrial States and Transnational Exchanges of Social Policies: Belgium and the ILO in the Interwar Period

Jasmien Van Daele

> *(. . .) J'ai fait un cauchemar affreux. J'ai rêvé que l'Organisation Internationale du Travail existait déjà depuis plusieurs années et qu'on avait adopté des conventions sur tous les sujets possibles. Je me demandais donc ce que l'OIT allait alors bien pouvoir faire. Cela m'a réveillé en sursaut. Et puis je me suis dit: Mais il ne suffit pas d'adopter des conventions! Encore faut-il les faire appliquer et cela exigera bien des années encore. Et je me suis rendormi rassuré.*

> Ernest Mahaim, Belgian government representative in the ILO Governing Body and the International Labour Conferences from 1919 until 1938.[1]

Internationalizing the national, nationalizing the international

This chapter will explore the role and influence of the ILO in constructing and setting models for national social reform. The ILO is seen as a transnational regulator of social policies. This approach differs from a pure institutional history of an international organization in the sense that the ILO, placed in a broader context of different actors, is considered as part of a transnational regulating mechanism between the national and the international level. In what follows, I will on the one hand look at how nationally shaped ideas, strategies and actions steered ILO policy and on the other hand how ILO policies influenced national social reforms.[2]

A transnational approach is fruitful for several reasons. First, seen from the national level, it throws a different light on the origins and development of national social policies by questioning whether social policies are so nationally conceived as conventional narratives for a long time assumed, by taking international influences and ideas of international actors (people as well as organizations) explicitly into account. This helps to deconstruct common

categories of analysis that were long time *en vogue* in national historiographies. These *a priori* assumed that social policy is a national 'product' without explicitly looking at inter- or transnational connections, communities and comparisons. Since the 1990s, a new era of globalization, together with a growing sense of transnational interconnectedness in all aspects, has pushed historians to break open national frameworks of analysis.[3] After all, when looking back at the more or less simultaneous development of social welfare programmes (such as in Western Europe) a transnational transfer of social policy is plausible. Making an international institution, created to transnationally regulate labour policies, the object of research, automatically takes the scope away from the nation-state as the exclusive framework for historical analysis of social policies.[4] I do not claim here, however, that the nation-state has completely lost its significance. Contrary to a tendency within transnational history of neglecting or down-playing the relevance of the nation-state, I see the national and international level as interconnected and, consequently, as mutually reinforcing. Focusing on the interaction between national societies and international organizations helps to better understand political changes on the domestic level.

Second, seen from the international level, a transnational perspective on the ILO offers an alternative view to 'realist' approaches in international relations that merely reduce international organizations to political decision-making arenas for national states, especially when it concerns institutions that do not have binding norms that can be imposed on states, such as the ILO. A transnational perspective sees the ILO as an 'intellectual actor in the multilateral marketplace of ideas',[5] or a dynamic forum where new models of social reform were generated, exchanged and transferred globally through the institutionalized contacts between both governmental and non-governmental national and international actors.[6] This was in any case how ILO actors themselves conceived the organization. According to the first ILO Director, Albert Thomas: 'In this unique social observatory and laboratory on the shores of Lac Léman [. . .], comparable to an active and humming beehive with a constant coming and going with the entire world, new ideas and conceptions slowly took shape.'[7]

Third, and most importantly, this approach allows one to demonstrate the impact of international organizations. International relations studies have always struggled with 'measuring' the influence or 'power' of international organizations. When solely focusing on the international level without making the link to the nation-state it is in any case difficult to see the actual influence of international policies. Studying an international organization by looking at the interactions between the national and the international level and the transfer and circulation of its ideas allows to follow a complete trajectory from the origins of international social policy until its implementation on the national level. As Marcel van der Linden pointed out in his concluding remarks at the conference 'The ILO: Past and Present' (Brussels,

5–6 October 2007), more systematic research in national archives is needed in order to understand the interplay between state and non-state actors in both the shaping and implementation of, or opposition to, ILO social reforms.[8] Moreover, it is necessary to differentiate between the ratification of ILO Conventions by member states and their actual implementation at the national level as ratification of international labour standards does not necessarily mean that ILO ideas are transformed into actual reforms, as will be demonstrated in what follows (see especially the ILO Forced Labour Convention under point 3).

A useful concept for a transnational approach is 'political transfer'.[9] This can be defined as 'a process in which knowledge about policies, administrative arrangements, institutions and ideas in one political setting . . . is used in the development of policies, administrative arrangements and institutions in another political setting'.[10] A process of international exchange by transferring political practices and ideas in the broadest sense (policy programmes, instruments, institutional configurations, models of organization and so on) beyond national borders is key, for instance between different countries or between international institutions and their member states.[11] In studying processes of political transfer, the focus is not only on the ideas, but also on the actors, the mechanisms and the channels that transfer or circulate these ideas. The national and international networks of the actors directly involved in the ILO were therefore not only important for translating ideas on social policies, but also as a channel to connect the international with the national level. A first key argument in this chapter is that the networks of the actors directly involved in the ILO largely determined the success or failure of the organization.

Focusing on the different actors and their networks automatically brings in another element. After all, the ILO was not only an international 'laboratory' for (new) ideas or models of social reform. It was also a forum for representation and contact between its main constituents, that is, employers', trade union and government representatives, in close contact with the ILO's social policy experts in the Secretariat in Geneva. The question how effective international labour regulation was for national social policies cannot be answered without taking the relations of the actors involved, on the international as well as on the national level, into account. This brings in the element of power – and for the ILO, this means the relation between capital and labour. With the current 'ideational turn' in the international relations/organizations discipline, power relations tend to be completely overlooked. A second key argument in this chapter is that the ideas, motives and strategies of the actors differed, depending on policy preferences and the political and economic reality of the day. The ultimate question is whether the institutionalized contact within the ILO – where the different groups and nations were mingled in one community – led to social policy changes on the domestic level.[12] In other words, were employers,

workers and governments prepared to abandon their national frameworks in order to come to international social policy or was the ILO solely considered as a forum to 'export' national preferences? Fundamentally this issue touches upon the tension between national sovereignty and international solidarity.

The Belgian case can illustrate the formation and effects of ILO policy. The choice of Belgium is legitimate for various historical reasons, especially in the context of the early ILO years. First, a significant amount of Belgians played an important role on key moments in ILO history. Emile Vandervelde, President of the Second Socialist International from 1900 until 1918 and the first socialist minister in a Belgian government, is one example. As the Belgian Minister of Justice (1918–1921), Vandervelde participated in the Paris peace talks in 1919 and was a member of the Commission on International Labour Legislation that created the ILO at that moment.[13] Second, Belgium had a long tradition, since the 19th century, of active engagement in international organizations. This is to be understood in the more general context of small states' internationalism as an alternative to great-power politics.[14] And finally, Belgium (as the first country in continental Europe where the Industrial Revolution had taken off in the 19th century) was still a leading industrial nation at the time the ILO was founded. Until 1934 the Belgian government occupied one of the eight permanent seats for member states of 'major industrial importance' in the ILO Governing Body.[15]

In what follows, empirical evidence will be derived from the case of the main Belgian actors in the making and implementation of two ILO Conventions: the Hours of Work Convention, 1919 (No. 1) and the Forced Labour Convention, 1930 (No. 29). In the interwar period standard-setting work (making international labour conventions) was the most important function of the ILO – whereas its second pillar of activities, technical cooperation, became more important after the Second World War. How the ideas, strategies and actions of different (often opposing) Belgian social actors steered ILO policies and how ILO conventions, in their turn, influenced social reforms in Belgium will be looked into. With regard to the influence of ILO processes on national social policies, it is clear that ratification alone is not a sufficient indicator; nevertheless, ratification results in at least a minimum of legislative conformity with Conventions and enables the ILO to exercise supervision.[16] Most importantly, the forces taking action for or against ratification and practical conformity create, over time, a broader transnational movement between the national and the international spaces. It is this movement of transnational actors and their ideas, strategies and networks that are particularly interesting for studying an international organization like the ILO in all its diversity and multi-level dimensions.

The Hours of Work and the Forced Labour Conventions are representative for two reasons. First, the Hours of Work Convention demonstrated how the ILO initially concentrated on social issues that solely concerned the interests

of the industrialized world. Later, the ILO's scope of action broadened with its explicit attention to native and forced labour in the non-industrial world (that is, the colonies of the European member states). Second, these two Conventions show different patterns of ILO influence, against the background of different political and economic settings in the 1920s and 1930s. In addition, they show how important the role and manoeuvres of national and international networks and lobby groups – with different ideas and interests – were in the making and (non-)implementation of ILO reforms.

The dynamics of international influence. The ILO and working time regulation in Belgium

The first ILO Convention in 1919 was an effort to internationally regulate the eight-hour working day or 48-hour working week. Since the last two decades of the 19th century the eight-hour working day was a top priority for the international labour movement and therefore already high on the political agenda in many countries. The First World War ultimately pushed for a consensus between employers, trade unions and governments. Both the already well-established and elaborated demand for the eight-hour case and the immediate post-war context, in which governments were pushed to compensate the war efforts of the workers' movement, explain why the ILO came so quickly to a Convention – only a few months after it was created.

Of all international labour Conventions in the 1920s, the Hours of Work Convention was by far the most important.[17] Not only because it was given the highest political priority by both the international labour movement and the ILO's first Director Albert Thomas (himself an important protagonist of the French labour movement), but also because the ratification process generated heated debates in the ILO member states, not the least in Belgium, one of the nine 'founding fathers' of the ILO. The debates on the making and implementation of the Hours of Work Convention in Belgium exemplify the peculiar ideas, preferences and strategies of industrial states in pacifying national and international labour relations and developing social policies in the interwar period.

In the debates of the International Labour Conference (ILC) leading to the vote of the Hours of Work Convention, the Belgian government delegation (in the person of Ernest Mahaim, see below) played an intermediary role in order to reach a compromise between the Workers' and the Employers' group. While the Belgian trade unions, whose spokesman was the socialist Corneille Mertens, considered an international Convention by the ILO as the final culmination of a long historical process in establishing the eight-hour working day, the *Comité Central Industriel* (the Belgian employers' federation) tried to downplay each proposal to come to an international Convention. The key argument of the employers was the necessity to raise industrial productivity in order to restore the nation's economic position after the

war.[18] The final text of the Convention, co-drafted by Ernest Mahaim, was a compromise (as is often the case with international agreements) by introducing, among other things, the possibility of a 48-hour working week, which left more flexibility in the organization of work.[19]

One of the main architects[20] of the Convention was Ernest Mahaim, representative of the Belgian government in the ILO Conferences and Governing Body. Mahaim, a law professor from the university of Liège, was one of the founding fathers of the International Association for Labour Legislation (an international expert association founded in 1900) and, during the Paris peace talks, of the ILO.[21] His expert knowledge and years of experience in international labour law made Mahaim an acceptable negotiator for all parties around the conference table.

In 1920 Mahaim became the president of the first joint committee (for iron and steel work) in Belgium, created by the national government in order to pacify the labour relations between workers and employers. It was in these joint committees that the eight-hour working day in Belgium was introduced, initially still per sector, by means of collective labour agreements between employers and trade unions. A national law on the eight-hour day would be adopted in 1921, two years after the ILO Convention, by a coalition of Catholics, liberals and socialists.[22] The content and modalities of the Belgian law were largely inspired by the ILO Convention – not surprisingly as the ghostwriter of this law was Ernest Mahaim who knew more than anyone else the *finesses* of the ILO Convention as one of its key negotiators in 1919.

However, the fact that the Belgian law was clearly inspired by the ILO did not necessarily lead to a quick ratification by the Belgian parliament. Of importance for the international context in which the Hours of Work Convention had to be ratified was the economic malaise of the early 1920s. For the employers this was a crucial argument. And the position of the Belgian employers was key as the president of the Employers' Group in the ILO from 1919 until 1927 was Jules Carlier, head of the *Comité Central Industriel*, the Belgian employers' organization.[23] Carlier was the archetype of the 19th century 'captain of industry', with origins in the heavy steel and coalmining sectors that clung to principles of economic laissez-faire liberalism. The Belgian employers warned against a loss of the international competition capacity if the ILO Convention was ratified unilaterally, without a concerted action in Germany, France and the UK, Belgium's main economic partners. The employers saw the ILO in the first place as an international forum to defend their own national interests. After the national law on the eight-hour working day was adopted in Belgium in 1921 – despite hardheaded resistance by employers sitting in the Belgian senate – they shifted their expectations to the international level by systematically pleading, in the context of the postwar economic depression, against the international regulation of working time conditions.

The argument for 'economic nationalism' on the grounds of protectionism was shared by the Belgian government, which in full accordance with the ILO rules reported to the International Labour Office about the 'progress' in the ratification process, but which in practice lingered over any concrete action to ratify the Convention. For Ernest Mahaim this was a fairly ambiguous position. As a pioneer in international labour law he strongly believed in the ideals of international solidarity in an open world order. But as the representative of the Belgian government at the ILO, Mahaim had to explain in Geneva, year after year, why Belgium had still not ratified this Convention.

The strongest advocates were, not surprisingly, the workers. While after the First World War the locus of power for governments and employers was on the level of the national state, trade unions oriented themselves with the largest expectations towards the international level. In the context of post-war European reconstruction they saw the ILO as a useful instrument for the protection of workers' rights against infringement by governments and employers, and the formation of international coalitions to put pressure on national authorities for the realization of their programme of national social reforms. For the trade unions the eight-hour day was symbolic of the success or failure of the ILO in its first decade.[24] Their main motive, apart from humanitarian reasons of social justice, was to prevent an economic race to the bottom if countries did not conclude on the same conditions for working time – as the general *leitmotiv* in the founding of the ILO stipulated. That is why the Belgian trade unions pushed key decision-makers in Belgium to play a leading role in a European 'wave' of ratifications of the first ILO Convention. Corneille Mertens, head of the Belgian federation of socialist trade unions and a Socialist Party senator in the Belgian parliament, played a leading role in this process. This was possible as Mertens was the president of the Workers' Group in the ILO between 1919 and 1937 and (together with the French trade unionist Léon Jouhaux) vice-president of the International Federation of Trade Unions (IFTU).[25] They repeatedly pleaded in their national and international fora for a joint ratification of the ILO Convention. For trade unionists in industrialized countries, the protection of national and international workers' rights was only one reason why they favoured the ILO. Another reason was the person of its Director, Albert Thomas, a dedicated and influential French socialist who gave himself up entirely to the work of the ILO. Constantly in touch with leading statespersons and trade unionists all over the world, he was a major driving force in a transnational network of labour activists. And last but not least, the IFTU, which dominated the Workers' Group in the ILO, also saw the organization as a forum for representation, and thus for the international consolidation of power vis-à-vis other trade union federations, notably the Christian trade unions.[26]

Other actors also pushed for a Belgian ratification of the ILO Hours of Work Convention. A pivotal role was played by the Belgian correspondent of the ILO, the progressive liberal lawyer Max Gottschalk. For the ILO he was a crucial 'transmitter' of information on what was going on in the Belgian debates. Between 1924 and 1940 Gottschalk wrote detailed twice-monthly reports to Albert Thomas on Belgian political, social and economic life, new social legislation and the progress with regard to the ratification procedures of ILO Conventions.[27] As the liaison between Brussels and Geneva he eased the contacts between ILO officials and important decision-makers in Belgian politics and the workers' and employers' organizations; he was also important to the flow of information (for example by disseminating official ILO publications and reports). Himself a key person in a network of internationally inspired individuals, debating societies and scientific institutions, Gottschalk raised support for ILO policies in Belgium. He regularly wrote articles in Belgian newspapers and magazines about the mandate and the work of the ILO, pleading for the ratification of international labour Conventions. As a freemason he gave lectures on the ILO to various masonic lodges in Belgium, France, Luxembourg and the Netherlands.[28] Reservoirs of influential people who were part of the highest political and economic circles of the nation, these lodges were ideal places for Gottschalk to gain political support for ILO reforms.

Other channels for the transfer of ILO ideas were the Belgian League of Nations Association and the Solvay Institute for Sociology in Brussels. They promoted through both public and scientific debate the mandate and ideas on international social policy in Belgium. The Belgian League of Nations Association, founded in 1922, was a private association of people with extensive academic, diplomatic and (inter)national policy experience who wanted to strengthen the work of the League of Nations and its specialized institutions. Scientific institutes such as the Solvay Institute in Brussels delivered expert knowledge to officials of the ILO in Geneva through fundamental social science research. One of the seven board members of the Solvay Institute was Arthur Fontaine, the chairman of the ILO Governing Body, who would once in a while be replaced on the board of the Brussels institute by Albert Thomas himself. Both the Belgian League of Nations Association and the Solvay Institute for Sociology gave a platform for the regular visits and lectures of the ILO Director Thomas, who as a true 'ambassador of labour' regularly travelled to Belgium to lobby with the ministers of Labour and Foreign Affairs, socialist and Christian trade unions and employers. The networks of people and associations supporting the international case in Belgium functioned well as these were pretty 'osmotic'. For instance, the Belgian correspondent for the ILO, Gottschalk, held office in the Solvay Institute, which was directed by Mahaim.[29] Gottschalk was also the head of the social and economic section of the Belgian League of Nations Association.

Initially the support of these networks of 'friends of the ILO' had little effect in Belgium, as both the political world and the employers were absolutely not in favour of a ratification of the Hours of Work Convention, for reasons that were stated above. This changed around the mid-1920s. First, there was a period of international economic upheaval from 1925 onwards, which meant that the employers' arguments were less fertile. The most decisive factor, however, was a change in Belgian politics. A new government of socialists and Christian democrats – the first in Belgian political history – set the scene for more progressive social politics. It was Emile Vandervelde, the new socialist minister of Foreign Affairs (who had also played an important role in the founding of the ILO in 1919), and the socialist minister of Labour, Joseph Wauters (who had also issued the national law on the eight-hour working day in 1921), who gave a final push for a Belgian ratification of the ILO Hours of Work Convention in July 1926, seven years after it was adopted by the ILC.[30] The role of social democrats in key posts in national politics can however not be generalized as a determinant of ratification of ILO conventions. In the Scandinavian countries, Germany and the UK social democrats were also part of the government at that time, but these countries never ratified this ILO Convention. In the Belgian case, ratification had thus another reason: by ratifying the ILO Convention the socialist ministers Vandervelde and Wauters wanted to safeguard the national law on the eight-hour day. Since the law was adopted in 1921, it had constantly been under attack by Belgian employers and conservative members of parliament who wanted, in the context of the economic depression in the early 1920s, to dilute the law. For socially progressive politicians the ratification of an international Convention then became a strategy to cut off any attempt to loosen national laws and pacify national labour relations. They also hoped that a Belgian ratification would set an example for neighbouring countries, which however never happened. The UK, Germany and the Netherlands did not ratify, while France agreed to only under certain conditions. In Belgium, social life for the average worker did not change much after the ILO Convention was ratified, as eight-hour working had already been arranged for large categories of workers by the national law after 1921. Nevertheless, in this case, the ILO served as a model for Belgian social reforms as the national law was definitely modelled along the lines of the international Convention.

The limits of transnational reform: Belgium and the ILO Forced Labour Convention

Both the making and the implementation of the ILO Forced Labour Convention (1930) in Belgium followed a different and much more complicated pattern from the Hours of Work Convention. In the interwar period the issue of forced labour was treated mainly as a colonial phenomenon.

In this context the national and international debates on the regulation of forced labour clearly show how and why international interventionism clashed with principles of national sovereignty of European colonial powers such as Belgium. It is therefore a good illustration of the limitations placed on transnational reform by strong national objections.

Between the wars the regulation of forced labour by the ILO was a key part of its native labour policy.[31] For the ILO, focusing on native labour, that is, labour in what the ILO at the time called 'non-metropolitan' or colonial territories, was a strategy to 'globalize' its policy framework. After all, the ILO was in the 1920s still a very Eurocentric organization that focused primarily on working conditions in the industrialized world. Although several important Asian and Latin American countries had joined the organization in its early years (including India, China, Japan, Argentina, Brazil and Chile), the ILO still remained largely dominated by the major industrialized countries within Europe that – despite early protests from non-European members – occupied the crucial positions in decision-making bodies (such as in the ILO Governing Body). By elaborating a native labour policy the ILO broadened its scope and field of action beyond the industrialized world and thereby pushed to become a 'global' organization.

Inspired by the Abolition of Slavery Convention of the League of Nations in 1926,[32] forced labour was initially put on the ILO agenda by 'enlightened' officials of the International Labour Office, the ILO's secretariat. Because native labour, and forced labour in particular, was, in contrast to working time reduction, no real priority for most ILO member states and consequently not yet subject of elaborated policies, the international officials in the ILO had as good as *carte blanche*. A small department for native labour (directed by French and British officials) in the International Labour Office was created. The Native Labour Department worked closely with a corresponding committee of international experts created by the ILO Governing Body. It was no coincidence that the members of this committee were all experts from colonial states.[33] Its chairperson was Albrecht Gohr, Director-General in the Belgian Ministry of Colonial Affairs, who had also chaired the League of Nations commission that prepared the Abolition of Slavery Convention in 1926. By bringing together colonial and native labour experts on a regular consultative basis, by collecting and disseminating documentation and knowledge (in its function of international clearing house of information) and by undertaking new research, the ILO became an international centre of expertise on native labour.[34] Moreover, the organization considered itself as the driving force for generating an 'international public opinion' on the issue of forced labour (see also Chapter 5 by J. P. Daughton in this book).

In the interwar period the ILO ideas on native labour were, first of all, rooted in a liberal ideology about the right of free labour – in contrast to unfree labour as was the case with slavery and forced labour.[35] Moreover, international law was considered as a means to guarantee free labour.[36]

The early stage of liberal ideas as developed by ILO officials was also characterized by a paternalistic bias. The international technocrats believed that the Western industrialized world had the moral duty and responsibility to help and guide 'underdeveloped' peoples on their way to welfare and development to a modern way of life. Key concepts of the ILO's native labour policy were 'civilization' and 'emancipation', rooted in the idea that the ILO 'should try to lift the chains that still bound the native so as to prepare him for the *next educative stage*'.[37] Second, the attention for native labour was part of the ILO's strategy to block the spread of communism in the colonies and the Southern hemisphere.[38] But the ILO not only tried to pacify the class struggle. Third, by developing a native labour policy, it hoped to avoid racial warfare on a world scale. The life of native workers was heavily shaken up by the Western colonists. Under colonization traditional rural societies had been transformed into rather unstable proto-industrial societies. As such the ILO hoped to pacify labour relations – not only based on a common concern for the humane conditions of local workers, but also for guaranteeing social peace in the colonies in order to safeguard security in the Western industrialized world.[39] These were the underlying ideas for the development of an ILO 'native labour code' for the colonies – in parallel with the international labour code for the industrialized member states – taking into account 'different' needs, 'special' circumstances, 'typical' social problems, and a 'lower level' of economic development of the overseas workers.[40]

The impact of the ILO as an international advocate for the struggle against labour exploitation in the colonies was largely dependent on the particular interests of some of its member states. Between the wars Belgium was one of the eight colonial empires in Europe, and consequently one of the 'core players' in the debate on an international regulation of forced labour in the ILO. In setting the agenda of the International Labour Conference the representatives of the Belgian government and employers in the Governing Body had tried to postpone the issue as long as possible.[41] When it finally came on the agenda of the ILC, in 1929 and 1930, they took the most reactionary stance, together with their colleagues of France and Portugal, Belgium's colonial neighbours in Africa.

For the Belgian (socialist) trade unions, however, forced labour was not a big issue. With the exception of the leader of the French *Confédération Générale du Travail* (CGT), Léon Jouhaux, the majority of the Workers' Group in the ILO gave more priority to the eight-hour working day, unemployment insurance and occupational safety and health, the typical labour demands for trade unions in industrialized states. The Christian trade unions, however, showed a particular interest in colonial labour issues. Henri Pauwels, for instance, the Belgian Christian trade union representative in the ILC and one of the main spokespersons of the International Federation of Christian Trade Unions, was – much more than his counterpart in the Belgian socialist trade unions, Corneille Mertens – an

internationally active pleader for a restriction of forced labour in the colonies. Christian trade unionists were convinced that the Catholic Church and its related institutions had a moral and educational role to play in black Africa and other areas in the global South in order to 'guide' native workers to find better life and working conditions. This was possible because the Catholic Church had direct access to these areas (and was consequently well-informed about the local circumstances) through a widely spread network of mission posts. Also under the auspices of the Catholic Church, various debating groups lobbied in favour of an international regulation of forced labour. One of these Catholic societies was the International Union for Social Studies (*Union International d'Etudes Sociales*, better known as the 'Union of Malines' as it was housed in the Belgian city of Malines), founded in 1920 and inspired by the Encyclical Rerum Novarum to internationally promote Christian social action by studying and debating social trends and problems.[42] In its social work and contacts with Belgian Christian-democratic politicians (such as through overlapping membership) the Union of Malines worked for an ILO Convention to restrict forced labour.[43] In this context of social Catholic action Henri Pauwels as a Christian trade unionist also pleaded in the ILC commission on the side of native labour for a complete international abolition of forced labour.[44] But this was definitely a bridge too far for the representatives of the mighty colonial states.

For the issue of forced labour, the regular representatives of the Belgian government and employers had been replaced by special delegates, sent by the Ministry of Colonial Affairs in Brussels and private companies based in Congo. These people represented the political, economic and financial interests of a small but powerful colonial elite in Belgium – a tight cluster of colonial administrators and *entrepreneurs* of big private companies (such as the *Union Minière du Haut-Katanga*, a copper and cobalt mining concern, and the *Société Internationale Forestière et Minière du Congo belge*, also known as the *Forminière*, the most important company for diamond exploitation on the African continent). This select network of people, closely intertwined through political and financial ties (via the *Société Générale*, a mighty financial holding that co-credited the expansion of a Belgian economic empire in Congo), guided the nation's colonial policy, not only in Belgium but also in international conferences. In the ILO debates on the regulation of forced labour, Edmond Leplae was the representative of the Belgian government.[45] Leplae, Director-General of the Agricultural Department in the Ministry of Colonial Affairs, had introduced the system of so-called *cultures obligatoires* in the Belgian Congo ('forced cultures' or mandatory cultivation: Congolese peasants were forced to grow certain cash crops, such as cotton, coffee and palm oil, for the European market; territorial administrators and state agronomists had the task of supervising and disciplining the Congolese peasants).

On behalf of the employers, Alphonse Cayen was sent to Geneva. Cayen had started his career as an official in the Ministry of Colonial Affairs, leading the Information Department. At the time of the ILC debates on forced labour, he was CEO of one of Belgium's leading colonial enterprises, the *Forminière*, and a member of the International Colonial Institute, a think tank of colonial experts from imperial states founded in 1894 in Brussels. Officially, the International Colonial Institute was set up to gather and exchange information and undertake research in order to defend 'common interests' relating to the exploitation of the colonies of its member states. In practice it was an international reactionary lobby group of the colonial elite.[46] In 1929, when the ILO was discussing an international regulation of forced labour, the general assembly of the International Colonial Institute voted a resolution against an international Convention with the comment: 'il n'y a place, dans l'état actuel des choses, pour des accords internationaux que dans une mesure limitée et *entre puissances coloniales*'.[47]

Not surprisingly the Belgian colonial representatives tried to soft-pedal any regulation of forced labour at the ILC. They considered the ILO, or any other international institution, to be an intruder in national affairs, threatening Belgium's colonial profits. For them the ILO was a forum where certain states, such as the United Kingdom, which asserted more progressive ideas on (de)colonization, wanted to interfere in other states' colonial policies. Belgium reacted heavily against this form of interventionism, via the ILO, by other colonial powers. Although in international fora Belgium claimed that it did not allow forced labour, in reality it was still common practice on a daily basis. Consequently, the Belgian government and employer representatives tried to get their own interests implemented in the ILO Convention in order to safeguard national practices. They pleaded for the allowance of a few exceptional measures in the regulation of forced labour, especially those that were *en vogue* in the Belgian system, such as the *cultures obligatoires* (see above).[48] To make their claims more solid, they formed alliances with the French and Portuguese governments and employers, among other means via the contacts they had established within the International Colonial Institute. The Belgian demands were however not countered by opposition from the trade union side.

Despite the resistance of the Belgians, French and Portuguese, the ILC adopted in 1930 an international Convention that required member states to abolish all forms of forced labour.[49] Although the final text was a political compromise that still left room for quite a number of exceptions (such as compulsory military service, prison labour under certain conditions, and the allowance of forced labour in some general public services or infrastructure, such as in the construction of railways or roads), the ILO Convention was an important instrument that not only established an international legal definition of forced or compulsory labour but also framed forced labour

within emerging international human rights discourse by speaking in terms of free and unfree labour. The 1930 Convention would eventually be complemented by the Abolition of Forced Labour Convention (No. 105) in 1957. This Convention prescribed a universal prohibition of forced labour, in the context of a growing international concern over human rights against the background of the Cold War.

In the light of the fights in 1929 and 1930, it is no surprise that the ratification, let alone the implementation, of the ILO Forced Labour Convention was a long and difficult process in Belgium. The political pressure from Geneva, through direct contact missions by ILO officials, had initially no effect. In the context of the economic crisis in the 1930s, many countries pulled back into protectionism and were not keen on ratifying international Conventions. Within the Belgian context it was the influential financial group *Société Générale*, with direct industrial connections and interests in Belgian Congo and widespread connections in the high ranks of Belgian politics, that applied pressure against a Belgian ratification of the ILO Forced Labour Convention. As long as conservative Catholic-liberal coalitions dominated the Belgian government, the *Société Générale* lobby had a real effect. This changed in 1935, when a new government came to power. Then the departments of Labour, Colonial Affairs and Foreign Affairs were directed by social Catholics/Christian democrats and socialists. The internationally minded socialist minister of Foreign Affairs Paul-Henri Spaak – who would later become the chairman of the first session of the General Assembly of the United Nations – proposed a ratification by the Belgian parliament in 1937, but this effort failed after the government coalition was dissolved.[50]

Belgium would finally ratify the ILO Forced Labour Convention in 1944 – fourteen years after the Convention was adopted in Geneva. All European colonial powers, except Portugal, had already ratified it by then. Crucial to the Belgian ratification was the context of the Second World War, in which the international pressure of the Anglo-Saxon world on Belgian politics was heightened. During the war the core of the acting Belgian government resided not in Brussels, as this was occupied territory, but in London where it was in close contact with the British government. On 1 January 1942 Belgium signed, with 24 other states – the UK and the United States the most important ones – the Atlantic Charter, openly choosing the side of the allies in the fight against Germany and Japan. In these circumstances Belgium's colonial policy had to come to be seen within the framework of unconditional support for the British and American allies. On 21 January 1941 the Belgian and the British governments signed an economic and financial agreement about Congo's contribution to the war (in terms of both human collaboration and raw materials). This was expanded on 30 January 1943 into a Belgian-British-American agreement. Consequently Belgium came under British and American influence. The United Kingdom was traditionally one of the biggest advocates of the abolition of slavery and forced

labour, while the United States tried to expand their range of influence over the African continent in order to access raw materials, more particularly uranium from the Katanga province in Congo.[51] At the same time they also favoured the abolition of colonialism and promoted human rights in their international sphere of influence. Both the intensified political connection with the British in London and the industrial-economic interests of the US in Congo were crucial determinants of the context in which the Belgian government was finally led to a ratification of the ILO Forced Labour Convention by the end of the war.

Although Belgium ratified the ILO Forced Labour Convention in 1944, its real influence was very limited. Between 1944 and 1960, when Congo became independent, Belgium would repeatedly be called to account by the ILO, inspired by direct complaints from the Workers' Group, as national laws were not in accordance with the ratified ILO Convention. The ILO Expert Committee for the Application of Conventions and Recommendations sanctioned Belgium for violating labour conditions in uranium mines, unpaid labour controlled by local chiefs and the use of forced labour in the case of taxes not being paid.[52] When Ruanda-Urundi became independent in 1962, Belgium no longer had any colonies and the ILO Forced Labour Convention lost its relevance for Belgium.

Conditions of ILO influence on Belgian social policy

The two cases of the ILO Hours of Work Convention and the Forced Labour Convention show that ILO policy has often been the outcome of a compromise between different actors – from humanistic internationalists to die-hard nationalists – with different interests and ideas in the national and international arena. This is the main reason why, in terms of hard power, the direct and visible impact of the ILO was (and is) limited. I conclude however, that there can be influence, although this is often a long and complex process. Based on my research for Belgium – as an example of an industrial state in the interwar period – I distinguish four conditions that largely determined the influence of the ILO:

First, the *international economic situation*: the willingness of Belgium to engage itself internationally (both in the international negotiations to come to Conventions as in the ratification of ILO Conventions) followed economic 'waves'. In times of economic upheaval there was a higher chance of coming to and implementing an international agreement than in times of economic recession, when governments and especially employers were very reluctant to do so, and consequently applied pressure against international commitments.

Second, *the national political situation*: ILO issues in their broadest sense were in the interwar period more of interest to a progressive front (progressive

liberals, socialists and social Catholics). Conservative governments systematically put relations with and issues pursued by the ILO on hold. The ratification of both the Hours of Work Convention and the Forced Labour Convention got their final push when a coalition of socialists and Christian democrats held the key posts (the Departments of Foreign Affairs and Labour in particular) in the Belgian government. This can however not be extrapolated to other countries; the Hours of Work Convention was not pushed for ratification by the British Labour Party, for example.

Third, *the activity of networks and their role as a transmitter between Brussels and Geneva*: with the explicit purpose of 'selling' the international case in the member states, the ILO made great use of a network of contacts that was made as wide as possible. The ILO correspondents were one channel. Several debating societies driven by progressive intellectuals and scientific institutions that were strongly in favour of the ILO played a significant role in the transfer of ILO ideas. By spreading information, debate and personal contacts with key decision-makers on the national political level the ILO tried to reinforce the ratification and implementation of its Conventions.

Fourth, *the level of national social legislation*: it is significant that the Belgian parliament was more prepared to ratify those international conventions that more or less conformed with its own national legislation or social practices, as was the case with the Hours of Work Convention that was already quite similar to the national law on the eight-hour day. When it came to new (proposals for) social norms for which serious alterations in national law were required – such as the abolition of forced labour which still existed in Belgian Congo – Belgium was far less keen on implementing ILO Recommendations.

The influence of the ILO on Belgian social policies increased in times of economic growth, where there was a progressive political context that was more supportive of international models of social reform, with the help of 'ILO-friendly' networks and in cases where there was already a minimum level of compliance between international and national social legislation. Whether this example of ILO influence setting out models for national social reform are also valuable for other countries, and in other periods, is well worth studying.

Notes

1. N. Valticos, 'La grande époque des normes', *Travail. La Magazine de l'OIT* (no. 8, June 1994), p. 14.
2. For an elaborated version of the main arguments, see J. Van Daele, '*Engineering social peace'. De Internationale Arbeidsorganisatie als laboratorium voor de transnationale uitwisseling van ideeën en de invloed op de sociale politiek in België tussen 1919 en 1944* (in Dutch; English translation: '*Engineering Social Peace'. The International Labour Organization as a Laboratory for the Transnational Transfer of Ideas and the*

Influence on Belgian Social Politics between 1919 and 1944) (unpublished doctoral dissertation, Ghent University, 2007), p. 454.

3. See for example the special issue of *Geschichte und Gesellschaft* (vol. 32, no. 4, 2006), edited by Christoph Conrad, on the history of transnational social policies ('Sozialpolitik transnational'); P. Clavin, 'Defining Transnationalism', *Contemporary European History* (vol. 14, no. 4, 2005), pp. 421–439; P.-Y. Saunier, 'Circulations, connexions et espaces transnationaux', *Genèses* (no. 57, 2004), pp. 110–126.

4. C. Conrad, 'Social Policy History after the Transnational Turn', in P. Kettunen and K. Petersen (eds), *Beyond Welfare State Models. Transnational Historical Perspectives on Social Policy* (Cheltenham-Northampton: Edward Elgar, 2011), pp. 218–240.

5. T. Weiss and T. Carayannis, 'Whither United Nations Economic and Social Ideas? A Research Agenda', *Global Social Policy* (vol. 1, no. 1, 2001), p. 25.

6. See for similar arguments, S. Kott, 'The Study of International Organizations. Milestones for a Transnational History of the International Labour Office (1919–1939)', paper presented at the UNESCO conference *Towards a Transnational History of International Organizations: Methodology/Epistemology*, Cambridge, 6–7 April 2009, pp. 1–3.

7. 'Dans cet observatoire et laboratoire social unique, au bord du Lac Léman, établi depuis juin 1926 dans son nouveau foyer monastique, mais plus semblable à une ruche active et bourdonnante qui entretiendrait avec le monde entier un perpétuel va-et-vient, de nouvelles idées et de nouvelles conceptions lentement prenaient forme' (original citation); B. W. Schaper, *Albert Thomas. Trente ans de réformisme social* (Paris/Assen: Presses Universitaires de France/Van Gorcum, 1959), p. 259.

8. M. Rodríguez García, Conference Report 'The International Labor Organization: Past and Present', *International Labor and Working-Class History* (vol. 74, no. 1, 2008), pp. 225–227.

9. H. te Velde, 'Political Transfer: an Introduction', *European Review of History* (vol. 12, no. 2, 2005), pp. 209–211.

10. W. Kaiser, 'Transnational Mobilization and Cultural Representation: Political Transfer in an Age of Proto-Globalization, Democratization and Nationalism, 1848–1914', *European Review of History* (vol. 12, no. 2, 2005), p. 404.

11. P. Pombeni, 'Political Models and Political Transfer in the Shaping of Europe', *European Review of History* (vol. 12, no. 2, 2005), p. 223.

12. See also B. Reinalda, 'International Organizations as Sources of Political Change', in K. Van Kersbergen, R. Lieshout and G. Lock (eds), *Expansion and Fragmentation. Internationalization, Political Change and the Transformation of the Nation-State* (Amsterdam: Amsterdam University Press, 1999), pp. 120–123.

13. On the role of Vandervelde in the creation of the ILO, see J. Van Daele, 'Engineering Social Peace: Networks, Ideas, and the Founding of the International Labour Organization', *International Review of Social History* (vol. 50, no. 3, 2005), pp. 435–466.

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17. On the regulation of working time in an international perspective, see, for example, G. Cross, 'Worktime in International Discontinuity, 1886–1940', in Idem (ed.), *Worktime and Industrialization. An International History* (Philadelphia: Temple University Press, 1988); G. Cross, *A Quest for Time. The Reduction of Work in Britain and France, 1840–1940* (Berkeley/Los Angeles/London: University of California Press, 1989). Older publications, but still very good historical narratives, are E. Mahaim, 'Histoire de la convention de Washington sur la durée du travail', *Revue Economique Internationale* (vol. 20, no. 3, 1928), pp. 513–545; Idem, *La journée de huit heures et l'Organisation Internationale du Travail* (Paris: Imprimerie les presses modernes, 1931); Société des Nations, *Rapport sur la journée de huit heures ou la semaine de quarante huit heures* (prepared by the organizing committee of the first ILO Conference in Washington) (Washington, 1919); L. Jouhaux, *L'Organisation Internationale du Travail* (Paris: Editions de la Sirène, 1921).

18. ILO Archives (Geneva), D 601–101–7, *Reply to the Questionnaire concerning the Reduction of Working Hours. Belgium. International Labour Conference 1919*, p. 3; ILO Archives, D 601–900, League of Nations, *International Labour Conference 1919, Washington. Procès-verbaux de la Commission des Heures de Travail*.

19. www.ilo.org/ilolex/cgi-lex/convde.pl?C001 (accessed on 10 April 2012).

20. The other was the Dutch government representative Willem Hubert Nolens.

21. On the international humanism of Ernest Mahaim, see Van Daele, 'Engineering Social Peace' (2005), op. cit.

22. The responsible minister of labour at that time was the socialist Joseph Wauters, who was succeeded (in October 1921) by Ernest Mahaim.

23. Jules Carlier was also the vice-president of the first International Labour Conference in Washington, 1919, and vice-chairman of the ILO Governing Body (1919–1927).

24. L. Heerma van Voss, 'The International Federation of Trade Unions and the Attempt to Maintain the Eight-Hour Working Day (1919–1929)', in F. van Holthoon and M. van der Linden (eds), *Internationalism in the Labour Movement, 1830–1940* (Leiden: Brill, 1988), pp. 518–542.

25. Corneille Mertens was also a member of the ILO Governing Body between 1928 and 1939.

26. See on this issue, P. Pasture, 'The ILO and the Freedom of Association as the Ideal of the Christian Trade Unions', in J. Van Daele, M. Rodríguez García, G. Van Goethem and M. van der Linden (eds), *ILO Histories. Essays on the International Labour Organization and Its Impact on the World during the Twentieth Century* (Bern: Peter Lang, 2010), pp. 115–143.

27. All these reports are systematically stored in the ILO Archives in Geneva, C 7. This is a unique long-term (nearly two decades) source of political, social and economic life in Belgium and beyond.

28. ILO Archives, C 902/0, *Letter from Max Gottschalk to Albert Thomas*, Brussels, 15/1/1925.

29. ILO Archives, G 898, *Letter from Ernest Mahaim to Albert Thomas*, Brussels, 6/11/1923.

30. ILO Archives, CAT 7-505, *Letter from Albert Thomas to Ernest Mahaim*, Paris, 29/7/1926; ILO Archives, CAT 5-13-2-3, *Letter from Albert Thomas to Emile Vandervelde*, Geneva, 29/7/1926; ILO Archives, CAT 7-461, *Letter from Albert*

Thomas to Henri Lafontaine, Geneva, 27/8/1926; *Belgisch Staatsblad* (Belgian Official Journal), 1 October 1926, pp. 5332–5338; L.-E. Troclet and E. Vogel-Polsky, 'The Influence of International Labour Conventions on Belgian Labour Legislation', *International Labour Review* (vol. 98, no. 5, 1968), p. 401.

31. D. Maul, 'The International Labour Organization and the Struggle against Forced Labour from 1919 to the Present', *Labor History* (vol. 48, no. 4, 2007), pp. 477–500.
32. Reproduced in *League of Nations Treaty Series* (Geneva: League of Nations, 1927), Vol. 60, No. 1414, pp. 253–270.
33. Members of this commission (in 1927) were: Freire d'Andrade (former Portuguese Minister of Foreign Affairs and former Governor of Mozambique), Sir Selwyn Fremantle (former member of the Council of the Lieutenant-Governor of British India), Camille Lejeune (French company owner in agricultural products in Madagascar), Sir Frederick Lugard (former Governor-General of Nigeria), Martial Merlin (former Governor-General of the French Congo, French West Africa and French Indo-China), Ostini (Head of the Colonial Schools Department at the General Emigration Commissariat in Rome), Daniel Francois Willem van Rees (former Vice-President of the Council of the Dutch East Indies; former Secretary-General of the Dutch Colonial Institute), Georg Albrecht von Rechenberg (former Governor of German East Africa), Pedro Saura dal Pan (Spanish consul and former chief of the section of Civil Colonial Affairs in the Department for Morocco and the Colonies), H. M. Taberer (chief of the Native Labour Recruiting Organization of the Transvaal Chamber of Mines) and Albrecht Gohr (Director-General in the Belgian Ministry of Colonial Affairs); *Report of the Director to the International Labour Conference*, *ILC Record of Proceedings 1927*, pp. 28–29.
34. ILO Archives, XI 7–1–1, Notes on native labour, s.d.
35. F. Cooper, *Decolonization and African Society. The Labor Question in French and British Africa* (Cambridge: Cambridge University Press, 1996), pp. 25–31, 55–56.
36. J. Goudal, *Esclavage et travail forcé* (Paris: A. Pedone, 1929), pp. 30–31. Goudal was a French official in the ILO's Native Labour Department.
37. A. Alcock, *History of the International Labour Organization* (Basingstoke: Macmillan, 1971), p. 84. Our italics.
38. Goudal, op.cit., p. 74.
39. ILO Archives, CAT 6C-13-1, *Letter from Albert Thomas to his cabinet attaché Secretan*, Geneva, 31/5/1929.
40. See, for more on this issue, S. Zimmermann, 'Special Circumstances in Geneva: The ILO and the World of Non-Metropolitan Labour in the Inter-War Years', in Van Daele et al. (eds), op. cit., pp. 221–250.
41. *Minutes of the 32nd Session of the ILO Governing Body*, Geneva, 25/5/1926, pp. 7–9, 51.
42. L. Van Molle, 'Croissance économique et éthique catholique: les points de vue de l'Union de Malines dans les années vingt', in E. Aerts, B. Henau, P. Janssens and R. Van Uytven (eds), *Studia Historica Oeconomica. Liber Amicorum Herman Van der Wee* (Leuven: Leuven University Press, 1993), pp. 317–335.
43. ILO Archives, N 206-1-01-6, *Letter from the Union Internationale d'Etudes Sociales to Albert Thomas*, Louvain, 1/12/1929.
44. ILO, *Record of Proceedings, ILC 1929*, Geneva, 17/6/1929, pp. 396–397.
45. ILO Archives, D 612-800-2, ILC 1929, Procès-verbaux de la Commission du Travail Forcé, 6/6/1929, pp. 3–7; ILO Archives, CAT 6C-13-3-1, ILO, Note 'Chronologie des négociations pour tenter de rattraper les voix des puissances coloniales sur la convention du travail forcé', Genève, 1/7/1930.

46. ILO Archives, CAT 6C-13-1, J. Goudal, 'Rapport sur ma mission à Bruxelles (XXe session de l'Institut Colonial International, 24–29/6/1929)', s.d.

47. ILO Archives, CAT 6C-13-3-2, A. Cayen, 'A Genève. Le travail forcé devant la Conférence Internationale du Travail', *L'Essor Colonial et Maritime* (colonial press), 3/7/1930. Our italics.

48. ILO Archives, N 206–1–01-5, Letter from Octave Louwers to Albert Thomas, Brussels, 7/5/1930, p. 5. The Belgian lawyer Octave Louwers was a high-ranking official in the Belgian Ministry of Colonial Affairs and secretary-general of the International Colonial Institute.

49. www.ilo.org/ilolex/cgi-lex/convde.pl?C029 [accessed on 10 April 2012].

50. *Annales Parlementaires de Belgique. Chambre des Représentants*, 4/5/1937, pp. 1326–1327.

51. National Archives (Brussels), *Archives of the Prime Minister (Pierlot) in London during the War*, No. 111, Letter from André Motte (diplomatical attaché of the Belgian Minister of Foreign Affairs) to Minister Paul-Henri Spaak, Lisbon, 13/5/1943; 'Belgium and the Forced Labour Convention', *International Labour Review* (vol. 48, no. 4, 1943), pp. 484–485. See on the particular US interest for Congolese uranium, P. Buch and J. Vanderlinden, *L'uranium, la Belgique et les puissances. Marché de dupes ou chef d'œuvre diplomatique?* (Bruxelles: De Boeck, 1995), for example, p. 14.

52. See, on this committee, I. Boivin and A. Odero, 'The Committee of Experts on the Application of Conventions and Recommendations: Progress Achieved in National Labour Legislation', *International Labour Review* (vol. 145, no. 3, 2006), pp. 207–220.

12
The ILO as a Forum for Developing and Demonstrating a Nordic Model

Pauli Kettunen

Introduction

International Labour Review, a journal of the International Labour Organization (ILO), published in 1956 a detailed overview on the social-political cooperation between the Nordic countries – Denmark, Finland, Iceland, Norway and Sweden. It was written by Kaare Salvesen, an official in the Norwegian Ministry of Social Affairs and the Chairman of the United Nations Social Commission. He had recently as an invited UN adviser informed a social-political conference of Arab countries about this cooperation. Concluding his overview, Salvesen noted:

> These five countries follow one social policy in its broadest sense: they introduce successively, and try to co-ordinate, national programmes consistent with a common view of the responsibility of the community towards those in distress, upon the necessity to give everyone fair and equal opportunities, upon the relation between the State and the individual, and upon the interrelationship between economic and social progress. The result is that the pattern of social legislation is, though differing in details, more homogeneous over the Northern area than it is in many federal States.[1]

Two aspects of what might be called a Nordic model appear in this conclusion; the Nordic countries represent a model of regional international cooperation and a model of national society.

Besides inherent Nordic traditions, Salvesen pointed out the role of the ILO as a source of inspiration and as an arena for Nordic social-political cooperation. Indeed, since its foundation in 1919, the ILO has been a forum for developing and demonstrating a Nordic pattern of international cooperation and a Nordic model of national society. In this chapter, some aspects of this role of the ILO are examined.[2]

The ILO has been a very particular forum, not least due to its tripartite structure of representation. In its very structure the ILO came to reflect a notion of a modern society in which organized capital and organized labour together with the government generate social regulations, settling the tensions between international economy and national society. It also introduced a model of an international cooperation in which intergovernmental and intersocietal dimensions would intertwine. However, the ILO should not be conceived of as a result from or an agent of a Great Plan but as a field for tensions and conflicts, and for attempts to solve and settle them. This makes it interesting for a historical problematization of the 'Nordic model'.

At the time Salvesen wrote his overview, there were reasons to think that an institutional framework for what might be called the social *Norden* was currently being completed. The Nordic Council, the joint organization of the Parliaments, had been founded in 1952 and it reached its Nordic scope as Finland in 1955 joined it. The freedom of Nordic citizens to cross intra-Nordic borders without passports was established in 1952, a hot year of the Cold War. Two years later, the agreement on a common Nordic labour market was established. This was a unique arrangement. It was achieved in the Cold War world between countries with diverging security-political solutions. The Nordic treaty on social security, responding to the needs of the common labour market and codifying already existing treaties, was consummated in 1955.

As for the ILO, in turn, any harmonious notion of a completed project was unthinkable in the mid-1950s. Changes and conflicts were taking place that severely shook the organization. In part they stemmed from Cold War confrontations and also from how the 'inter-systemic conflict'[3] was made visible by the change later called 'the first détente'. The Soviet Union joined the ILO in 1954 and, given the tripartite structure of the organization, this could not happen without frictions. In part the role and character of the ILO were changing due to decolonization and the new voice of the 'Third World', a transformation that also contributed to the strengthening of regional perspectives in the ILO.

In what follows, the period proper to be handled stretches from the foundation of the ILO after the First World War to the mid-1950s, the time when the social *Norden* was celebrated, Soviet employers and trade unionists caused controversies at Geneva labour conferences, and – for example – the Arab states sought a model for their common social-political efforts. However, the historicity of the present is my main interest of knowledge. Examining the ILO as a framework for the making of a Nordic model of international cooperation and a Nordic model of national society may shed light on the later questioning of the horizons of expectation these models created.

Nordic participation in the ILO

Denmark, Finland, Norway and Sweden were all represented, on a tripartite basis, at the first conference of the ILO that convened in Washington, DC in October-November 1919. As Finland's membership in the League of Nations was approved only in the following year, special efforts were needed to make its participation in Washington possible, and here Nordic solidarity proved to be effective.[4] Finland could be counted amongst the new Eastern European nation-states that were politically shaped through the collapse or modification of multiethnic empires. Moreover, the experience of the Civil War of 1918, ending in the victory of counterrevolution, was in many ways internalized in political and social structures. Nevertheless, in the field of international social policy as well as in other areas of 'functional cooperation',[5] *Norden* was established as a very much taken-for-granted frame of reference for Finland.

Traditions of Nordic cooperation in social affairs already existed before the Washington labour conference. Nordic trade union internationalism and the cooperation of Nordic employers had their origins in the late 19th century and the beginning of the 20th century, respectively. Communication links had been created between public authorities, and even a few mutual treaties on social insurance and assistance had been established. An early arena for communication was the Nordic Inter-Parliamentary Union – the predecessor of the Nordic Council – which was founded in 1907.

In April 1919 a Nordic conference on social policy took place in Copenhagen, initiating the institution of Nordic Social Political Meetings.[6] In addition to officials of social ministries, in the Copenhagen meeting employers and workers were also represented, yet such tripartism did not continue in subsequent conferences. The senior officials of social ministries played a major role in this cooperation, even after the participation of social ministers became a practice after the mid-1920s.

A crucial motive for the Copenhagen conference in 1919 was the common Nordic preparation for the wider international social-political cooperation that was established by the foundation of the ILO. The creation of a Nordic social-political front was not an easy task, though, because the Norwegians were at that time very hesitant about this kind of Nordic cooperation. After the Copenhagen conference, it took until 1922 for the next Nordic Social Political Meeting to be convened, this time in Helsinki. In this meeting as well as in the subsequent meetings, a central item was issues in the ILO agenda. The Nordic Social Political Meetings convened in the 1920s and 1930s somewhat irregularly, on average every second year, and after the Second World War on a regular biennial basis. In 1953 social-political cooperation was integrated in the activities of the newly founded Nordic Council.

Nordic cooperation achieved a recognized status in the administration of the ILO. Thus, these countries had common mandates in the governing body and various committees. The organizational structure of the ILO implied that any regional cooperation on ILO issues should take place in many different arenas. ILO issues were also included in the existing forms of Nordic cooperation among the different actor groups and, consequently, helped to activate governmental, trade union and employer cooperation. All three groups also established their own practices of Nordic cooperation within the framework of the ILO, including, for instance, preparatory meetings in Geneva at the beginning of labour conferences.

Soon after the foundation of the ILO, Nordic employer organizations founded their own office for ILO activities. The office was located in Brussels where the international employers' federation was situated. H. C. Ørsted from Denmark acted as the chief of the Nordic employer office from the beginning of the 1920s until the beginning of the 1950s.[7] Ørsted also achieved an influential position in the employers' group at labour conferences and on the governing body, and in the 1930s he chaired the group as well as the international employer organization.[8] ILO issues were also discussed at Nordic employer conferences and in the Permanent Committee of Nordic Employers.[9]

For workers' group cooperation at a Nordic level, the preconditions were much less favourable in the 1920s. Finnish as well as Norwegian trade unions were more leftist than Danish and Swedish ones and had deep suspicions towards the ILO, which they regarded as an organization for class compromise. The Norwegian central organization of trade unions refused until the early 1930s to nominate a representative to international labour conferences.[10] After the first years of the 1920s, the Finnish trade union movement adopted more flexible tactics because the refusal to attend the Geneva conferences seemed to have fatal consequences for its internal unity and, moreover, for its authority to act officially. However, both the Finnish and the Norwegian central organization of trade unions were outside of the Amsterdam International (The International Federation of Trade Unions, IFTU), in which the standpoints of the conference workers' group were largely decided.

The ideological and institutional prerequisites for Nordic trade union cooperation in general and concerning ILO issues in particular improved in the 1930s. Following its conclusions from the economic depression and the international threat of fascism, the Norwegian labour movement adopted a new confidence in the possibility of making use of the existing state and, consequently, the Norwegian trade union leaders revised their view on the ILO and the IFTU. Nevertheless, it was not until 1934 that the Norwegian central organization of trade unions decided to take part in ILO activities and not until 1936 that it finally joined the IFTU. This step also opened the door into SAMAK, the Nordic Cooperation Committee of

Labour Movements, where the other Nordic countries, including Iceland, were already represented. This joint committee of Social Democratic labour parties and central trade unions was established in 1931 but it had its roots in Nordic labour movement cooperation going back to the 1880s.[11] The weight of SAMAK and, more generally, Nordic Social Democratic cooperation was increased as a result of the rise of Social Democrats to becoming leading parties in political systems and governments.

At the time the Norwegians joined the IFTU and SAMAK in 1936, the Danish, Finnish, Norwegian and Swedish central organizations of trade unions also agreed about an intensified cooperation within the ILO. The practice of advance negotiations on issues on the ILO agenda was established.[12]

In Finland the old Communist-dominated trade union organization was destroyed in 1930 by internal disputes and repression on the part of the public authorities, influenced by the fascist-type Lapua movement and its mission to revitalize the White heritage of the Civil War of 1918. In the same year, a new trade union organization was founded by reformist Social Democrats, but they failed in the 1930s to make the unions strong and influential. A crucial element of the Scandinavian class compromises of the 1930s, the consolidation of the practice of collective negotiations and agreements in industrial labour markets, was strikingly absent in Finland. Whilst as early as the 1930s Denmark, Sweden and Norway were at the top in the international statistics of unionization, Finland was near the bottom of the table. However, this difference paradoxically contributed to a deeper Nordic identification among Finnish trade unionists.

In their efforts to make the unions stronger and influential, the Finnish trade union leaders exploited both the ILO's tripartite principle of representation and the criteria they claimed governed 'Nordic democracy'. The concept of Nordic democracy, as it was defined via the cooperation of the Nordic Social Democrats in the 1930s and demonstrated, for instance, in the Days of Nordic Democracy in the late 1930s, included a combination of parliamentary political democracy and institutions of collective negotiation and agreement in respect of labour markets. In this sense, 'Nordic democracy' became a criterion for the critique of the Finnish society where until the Second World War employers mostly refused to conclude collective agreements with the trade unions. Finland was a Nordic society, yet did not fulfil the democratic criteria inherent in the 'Nordic' concept; thus ran the argument of the Social Democratic trade union leaders in the 1930s.[13]

It became easy to combine the Social Democratic interpretation of Nordic democracy and the ideals of the ILO. Such a combination was manifested in the so-called Geneva School that was launched in 1931 on the basis of Nordic cooperation between trade unions and workers' education associations. In accordance with the educational emphasis so typical of Nordic popular

movements, the Geneva School began to arrange courses in international labour issues for young people in the Nordic countries who were active in trade unions and the labour movement. The main parts of the courses were (and still are) organized in Geneva to coincide with the annual international labour conferences that have mostly convened in June.[14]

Among the industry-specific activities of the ILO, maritime working conditions, with their inherently inter- and cross-national character, assumed from the beginning a particular significance. Special maritime labour conferences were organized, in which Conventions on seafarers' conditions were approved. Here the sectoral international associations of employers and workers – in the latter's case the rather radical International Transport Workers' Federation (ITF) – were active in the preparation of common group stances. Issues dealt with in the ILO maritime labour conferences were also discussed in the Scandinavian Transport Workers' Federation – one of many Nordic trade union associations – that had been founded in 1907.[15]

Certainly, Nordic cooperation in the ILO did not only take place within the three groups. The activities in the ILO included tripartite communication within each national delegation and among the members of the Nordic delegations more generally. There were a number of representatives who repeatedly spent a large part of their summer attending the more than one-month-long labour conference in Geneva.[16] The informal communication between the representatives of different industrial relations camps no doubt played a role in national-level interactions as well. Nordic dinner parties were arranged in that beautiful international city and representatives from all three groups were present, together with Nordic diplomats and people working in the administration of the League of Nations and the ILO.

Formal modes of national-level tripartite cooperation were also organized in the Nordic countries for preparing the items in ILO agendas and for organizing national responses to various enquiries that were a crucial part of the processes leading to conventions and recommendations. Since the 1940s and 1950s the national ILO committees were responsible for the tripartite handling of ILO issues. The role of these tripartite national ILO activities was also discussed in the Nordic Social Political Meetings.[17]

The limits of international social norms

A motivation for international social regulation was included in that section of the Versailles peace treaty, which contained the charter of the ILO. According to the arguments that can be read from the lofty text, political stability within countries was a precondition for international political stability. In its turn, political stability within countries, that is, that the working masses remained tranquil, depended on placing social limitations on the free play of the capitalist economy. And these social limitations had to be enshrined

at the international level because international economic competition prevailed in the world.[18]

In practice these arguments proved to include some weaknesses. Whilst national political instability did indeed tend to shake international stability, this did not mean that the strengthening of national stability would have always served the cause of peace. Fascist regimes openly showed that it was still possible to search for national stability as a means towards ends which were entirely different from international stability. It also became clear that international economic competition worked as a constraint on national social policy rather than as a basis for international social policy. During the Great Depression in the early 1930s ideas of international economic cooperation and associated social norms proved to be powerless in the face of protectionism.

To the extent that international standardization of social norms was achieved, this happened through national solutions rather than through subordination to international regulation. The length of working hours provides a good example. Only a few countries ever ratified the first ILO Convention of 1919, which restricted the working day to eight hours. Supporters of the Convention waited in vain for its ratification by the leading industrial state, Britain. Nor have any of the Nordic countries ratified this agreement. However, the eight-hour day came to be quite widely adopted in practice, at a national level, during the early 1920s in relation to industrial labour.

During the depression, the international trade union movement demanded the introduction of a forty-hour week, and a Convention to this effect was accepted at the ILO conference of 1935. By the outbreak of the Second World War, only one country, New Zealand, had ratified this Convention. By 2012, a total of only 15 states, including three Nordic countries (Norway in 1979, Sweden in 1982 and Finland in 1989), had ratified the 1935 ILO Convention on a forty-hour week.[19]

The history of working hours is a case where the ILO's ratification statistics tell us very little about what really happened in individual countries. The national ratification policies and the number of ratifications have varied remarkably. The United States has been unwilling to get shackled by international norms, and in the case of ILO, the principle of social policies being issues for individual US states rather than the federal government has further bolstered this unwillingness.[20] By April 2012, the US had ratified only 14 ILO Conventions, the total number of which was at that time 189. The list of US ratifications does not include, for example, the Conventions on freedom of association and collective bargaining to which the ILO has assigned the status of core labour standards. At the top of the ratification statistics[21] were Spain and France with 133 and 123 ratified ILO Conventions respectively. Among the Nordic countries, as well, considerable variation appears. While Norway had ratified 107 Conventions, the number of Danish ratifications

was only 72. Finland had ratified 98 and Sweden 92 Conventions. A special case is Iceland with only 24 ratifications.

In interpreting these figures, one has to take into consideration that the role of legal norms in general and the role of ratified ILO Conventions in particular vary in different countries. In the Nordic countries it has been a permanent common policy that an ILO Convention can only be ratified after the national norms are modified in accordance with it. The idea of ratifying Conventions as guidelines for future policies has been rejected, which, no doubt, has made it easier to avoid notes from the ILO machinery that controls the national implementation of ratified Conventions. Voting in favour of a Convention in international labour conferences has not necessarily implied or led to an active contribution to its national ratification.

The differences in the willingness to ratify ILO Conventions also reflect divergent practices relating to the regulation of labour-market and working-life issues. In the Nordic countries, especially in Denmark and Sweden, a major principle has been the regulation of individual employment relationships by means of collective agreements instead of direct statutory intervention. This differs clearly from the étatist tradition, for example in France. Those ILO Conventions that stipulate regulation through direct legislation may be more compatible with the latter tradition.

In light of ratification statistics, one of the most popular Conventions of the ILO is the Equal Remuneration Convention that was adopted in 1951. According to the Convention, the member states should 'ensure the application to all workers of the principle of equal remuneration for men and women workers for work of equal value'. A total of 169 countries had ratified it by April 2012. Interestingly, numerous states in Western and Eastern Europe and also in Latin America and other continents ratified this Convention more rapidly than did the Nordic countries (Iceland in 1958, Norway in 1959, Denmark in 1960, Sweden in 1962 and Finland in 1963).

This does not necessarily prove that Poland, Italy or Haiti were or have become more equal than the Nordic countries. Nevertheless, it appeared to be difficult to place such a universal principle of social rights as gender equality into the juridical and ideological context of Nordic labour market regulation. At least in the Finnish and Swedish debates, arguments for a delay of the ratification were supported by referring to the tradition of free collective agreement as well as to the principle of not ratifying ILO Conventions before they were met by domestic norms. The Nordic context played a significant role in the handling of this Convention. In the Finnish debate, a conservative variant of the established policy of intra-Nordic comparison appeared: Finland was not to ratify the Convention before Sweden did. True, in the final phase, the comparative Nordic perspective, which was also fostered by discussions in the Nordic Council, hastened ratification in both Sweden and Finland.[22]

All in all, the ratification statistics give a rather poor indication of the role the ILO has actually played in practice. It is reasonable to state that the ILO has exercised a larger influence on changes in labour law and wider social policy by producing and transmitting knowledge, and by offering ways of defining and solving problems relating to work, labour relations and workers, than it has done through international law. The ILO has produced arguments that can be deployed in the national political struggle as well as comparative information that can be used in formulating national policies. Importantly, this knowledge has been transmitted not only to governments and labour market organizations but also to individual employers. As early as in the 1920s, the ILO linked its 'international social policy' with the promotion of 'the rationalization movement' and initiatives by individual companies to make welfare provision for their workers. An example is efforts by the ILO to disseminate knowledge of the American 'Safety First' movement, an educational project by private companies for increasing safety and efficiency in production processes.[23] The contribution of the ILO in the adoption of Safety First ideas in labour protection – mediated by factory inspectors – was remarkable in the Nordic countries in the 1920s and 1930s.[24]

As soon as it was founded, the ILO became an international centre for discourse which embraced the themes of economic rationalization, social integration and the rights of workers within a society based on wage labour. A central aspect of this role of the ILO was the promotion of certain models for national societies.

Models for national society

In the long history of the project for international social policy, the relationships between the dimensions *national–international* and *social–economic* have been a core topic. Four different arguments that were in various ways related to each other emerged in the 19th-century discussions, including in the Nordic countries.[25]

According to the first argument, social-political reforms were necessary in order to diminish the threats to national society (described as the 'labour question' or the 'social question') that were caused by the international economy. The second conclusion was that international economic competition created obstacles to certain national social policies because such policies would weaken a nation's competitiveness. Alternatively, however, international economic competition could be seen – so the third argument went – as the point of departure for international social norms. A fourth argument then appeared, claiming that national social policies would support the success of the national economy, because social reforms would improve the quality of labour power and increase productivity and purchasing power.

The priority of the third argument over the second was the core message behind the foundation of the ILO in 1919. International economic competition was conceived of not just as a constraint on national social policy, but rather as the basis for international social policy. However, since the Great Depression of the early 1930s and, in a still more programmatic way, after the Second World War, a combination of the third and fourth argument – emphasizing the national economic benefits of national social policies – gained a central place in the ideology of the ILO.

The conclusions drawn by the officials of the ILO from the Great Depression of the 1930s accentuated the role of the ILO as an advocate for a certain type of solution to social and economic problems at national level. During the 1930s, the leadership of the ILO played a part in the propaganda in favour of 'economic planning' and Keynesian ideas concerning the desirability of contra-cyclical economic policy.

A quite similar mode of thought was manifested in and reinforced through the Nordic class compromises of the 1930s. These compromises included political coalitions of workers and farmers, or the Social Democrats and the Agrarian Parties, respectively, and the consolidation of the practice of collective negotiations and agreements in industrial labour markets. The mutual recognition of and compromises between divergent particular interests were assumed to serve the universal interest, not only by preventing destructive conflicts and widening democracy, but also by creating and reinforcing a virtuous circle linking different interests within a national society. Reflecting the class structure and drawing from the experiences of the Great Depression, a virtuous circle was supposed to connect the interests of worker-consumers and farmer-producers as well as of workers and employers. Thus, in the 1930s, in Sweden, Denmark and Norway – though much less so in Finland – the notion of national economy began to be based on new ideas of cumulative economic success.

In reports by the ILO's director-general, Scandinavian innovations in employment policy were praised as excellent.[26] They were warmly recognized by the International Federation of Trade Unions, too. According to the report of the IFTU secretariat for the IFTU general council meeting in Copenhagen in 1935, the Scandinavian countries had 'decisively shown what good fortune can be brought to the whole nation by the activities of a democratic Labour Government'. This had an encouraging effect 'on other democratic countries, where progress has also been made with Trade Union propaganda for economic planning on a democratic basis'.[27]

The commitment of Scandinavian labour parties and trade unions to national political decision-making, however, also limited their opportunities to influence the agenda-setting within the IFTU and the ILO workers' group. This emerged, in particular, with regard to the question of working hours in the early 1930s. The IFTU ascribed to the objective of 40-hour week a huge significance as a solution to all current problems: 'The forty-hour

week means the end of unemployment, the end of the crisis, industrial recovery, the defeat of Fascism, the downfall of economic nationalism, etc.'[28] Confidence in the benefits of 40-hour week was, however, not shared by Swedish trade union leaders, which also became clear in the IFTU discussions.[29] Despite suspicions, in the ILO all Nordic worker delegates, of course, voted in accordance with the workers' group stance in favour of the Convention on the 40-hour week. The Danish, Norwegian and Swedish government delegates also contributed to the approval of the Convention in 1935, whereas the Finnish government delegates abstained.

The Nordic employers, in turn, not only opposed the 40-hour week but also rejected the idea of Scandinavian economic policies as an international model. When the British director-general of the ILO, Harold Butler, in his annual report to the International Labour Conference in Geneva in 1936, once again raised Swedish employment policy as a model for other countries, both the Swedish and Finnish employer representatives felt themselves compelled to reject such a Recommendation. They questioned the outcomes of the policies of 'immense public works' and disapproved what they saw as advocating one model for all countries.[30]

The ILO officials did not, however, lose confidence in economic planning and contra-cyclic economic policy. They were also encouraged by John Maynard Keynes who in his *General Theory of Employment, Interest and Money* (1936) gave the ILO especial recognition for promoting such a mode of thought and action.[31] During the Second World War, officials of the ILO began to plan for the post-war period as early as the spring of 1940, even though the war made this work – that was temporarily moved for the most part from Geneva to Montreal – considerably more difficult. The concrete result of this 'post-war planning' was the Philadelphia Declaration in the spring of 1944, a document that, in conjunction with the charter of 1919, has come to constitute the definitive statement of the ILO's principles, a part of its Constitution.

The Philadelphia Declaration demanded an ambitious role for the ILO in the regulation of the international economy.[32] The declaration belongs to the same context of international post-war planning as the so-called Bretton Woods system, a new order for the international economy. However, no role was found for the ILO in the Bretton Woods system, and it was the International Monetary Fund (IMF), the International Bank for Reconstruction and Development (IBRD, or World Bank) and the General Agreement on Tariffs and Trade (GATT) that came to form its institutional pillars. On the international level, 'economic' and 'social' remained clearly separate spheres as targets for regulation.[33]

Actually, the significant core of the Philadelphia Declaration consisted of the guidelines it set out for social and economic policy at national level – full employment, the interdependence of social equality and economic growth, the principle of collective agreements, and the participation of both

employers and workers in the formulation and implementation of social and economic policy. The forecasts and goals enunciated in the declaration were governed by the idea that there was a universal line of development that applied to all national units.

A central feature of this common development should be a general acceptance of the principle on which the organization of the ILO itself had been based from the very outset – tripartism. In the Philadelphia Declaration, this principle of representation was defined as a crucial widening of democracy. Tripartite representation has, indeed, served as a manifestation of a certain social model for the nation-state. It presupposes parity for labour and capital at the collective level. The presence of this principle as a norm also presupposes the participation of management and labour not only in the activities of the ILO but also in the formulation of social and economic policy at the national level.

As sources of inspiration for national post-war planning in the Nordic countries, the ILO and the Philadelphia Declaration were less significant than the British Beveridge Plan and intra-Nordic impulses.[34] In any case, the post-war development of Scandinavia, especially Sweden, was perceived by many Nordic and non-Nordic observers alike as a series of uniquely consistent steps along a universally applicable road to progress. Nordic social policy cooperation seemed to promote moving in a direction that had been presented as the universally desirable goal for all states, for instance by the Philadelphia Declaration. This vision rested on collective negotiations and agreements; the participation of management and labour in the formulation of economic and social policy; full employment as a central objective; and belief in a 'virtuous circle' of social equality, economic growth and enhanced democracy within the framework of the nation-state.

In the 1930s, the American journalist Marquis W. Childs published three books praising the Swedish 'middle way' and the true democracy inherent in Scandinavian collective bargaining, very much in order to support Roosevelt's politics of the New Deal in his own country.[35] After the Second World War, the notion of a middle or third way was related to the Cold War antagonism between American capitalism and Soviet communism. The advocates of the Nordic model came to play a role when this antagonism, focusing of the principle of tripartism, appeared in the ILO.

The model of tripartism

Tripartite representation has been a far from unproblematic principle. According to the radical labour movement, as represented, for instance, in the dominant views of Norwegian and Finnish trade unions in the 1920s, the organizational structure of the ILO was aimed at integrating the working class into the bourgeois state. Even the reformist working-class leaders who were active in founding the organization had their suspicions,

notably concerning the government's getting two delegates in each national delegation, which, they assumed, would reinforce the power of those opposing workers' demands.[36]

For many employers, the tripartite principle indicated a dangerous recognition of trade unions. On the other hand, a corporatist representation of economic interests in national political processes could be also seen as a defence against the threats perceived as inherent in political democracy and the universal suffrage that was broadly established after the First World War.[37]

In February 1940, the governing body of the ILO discussed in Geneva the tasks facing the ILO and the opportunities ahead for shaping the post-war world. Ørsted, the Danish chair of the employers' group, spoke vigorously in favour of tripartite collaboration. He had seen 'how valuable co-operation between employers and workers had proved in the Northern countries'. In some other countries, in particular in Great Britain, steps had been taken in the same direction, especially after September 1939, but many countries lagged far behind. The ILO should not fail 'to take advantage of the present situation' in order to promote tripartite collaboration.[38] In general, during and after the Second World War the tripartite principle became increasingly attractive to employers. This was associated with reassessments concerning the practices of collective labour market negotiations and agreements.

Finnish employers are an interesting case here. In Finland, the system of collective agreements proper was built only after the Second World War, much later than in other Nordic countries. Until the war, in particular in manufacturing industries, employers managed to keep to a line that rejected agreements with trade unions. There was a certain tension between the principle of tripartite representation and the outlook for Finnish industrial relations during the interwar period. The political changes that followed the Second World War forced Finnish employers to work with the rapidly strengthened trade unions to construct a system of collective agreements. However, this was not just a question of a concession on the part of employers. A new sort of political significance was also ascribed to collective agreements as the stark confrontations of the Cold War began to take shape.

Finnish employers now saw collective agreements between themselves and 'free' organizations representing labour as endowed with a new legitimacy in that they demonstrated an ideological adherence to the Western world. The executive director of the central organization of Finnish employers, V. A. M. Karikoski, concluded his speech at the International Labour Conference held in San Francisco in 1948 with the words: 'I can assure you that our country preserves the free industrial relations between employers' and workers' associations, and an economic system based on free enterprise and democracy.'[39] It had become necessary for the defence of a bourgeois economic and social system to adopt a definition of freedom that

embraced both collective agreements and private enterprise. This definition also included the tripartite principle.

For Finland, ILO membership constituted a linkage to the UN system long before Finland became a member of the UN in 1955. The unproblematic tripartite participation in the ILO at a time in the 1950s when tripartite representation of the Soviet Union and the people's democracies was highly controversial seems to have played a symbolic role for Finnish employers and Social Democratic trade union leaders. It provided opportunities for them to demonstrate that Finland did not belong to the Eastern bloc and that the nation deserved all possible support in trying to maintain this state of affairs. An important part of demonstrating this distance from the East was close Nordic cooperation in the ILO.

At the time when even many non-socialists, like Joseph A. Schumpeter, foresaw increased state intervention in the economy and a strengthening socialism,[40] tripartism seemed to employers worth defending. The leaders of their group in the ILO spoke for the old representational principle and against those who, in the mid-1940s, were demanding the strengthening of workers' representation or requesting special representation at the ILO for the state-owned sector of national economies.[41]

The mandates of tripartite representation have caused numerous disputes. In the 1920s and 1930s, it was often questionable whether persons nominated as workers' delegates really did represent the workers or whether they actually represented the government. Repeatedly the workers' group contested the credentials of the worker delegate of fascist Italy, yet the objection was always overruled. The only time Nazi Germany was present at the ILO conference – in 1933 – the delegation walked out, and in the same year Germany left the League of Nations, as did Japan. However, when the Soviet Union participated in the activities of the ILO for the first time between 1935 and 1937, disagreement primarily concerned the Soviet employer representatives. On this occasion, the central administration of the ILO managed to save the day and its universalistic ambition by arguing that the tripartite representation did not in the first instance reflect distinct class interests, but rather distinct social functions. The functions of government, employer and worker existed 'both under the socialist and the liberal system'.[42]

At the time of Philadelphia Conference in 1944, the US State Department made efforts to attract the Soviet Union back to the ILO. Its different economic and social system would not, it was argued, create any real obstacle to membership.[43] However, the Soviet Union did not attend the Philadelphia Conference nor join the ILO. In the formative phase of the UN system, its aim was to substitute the new trade union international, the World Federation of Trade Unions (WFTU), for the ILO as a specialized agency of the UN. The WFTU was actually assigned a consultative status as a 'non-governmental organization' – a conceptual innovation created during this dispute[44] – in

the Economic and Social Council of the UN. It could, though, never become a rival of the ILO. Since 1947 it also had a consultative status in the ILO along with the International Confederation of Christian Trade Unions, but gained little influence in the ILO, as the Western trade union international, the International Confederation of Free Trade Unions (ICFTU), was created in 1948 and became the leader of the ILO workers' group.[45]

At the beginning of the 1950s, the Soviet Union was reluctantly communicating with the ILO on the highly charged topic of forced labour, which had been raised in the agenda of ECOSOC and the ILO by the American Federation of Labor (AFL). The report on forced labour, including far from pleasant assessments on conditions in the Soviet Union and the Communist-led Eastern European countries, was published in 1953.[46] The same year the Soviet Union announced to the ILO that it was ready to rejoin the ILO, and its membership was granted in 1954.

The arrival of Soviet delegates at the International Labour Conference of 1954 was followed by a great row over the 'freedom' of the delegates representing both employers and workers from the Soviet Union and the Eastern bloc 'people's democracies'. Some of the latter had an unbroken membership in the ILO. In the end, the majority – including all the representatives of Nordic governments and Nordic workers, but none of the Nordic or other Western employers' representatives – voted for the approval of the delegates of the Soviet Union and the people's democracies.[47] The workers' group was deeply divided. The ICFTU strongly protested against the credentials of the Soviet worker representative, but was not able to create a united front.[48]

Nordic delegates played a significant role in the process. The chair of the three-man Credentials Committee was K. J. Øksnes, the Norwegian government's representative, and Arnold Sölven, the Swedish worker delegate, was also a member of this committee. These two Scandinavians formed the majority in favour of approving the disputed credentials, while the minority against the approval consisted of J. B. Pons, the employer delegate of Uruguay.[49]

As regards worker delegates, Øksnes and Sölven concluded that while freedom of association was a crucial objective of the ILO it was not mentioned in the Constitution as a prerequisite of membership. In the plenary session Sölven responded to criticism from his ICFTU colleagues by assuring them that he shared with them the same view of the value of trade union rights and also the same critique of Soviet and Eastern European circumstances. However, as he pointed out, representation in the ILO was not a political but a constitutional issue.[50] Promoting the universal coverage of the ILO by means of a depoliticized interpretation of its Constitution was in this case the main line of argument.

The arguments concerning employer representatives were actually more interesting. Øksnes and Sölven reiterated the functionalistic arguments used to justify acceptance of Soviet employer representatives in the late

1930s. Nothing in the Constitution of the ILO presupposed, they noted, that employers should represent private interests or ownership: 'The role of the employer must, in its essentials, exist in the structure of any society, notwithstanding the function of the State in economic life.'[51] In the plenary, the view shared by all Nordic governments and expressed by the Swedish delegate Wilhelm Björck went further in this direction. Björck referred to 'the process of gradual nationalization of industrial production' that was taking place in various countries and announced that the governments of Denmark, Finland. Norway and Sweden vigorously opposed 'any discrimination against Employers' representatives drawn from public enterprises'.[52]

Interestingly, such a view implied a kind of convergence theory on what seemed to be general and common in current social transformation beyond varying societal systems. It was a vision of a modernizing industrial society based on remunerated work and on an enhanced role for public and collective regulation. Such a theory seems to have provided flexible solutions to some other problems of tripartism as well. One of the problems was inherent in the concept of 'worker'. In the debates on the sustainability of tripartite representation a critical argument was that it failed to recognize the increase of private- and public-sector salaried employees, since worker delegates used to come from blue-collar trade unions.[53] Without scrapping the term 'workers' group', its content was gradually extended, and by means of deputy delegates and advisers, the Nordic-type pattern of unionization with separate strong organizations of salaried employees could be accommodated.

To be sure, the decisions of the labour conference of 1954 did not end the controversies relating to the employer and worker representatives of the Soviet-bloc countries. However, in the 1950s and 1960s the conditions in colonies then in the throes of liberation were brought to the forefront in the discussion of international social norms and the activities of the ILO. Changes also appeared in the interpretations of prevailing inter-systemic conflict and the role of varying societal models. The French chair of the employers' group, Pierre Waline, argued in 1961 for employers' active participation in the ILO in order to defend progressive capitalism to confused Asian and African trade unionists and employers who would have to choose between East and West. According to Waline, the system of industrial relations that had been perfected in the Netherlands and in the Scandinavian countries provided the key to the future. The technical assistance programmes of the ILO could spread this gospel, and, together with strong support for the principle of freedom of association, this approach could militate against the appeal of Communism.[54]

Obviously, not all employers shared this view. Nevertheless, being model representatives for tripartism became an important aspect of Nordic identity in the context of the ILO after the Second World War. In Nordic participation

in the ILO, the idea of international cooperation as a comparative learning process was consciously combined with the traditional Nordic confidence in popular education. The ILO launched programmes of 'workers' education', aimed to train workers of former colonies 'as active and responsible partners in the nation-building process', and within these programmes the Nordic modes of tripartite participation were advocated by the governments and trade unions of these countries.[55]

Concluding remarks

In his article on Nordic social political cooperation, Kaare Salvesen in 1956 cautiously remarked that the Nordic countries did not claim to serve as a model to other countries. Yet the last sentences of the article implied that for him the ideology of Nordic social-political cooperation bore a universal value. He wrote that this ideology was expressed in the title of a book published in 1953: 'Freedom and Welfare'.[56] This book had been written as a joint project of the five Nordic Ministries of Social Affairs with the aim of informing an international audience about 'The Social Patterns in the Northern Countries of Europe', in the words of its subtitle.[57] In the Cold War world, the inter-systemic rivalry between contending universalistic visions of social transformation provided the context for describing the ideology of Nordic social-political cooperation in terms of 'freedom and welfare'. Such a characterization of Nordic social-political patterns also contained a strong universalistic undertone.

In the 1930s but especially after the Second World War, Nordic participation and cooperation in the ILO fostered the developing of this universalistic undertone. Developments in Nordic countries seemed to follow the major principles established by the ILO. These principles included, in particular, an ideal of symmetry between capital and labour, and confidence in a virtuous circle comprising social equality, widening democracy and economic growth in a nation-state society.

Since the 1980s, such a horizon of expectation has lost much of its future-orienting power. Crucial aspects of the notion of national society that were associated with the vision of an expanding welfare state and collective party symmetries in the labour market became severely challenged by the temporal and spatial restructuring of economic and social practices known as globalization. It is more difficult to identify, organize, bring together and centralize the various 'parties' within a national society. The 'exit option' is available in new ways to transnational enterprises and investors, and it also offers a silent or hidden means of exerting influence on national policies. One consequence is that solidarity through shared national linkages has become more problematic.

The challenge does not only concern the basic elements of what has been called the Nordic model but also the role of the ILO. In 1961, the French

employers' leader Waline expressed his hope the ILO would educate the nations of the world to develop Nordic-type systems of industrial relations everywhere. In the festschrift on the occasion of the ILO's 75th anniversary in 1994, the President of the Swedish Employers' Confederation (SAF), Ulf Laurin, assessed the future role of the ILO in a very different way. After pointing out the necessity of deregulation in Sweden, he concluded that 'all countries need room for flexibility' and 'should not be slowed down by ILO Conventions'.[58]

Notes

1. K. Salvesen, 'Co-operation in Social Affairs between the Northern Countries of Europe', *International Labour Review* (vol. 73, 1956), pp. 334–357.
2. A previous version of this chapter is P. Kettunen, 'The Nordic Model and the International Labour Organization', in N. Götz and H. Haggrén (eds), *Regional Cooperation and International Organizations. The Nordic Model in Transnational Alignment* (London and New York: Routledge, 2009).
3. F. Halliday, *Rethinking International Relations* (London: Macmillan, 1994), pp. 170–190.
4. League of Nations, International Labour Conference. First Annual Meeting (Washington 1920), pp. 16, 78–90, 208–218; N. A. Mannio, *Sosiaalipoliitikon kokemuksia 50 itsenäisyysvuoden ajalta* (Porvoo/Helsinki: Werner Söderström Osakeyhtiö, 1967), pp. 170–176.
5. J. Kalela, *Grannar på skilda vägar. Det finländsk-svenska samarbetet i den finländska och svenska utrikespolitiken 1921–1923* (Helsingfors: Söderström, 1971), pp. 22, 270–288.
6. K. Petersen, 'Constructing Nordic Welfare? Nordic Social Political Cooperation 1919–1955', in N. F. Christiansen, K. Petersen, N. Edling and P. Haave (eds), *The Nordic Model of Welfare – A Historical Reappraisal* (Copenhagen: Museum Tusculanum Press, 2006), pp. 74–82.
7. W. Sjöberg, *För arbetsfreden. 50 år samarbete mellan arbetsgivarna* (Helsinki: Arbetsgivarnas i Finland Centralförbund, 1958), pp. 78–80.
8. A. Alcock, *History of the International Labour Organization* (Basingstoke: Macmillan, 1971), pp. 131–133; N. A. Mannio, *Sosiaalipoliitikon kokemuksia 50 itsenäisyysvuoden ajalta* (Porvoo/Helsinki: Werner Söderström Osakeyhtiö, 1967), p. 176; E. B. Haas: *Beyond the Nation-state. Functionalism and International Organization* (Stanford: Stanford University Press, 1964), p. 203.
9. Documents from the meetings of Nordic employer organisations STK I H 2:1–2. The Central Archives for Finnish Business Records ELKA, Mikkeli.
10. H. Heldal, 'Norway in the International Labour Organization 1919–1939', *Scandinavian Journal of History* (vol. 21, no. 4, 1996), pp. 255–283.
11. K. Blidberg, *Splittrad gemenskap. Kontakter och samarbete inom nordisk socialdemokratisk arbetarrörelse 1931–1945* (Stockholm: Almqvist & Wiksell, 1984); D. Putensen, 'SAI och SAMAK – växlande storlekar i den internationella och den nordiska dimensionen (1914–1945)', in P. Kettunen (ed.), *Lokalt och internationellt. Dimensioner i den nordiska arbetarrörelsen och arbetarkulturen*, Papers on Labour History VI (Tammerfors: Sällskapet för forskning i arbetarhistoria i Finland, 2002).
12. M. Valkonen, *Yhdessä elämä turvalliseksi. Suomen Ammattiyhdistysten Keskusliitto 1930–1947. SAK II* (Helsinki: Suomen Ammattiliittojen Keskusjärjestö SAK r.y., 1987), p. 185.

13. P. Kettunen, 'The Power of International Comparison. A Perspective on the Making and Challenging of the Nordic Welfare State', in Christiansen, Petersen, Edling and Haave (eds), *The Nordic Model of Welfare*. op. cit., pp. 55–59.

14. A short presentation of 'Geneveskolan' can be found at www.geneveskolan.org [accessed April 2012].

15. A. Uhlén, *Skandinaviskt fackligt samarbete i femtio år. Skandinaviska Transporta rbetarefederationen 1907–1957* (Hälsingborg: Tryckeri Ab Demokraten, 1957), pp. 203–225.

16. Descriptions can be found, for example in the dairies of Axel Palmgren, the Finnish employer representative 1919–1935 (Axel Palmgrens brevsamling Turku: Åbo Akademis Bibliotek]) and in the memoirs of Niilo A. Mannio, the Finnish government delegate to the ILO from 1919 until the early 1950s (Mannio, op. cit.).

17. Reports and protocols of the Finnish ILO committee. 113 D 4, The Archive of the Ministry of Social Affairs, Helsinki; Referat fra det nordiske socialpolitiske mote i Oslo 25.-27. August 1949. Department of Social Affairs, Papers of Johan Strøm, A7. National Archives Denmark. – Klaus Petersen, who has investigated the history of Nordic social political cooperation, has kindly given me a photocopy of the minutes of the Oslo social political meeting of 1949.

18. Preamble of the Constitution of the International Labour Organization. www.ilo.org/public/english/about/iloconst.htm; A. K. Tikriti, *Tripartism and the International Labour Organization. A Study of the Legal Concept: Its Origins, Function and Evolution in the Law of Nations*, Uppsala University. SIFIR. Studies in International Law, Volume 7 (Stockholm: Almqvist & Wiksell International, 1982), p. 351.

19. www.ilo.org/ilolex/english/newratframeE.htm [accessed April 2012].

20. On the USA and the ILO, see E.C. Lorenz, *Defining Global Justice. The History of US International Labor Standards Policy* (Notre Dame: University of Notre Dame Press, 2011); on the international dimensions on the history of US social policy more generally, see D. T. Rogers, *Atlantic Crossings. Social Politics in a Progressive Age* (Cambridge, MA: The Belknap Press of Harvard University, 1998).

21. www.ilo.org/ilolex/english/newratframeE.htm [accessed April 2012].

22. P. Määttä, *The ILO Principle of Equal Pay and Its Implementation* (Tampere: Tampere University Press, 2008).

23. ILO, *Nature of the Functions and Powers of Inspectors II*, fifth Session of the International Labour Conference, Commission No. 3. II. (ILO Library, Geneva); International Labour Conference. Fifth Session, Geneva 22–29 October 1923, pp. 119–128; International Labour Conference. XI. session 1928, Geneva. Minutes of the General Committee on accident prevention (ILO Library, Geneva); International Labour Conference, Eleventh Session. Geneva 1928. Volume I, pp. 446–467, 680–682; International Labour Conference. Twelfth Session. Geneva 1929. Volume I, pp. 1064–1073.

24. P. Kettunen, *Suojelu, suoritus, subjekti. Työsuojelu teollistuvan Suomen yhteiskunnallisissa ajattelu- ja toimintatavoissa*, Historiallisia tutkimuksia 189 (Helsinki: Suomen Historiallinen Seura, 1994), chaps 5 and 7; B. Sund, *The safety movement. En historisk analys av den svenska modellens amerikanska rötter* (Stockholm: Arbetarskyddsnämnden, 1993); Ø. Bjørnson: *100 år for bedre arbeidsmiljø 1893–1993. Arbeidstilsynet 100 år* (Oslo: Tiden Norsk Forlag, 1993).

25. Kettunen, 'The Power of International Comparison', op. cit., pp. 40–42.

26. See, especially, International Labour Conference. Sixteenth Session. Geneva 1936. Report of the Director, pp. 6–7; International Labour Conference. Seventeenth Session. Geneva 1937. Report of the Director, p. 44.

27. Report of Secretariat on the Activities of the International Federation of Trade Unions during the period from 1st April, 1934, to 31st March, 1935. IFTU Nr 94. International Institute of Social History (IISG), Amsterdam.

28. General Council, Copenhagen 21–23.5.1935. Item 7 of the Agenda. The 1936 International Labour Conference. IFTU Nr 98. IISG, Amsterdam.

29. Protokoll der Ausschusssitzung des Internationalen Gewerkschaftsbundes vom 27., 28. und 29. April 1931 in Senatsgebäude in Madrid (Johanson). IFTU Nr 74. IISG, Amsterdam. On the discussion and decisions on working hours in the Swedish trade union movement see H. Hellström. 'Struktur, aktör eller kultur Hellström? Arbetstidspolitik i det industrialiserade Sverige', *Acta Universitatis Stockholmiensis. Stockholm Studies in History* (Stockholm: Almqvist and Wicksell, 1992), No. 45, pp. 86–92.

30. International Labour Conference. Twentieth Session. Geneva, 1930. Report of the Director. Geneva 1996, pp. 24–25; International Labour Conference. Twentieth Session. Geneva, 1930. Record of Proceedings. Geneva 1936, pp. 127–128, 134–135, quotation from the speech of Paavo Kyrenius, the Finnish employer representative.

31. The World of Industry and Labour. Report of the Director to the Twenty-Fifth Session of the International Labour Conference June 1939, Geneva 1939, pp. 78–92.

32. International Labour Conference. Twenty-Sixth Session, Philadelphia, 1944. Record of Proceedings (Montreal: International Labour Office), Appendix VIII.

33. Haas, *Beyond the Nation-state*, op. cit., pp. 155–168.

34. N. Wium Olesen, 'Socialdemokratiske efterkrigsprogrammer i Nordvesteuropa', in P. Kettunen (ed.), *Lokalt och internationellt. Dimensioner i den nordiska arbetarrörelsen och arbetarkulturen*. Papers on Labour History VI (Tammerfors: Sällskapet för forskning i arbetarhistoria i Finland, 2002), pp. 345–355.

35. Concerning the background of Childs' books 'Sweden: Where Capitalism is Controlled' (1934), 'The Middle Way' (1936) and 'This is Democracy' (1938) see J. Larsson, *Hemmet vi ärvde. Om folkhemmet, identiteten och den gemensamma framtiden* (Stockholm: Arena, 1994), pp. 116–121.

36. Alcock, *History of the International Labour Organization*, op. cit., pp. 27–28; Stellungsnahme des Internationalen Gewerkschaftsbundes zu den im Oktober in Washington stattfindenden Konferenz. IFTU Nr 4. IISG, Amsterdam.

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41. Minutes of the 94th Session of the Governing Body, London 25–31 January 1945, pp. 32–37 (Sir John Forbes Watson); Minutes of the 95th Session of the Governing Body, Quebec 21-27 June 1945, pp. 57–58, 81–83 (Forbes Watson. ILO Library, Geneva).

42. J. P. Windmüller, 'Soviet Employers in the ILO: The Experience of the 1930s', *International Review of Social History* (vol. 6, no. 3, 1961), pp. 8–9.

43. Cable to Moscow 631 18.3.1944. State Department Records of Harley A. Notter, 1939–1945, 177–4. National Archives, Washington, DC, available as microfilms in the Library of Parliament, Helsinki.

44. N. Götz, 'Reframing NGOs: The Identity of an International Relations Non-Starter', *European Journal of International Relations* (vol. 14, no. 2, 2008), pp. 237–242.

45. Haas, *Beyond the Nation-state*, op. cit., pp. 197–200.

46. Report of the Ad hoc Committee of Forced Labour. E/2431. Geneva: United Nations, International Labour Office.

47. International Labour Conference. Thirty-Seventh Session, Geneva 1954. Record of Proceedings. International Labour Office, Geneva, 1955, pp. 320–356.

48. Meeting held 25.6.1954 to hear the General Secretary's comments on the happenings at the International Labour Conference at Geneva with regard to the protests which the ICFTU made against the recognition of the delegates from Czechoslovakia, Soviet Russia and Venezuela. ICFTU 1988c, IISG, Amsterdam.

49. International Labour Conference. Thirty-Seventh Session, Geneva 1954. Record of Proceedings. International Labour Office, Geneva, 1955, Appendix II, pp. 432–443.

50. International Labour Conference. Thirty-Seventh Session, Geneva 1954. Record of Proceedings. International Labour Office, Geneva, 1955, pp. 345–346

51. Ibid., p. 436.

52. Ibid., pp. 324–325.

53. In the Philadelphia Conference in 1944 the Swedish government delegate Bertil Ohlin expressed such a critique of tripartism. International Labour Conference. Twenty-Sixth Session, Philadelphia, 1944, p. 43.

54. Haas, *Beyond the Nation-state*, op. cit., p. 206.

55. For example, see 'An International Experiment in Workers' Education', *International Labour Review* (vol. 77, 1958), pp. 186–194.

56. Salvesen, op. cit., p. 357.

57. G. R. Nelson (ed.), *Freedom and Welfare: Social Patterns in the Northern Countries of Europe* (Copenhagen: The Ministries of Social Affairs of Denmark, Finland, Iceland, Norway, Sweden, 1953).

58. U. Laurin, 'A New Business Plan for the ILO', in *Visions of the Future: Social Justice. Essays on the Occasion of the ILO's 75 Anniversary* (Geneva: International Labour Office, 1994), p. 174.

Part 4
Competing Social Models: The ILO and Other International Bodies

13

What's in a Living Standard? Bringing Society and Economy Together in the ILO and the League of Nations Depression Delegation, 1938–1945

Patricia Clavin

In 1919, the Paris Peace Conference created two organizations dedicated to the international economic and social co-ordination of the world's political economy. The first was overt, the International Labour Organization (ILO); the second was an almost accidental outgrowth of the agency of the states and interest groups assembled in Paris. It emerged by a process of evolution and accretion as a result of the financial and economic crises which swept the world economy in the wake of war, although it, too, eventually took on the soubriquet of 'organization': the Economic and Financial Organization (EFO) of the League. The history of the League of Nations and the ILO was an entangled one, although the latter was not officially part of the League, and at the hour of their birth each was understood as a distinct organization with a discrete mission. This was made clear in their constitutions which were drafted independently by different commissions, which assigned the ILO and the League very separate functions in the architecture of international relations in 1919.

In the 1920s, the ILO was famed for its left-leaning director, Albert Thomas, and its socially progressive agenda, while the EFO became primarily associated with the reconstruction of central and eastern Europe, and its promotion of economic and financial values and policies associated with reconstruction of the international gold standard and free trade.[1] This chapter, however, seeks to tell a story not of rivalry but co-operation. At its heart is the work of the long-forgotten Depression Delegation, an investigative committee put together by the League of Nations in which the ILO was a key member. Here there emerged a network of expertise on the international economic history of the interwar period with a shared policy vision for the future. The delegation investigated how countries around the world had fought the economic and financial crisis, and sought to put forward a series

of practical measures to be implemented by states and international organizations to help fight this scourge in the future. This work did not end with the outbreak of the Second World War, but rather formed the basis of League and ILO efforts to shape international reconstruction in its wake.

The architecture of international economic relations

In 1919, the ILO's primary mandate was the promotion of 'Lasting Peace through Social Justice' and the 'social' was framed in the absence of a direct articulation of the 'economic'. As the contribution from Ingrid Liebeskind Sauthier (Chapter 4) in this volume demonstrates, however, this distinction was more cosmetic than real for the ILO. Albert Thomas and his colleagues did not accept this disjunction of the social from the economic; nor did it reflect the perspective of communist, socialist and trade union activists of all political hues who saw the exploitation of labour as the defining feature of modern capitalism. These groups looked to the agency of the ILO both to redress the social impact of capitalism and to challenge its mores. In the architecture of international relations erected after the First World War, however, the articulation of the 'social', and the institutional framework which held the ILO at arm's length from the League marked a peculiar uncoupling of the 'social' from the 'economic' in the political economy in a variety of ways. It stood in sharp contrast to the close relationship between the social and economic in the internationalist reforming movements of the late 19th and early 20th centuries. In 1919, however, the internationalist politics of Woodrow Wilson's 'new world order' framed a new differentiation in international politics between the 'social' on the one hand, and the 'economic and financial' on the other.

The First World War may have extended the obligations for economic security between citizens and the state, but it took time for this expectation to reshape Wilson's League which stressed open diplomacy (inimical to the world's central bankers and international financiers) and the primacy of national sovereignty. At the Paris Peace Conference this translated in the institutional structure of the League into a widespread aversion among the most powerful nation-states, and the central bankers, who were an important influence on monetary and economic policy, to accept an economic and financial dimension to the League of Nations' work. Instead of state action it was argued the world economy would 'self-right' through the unfettered operation of market forces. But the laissez-faire approach came under immediate and dramatic challenge from two directions: the descent of much of central and eastern Europe into hyper-inflation and economic disintegration which challenged the viability of the new nation-states the League had helped to construct; and the polemical pen of John Maynard Keynes, who challenged the League to address it directly in his best-selling book *The Economic Consequences of the Peace*.[2]

The result, in 1920, was the creation of the Economic and Financial Section within the Secretariat of the League, an agency whose primary remit was the collection, collation and dissemination of data on the world economy. Shortly afterwards, this intelligence-gathering unit was supplemented by the creation of a Joint Provisional Economic and Financial Committee, comprising government-appointed representatives from the world of academia, private finance and government. Although novel within the League and a pioneering institution for global economic co-ordination, the agency built on important practices and networks of the past, notably among the allied and associated powers of the First World War, and the banking networks that sustained the operation of the gold standard and the dissemination of international capital. (The origins of the ILO similarly reached into the pre-First World War history of internationalism.)[3] Its mandate, size and membership continued to evolve over the next ten years, although because these were set by the League, excluded more nations than the ILO although the USA agreed to participate in aspects of its work after 1927. Given the role of the USA in the world economy, this was crucial.[4]

The onset of the Great Depression in 1929 and the disintegration of the League's political mission after 1931 transformed its prospects. The economic and financial wing of the League was reorganized and what became known as its Economic and Financial Organization grew in size and ambition. For much of this early history, the ILO served as an important counterpoint to the League in the field of economics and finance. But the Great Depression caused the issues and policies ascribed in 1919 under the distinct headings of 'social', 'economic' and 'financial' to shift. It brought both the structures and the policies advocated by the League of Nations and the International Labour Organization closer together, and provided the locus of change for a radically different form of peace-making during and after the Second World War.

This did not happen overnight and important, sometimes creative, tensions between the two agencies remained unresolved throughout the lifetime of the League. This topic is far too large to do it justice here. Rather, this chapter will use the history of the League of Nations' Depression Delegation, established in 1938, to demonstrate how far these two organzations travelled from the enmity evident in their early history by exploring how their contribution to the new architecture of economic relations established after 1944 with a shared focus on rising standards of living *for all* emerged as a central theme. Both organizations also came to argue that the ideas of deficit finance should be widely accepted as essential to the armoury of the nation-state and to policies advocated by the international organizations which attempted to facilitate co-ordination and co-operation against the evils of economic depression.

In the 1920s, there is no doubting some of the mutual hostility and suspicion which dogged ILO and EFO relations. It emanated from the EFO's

early economic orthodoxy (gold standard membership facilitated by central bank co-operation and the primacy of free trade), and the ILO's determination to promote the welfare of workers and to promote the redistribution of the world's wealth. There was also an element of envy in the Economic and Financial Section's view of the ILO. Unlike the EFO, the ILO was not bound by the constitutional priority accorded to the Assembly and Council in the League to determine its schedule of work, it had a wider membership, notably enjoying American participation at many levels of its activities, and had greater financial resources at its disposal. Its tri-cameral structure and network of local offices also ensured the ILO secured the regular engagement of business groups and the legitimacy this also afforded the ILO over EFO who actively sought the engagement of business groups and financiers, albeit with limited success. Until the convocation of the World Economic Conference under the auspices of the League in 1927, the EFO's engagement with business circles was neither as consistent nor as sustained as that of the ILO. It had to rely on business organizations' and financiers' largely voluntary response to their calls for economic and financial intelligence. The Economic and Financial Section, the secretariat of the EFO and its intellectual powerhouse, may have been keen promoters of the free market and orthodox economics, but they were also civil servants who wanted to expand their power base to ensure their 'invisible hand' could be felt on the tiller of the world economy. (This sentiment was an important driving force behind various movements to change the functioning of the League in the 1930s which culminated in the EFO's support for the reform of the League embodied in the work of the Bruce Report of 1939.)[5]

The impact of the Great Depression

In the early 1930s, the Great Depression and the economic nationalism that followed in its wake demonstrated to the EFO more strongly than ever before the need to 'manage' the global free market economy. It is not possible here to do justice to the host of innovations, intellectual, political and structural, spawned by this recognition. However, the competitive, co-operative and creative dynamic of the EFO's relationship with the ILO during the 1930s can be glimpsed through the work of the Depression Delegation which ran from 1938 until 1944.

The theoretical work of Bertil Ohlin in 1931, Gottfried Haberler between 1934 and 1937, and later the empirical studies of Jan Tinbergen after 1937 established the League's intellectual credentials in the field of cyclical crises.[6] This was cemented by the October 1937 resolution by the League assembly that the EFO undertake a study on measures 'for preventing or mitigating economic depressions', which prompted the Council at its 100th session to set up a special delegation on economic depressions in January 1938.[7] Following on from the pattern established by the League's Mixed Committee on the

Problem of Nutrition, which prioritized cross-sectional co-operation within the League and its 'sister organizations', the LNHO and the ILO, the Council agreed that the delegation's membership should also comprise 'insiders' and 'outsiders'. The 'insiders' from the Financial Committee were Frederick Phillips, a civil servant from the British Treasury, and the committee and delegation chairman, Winfield Riefler, an American economist, the Finn Risto Ryti and from the Economic Committee the Australian economic polymath, Frank McDougall. Carter Goodrich, the American economist and member of the ILO was also appointed, an 'outsider' to the EFO, but was familiar to Riefler and other EFO members and the ILO's new American Director, John Winant. ILO personnel were also essential to the enquiry, especially Goodrich on the issue of public works as he was serving also as the Chairman of the ILO's International Public Works Committee at the time, and the ILO's preeminent statistician, Hans Staehle, for expertise on unemployment figures.[8] Harold Butler, Director of the ILO, also attended a number of meetings although this was not widely publicized. Not only were the personnel well-known to the League team; so too, of course, were the ILO's publications and its approach to combating the Great Depression, notably its expertise on national and international public works schemes.[9,10]

The final members of the delegation were officially were designated 'outside experts': the Austrian economist Oskar Morgenstern (sometime employee of the Economic Intelligence Service), the Swedish Economist Bertil Ohlin, who had worked on the first League enquiry into the impact of business cycles, and the Deputy Governor of the Banque de France and Treasury official, Jacques Rueff, who had represented the French government at numerous inter-governmental meetings hosted by the League. It was more than apparent that despite their designation as 'outsiders', all these men were well-known to the EFO having served the institution in a variety of capacities over the years. What they had in common was a commitment to the League and to international co-ordination. What they did not share was an agreed view on what caused economic crises or how they should be tackled.

The participants in the Depression Delegation were men who were associated with variety of schools of economic thought, ranging from the highly orthodox to more radical Keynesian, demonstrating the degree to which labels like orthodox and Keynesian are problematic in this fluid context. So too is the scholarly tendency to identify nations with particular strands of economic policy: interventionist and non-interventionist policy proposals had emerged in countries across the world in response to the Great Depression, often informed in relation to one another's experiences of national policy; their implementation, however, depended on the particular constellation of political forces, as the different outcomes of the German and British governmental responses to the Great Depression, for example, illustrated.[11] Individual economists' positions on key questions were also prone to change during the lifetime of the Depression Delegation's work.

Determining the answers to these and allied questions lay at the heart of discussions among the Delegation and with others, who included the most prominent economists of the Economic and Financial Sections (merged into single section during the lifetime of the Depression Delegation): the head of section, Alexander Loveday; the Canadian Louis Rasminsky; the Estonian Ragnar Nurkse; the Swede Arthur Rosenborg; the Pole Grzegorz Frumkin; the Briton James Meade; the Dutchman Tjalling Koopmans; the Frenchman René Charron and the American Royall Tyler, who joined the League as a temporary expert after service as a League Commissioner in Hungary. In a variety of ways, the expertise and experience of smaller economies, especially vulnerable to the ebb and flow of the global economic tide, notably those of central and eastern Europe, was especially well represented in the Delegation.

On the surface, the Delegation was a response to the a new threat of global depression as the world economy, still in the stranglehold of high tariffs and quotas and now threatened by war, turned down dramatically at the end of 1937. But the Economic and Financial Section of the League, also consciously intended the Delegation to serve as a bridge between the League's past, as an organization more directly threatened by the world's descent into war than the ILO, and the future of the League or any successor organization. The Depression Delegation was to become the means by which the section could organize and interrogate its economic interpretation of the Great Depression, learn to reconcile its understanding of economic science with a deeper appreciation, with the help of the ILO, of how the 'dismal science' related to society, and to package these findings in lessons of history intended to spare the world from the worst ravages of economic depression in the future. As the delegation's draft report of June 1939 put it, the delegation addressed 'itself primarily to methods of preventing and mitigating depressions [offering] . . . an exposition of policies which might have the effect of keeping business activities on a more even keel i.e. reducing the amplitude of the trade cycle'.[12] As the international context changed, so these lessons were reshaped by the preoccupation with war and post-war reconstruction, forming the background to some twenty-five major reports produced by the Economic and Financial Section between 1942 and 1945, some but not all authored in collaboration with the ILO.

The view from the Depression Delegation

In February 1938, the Delegation began with a call to League and ILO member and non-member states to provide information on policies adopted to effect economic recovery since 1929.[13] The first formal meeting of the delegation opened on 29 June 1938, but before then a whirlwind of materials circulated between its members and the Economic and Financial Organization of the League. These included a huge number of working

papers by members of the EFO and the ILO which had been in development for some time. The materials were divided into three parts: part A, relating to 'Economic Depressions and Economic Structure'; part B, entitled 'Policies Directed Towards Greater Stability of Total Demand'; part C, 'Policies Specifically Directed towards Greater Stability in Capital Formation'; and part D, 'Policies Specially Relevant to States Producing Primary Products'. There are many documents which strike a note of extraordinary relevance to the challenges facing the world economy today, which is undergoing arguably its greatest difficulties since the Second World War. Section B, for example, included item VI, 'The Control of Speculation', which highlighted the challenges and dangers it posed for the world economy, and suggesting it should be controlled, *inter alia*, by raising the margin requirements when share prices were high, with the US Securities Exchange Act of 1934 serving as the appropriate model.

From the outset, the Delegation was clear that one looked in vain 'for any cut-and-dried solutions to the problems applicable in all circumstances'. The causes of economic depressions were too manifold and 'complex to permit easy generalisations'.[14] By 1944, after the Delegation's reports and findings had been transformed into two major overviews of the world economy: *The Transition from War to Peace Economy* and *Economic Stability and the Post-War World*. But its cautionary note on the contingent and episodic character of international economic relations remained; indeed it was amplified despite the newly founded organizations for international co-operation at Dumbarton Oaks and Bretton Woods. Despite the advancements and achievements of economics in the Second World War, the world needed to remain ever vigilant of the threat of depressive forces and shocks, and flexible in their response to them. 'They have many causes. They vary in nature, and may require the adoption of different policies on different occasions. There is no single simple remedy or specific.'[15] The one constant was that they were international phenomena the response to which required international co-ordination that was mediated where possible by international organizations.

What is striking in this chapter's condensed rendition of the research and intellectual labour of the Delegation is the very lucid and sustained focus on the need for co-ordination on all levels in the world economy. The ILO made a powerful case in the Depression Delegation meetings that its activities related to public works demonstrated that co-ordination was not just an empty ideal, but could become a lived reality. For the League, on the other hand, it was clear that by the late 1930s, the 'world economy' was no empty phrase, but a concept which framed topics such as the strategic role of investment, issues of primary production, and the means by which booms and depressions were communicated through different economies around the world.[16] Indeed, the flexibility of the approach stood the Delegation's work in good stead as it used the report and associated papers as a base from

which to develop policy documents during the Second World War. The central theme was a well established one within the EFO: the importance and responsibility 'of the great industrial countries' to the position of the smaller ones that, without access to international reserves and resources of all kinds, 'were forced to seek shelter' in restrictive national economics which had helped to shatter 'the weakened fabric of world economic relationships'.[17] The 1944 report *Economic Stability and the Post-War World* was sensitive to the inequalities of wealth within as well as between countries: the more equal the distributions of income between groups in society, the greater the stabilizing effect on the national economy. The tension could be eased by close government focus on 'the lower-income groups … by increasing their productivity or their purchasing power'.[18] This global economic perspective was enhanced by the contribution of the ILO's 'social' perspective which articulated the responsibility of societies' wealthier members to those far more numerous but far less wealthy, and those whose powers to consume were significantly less than their own.

In 1938–39, the Depression Delegation placed the need to increase living standards through consumption, not production, at centre-stage of its agenda: how consumption might be facilitated, sustained and managed to fight depression. Consumer economies, it argued, were in the longer term more equal, prosperous and stable than competitor models (the implied examples here were Nazi Germany and the USSR). This emphasized the relationship between consumption and stability, and signified the end of the gradual shift in the League's economic thought over the previous fifteen years; every economy should be understood as a consumer economy. In a global context, this reinforced the particular responsibilities the League and the ILO invested in the world's major industrial countries.[19]

Of course, it was not just economies which were subject to the new typology of 'consumption' and 'production', but the people in them. The semantic shift was one of the ways the ILO and the EFO were able to overcome some of the historic enmity in their relations, where in the past the ILO's emphasis on 'workers' posed an ideological challenge to the EFO by raising the spectre of socialism and the command economy that 'consumers' did not. That said, in 1938 co-operation between the ILO and the EFO in the Depression Delegation did not get off to an auspicious start. There was some early confusion as to who would represent the ILO, and with a question mark over which aspect of ILO concerns would be highlighted in particular. The answer was obvious given its expertise and advocacy of public works, especially in the wake of the ILO conference recently devoted to the topic.[20] Public works, of course, had been a topic of contention in the EFO's relations with the ILO in the past, notably when the latter had fought hard to get the issue of public works accorded a higher priority in the meeting of the World Economic Conference in 1933. In the Depression Delegation, the Economic and Financial Section attempted to neutralize the

issue by recourse to a 'scientific approach' and by the attempt to 'summarize a discussion and not advocate a thesis'. The Delegation's approach was to 'set out in systematic form some of the views expressed by economists in recent years on public works as an instrument of business cycle policy'.[21] But the discussion at the delegation meetings and the findings of its final report demonstrated how far members of the delegation had come towards a shared view of the political economy.

Memoranda on public works schemes collated and assessed by the ILO, details of work undertaken by its Labour Office, and the ILO bulletin were circulated to members of the delegation and incorporated by Ohlin into his lengthy memoranda on Depression Policy that formed the basis of discussions in seven private meetings held in June 1938, six meetings in November 1938, and a final clutch of meetings in July 1939. As with so many other items on the agenda, Haberler sought to direct the discussion each time a new issue appeared on the agenda. Especially striking was the discussion of public works schemes. The delegation adopted the ILO's prescribed definition to mean 'any measures taken by or through a Government (national, regional and local) to increase the output of capital construction industries like building, engineering and shipbuilding'. Haberler sought to dilute the attention that might be given to public works by arguing that 'the important point was to stress the financing of public works and to show the connection between public works and other measures. [. . .] Public works programmes were only effective when they created a deficit'. But the other economists, including those long associated with the League, ignored Haberler's manoeuvrings. Those economists less associated with or shaped by the Austrian school always fought back, led by Ohlin, Rasminsky, Riefler and, for the ILO, Carter Goodrich, the American Chairman of the ILO's Governing Body. These men were alive to Haberler's ploy to deflect discussion away from public works and insisted on exploring the issue in depth, stressing that while the manner of finance was important, so too was the public works model chosen and the context in which it operated. In the end, most of the experts followed Goodrich and the ILO's line on this, drawing on the work explored by Liebeskind Sauthier in its categorization of the labour market and how it would be affected by public works. Unsurprisingly given his credentials as a Keynesian thinker before Keynes's economic ideas had become identified as an 'ism', Ohlin offered a robust and nuanced consideration of the variety of questions opened up by public works: how to treat the variable quantity of skilled labour; the difference between private and public involvement in public works; the question of planning public works for periods of boom as well as depression.[22]

Ohlin became most animated, however, on the question of the relation of the 'public imagination' to the topic. It was simply 'deplorable', he said, that there remained 'too great a tendency to regard anti-depression policy as a public works policy. [. . .] Economic policy should be many-sided, and

public works would then not loom so large' nor have such an adverse affect on state finances and 'so cause credit complications'.[23] This frustration with public opinion chimed, of course, with a widely held disappointment within the League secretariat and the ILO over their inability to get their message across more generally as to the values of internationalism. When it came to combating the depression through public works, members of the EFO secretariat, and the ILO, believed governments, businessmen and financiers needed to have a better understanding of the value of public works and social insurance, while workers needed to understand the central contribution made by budgetary deficits in the fight against depression. Indeed, one of the puzzles was that public opinion was prepared to tolerate budget deficits when it came to waging war – as the mounting deficits in Europe now made clear – when many had been so resistant in the early 1930s when it had come to fighting economic depression and social hardship.

Expert opinion from the EFO and the ILO was in agreement that in times of depression budget deficits were inevitable; indeed if managed correctly they were the most efficacious depression-busting tool available to governments, and most agreed (Haberler aside) that public works were a vital part of the arsenal against depression. For the most part, however, the inter-governmental representatives on the committee took a rather different view. Ryti was against both public works and deficits; Rueff was also famously against both, which made him the butt of some of Ohlin's off-the-cuff remarks against the dinosaurs of economic science; and Phillips, demonstrating the gradual reach of Keynesianism in the British Treasury, was now much more in favour of deficits than he had been in League discussions earlier in the 1930s, but he remained sceptical as to the efficacy of public works.[24]

A wider conclusion of the growing expert consensus was that public opinion needed to be better educated as to basic economic policy, a category which included general and elite opinion – politicians, civil servants, bankers, businessmen, journalists and trade unionists. This preoccupation connected to the wider aspiration within the EFO at least, to reconnect and to revive the popular enthusiasm that had accompanied the founding of the League and the ILO that partly inspired McDougall to persistently argue that the Depression Delegation, like other strands of the League and indeed the ILO's activity, should explore and articulate policies that improved the 'living standards' (*niveaux de vie*) for its citizens. To this end, the Economic Committee set up a sub-committee to study 'Standards of Living' which met in December 1938, comprising members of the EFO, the ILO and with the special assistance of the British economist Noel Hall, who submitted a memo on the subject for their consideration.[25] The sub-committee drew heavily on the work on the ILO's work in the field that had been sponsored by the department store magnate Henry Filene and the Ford Corporation between 1929 and 1931.[26]

During the lifetime of the Depression Delegation, the ILO's misgivings about whether the organization was right to adopt what was seen in the 1920s as an American obsession with a materially orientated 'standard of living' set against what was viewed as a European sensitivity instead to the 'manner of life' was lost to history, although the French government still continued to oppose the emphasis on 'living standards'.[27] Rather, the ILO's 1929–1931 enquiry and subsequent work was 'in the nature of a pre-requisite', with the ILO and EFO officials sensitive both to its conceptual, practical (shortfalls in data) and geographical limitations. Indeed, working in collaboration with EFO's secretariat and the League's Economic Intelligence Service (EIS) now provided the ILO with the opportunity to take the study further. Staehle and J. W. Nixon endorsed Hall's call for the League to make use of interesting work being done on production and consumption in China and Africa, and the need, where possible, to roll together cultural preference, a notion of physical wellbeing with the development of some sort of transferable notion of a basic standard of living that would both facilitate and be guaranteed by the re-opening of the international economy.[28]

By 1938, officials of the ILO and the EFO in the Depression Delegation no longer argued over the dichotomy between an American conception of the good life that consisted of a decent income for lots of people spent individually by purchasing all the goods that enabled them to live comfortably, and European notions that emphasized a non-market approach to the 'manner', not standard or cost, of living, a rhetoric that stressed quality, taste and preference as much as quantity.[29] As the British professor of industrial relations John Hilton put it in a review of the ILO 1929–1931 study, 'the fantasy of a universal identical basic budget' was sorely tested by the 'French worker [who] inclines to wine, coffee and veal, where the English worker fancies beer, tea and bacon'.[30] Rather, discussions on living standards in the Depression Delegation sought to roll together living standards and the notion of human wellbeing by widening both the focus from material to physical wellbeing, and from urban European workers to include rural and agricultural workers and the unemployed.[31]

This position adopted in the working papers of the Depression Delegation was best articulated by McDougall who argued it was essential to 'place the question of the standard of living in the forefront of their approach to world economic problems . . . [here] they would find the key to the whole problem'. When couched in national terms, 'it was impossible to separate the question of national unity from that of the standard of living of the poorer sections of the population'. The 'nations' in McDougall's mind were implicitly western democracies where, in countries such as Britain, the challenge had become explicit as world war loomed. The offer to improve standards of living was central to governments' efforts to secure consent for the war. But the implication of his argument was that this recognition needed to be expanded onto a global scale, and the challenge tackled

rationally, giving 'prominence to the mobilizing potentialities of production and consumption', and of 'making the voice of the consumer more effective'. This work also had to be coupled with efforts being made by the League of Nations Health section on the development of physiological standards, with the challenge of determining standards of 'housing and clothing' still awaiting attention. Consumption therefore was understood as a physiological as well as economic necessity. The public had to be made 'conscious of the consequences of inadequate consumption' by 'for example, statistics of mortality rates'. In McDougall's words, it was their responsibility to 'evolve new technical methods of "getting knowledge across": a process for the translation of these studies into general terms comprehensible to the public. There could be no more effective way of fostering economic co-operation between peoples'.[32]

The global breadth of McDougall's vision was striking. It heralded what became a preoccupation with development economics that went on to distinguish both his career and those of many others employed by the Economic and Financial Section of the League and the ILO in the post-war period. McDougall argued that state policies to increase consumption in periods of depression would improve the economic standing and political stability of deeply impoverished primary-producing countries, increasing also their ability to take on important manufactures and thereby enhancing the sense of global community. Interestingly, the Delegation, in keeping with other aspects of the League's economic work, while differentiating between developed and under-developed economies, rarely described them or sought to measure in depth imperial or colonial economic connections. In this sense, the world economy of the League was a space in which colonies and members of the British Commonwealth could be sovereign – the treatment of India, Australia, Canada and the Irish Free State all demonstrated this.

Equally noteworthy given the crisis in international relations in 1938–39 and the promotion of technocratic solutions to the challenge of international economic coordination at Bretton Woods was McDougall's emphasis that the focus on consumption would also revitalize international democracy. This was an inherent if problematic element of the League's covenant and the ILO's drive for social justice. By concentrating on the standard of living, these organizations would also 'do much to enable the consumer to make his voice heard with effect'.[33] Here, then, the 'standard of living' was transformed from a means to categorize economic output to one which compared nations rich and poor, and used to disseminate economic knowledge to the wider world. Daniel Maul has demonstrated how for the ILO 'the poor' of the colonial world remained objects of ILO agency in the articulation and practice of its development policy, emerging only as active participants in shaping policies to suit their interpretation of their needs in the latter part of the 20th century.[34] But McDougall's emphasis was rather different. The application of capitalist market economics to the related

issues of consumption and development for him meant the 'consumer' could articulate his or her preferences to the market, to governments and to international organizations. As well, he equated the promotion of consumption to access to a wider set of choices. There were obvious drawbacks to this proposition, but the question it sought to answer – how was the global citizen to make his or her voice heard above the din of market forces, managed or otherwise – was and remains a pertinent one.

The work of the Depression Delegation, with its detailed exploration of the 'Measures Recently Proposed With a View to Preventing and Mitigating Depressions' and all the attendant documentation it produced attempted to address large and fundamental questions about international economic relations and to provide a future roadmap for policy-makers, national and international alike. It was a roadmap of socio-economic issues drawn onto a primarily capitalist world economy, and an exploration of their relationships to one another. The map did not offer any clearcut, easy routes. However, after twenty years of persistent economic crises of every kind, the Delegation implicitly agreed that they had worked out at least what questions to ask. Indeed, it expected answers to differ in the future to those which it proffered during and after the Second World War because the context would be different. The policy solutions were bound to vary because economies, societies and economic science was defined by change: 'each period of prosperity and depression is an historical individual' the Delegation argued; or as Haberler put it, is 'embedded in a social-economic structure of its own'.[35] But the threat and challenges posed by economic depression would remain. In 1944, the group proposed the creation of a permanent 'Depression Delegation'. It was to be independent, and ensure that the world would remain ever vigilant to the threat of depressive forces and shocks, and flexible in its response. This lesson was hard-learned from the 1920s and 1930s, but it was easily forgotten both with the threat of Cold War and in the age of prosperity enjoyed by some in the immediate post-war decades. It was only when the world of the early 21st century proved so much more vulnerable to economic crisis than enthusiasts for unfettered capitalism ever imagined that many of the ideas embodied in the co-operation of the ILO and the EFO resurfaced once more. It was telling, too, that the lessons of history embodied in the Depression Delegation by then had been entirely forgotten.

Notes

1. As the historiography of the ILO is extensively covered elsewhere in the book, there is no need to rehearse it here. The EFO's history is emergent with a number of doctoral studies and research projects nearing completion. *Inter alia*, see P. Clavin, *Securing the World Economy: The Reinvention of the League of Nations, 1920–1946* (Oxford: Oxford University Press, 2012). Among published work, see L. Pauly, *Who Elected the Bankers? Surveillance and Control in the World Economy* (Ithaca: Cornell University Press, 1998); N. de

Marchi, 'League of Nations Economists and the Ideal of Peaceful Change in the Decade of the 'Thirties', in C. D. Goodwin (ed.), *Economics and National Security. A History of Their Interaction. Annual Supplement to Volume 23, History of Political Economy* (London: Duke University Press, 1991), pp. 143–178; A. Menzies, 'Technical Assistance and the League of Nations', *The League of Nations in Retrospect: Proceedings of the Symposium Organized by the United Nations Library and the Graduate Institute of International Studies* (Geneva: United Nations Library, 1983), pp. 295–312; and A. M. Endres and G. A. Fleming, *International Organisations and the Analysis of Economic Policy, 1919–1950* (Cambridge: Cambridge University Press, 2003).

2. J. M. Keynes, *The Economic Consequences of the Peace* (London: Macmillan and Co., 1919); P. Clavin and J. W. Wessels, 'Transnationalism and the League of Nations: Understanding the Work of its Economic and Financial Organisation', *Contemporary European History* (vol. 14, no. 4, 2005), pp. 465–492.

3. Yann Decorzant, 'Répondre à la demande sociale et à la demande du marché: les prémisses de la régulation économique dans les années vingt', in A. Aglan, O. Feiertag and D. Kevonian (eds), *Actes des 'Journées d'étude des 19 et 20 janvier 2007 à l'Université Paris-I Panthéon-Sorbonne: Albert Thomas, société mondiale et internationalisme: réseaux et institutions internationales des années 1890 aux années 1930'*, no. 2 (Paris, 2008), pp. 106–126; S. Kott, 'Une "communauté épistémique" du social? Experts de l'OIT et internationalisation des politiques sociales dans l'entre-deux-guerres', *Genèses* (June 2008), pp. 28–29.

4. Clavin and Wessels, op. cit. For its antecedents, see Y. Decorzant, 'La Société des nations et la naissance d'une conception de la regulation économique international' (Unpublished PhD dissertation, Faculty of Economic and Social Science, University of Geneva, 2008).

5. M. D. Dubin, 'Toward the Bruce Report: the Economic and Social Programs of the League of Nations in the Avenol Era', in United Nations Library, Geneva (ed.), *The League of Nations in Retrospect. Proceedings of the Symposium* (Berlin and New York, 1983).

6. B. Ohlin, 'The Study of the Course and Phases of the Present Depression' (Geneva: League of Nations, 1931); G. Haberler, *Prosperity and Depression* (Geneva: League of Nations, 1937); J. Tinbergen, *Statistical Testing of Business Cycle Theories* (Geneva: League of Nations, 1938) and *Business Cycles in the United States of America 1919–1932* (Geneva: League of Nations, 1939).

7. *The Official Journal of the League of Nations* (Geneva, 1938), Work of the Economic Committee at its 47th Session, February, 1938, p. 178.

8. For a note on the high regard with which Staehle was held and his relationship to League statisticians, see Philippe Carre, 'Brief Note on the Life and Work of H. Staehle', *Econometrica* (vol. 29, no. 4, 1961), pp. 801–810.

9. Here I defer to my colleague and fellow contributor to the volume, Ingrid Liebeskind Sauthier.

10. Records of the League of Nations, United Nations Archives, Geneva (hereafter LN), P.V. de la 1ère Réunion, 'Délégation pour l'étude des depressions économiques', First meeting, June 1938, LN 10A General, Box R4453, Econ Depr Cttee, 1937–38, File 10A/36595/32649 Econ Depr Cttee Jun 1938 Minutes. See also Archives of the International Labour Organization, Geneva (hereafter ILO), Memo by John Winant, 6 July 1938, ILO L 5/6/1.

11. See R. Skidelsky, *Politicians and the Slump* (London: Macmillan, 1967); A. Tooze, *The Wages of Destruction. The Making and Breaking of the Nazi Economy* (London and New York: Allen Lane, 2006).

12. League of Nations, Delegation on Economic Depressions, 'Basis of Discussion for Report', pp. 2–3, 9th June 1939, LN R4450, 10A/33303/32669-2.
13. Circular letter from Avenol, LN R4450, 10A/32446/32446, February 1938. For an example of national co-ordination in response, see Foreign Ministry to Georges Bonnet, 22 Feb. 1938. Série SDN IJ – Questions Economiques et Financière, No1338, Crises Economique (1925–1939), subfile, 'Crises Economiques Chômage'.
14. League of Nations, Delegation on Economic Depressions, 'Basis of Discussion for Report', pp. 2–3, 9th June 1939, LN R4450, 10A/33303/32669-2, p. 2.
15. League of Nations, *Economic Stability in the Post-War World* (Geneva: League of Nations, 1944), p. 291.
16. See Goodrich's intervention, Minutes of the Depression on Economic Depressions, 'Provisional Minutes: Fourth Meeting (Private), 30th June, pp. 14–15, LN 10A General, Box R4453, Econ Depr Cttee, 1937-38, File 10A/36595/32649 Econ Depr Cttee Jun 1938 Minutes.
17. League, *Economic Stability*, op. cit., p. 19.
18. Ibid. p. 294
19. Memo by Martin, 'Report on the First Meeting of the Delegation of Economic Depressions, 29th June – 2nd July, 1938', ILO L 5/6/1.
20. Memorandum on 'Summary of Conversations regarding place of meeting of Delegation on Economic Depressions and Representations of ILO', LN 10A General, Box R4453, Econ Depr Cttee, 1937–38, File 10A/33087/32649, 21st June 1938.
21. Note by Secretariat for Delegation on Economic Depressions 'Summary of Recent Discussion on Public Works and the Business Cycle', 18th March 1938, LN 10A General, Box R4453, Econ Depr Cttee, 1937–38, File 10A/33303/32649.
22. O. Steiger, 'Bertil Ohlin and the Origins of the Keynesian Revolution', *History of Political Economy* (vol. 8, no. 3, Autumn 1978), pp. 341–366.
23. Ohlin's intervention, 'Provisional Minutes: Fourth Meeting (Private), 30th June, pp. 32-35, LN 10A General, Box R4453, Econ Depr Cttee, 1937–38, File 10A/36595/32649 Econ Depr Cttee Jun 1938 Minutes.
24. For more on Philips and the Treasury, see Roger Middleton, *Towards the Managed Economy: Keynes, the Treasury, and the Fiscal Policy Debate of the 1930s* (London: Methuen, 1985). The League and ILO view on Rueff's abrasive impact on the otherwise largely harmonious meetings was entirely shared. See Memo by Crocker, 14th Dec., ILO L 5/6/1; and LON, 'Comments by Ohlin and Rueff, "Provisional Minutes, Fifth Meeting (Private)", 1st July 1938, p. 1 and p. 18, LN 10A General, Box R4454, Econ Depr Cttee, 1937–38, File 10A/36595/32649 Econ Depr Cttee Jun 1938 Minutes.
25. 'Sous-Comité Pour L'Etude Des Niveaux de Vie', five meetings, beginning 1st December 1938. Participants included McDougall, Dolézal, Elbel, Rappard, Nixon (ILO), Loveday and Noel Hall. A note was also submitted by Dr Olsen from the LNHO. See LN 10A, Box R 4468, Rearm Pol – various, File 10A/36292/35663, 1938 Minutes of Standard of Living Cttee.
26. For details of its history see, V. De Grazia, *Irresistible Empire: America's Advance through 20th Century Europe* (Cambridge, MA: Belknap Press of Harvard University, 2005), pp. 76–126; J. Coffin, 'A "Standard of Living?" European Perspectives on Class and Consumption in the Early Twentieth Century', *International Labor and Working Class History* (vol. 55, Spring 1999), special issue, *Class and Consumption*, ed. L. Cohen and V. de Grazia, pp. 6–26.
27. Comment by Elbel, Minutes of Third Meeting, 'Sub-Committee on the Standard of Living', 2nd Dec, 1938, LN, Box R4468 Rearm Pol – various, File 10A/36292/ 35663, p. 5.

28. Comments by Staehle and Hall, Minutes of Third Meeting, 'Sub-Committee on the Standard of Living', 2nd Dec, 1938, LN, Box R4468 Rearm Pol – various, File 10A/36292/35663, pp. 2–4. Hall noted 'valuable efforts made by an American organisation in China to benefit producers on small holdings by rationalising their methods of production, and referred to the same work being done in parts of Africa. Lord Hailey's report on Africa showed the immense opportunities which existed if a solution could be found of the problem of how to get the population to take fuller advantage of modern knowledge'.

29. De Grazia, op. cit., pp. 94–95.

30. J. Hilton, 'International Wage Comparisons', *The Economic Journal* (vol. 43, no. 171, 1933), p. 480.

31. Comment by Noel Hall, Minutes of Third Meeting, 'Sub-Committee on the Standard of Living', 2nd Dec, 19338, LN, Box R4468 Rearm Pol – various, File 10A/36292/35663, p. 2.

32. Comment by McDougall, Minutes of Third Meeting, 'Sub-Committee on the Standard of Living', 2nd Dec, 1938, LN, Box R4468 Rearm Pol – various, File 10A/36292/35663, p. 4

33. 'Minutes of the Third Meeting of the Standard of Living Committee, 1938, 2nd December, pp. 4–9, 'Sous-Comité Pour L'Etude Des Niveaux de Vie'.

34. D. Maul, *Menschenrechte, Entwicklung und Dekolonisation – Die Internationale Arbeitsorganisation (IAO), 1940–1970* (Essen: Klartext Verlag, 2007).

35. League of Nations, Delegation on Economic Depressions, 'Draft Report', p. 24, June 1939, LN R4450, 10A/33303/32669-2; Haberler, op. cit., p. 177.

14

Developing Nutritional Standards and Food Policy: Latin American Reformers between the ILO, the League of Nations Health Organization, and the Pan-American Sanitary Bureau

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> Everything in our legislations that shields and protects the rights of the workers is due solely to Geneva; this is the conclusion that must be reached by anybody who reads the laws of our countries retrospectively, and who observes that everything in them that is salutary, humane, just and equitable is derived from Geneva; and it is to Geneva that we must turn, with praise and gratitude for all that America owes her.[2]

At the Second Conference of American States Members of the International Labour Organization (ILO), which took place in Cuba in 1939, the Mexican delegate Isidro Fabela felt inspired to pay tribute to 'Geneva' and the ILO. Was this a case of sheer diplomatic politeness? Didn't the Mexican constitution of 1917 guarantee the eight-hour day, the right to organize unions and to strike before the ILO was even established? Moreover, Fabela's statement contrasts with other assessments of Latin America's relation with the ILO: contemporaries as well as historians who have assessed Latin American participation at conferences and the number of ratifications of ILO Conventions often concluded that the ILO did not have much of an impact in Latin America before the 1950s.[3] This chapter aims to reconcile these contrasting views and proposes a complex pattern of interaction between Latin American reformers and international organizations. Examining how governments and public health officials interacted with the ILO and other international organizations active in the field of popular nutrition, I will argue that Latin American social reformers did look towards ILO for technical advice on how to implement their own projects. Moreover, they looked for legitimation in the international realm to push their agenda forward at

the national level. Lastly, it is also important to consider the impact of the League organizations in pre-existing inter-American institutions such as the Pan-American Sanitary Bureau. This chapter will first assess the relations between the ILO and Latin America, then sketch the ILO's involvement with questions of nutrition, and finally discuss how social reformers approached the international realm in the field of food policy.

The ILO and Latin America

Judging by sheer numbers, Latin American countries should have carried some weight at the ILO: no fewer than sixteen Latin American states (among them Argentina, Brazil, Chile and Peru) were members of the League of Nations and thus of the ILO from the early 1920s. Yet the ILO, while asserting its interest in the region, did not really busy itself with matters Latin American. In the first nine volumes of the *International Labour Review*, the sixteen member republics together received less coverage than small Belgium.[4] This was not entirely the fault of the ILO. For quite a few Latin American governments, ILO membership did not lead to an active engagement with the organization. Conference participation in Geneva was a logistical and financial challenge, which made it tempting to send ambassadors or minor diplomats from a close-by country, even if they were not experts in labour questions.[5] Full delegations of government, employers' and workers' representatives from Latin America were a rare sight in the 1920s. The situation improved by the 1930s, but the delegations remained much smaller than those of the Europeans, which limited the Latin Americans' capacity to participate in committees and commissions.[6] Moreover, Latin American workers' organizations were not actively seeking the help of the ILO either. At the 1936 Santiago conference – the first ILO event attended by a good number of Latin American workers' delegates – it became clear that their highest priority was to build strong labour unions and to fight for the freedom of association.[7]

Thus it was mostly reformist governments which, under pressure from their own technical or legal personnel, engaged with the ILO. In Chile, reformers such as law professor Francisco Walker Linares or diplomat Manuel Rivas Vicuña argued, in major newspapers and during lecture tours, for active participation in the Geneva institutions. For Rivas Vicuña, participation in the ILO was a matter of prestige: Chile should be able to 'present itself with dignity in the concourse of the civilized nations.'[8] Walker Linares saw in the ILO and its 'scientific' work 'the strongest barrier we can put in the way of communism', as it resolved injustices 'in legal ways', so that production and wealth for everyone would rise 'in social peace'. Moreover, he thought that Chile should use the ILO as a platform to promote its progressive social policies.[9] There was also a consensus that Latin America should send more qualified delegates to the Labour Conference: 'Europe must hear our voice . . . that voice must speak facts and not rely on displays of rhetoric.'[10]

However, the 'voice' of Latin America was for years reduced to a few individuals. One such key figure linking Latin America to the ILO in the early years was the lawyer Moisés Poblete Troncoso. Appointed in 1920 as the director of the Chilean Labor Office, one of his tasks was to write a new Labor Code. He immersed himself in ILO material as well as he could and in return supplied Geneva with information on the Chilean situation.[11] By 1925, he was a member of the Chilean government delegation to the ILO conference and in 1927, he started working for the ILO in Geneva, fulfilling a liaison function. Poblete compiled books on Latin American social legislation, on labour movements, and travelled throughout Latin America on a series of missions designed to enhance relations, exchange information, evaluate needs in individual countries and further ILO business at Pan-American Conferences.

By the early 1930s, Latin American governments started to actively seek the help of the ILO in a variety of reform projects, lobbying for visits by ILO representatives.[12] Cuba, Venezuela and Bolivia profited from longer stays of ILO experts who helped develop labour legislation.[13] Latin American delegates also proposed to hold an ILO conference in the Americas. The ILO leadership played along, as by the mid-1930s it was aware that the organization was in dire need of Latin American support if it wanted to survive the looming European crisis.[14] The organization then accepted the offer of the Chilean government to host such a conference at the beginning of 1936.[15] However, the expectations of the Latin American countries and those of the ILO did not always coincide. At the Santiago conference, the delegates demanded that the ILO increase the number of Latin Americans holding positions in Geneva, that it translate more ILO publications into Spanish and that it publish an account of Latin American social legislation and reforms, whereas the main concern of the Geneva office was to garner more ratifications of ILO Conventions and to discreetly put some pressure on the Latin Americans to comply with their duties in filing reports on their implementations of Conventions.[16] All parties received some satisfaction at the Santiago meeting, but as the issue of workers' nutrition illustrates, the approaches of Latin American reformers were at times incompatible with the ILO's, which limited collaboration.

The problem of workers' nutrition: the ILO and the League of Nations Health Organization

According to the preamble to the ILO constitution, 'the provision of an adequate living wage' was one of the goals of the organization. As any definition of a 'living wage' needs to take food needs into account, nutrition entered into the purview of the ILO. However, the ILO struggled for years to make the notion of a minimum wage workable in the context of an international organization. Surveys on possible regimes for minimum wages in the 1920s

made clear that the notion of food baskets was central but complex: food baskets and their cost would have to be determined nationally or even regionally.[17] The ILO did not make much headway on the questions of a 'living wage' or on workers' nutrition until the early 1930s, when food consumption was included in the surveys of the living conditions of workers published in the *International Labour Review*.[18] By the mid-1930s, however, the economic crisis had taken such a toll on social conditions that nutrition emerged as an important subject internationally.[19] At the ILO, the 1935 Labour Conference accepted an Australian resolution to pursue studies of workers' nutrition more intensely.[20]

The Great Depression had put standards of living in the spotlight for the international organizations. The League of Nations Health Organization (LNHO), under the leadership of Ludwik Rajchman and John Boyd Orr, had started to develop quantitative and qualitative measures of public health, among which nutritional data took an important place.[21] In 1935, the League Assembly also declared nutrition studies a priority and mandated collaboration with the ILO. The ensuing cooperation was not always harmonious. The food groupings that ILO surveys used were not compatible with the analyses done by the LNHO. ILO officials bemoaned that the LNHO food surveys paid no attention to the economic and social situation of the families studied and complained that they were 'intended to advance physiological science rather than a first step in the direction of improving people's nutritional status'. The ILO experts believed that the League's 'pure science' menaced their strategy of using surveys to spur governments into action.[22] Despite these complaints about the League's nutrition experts, the ILO itself hardly took an activist role. ILO offices outside Geneva did not receive much, for instance, information on the organization's activities in the field of nutrition and were unable to respond adequately to the great public interest in the matter.[23]

The ILO published its major study, *Workers' Nutrition and Social Policy*, drawn up by a committee of experts (seven European, one American and one Japanese) in May 1936. The main thrust was to insist that economic factors – wages – had the most dramatic impact on workers' nutritional status. The League's report *Relation of Nutrition to Health, Agriculture and Economy Policy*, came out one year later. Both became frequently requested publications.[24] Latin American public health officials were probably aware of the rivalries in Geneva without being gravely affected by them. They attempted to receive help from whichever agency that was willing to assist them in developing their own nutrition policies.

Nutrition and the 'social question' in Latin America

All across Latin America, concerns about the availability, cost and quality of food had been a major factor in the mobilization and politicization of

workers. Elites considered the 'social question' in the late 19th century, but left welfare to philanthropic (and frequently Church-based) organizations. Only in the first decades of the 20th century did Latin American states increase their engagement with biopolitics and start to build governmental welfare organizations. In Mexico, this happened in a revolutionary context; in other countries such as Chile and Uruguay, the influence of middle-class reformers was growing. New systems of public health, improved urban infrastructure, expanded education, and regulated working conditions should all contribute to modernization – then mostly called 'progreso'.[25] Only the care of 'unproductive' citizens – the ill and the old – was still left to the Church. High child mortality rates inspired inquiries on (mal)nutrition of infants and children. 'Child protection' was discussed at a series of Inter-American Congresses, spawning transnational public health organizations that predated the Geneva institutions.[26] While female workers figured in these discussions as mothers of ill-nourished children, working-class men's nutrition did not inspire much interest until the 1920s and early 1930s, when ambitions for industrialization ran high.[27]

As planners were reflecting on the types of workers needed for modernization, nutrition became a field of research and a core question that linked the economic situation of workers with public health and economic development. In the emerging international public health community, nutrition was discussed in a variety of institutional contexts: the Pan-American Sanitary Bureau, the League of Nations Health Organization, the International Labour Organization and in many private foundations.

The Latin American public health and labour officials engaging in research on nutrition[28] sought support abroad on the regional as well as international level. The Chilean pediatrician Luis Calvo Mackenna, for instance, was active in the Pan-American Child Congresses as well as in the League's Hygiene Committee, which held a Congress on Child Mortality in Montevideo in 1927.[29] Calvo Mackenna drew on League guidelines for a study on Chilean child mortality which pinned down the malnutrition of mothers and children as a major cause of the very high mortality rates.[30] Together with Eduardo Cruz-Coke, the director of a large hospital, he was eager to collaborate more closely with the League, and convinced the Chilean government to solicit the help of the LNHO in devising a food survey. The League obliged, sending Etienne Burnet and Carlo Dragoni to Chile to examine the state of nutrition in 1935.[31] The results of the survey were so scathing that they were not published in Chile until 1938.[32] Yet Cruz-Coke, by then health minister,[33] reacted by creating a National Council of Nutrition in 1937, which enacted a slew of measures to increase agricultural production and improve distribution. Moreover, the Council introduced the 'school breakfast' to protect children from malnutrition, established dietary guidelines, promoted nutrition education, but also kept track of food prices.[34] The Chilean government's concern with nutrition was by no means exceptional,

as became clear during the first regional Labour Conference that opened in Santiago de Chile in early 1936.

The Mexican delegation was also deeply concerned about the rising cost of living and appealed to the ILO to help institute regular internationally comparable surveys of workers' budgets that would show expenses for food, housing, hygiene, clothing, education and culture.[35] The Peruvian government thought that only the state could solve the problem of workers' nutrition by delivering inexpensive, nutritious meals and eagerly presented its *restaurantes populares* which served thousands of such meals every day as a model.[36] Nutrition was also one of the main concerns of the Chilean workers' representative Carlos Solís Solís. He used the calorie requirements proposed by the League to drive home the point that it was impossible to buy that much food on a worker's budget. He also demanded that the ILO make an effort to standardize data collection of food cost and consumption with a view to developing other measures of intervention, such as workers' canteens and price controls. Most importantly, he wanted higher wages, 'such that the workers can provide healthy and adequate food for themselves and their families'. While some voices insisted that the workers' ignorance of sound nutrition accentuated the problem of low wages, the great majority of the congress participants favoured the linking of minimum wages to food prices. Justifying such measures was the fact that physical vigour, and therefore the output of workers, was directly related to food intake.[37]

The Chilean government delegates shared this broad agenda. They presented the nutrition standards set by League specialists like Sakai and proposed that the ILO take a position on the question of nutrition in relation with workers' wages, preferably at the next ILO Conference. The resolution suggested that the ILO should have all countries determine the cost of a food basket of 3000 calories in an adequate mix as a basis for calculating the minimum salary. It also advocated price controls for important products such as milk, meat and bread as well as the creation of food councils that would help formulate economic policies that prioritized the nutritional needs of people over commercial profits. A separate resolution on minimum wages de-coupled them from average wages and linked them to cost of living.[38]

After the Santiago Conference, the ILO governing body was not quite sure what to do with the two resolutions regarding nutrition except to put nutrition on the agenda of the next Labour Conference, which took place in June 1936. The resolutions that had passed without objections in Santiago did not fare as well in Geneva, even though popular nutrition was still recognized 'as one of the most important problems' the ILO should tackle in collaboration with the League. The ILO conference resolved that the ILO should work on food consumption statistics, establish nutritional requirements for different occupations, and 'study the economic and social consequences of the different policies followed with a view to improving the standard of

nutrition of the people'. But where the Santiago Conference had demanded that minimum wages be set in relation to the cost of food baskets, the Geneva resolution only asked 'to study closely the principles upon which the regulation of wages . . . is based'. This meant ignoring the proposed link between food cost and salary, as well as the question of fixing maximum prices for basic necessities – as practised in several Latin American countries – was not pursued.[39] The Latin American tendency towards mandating state regulations did not find favour in Geneva.

Also in other regards, the nutrition resolutions of Santiago did not have much impact in Geneva. No effort was made to consult with Latin American specialists for the studies on workers' nutrition and at the April 1937 Committee meeting, the chairman was completely oblivious to the great interest in and measures on nutrition in Latin America.[40] Three years later, ILO officials themselves admitted that their response to the Latin American concerns with workers' nutrition had not been adequate. Unable to comply with the 'large programme' implied by the various resolutions, the ILO had merely focused on the collection of usable statistics for family budgets and food prices. In so doing, the ILO experts proved resistant to Latin American innovations, even when they had some merits: an Argentinian study, for instance, included family size as a variable instead of assuming a family of four, but such a feature was not transformed into ILO standards.[41]

The Latin American reformers, however, carried on with their campaign for adequate nutrition for workers. Right after the ILO Conference in Geneva, they brought the topic to the Inter-American Conference for the Maintenance of Peace, which met in Buenos Aires in December 1936. Latin Americans felt encouraged in their policies for nutrition reform, as US President Franklin D. Roosevelt himself called for a 'more abundant life' for all Americans. With the question of war hanging in the air, nutrition assumed more importance as an aspect of national defence, as was confirmed in the 1942 meeting of Ministers of Foreign Affairs in Rio. Declarations at these high-level diplomatic conferences, however, frequently did not have the same concrete impact than more technical conferences organized by the ILO, the League or the Pan-American Sanitary Bureau.

In response to the great international interest in the topic of nutrition, the Pan-American networks which were forming around questions of nutrition were institutionalized. The ILO attempted to maintain good contact, sending the Colombian envoy to the ILO, Alfredo Vásquez Carrizosa, to represent the organization at the 1938 Pan-American Sanitary Conference.[42] The conference decided to make permanent its ad hoc committee on nutrition so that it could participate on equal footing in international discussions. The committee report emphasized that a variety of actors needed to be brought together to develop and implement good food policies and suggested that public health organizations provide a home for national committees on nutrition.[43]

Throughout the late 1930s, the ILO was open to collaboration with Pan-American institutions in matters of nutrition, attempting to use them as a multiplier for ILO expert knowledge and approaches to social policy. At the next Pan-American Sanitary Conference, which took place in Rio de Janeiro in 1942, ILO staff member Robert M. Woodbury was invited to present a lengthy report on dietary surveys which indicated how data collection on nutrition in the Americas could be improved.[44] However, at this wartime conference, such issues were overshadowed by the affirmation of the need for government intervention to keep food production up and products accessible.[45]

While the ILO was struggling to contribute more than good statistics to the nutrition discussion, Latin American public health officials continued to engage with the League of Nations Health Organization. Insisting on the health problems of the sizable rural populations in Latin America, they convinced the League to convene an Intergovernmental Conference on Rural Hygiene for American Countries in 1938. Nutrition was one of the five topics to be discussed. Both the Pan-American Sanitary Bureau and the ILO were represented in the preparatory commission, which certainly helped to get the topic 'proportion of family budget spent on food' – an issue that was very important to Latin Americans but less so to the LNHO – on the agenda. Indeed, the ILO was eager to demonstrate its interest in 'social questions' because it knew that these were of paramount importance to the Latin Americans.[46]

The LNHO maintained its support of the Argentine nutritionist Pedro Escudero and accepted his proposal to hold the Third International Conference on Nutrition in Buenos Aires. The 1939 conference attracted delegates from Brazil, Peru, Ecuador, Chile, Uruguay, Paraguay and Venezuela, as well as observers from the League and the ILO. At Buenos Aires, a different spirit prevailed than in the previous, rather technical, League discussions. The conference reiterated many of the demands of the Santiago Conference, urging governments again to establish Nutrition Commissions (convening nutritionists, economists and social workers) and demanding regular dietary surveys. The conference also asked again that the League and ILO tighten their ties with the Latin American countries and that Geneva collaborate more closely with the Pan-American Sanitary Bureau. Needless to say, Escudero used the event to bolster his status as one of the pioneering nutrition specialists in Latin America. Newspapers reported widely on the League nutrition conference and the conclusions were immediately sent to the delegates at the Second Labour Conference of American Members of the ILO which took place in Havana in November 1939. Moreover, the call for nutrition education emanating from the conference would of course benefit institutions like his National Nutrition Institute.[47]

The Havana Labour conference was greatly affected by the outbreak of war in Europe. As ILO director John Winant pointed out, at that moment the

support of the American Republics turned into a matter of sheer survival of the ILO.[48] It was a time of taking stock and reaffirming Latin American priorities in labour and social legislation. There was a consensus that statistics on family budgets and consumption still needed improvement and that more measures were needed to improve workers' nutrition.[49] But the delegates could also report on initiatives regarding food policy: Argentina, Chile, Cuba, Mexico, Peru, Venezuela and Uruguay all had followed international recommendations and established national nutrition councils. The Peruvian delegate gave an account of the expansion of the *restaurantes populares*, which had served more than ten million meals since their inception, and presented the price control schemes to keep rice and meat affordable to broad sectors of the population.[50] Uruguay announced the creation of the Nutrition Institute, which ran low-priced restaurants and prepared lunches for schoolchildren, but credited mostly the Pan-American Sanitary Bureau with the initiative. In Brazil, the Vargas government had decreed that minimum wages were tied to the cost of certain foodstuffs, while Chile, Colombia and Peru had implemented price controls for certain commodities. The newly elected Popular Front government in Chile had also opened *restaurantes populares* and expanded the school breakfast programmes.[51] The ILO Conference at Havana then accepted a resolution expressing the hope that governments, the League of Nations as well as the ILO 'will render full support' to the conclusions of the Buenos Aires League Conference on Nutrition.[52] Clearly, proposals and ideas moved around from one international organization to another, being discussed at the ILO, the Pan American Conferences, as well as at League events.

Latin American reformers tried to avail themselves of the resources of the international organizations to deal with the nutrition problem. They were successful in obtaining support to diagnose the problems in the form of the budget inquiries and price statistics supplied by the ILO, or the health surveys supported by the LNHO. As far as solutions were concerned, however, the Latin American countries felt they had to rely on their own approaches of state intervention in the form of welfare services and price controls. But already in 1939, the beginning of the Second World War made clear that national planning might not be sufficient for food policy.

While the Second World War was still wreaking havoc on a good part of the world, planning for the post-war international order was under way in 1943, when the US government convened the United Nations Conference on Food and Agriculture in Hot Springs, Virginia, to discuss problems of food and agriculture, with the ultimate goal being 'freedom from want of food' and the possibilities for all peoples to have access to food 'suitable and adequate for the health and strength of all peoples'.[53] Out of this effort came the founding of the Food and Agriculture Organization of the United Nations, FAO, in 1945. In the post-war period, the multiple, overlapping networks of public health and labour officials that spanned the ILO, the

League of Nations Health Organization, and the Pan-American Sanitary Bureau had to contend with a new protagonist in the world of food and nutrition.

Conclusions

Taking the issue of workers' nutrition as an entry point to investigate the creation and circulation of expert knowledge between Geneva and Latin America, we see that Latin American reformers in a variety of fields – public health, labour, industrial hygiene – appealed to international organizations to support their work. In their contacts with the ILO and the League, individual reformers as well as national institutions sought legitimacy for their undertakings. They also attempted to use international standards to put their own governments under pressure. ILO Conventions, consumption statistics, as well as the organization's attention to the nutrition problem in Europe, were used to help bolster public opinion and justify reform projects in Latin America. The League of Nations Health Organization also responded several times to Latin American requests for support by helping to organize nutrition surveys and discuss dietary standards. The participation of the LNHO and the ILO contributed to the institutionalization of nutrition research throughout Latin America. With regards to food policy, many Latin American countries in the 1930s and 1940s chose solutions of price control or state invention, measures which were not fully in line with the majority views at the ILO or the League. Divergent notions about government responsibilities percolated through these international institutions, from ILO conferences to the Pan-American Sanitary Bureau, from League-sponsored events to ILO conferences, while Latin American reformers appropriated what they thought was most useful for their tasks.

Notes

1. This chapter forms part of a larger research project at the University of St Gallen: 'Recipes for modernity: The politics of food, development, and cultural heritage in the Americas', which is supported by the Swiss National Science Foundation.
2. Second Labour Conference of the American States Which Are Members of the International Labour Organization, Havana (Cuba), 21 November–2 December 1939, *Record of Proceedings* (Montreal: International Labour Office, 1941), p. 21.
3. Y. Wehrli and F. Herrera León, 'Le BIT et l'Amérique latine durant l'entre-deux-guerres: problèmes et enjeux', in I. Morel-Lespinet and V. Viet (eds), *L'Organisation internationale du travail. Origine – Développement – Avenir* (Rennes: Presses Universitaires de Rennes, 2011) pp. 157–166; J. Seekings, 'The ILO and Welfare Reform in South Africa, Latin America, and the Caribbean, 1919–1950', in J. Van Daele et al. (eds), *ILO Histories: Essays on the International Labour Organization and Its Impact on the World during the Twentieth Century* (Bern: Peter Lang, 2010), pp. 145–172.

4. Eight articles on Latin America, stood against twelve on Austria, ten on Belgium, and well over forty on both Germany and France. From 1930 to 1934, the situation improved modestly to seven articles in the five-year period.

5. See Wehrli and Herrera León, op. cit., pp. 161–163.

6. In 1934, for instance, the eleven European countries each sent delegations of eleven to twenty-six members, while the thirteen Latin American countries counted a total of thirty-five delegates (Brazil, seven; Argentina, six; Cuba, four; Mexico and Venezuela, three each; Bolivia, Chile, Paraguay, Peru, two each; Colombia, Guatemala, Nicaragua and Uruguay, one each).

7. For a comprehensive overview of the history of Latin American labour organizations, see R. J. Alexander and E. Parker, *International Labor Organizations and Organized Labor in Latin America and the Caribbean. A History* (Santa Barbara: Praeger/ABC-CLIO, 2011). For Alexander and Parker, the ILO is a very minor actor in Latin America.

8. M. Rivas Vicuña, *Convenciones internacionales sobre el Trabajo. Artículos publicados en el Mercurio* (Santiago de Chile: Imprenta Universitaria, 1923), pp. 9, 51, 56.

9. F. Walker Linares, *La Sociedad de las Naciones y sus organismus del trabajo. Conferencias de divulgación científica* (Santiago de Chile: Universidad de Chile, 1930). Walker Linares was irked, for instance, by the Chilean Congress's failure to ratify ILO conventions before Albert Thomas's 1925 visit, even though the national legislation was fully compatible earlier.

10. J. P. Ramos, 'Latin America and the International Labour Conference', *International Labour Review* (vol. 25, no. 6, 1932), p. 739. Walker Linares and Rivas Vicuña also concurred on this point.

11. He complained to the postal service, however, that important material arrived so late in Chile that timely replies were impossible. See J. C. Yáñez Andrade, 'Chile y la Organización Internacional del Trabajo (1919–1925). Hacia una legislación social universal', *Revista de estudios histórico-jurídicos* (vol. 22, 2000), pp. 317–332.

12. For instance, the Peruvian League delegate José María Barreto asked that Poblete Troncoso spend ten days in Peru, while Alberto Cortadelas wanted him to visit Bolivia. See ILO Archives (hereafter ILOA), G900/89/1.

13. For an overview of such initiatives, see D. H. Blelloch, 'Latin America and the International Labor Standards', *International Labour Review* (vol. 43, no. 4, 1941), pp. 377–400.

14. A. Alcock, *History of the International Labour Organization* (London: Macmillan Press, 1971), pp. 134–148.

15. This move sought to enhance the Alessandri government's international reputation which had been negatively affected by its heavy-handed repression of popular mobilization.

16. ILOA, D 1086/2010/0, Letter from Blelloch to Clottu, 16 January 1936.

17. Not a single Latin American government responded to the questionnaire, even though Argentina, Mexico and Uruguay already had minimum wage legislation on the books, and Chile was drafting it. Eighteen European countries, India, South Africa, New Zealand and Canada did respond. See A. Marinakis, 'The Role of ILO in the Development of Minimum Wages', Working Paper, ILO Century Project: Ideas, Policies and Progress, pp. 6–7.

18. ILOA, T 127/1.

19. J. L. Barona, 'Nutrition and Health. The International Context during the Inter-War Crisis', *Social History of Medicine* (vol. 21, no. 1, 2008), pp. 87–105; see also

I. Borowy, 'Crisis as Opportunity: International Health Work during the Economic Depression', *Dynamis* (vol. 28, 2008), pp. 29–51.

20. ILOA, T 127/1000/1.

21. The LNHO received substantial funding from the Rockefeller Foundation and was keen to work with non-European public health circles. The LNHO attempted to establish internationally comparable health statistics and funded research on leprosy, syphilis, malaria and child mortality; P. Weindling, 'The League of Nations Health Organization and the Rise of Latin American Participation', *História, Ciências, Saúde – Manguinhos* (vol. 13, no. 3, 2006), pp. 1–14; E. Scarzanella, 'Los pibes en el palacio de Ginebra: las investigaciones de la Sociedad de las Naciones sobre la infancia latinoamericana (1925–1939)', *Estudios interdisciplinarios de América Latina y el Caribe* (vol. 14, no. 2, 2003), at: www1.tau.ac.il/eial/index.php?option=com_content&task=view&id=508&Itemid=216 [accessed 12 October 2008].

22. Notes on Meeting of Representatives of National Nutrition Committees (League of Nations, October 24–28, 1938). ILOA, T 127/1002, p. 1.

23. ILOA T 127/1000/1, 1, Letter from Burge to Geneva Office, 19 December 1935.

24. ILO, *Workers' Nutrition and Social Policy*. Studies and Reports, Series B, No. 23 (Geneva, 1936).

25. J. C. García, *Pensamiento social en salud en América Latina* (Washington, DC: Organización Panamericana de la Salud, 2000).

26. D. J. Guy, 'The Pan American Child Congresses, 1916 to 1942: Pan Americanism, Child Reform, and the Welfare State in Latin America', *Journal of Family History* (vol. 23, no. 3, 1998), pp. 272–291; see also A. E. Birn, 'The National–International Nexus in Public Health: Uruguay and the Circulation of Child Health and Welfare Policies, 1890–1940', *História, Ciências, Saúde-Manguinhos* (vol. 13, no. 3, 2008), pp. 675–708; and A. E. Birn, '"No More Surprising Than a Broken Pitcher"? Maternal and Child Health in the Early Years of the Pan American Sanitary Bureau', *Canadian Bulletin of Medical History* (vol. 19, no. 1, 2002), pp. 17–46.

27. Studies on soldiers were carried out in Chile, Uruguay and Paraguay; see L. Bisquertt Susarte, 'Estudio sobre la alimentación del soldado', *Revista Médica de Chile* (vol. 53, October, 1925), pp. 478–493; E. Cruz-Coke Lassabe, 'Los equilibrios alimenticios y la alimentación del pueblo chileno', *Revista Médica de Chile* (vol. 56, June, 1928), pp. 519–549; J. F. González, 'El problema de la alimentación en el Uruguay', *Boletín de la Oficina Sanitaria Panamericana* [hereafter BOSP] (vol. 10, no. 8, 1931), pp. 977–987; 'El gran problema de la alimentación', *BOSP*, (vol. 10, no. 4, 1931), pp. 482–484; with many studies being published in the *BOSP* after 1936.

28. In Spanish, the term *alimentación* was used more frequently than *nutrición*, with its more strictly physiological connotation.

29. This was the first League event in Latin America and the beginning of a League-sponsored lecture tour by specialists such as the Japanese nutritionist Tadasu Saiki; Scarzanella, op. cit.

30. L. Calvo Mackenna, 'La mortalidad infantil en Chile, estudiada por la Sociedad de las Naciones (III)', *Revista Chilena de Pediatría* (vol. 1, no. 8, 1930), pp. 411–423.

31. They had also proposed that the LNHO establish a Regional Office in Latin America. The League refused, partly because it did not want to jeopardize joint projects with the Rockefeller Foundation and the Pan-American Sanitary Bureau. See Scarzanella, op. cit.

32. Among other things, the mission found that working-class Chileans spent up to 80 per cent of their earnings on food, and that some people subsisted on barely 900 calories a day; C. Dragoni and E. Burnet, *Report on Popular Nutrition in Chile* (Geneva: League of Nations, 1937).

33. Cruz-Coke introduced nutrition as a field of study at the University of Chile. A social conservative, he served as Minister of Health in the Alessandri Government from 1937 to 1938, and as senator from 1941 to 1957.

34. Jorge Mardones-Restat, a disciple of Cruz-Coke's, was at the helm of the Council; C. Huneeus and M. P. Lanas, 'Ciencia política e historia: Eduardo Cruz-Coke y el estado de bienestar en Chile, 1937–1938', *Historia* (Santiago) (vol. 35, 2002), pp. 151–186.

35. ILOA, D 1086/1302/1.

36. The Peruvian delegate brought in a 50-page, illustrated booklet, *Los restaurantes populares del Perú: Contribución al estudio del problema de la alimentación popular* (Santiago, 1936). For the political context and the functioning of the restaurants see P. Drinot, 'Food, Race and Working-class Identity: Restaurantes populares and Populism in 1930s Peru', *Americas* (vol. 62, no. 2, 2005), pp. 245–270.

37. ILOA, D1086/401/2.

38. ILOA, D 1086/401/2 and ILO, D 1086-1302. The resolution of the Chilean workers was so similar to the Peruvian resolution that the two were merged.

39. International Labour Conference, *Record of Proceedings, Twentieth Session, Geneva 1936* (Geneva, 1936), pp. 390–392, 481–487, 556–564.

40. ILOA T 127/1000/2 as well as ILOA, T 127/3, p. 1.

41. ILOA T 130; see also 'Recent Family Budget Enquiries: Recent Family Budget Enquiries in Latin America', *International Labour Review* (vol. 33, no. 2, 1936), pp. 275–285.

42. *Nutrición y alimentación. Informe de la delegación chilena a la Décima Conferencia Sanitaria Panamericana* (Santiago: Imprenta Austral, 1938).

43. Tenth Pan American Sanitary Conference, 'Recommendations and Conclusions of the Committee on Nutrition' (Washington, DC: Pan American Sanitary Bureau, 1938).

44. R. M. Woodbury, *Food Consumption and Dietary Surveys in the Americas. Results-methods. Report presented by the International Labour Office to the Eleventh Pan American Sanitary Conference held in Rio de Janeiro, 7 to 18 September 1942* (Montréal: ILO, 1942).

45. 'Nutrition and Human Welfare. Report of the Pan American Committee on Nutrition', *BOSP* (vol. 23, no. 9, September 1944), pp. 796–801.

46. ILO, *Minutes of the Eighty-Third Session of the Governing Body* (Geneva, 1938), pp. 77–78; ILOA T 127/3. The 1938 conference on rural health, however, was first postponed and then became moot when the League was dissolved.

47. ILOA T 127/1002/0/86, p. 1.

48. Second Conference of American States Members of the International Labour Organization, Havana, November 1939, *Report of the Director of the International Labour Office* (Geneva, 1939), p. vii.

49. ILOA, T 130. Mexico, Brazil, Argentina, Chile all had queries in these matters.

50. Second Conference of American States Members of the International Labour Organization, Havana, *Record of Proceedings* (Geneva, 1939), p. 185.

51. Second Conference of American States Members of the International Labour Organization, Havana, November 1939, *Report of the Director of the International Labour Office* (Geneva, 1939), pp. 39–41; Second Conference of American States, *Record of Proceedings*, pp. 57, 98, 106, 109, 185.

52. ILOA T 127/1002/0/86, 1; Second Conference of American States, *Record of Proceedings*, pp. 270–271.

53. Cited in D. J. Shaw, *Global Food and Agricultural Institutions* (New York and London: Routledge, 2009), p. 54.

15

From Inter-agency Competition to Transnational Cooperation: The ILO Contribution to Child Welfare Issues during the Interwar Years

Joëlle Droux[1]

Very few studies have been made of the contribution of the International Labour Organization (ILO) to child and youth protection, yet child labour is a field in which the organization has produced a considerable number of legal instruments. During the interwar period alone (1919–1939), for instance, the ILO introduced 16 Conventions or Recommendations on the subject.

The only Conventions that have been examined in detail up to now have been those on the minimum age.[2] We know that these Conventions formed the basis of the ILO's activities in the field of child protection, following the work done on the subject by the International Association for Labour Legislation.[3] Focusing her research on discussions within the ILO itself, Marianne Dahlén has shown how far the scope of these Conventions depended on the interests of the states represented and on the compromises reached during the process of producing the Conventions.

Some recent studies have helped to transform this approach which is focused on the content of the child protection Conventions. First of all there has been a fresh look at their scope, with emphasis on the fact that during the 1930s the ILO's interest extended to new issues, especially related to the integration of young people in the labour market, and the role played here by technical training and vocational guidance.[4] A new methodology has also been adopted which no longer just analyses the discussions on the Conventions, but links them to previous or parallel phases in the process: by developing a transnational perspective which examines how international networks talked to each other or exchanged information, light has been shed on the extent to which the ILO Conventions were shaped by information circulating between various groups dedicated to or interested in promoting child protection. Without playing down the significance of the discussions at the International Labour Conferences (ILC), such studies stress the great importance of the preparatory or parallel work done by the International

Labour Office, revealing how alternatives and mechanisms were carefully selected upstream of the ILCs. Lastly, there has been a fresh approach to the question of how institutions operate: by focusing on relations between international networks we can get away from a purely functionalist view of international organizations which sees them only in terms of the normative functions they develop through their specific mandates (adopting conventions, in the case of the ILO). This has shown that transnational dialogue and exchanges of information are, to a certain extent, independent of the work of producing conventions (even if the relationships developed may be involved in this process[5]), but are closely linked to the contexts in which they take place (international environment, competition between networks[6]).

This focus on networks has produced valuable additional insight for the history of the ILO and the International Labour Office: by highlighting the complex and changing nature of the relationships which the networks form with the ILO (cooperation, subsidiarity, competition), we can re-evaluate the importance of their contribution to the establishment of a transnational social policy, particularly compared with the part played by diplomats and the tripartite actors. More generally this transnational perspective,[7] which involves searching the archives of the transnational organizations and actors to find out about their bureaucratic procedures and the dialogue between them, allows us to take a fresh look at international organizations as meeting points where experiences are exchanged, transferred and shared.

This chapter sets out to apply precisely this sort of perspective, by focusing on the connections which the International Labour Office has maintained in this field. The advantage of this approach is that it highlights the specific role played by the Office at the interface between the work of producing Conventions and their international dissemination, both in preparing Conventions and in managing their implementation. We will attempt to identify how competitive and collaborative relationships were developed between the Office and its associated networks in the field of child and youth protection during the interwar period. We will focus first of all on the early years of the ILO (1919–1923), when the primary Conventions on child protection at work were developed, giving the International Labour Office the opportunity to stamp its own mark on this area of international social policy. During the second period analysed here we will see how competition grew in this field from 1924, encouraging the Office to speed up its bureaucratic work on the subject. Finally, it was in the years from 1933 to 1939 that the Office drafted a number of Conventions to increase the level of protection afforded to young workers. We will endeavour to explain what these standards involve and how they were developed, placing them in the context of the competition that grew up between networks and organizations, in order to gain a better understanding of the complex factors that shaped the Office's work in this field.

The ILO and child welfare (1919–1923): international Conventions as border-setting

The Washington Conference, held just after the First World War, prepared the ground for an international social policy, as demanded by reformers and workers' representatives and described in Part XIII of the Treaty of Versailles which created the International Labour Organization.[8] The international Conventions developed at the Conference marked out the progress already made, incorporating the major issues raised by the networks active around the International Association for Labour Legislation since the 1890s: Conventions on hours of work, on protection for women, on unemployment, on industrial health and on protection for children at work.[9] These Conventions are highly symbolic of the fact that countries so recently at war were determined to make a collective commitment to the process of reconstruction.[10] The main Convention, which fixes the minimum age for starting work in industry at 14, was adopted almost on the nod,[11] and would serve as a model for the other subsequent Conventions of 1920 for work at sea and of 1921 for work in agriculture.

Its ratification presented some tricky problems, however, depending on the labour situation in the states in question. In the UK and the USA, for instance, industrial concentration from the late 1800s onwards had led to increased mechanization and division of labour, which had gradually helped to eliminate jobs previously carried out by children. Since the late 19th century, British legislation and regulations by US States raising the minimum age for starting work in industry had thus merely followed a trend imposed by the labour market, which had already marginalized child labour.[12] In parallel with this, the number of children in US and British secondary education was gradually increasing.[13] In countries such as France, on the other hand, where industrialization was based on a scattering of small and medium-sized undertakings,[14] it was still common for children to be given unskilled work. Lastly, in economies where industrialization came later, such as the Mediterranean or central European countries, the use of child labour was still an everyday reality (albeit mainly in farming[15]).

These differences in economic development largely explain the attitudes toward ratification of the Washington minimum age Convention of 1919, with only eight countries ratifying it between 1919 and 1924.[16] While the UK ratified it immediately, since the Convention merely consolidated the existing situation,[17] the other ILO member countries lagged behind. This placed the ILO in the paradoxical situation where one of the Conventions most likely to develop social progress on the national stage in Europe (eliminating child labour) remained one of the least ratified. And even when it was ratified, many countries introduced derogations still allowing those aged 12 to 14 to work, or else did not comply with it at all.[18] In a number of states (and by no means the least, since neither France nor Germany initially

ratified it), the problem was that the age for the end of compulsory educa-
tion was fixed at 12 or 13. If they ratified the Convention, these states would
face a contradictory situation where young people could leave school at 12
or 13 but could not start work before they were 14. This age group, out of
school but prohibited from paid employment, would have no money and
nothing to do. Apart from the fact that this might encourage delinquent
behaviour, the gap would mean that working-class families would suffer a
net loss of income.[19] The situation persisted, since in 1930 six ILO member
countries would still have a school-leaving age of under 14.[20]

The overall record as regards the regulation of child labour in the 1920s is
thus rather paradoxical: it was certainly a period when a lot of standards were
introduced, with no fewer than six Conventions and two Recommendations
on child protection approved between 1919 and 1922,[21] but the slowness
in ratifying was exacerbated by the International Labour Office's inability
to do anything directly to expedite matters. The only way it could speed
up the ratification process would have been to encourage countries to adopt
the same ages for leaving school and starting work in industry. However, the
Office had no powers in the field of primary education and could not inter-
vene directly. Its ability to act indirectly through networks of associations
was also limited by the fact that there was yet no international organization
dedicated to these educational issues.

It was undoubtedly in order to compensate for this that the Office's
Director, Albert Thomas, stepped up the Office's contacts with other inter-
national networks working in related fields, both as potential sources of
information and also for their ability to bring pressure to bear on this issue
both nationally and internationally. The Office maintained close relations
with those working in applied psychology and vocational guidance and
sent representatives to their conferences, the results of which appeared
in the organization's publications.[22] It was to pursue relations even more
keenly with networks that were becoming institutionalized as organiza-
tions or international bureaux, and that were beginning to define the sort
of standards they wanted to set in related fields. This was the case with the
International Association for Child Protection (IACP),[23] which was set up
in Brussels in 1921, bringing together supporters of reforms in civil and
criminal jurisdiction over minors, philanthropic associations involved in
child welfare (vocational training and re-education) and paediatricians.[24]
Thomas sent representatives from the Office with the twofold aim of secur-
ing the Association's acceptance of the Office's competence in this area
(child labour, technical training and vocational guidance) and obtaining
the support of these reformers for the ratification of its Conventions.[25] It
pursued the same strategy with the humanitarian networks, particularly the
International Save the Children Union set up in Geneva in 1919[26] and the
League of Red Cross Societies.[27] The links which the Office thus maintained
with a wide range of networks clearly show Thomas's determination to put

the Office 'on the map' in this particular social policy field, a strategy which he also used for all events with a social impact.[28]

This omnipresence makes it even more surprising that there was no real pressure during this period to get the minimum age Conventions ratified, a subject on which the International Labour Office leadership seems to have left the networks dormant. The fact is that the main aim of the many conventions on children and youth was not to exercise influence in this field, but to strengthen the Office's strategic position by allying it with powerful and potentially rival networks. This probably explains why, despite his close ties with most of these networks, Albert Thomas did not use this as a lever to lobby for the ratification of the child labour Conventions.

Another indication that the International Labour Office used the field of child protection to bolster its own strategic position was the very minor place given to this issue in the institution's organization chart compared with sections such as industrial health or social insurance, which had standing committees of experts.[29] Child protection was basically on the periphery: the staff member who acted as the Office's link with the IACP complained in 1921 that 'we have no overview whatsoever of the subject as a whole'.[30] The sole official responsible for child welfare was not appointed until 1923, and was not an expert in the field: John D. Dickinson, a British subject, was a solicitor by training, who had been recruited in 1920 for his knowledge of Russian (he had been the secretary of an English trading company in Russia, and in the Russian department at the Foreign Office). At the International Labour Office, his job up to 1923 had merely involved translating articles from the Soviet press for the Information Service. After that date he was assigned to the Industrial Relations Service and therefore dealt with child labour issues, despite the fact that he 'had no special knowledge of all these matters before he joined this service'. He remained there until 1937, 'the office's solitary specialist in the field of child and juvenile employment'.[31] His job was strictly confined to useful but rather obscure desk work (compiling laws and statistics, drafting reports), to the extent that in 1928 Albert Thomas could not even say who was the 'house' officer dealing with this question.[32] Another significant factor was that Dickinson was never delegated to represent the Office in competing or related networks, with which he had no social ties.[33] In this he was different from other Office officials such as Marguerite Thibert, an expert on female labour, who was in constant touch with the leaders of the women's trade unions and associations.[34]

All of these factors suggest that we need to qualify our image of the International Labour Office operating proactively in the field of child protection, as the many different ILO Conventions on the subject would seem to indicate. In reality, the Office's leaders actually did very little to mobilize its associated networks to promote ratification.[35] The issue of child labour was not at the time a priority for Albert Thomas, who seemed happy for countries to keep their status quo. The child labour situation was already

regulated by national legislation that was geared towards the needs of the labour market and the options offered by the existing education systems, and so there seemed no need to put pressure on countries to ratify in order to protect young workers.

Facing competing networks (1925–1932): the ILO, a reluctant standard-setting agency?

The relative consensus that had previously prevailed on child protection was to change dramatically when a new institutional actor burst onto the scene in the form of a Committee for the Protection of Children (CPC) within the League of Nations (LON). It was decided to set this up in 1924, when the governing board of the IACP succeeded in getting its Brussels office attached to the social section of the LON as an international bureau. Yet the LON did not actually have any direct powers in this field: the Covenant merely gave it responsibility for monitoring the traffic in women and public health.[36] However, Article 24 of the Covenant, which made it possible for international bureaux to be attached to the LON, would enable the League to extend its powers in the social field. It was thus at the request of the IACP's governing bodies that its role as a clearing house was transferred in 1924 to an Advisory Committee for the Protection of Children. Composed along the lines of the Committee on the Traffic in Women, this committee brought together government delegates and representatives of private organizations. Its role was to identify the best ways of improving children's health and wellbeing and to propose to the Council and Assembly ways of disseminating these internationally.[37]

The International Labour Office thus found itself in the same position with regard to the LON as in the economic and financial field:[38] the Office's Director regarded child welfare as his exclusive prerogative, but he would now have to negotiate with a rival organization which had every intention of making the most of the international mandate it had been given by the Assembly in order to impose its presence in this area. From its very first meetings the CPC developed an agenda which encroached heavily on the International Labour Office's territory: child labour, the protection of young migrants, family allowances and vocational training were just some of the issues where the respective competences of the two organizations overlapped.

In order to protect its field of expertise the International Labour Office's directors had certain weapons at their disposal, since the LON Council, in agreeing to set up the CPC in 1924, had stipulated that existing international organizations should be involved in its debates in order to avoid duplication.[39] Although the Committee on Intellectual Cooperation made little use of this requirement, the International Labour Office exploited it to the full. From the very first sitting of the CPC in 1925, Albert Thomas delegated

his most able officials to attend.[40] These highly experienced delegates did everything they could to restrict the subjects dealt with by the Committee. This is clear from the roadmap drawn up by the Office's liaison officer with the Committee: 'to mention to the Committee any aspects of our work in which we wish to interest them, without running the risk of the committee feeling it necessary to adopt a resolution on a subject if we do not wish it. I have always adopted the policy that it is to the advantage of the ILO to interest the committee in our work; but at the same time it is essential to avoid any action taken by the committee in any field which comes within the competence of the office'.[41]

On the pretext of avoiding duplication, the International Labour Office thus monopolized the right, through its delegate, to investigate issues closely or even only remotely linked to the social protection of young workers, at the expense of the LON's social section (which in any case had very few staff[42]). The Office, on the other hand, had a pool of able and well-informed officials as well as local correspondents or associated networks from which it could obtain the information it needed to draw up its voluminous reports to the Committee.[43]

However, this frenzy of activity triggered by the CPC also had various consequences for the International Labour Office. First of all it was hugely energy-consuming, as Albert Thomas finally realized. He pointed this out to his delegates in the Committee, agreeing 'to give them any information we may have, but only in connection with our current work: I don't want to take on anything special. Make sure that we don't end up the losers in this cooperation'.[44] Also, by reviving its networks of correspondents on child protection issues, the Office ran the risk of generating fresh interest in its own Conventions on the subject. In the late 1920s a number of networks put this issue on their agenda, which could have undermined the Office's work, or generated unwelcome initiatives on the subject.[45] The Office was thus in a rather tricky position. To tackle the problem it developed a twin strategy: to start producing more Conventions on child protection, and to remobilize the networks dealing with education and training reforms.

In 1925 Thomas supported the efforts of the Jean-Jacques Rousseau Institute in Geneva to create a clearing house for education reform;[46] this came into being in 1926 with the setting up of the International Bureau of Education (IBE), whose work was very closely linked to that of the International Labour Office thanks to the creation of a Liaison Committee coordinating their activities. A sort of subsidiarity mechanism was thus established; tasks which the Office could not assume directly under its statutes were delegated to the IBE. Education was a field where the Office's scope to take action was particularly limited, yet in many states ratification of the minimum age Conventions relied on possible education reforms. Through the IBE's investigations, the content of which was closely monitored by its own officials, Thomas endeavoured to gain the support of various groups

representing the teaching profession for raising the school leaving age.[47] At the same time the Office's officials mobilized its associated networks to back these reforms,[48] with great success: by 1930, 18 countries had now ratified the primary 1919 minimum age Convention.[49]

Alongside this, the International Labour Office director decided to restart the process of producing Conventions in order to extend the minimum age field to new areas: 'It seems that the office is doing less in the matter of child labour than in some other fields. It would be a pity if the lead taken at Washington in 1919 were not to be maintained,' Thomas pointed out to one of his correspondents.[50] In 1929, therefore, he urged his 'house' expert to draft a preparatory report for a Convention on the minimum age for starting work in areas not covered by the earlier Conventions.[51] The new version would apply to commerce, artistic occupations and services (carrying and delivery), the sectors to which child workers 'thrown out' of factories had moved. These were occupations which were condemned by philanthropists and legal reformers alike, who regarded them as fields that encouraged delinquency (prostitution and theft linked to work in hotels, cafes and shops).[52] Educational experts also criticized these 'blind alley' jobs for providing little training and thus tending to confine children to unskilled working positions in the future. The International Labour Office delegates therefore had no difficulty in mobilizing all these groups to help raise awareness among the public and their political leaders about this issue.[53] The campaign culminated in 1932 in the adoption of the Convention, which differed from the earlier ones in that it specifically provided for the minimum age for starting work to be the same as the minimum school leaving age. There is no doubt that it was thanks to the support of these various networks at the interface between social and education reforms that the Office succeeded, almost unopposed, in including the issue of the school leaving age in its draft Convention, even though this clearly went beyond the scope of its competence.[54]

In the early 1930s the Office was thus coming under pressure from competing or associated organizations, and this led its Director to increase its presence in the child protection field, not so much out of conviction but to protect itself from possible encroachment. The Office's liaison officers forced on the CPC and the LON a rather intrusive form of cooperation and thereby helped to paralyse the LON's activities in this field, much to the private delight of the Office's delegates.[55] However, all this activity had unwelcome consequences. The Office was thus forced to produce reports on certain intervention mechanisms that were not fully supported by the organization, for the simple reason that it was asked to do so by rival organizations. This can be seen from the case of family allowances, which were originally an employers' initiative and on which the Office drew up a number of detailed reports.[56] Although stressing their benefits for improving families' living conditions, the Office publications underlined the deep disagreement

which the allowances had generated between the social partners.[57] The Office's delegates felt that this mechanism was not yet at a suitable stage to be translated into international legislation, and therefore planned to delay putting it on the CPC agenda: 'This question will not be discussed by the committee until the ILO wishes it [. . .]. The question should certainly be given a rest for a year or two.'[58] However, the idea generated considerable curiosity and interest among private philanthropists involved in the CPC, which consequently made further requests for the Office to investigate the subject. So without taking direct action, and by confining itself to using the Office's bureaucratic mechanisms, the CPC helped to disseminate the work on this issue internationally, creating the right conditions for exporting an idea on which the tripartite actors in the International Labour Office had not yet reached agreement.

Youth protection: an asset for the ILO (1933–1939)?

The context in which the international organizations operated changed radically with the crises of the 1930s. The International Labour Office's reaction to the rise of authoritarianism was at first to endeavour to maintain contact with these regimes since they tended to have a highly internationalist stance, thereby legitimizing the organization's universal nature.[59] But the situation changed as tensions radicalized, and the Office found it necessary to strengthen its ties with actors who continued to support the practices of exchange and cooperation developed under the LON's institutional architecture. The issue of youth protection gave it the opportunity to do so. The economic crisis had given rise to a rising youth unemployment rate, with the over-16s one of the most badly affected age groups.[60] With competition both from younger workers (13–15), because of their low cost, and from older and better skilled workers, these young unemployed presented a serious political and social threat: seduced by extremist propaganda promising them jobs and social security, they also risked being tempted into delinquency since there was no social insurance to prevent them falling into poverty.[61] The youth movements to which they had belonged since the start of the century in all western societies became a sounding board for their discontent, organizing media events to support them and demanding international standards to improve youth training and integration.[62]

The symbolic field of youth protection would from then on become one of the ILO's favourite areas. There were no fewer than five diplomatic instruments on the subject between 1935 and 1939: an urgent Recommendation on youth unemployment adopted at a single sitting in 1935, followed by the revision of the minimum age Convention (raising the threshold for starting work to 15) in 1937, then three Recommendations on vocational education (building) in 1937 and then on vocational training and apprenticeship in 1939.

These instruments were the culmination of closer exchanges between the Office and networks in the field. For instance, it further strengthened its ties with education by helping to form an International Office for Technical Education in 1931, which gave it direct contact with national administrations responsible for vocational training.[63] It was thus able to bring pressure to bear 'horizontally' to promote the educational aspects of the Conventions among the relevant ministers in the national administrations. In addition, closer ties were established with civil society networks that were able to put pressure on these state bodies from outside, such as youth organizations (socialist or Christian), with which an official from the Office was in regular correspondence, encouraging them to promote the Conventions.[64] This also applied in the Comité d'Entente des Grandes Organisations Internationales [Joint Committee of the Major International Organizations], the IBE and the Save the Children International Union (SCIU). Delegates from the International Labour Office who were members of the governing boards of these bodies took advantage of this position to ensure that their procedures and agendas closely mirrored those of the ILO.[65] Through its officials the Office thus encouraged the networks with which it was collaborating to model their activities and even the way they operated on its own working methods, pursuing a sort of indirect integration that meant, on the ground, that they all applied pressure to accept the ILO standards.[66] There was even greater interpenetration between these networks during the 1930s, when delegates from the International Labour Office, the IBE, the SCIU, the Young People's Christian Unions and the Comité d'Entente des Grandes Organisations Internationales met regularly in their respective governing boards. This meant that the networks' action programmes were integrated from the top down, such as when the International Save the Children Union, influenced by the Office delegate, gradually abandoned its emergency aid work in favour of administrative work on social policy issues, which effectively became fields which the Office 'sub-contracted' to the SCIU. The SCIU thus became an efficient spokesman for the ILO's social standards in central Europe, where it was widely represented.[67]

The outcome of this combined pressure appeared to benefit the ILO in that it helped to prepare the ground for the Conventions produced. However, it may not have actually ended up in a stronger position, since it became dependent on the networks on which it relied, and was thus forced to resort increasingly to diplomacy in order to be sure of securing their support for its international legal instruments. In addition, the internal coherence of the standards sometimes became problematical, such as with the Recommendation on youth unemployment, which was drawn up in 1935 following an approach to the Office's Governing Board by the Socialist Youth and Young Christian Workers organizations.[68] Keen to appear to be taking action in a field where the authoritarian regimes looked effective, the Office drafted a detailed Recommendation on the subject, which was actually

a list of existing measures,[69] as a way of keeping all the Office's partners in this key area satisfied. In fact, however, some of the provisions of this Recommendation contradicted the existing ILO standards. For instance, the 1935 Recommendation stipulated raising the minimum age for starting work to 15, whereas the ILO Conventions on the subject, the most recent of which had been produced just three years earlier, had fixed the threshold at 14. In order to ensure that the international labour code remained consistent, the Office was thus forced in 1937 to draft revised versions of the Conventions to bring them into line with the age-15 threshold, largely at the instigation of the North American countries.[70] Some states which had in the meantime already adopted laws fixing the threshold at 14 as a result of pressure from the Office to do so were reluctant to go back to the drawing board so soon after adopting their legislation.[71] Moreover, although the measure was supported by the education networks which could help with its implementation in the industrialized countries, the same was not the case elsewhere. The countries of central and southern Europe could not afford the investment needed to develop their education systems to cope with the change. So much so that in practice the Office's standards in this field, which were the product of the growing cooperation between the Office's officials and experts from the western networks in finding common solutions, contributed to widening the gap still further between the 'Europe of mechanization' [*Europe du cheval vapeur*] and the 'Europe of the horse and cart' [*Europe du cheval de trait*], to quote the phrases coined by the French journalist and economist Francis Delaisi.

Finally, determined to form a united front among supporters of democracy in the face of growing nationalism, Harold Butler, Thomas's successor, made every effort to persuade the USA to join the ILO, which it did in 1934. However, now that the Office was under greater pressure to take America's experiences on board, its draft Recommendations on unemployment had to change considerably: while its initial drafts had been confined to 'problems of vocational guidance and placement, unemployment insurance and occupying young people's leisure time',[72] later versions included among their Recommendations work camps (renamed 'special employment centres'), which were trialled in a number of European countries (Germany, Bulgaria, Poland) and on a much bigger scale in the USA (President Roosevelt's beloved Civil Conservation Corps[73]). The European social partners were divided on this issue. Some called for it to be withdrawn from the Recommendation, referring to the absence of any training element and above all the risks of militarizing young people[74] and a drift towards nationalism, which the ILO would not condone,[75] while the employers' representatives feared that it might mean competition for free enterprise.[76] The American delegation to the ILC in 1935, led by the famous activist Grace Abbott from the Children's Bureau[77] (appointed chairwoman of the ILC Committee dealing with this question) swung the balance in favour of the work camps. These exchanges clearly show how a certain confusion undermined the organization's support on this occasion.

The growing involvement of international networks dealing with child protection in preparing the work on Conventions was, actually, a sign not of the International Labour Office's growing strength, but a symptom of its relative weakness. First, the support of these associated networks came at the cost of the overall coherence of its programme; second, the fact that the Office was systematically subcontracting issues relating to child protection had a centrifugal effect: over the years the Office appeared less and less to be the only expert organization in the field, and the credit for research which it persuaded other organizations to carry out went as much (if not more) to these affiliated networks as to the ILO which was encouraging them behind the scenes. So even though the Office had been doing its best for two decades to win recognition as the pre-eminent protector of future workers, the organizations on which it relied gained increased visibility, credibility and ambition from this relationship. This was particularly the case with the Committee for the Protection of Children, which was reformed in 1937. Now the LON's 'Committee on Social Questions', it adopted a programme which tended to annex topics previously reserved for the International Labour Office. Moreover, with the Office still insisting on having a finger in every pie, the Committee turned this to its own advantage and ended up by using the Office's bureaucratic resources to carry out its own research, as if the Office were merely a specialized information agency. In the end it was the Office's efficiency that was well and truly exploited by a flourishing LON committee, reversing the conditions imposed in the past by Albert Thomas for exchanges with other organizations. The Office Director's warnings to his Committee delegates speaks volumes about the tension between these two agencies in the run-up to the Second World War.[78]

Conclusion

The ILO's approach in producing standards on child protection has been explained as the development of a process of continual progress, rooted in a new sense of society's responsibilities to children since the end of the 19th century. The constant improvement in scientific knowledge of child psychology helped to endorse a new approach to social policy, in which welfare states, keen to give children new rights in keeping with their cognitive and physiological abilities (rights to education and leisure among other things), gained responsibility for child protection. In the 20th century this development resulted, thanks to the standard-setting role played by certain international agencies such as the ILO, in the introduction of innovative and regularly improved international legal instruments (such as declarations of rights or international Conventions limiting child labour), which increasingly raised the level of protection afforded to young people in the west.[79]

This chapter has tried to explore the process of standard-setting in the ILO not so much from the content of the instruments produced as from

the mechanisms by which they were developed.[80] We have tried to show that the process of producing Conventions on child and youth protection in the ILO was not solely, or perhaps even mainly, intended to disseminate a series of social intervention mechanisms or standards, but can be seen in terms of the organization's own institutional objectives. The rate at which the ILO produced its many Conventions on child protection and the content of those Conventions actually very much depended on the activities of associated networks on the same subject. Their meaning becomes very different if this standard-setting work is seen in relation not to the (good or bad) intentions of the tripartite representatives who discussed them, but to how they might affect the reconfiguration of relations between the networks. This approach highlights the rather haphazard way in which Conventions on the subject were produced, contradicting the image of a pre-planned and methodically implemented programme with clear objectives, which a focus on the content of the Conventions might suggest.

We have shown that the effort which the ILO put into producing Conventions on child labour during its early years was not matched by a similar effort to get them ratified. It was only during the years between 1925 and 1932, when other international organizations were also developing ambitions to set standards in this field, that the International Labour Office stepped up its presence thanks to the skills of its bureaucratic apparatus and mobilization of its associated networks. The serious challenges faced by societies with the rise of authoritarian regimes in the 1930s then encouraged the Office to adopt an inclusive strategy towards a wide variety of international networks for the benefit of its work on standards. However, this new direction had the adverse effect of making the Office increasingly reliant on external support. Once war broke out, the Office perhaps never had the ear of the international networks involved in child and youth protection in the same way, and it is not hard to see, behind its search for support, the organization's growing marginalization in the face of the new international context that was taking shape.[81]

In the end, an examination of the complex links between the ILO and the networks with which it competed or cooperated sheds light both on how this international organization made itself more than just a forum for diplomatic rivalries or tensions between rival social forces (entrepreneurs vs workers), and on how universal social standards were developed, no longer seen as a product of the forces of progress, but as the result of constant compromises between international and national actors who were very much aware of the circulation systems in which they were operating.[82]

This approach helps not to minimize the ILO's efforts to promote social justice on a global scale, but to gain a better understanding of how it achieved this, despite, or perhaps because of, the efforts it had to make to adapt to the competition it faced.

Notes

1. Research for this chapter was conducted with the help of the Swiss National Science Foundation, grant 100011-122399/1.
2. M. Dahlén, *The Negotiable Child. The ILO Child Labour Campaign, 1919–1973* (Uppsala: Uppsala University Press, 2007).
3. S. Kott, 'From Transnational Reformist Network to International Organization: The International Association for Labour Legislation and the International Labour Organization (1900–1930s)', in D. Rodogno, B. Struck and J. Vogel (eds), *Shaping the Transnational Sphere: The Transnational Networks of Experts (1840–1930)* (New York: Berghahn Books, 2011).
4. J. Droux and D. Matasci, 'Le traitement scolaire du chômage des jeunes: projets, acteurs et réseaux transnationaux (1920–1940)' (*Congrès international de la recherche en éducation et formation*, Geneva, 2010, available online at https://plone2.unige.ch/aref2010/).
5. See J. P. Daughton, Chapter 5 in this volume.
6. See J. Droux, 'L'internationalisation de la protection de l'enfance: acteurs, concurrences et projets transnationaux (1900–1925)', *Critique Internationale* (vol. 52, no. 3, 2011), pp. 17–33.
7. P. Clavin, 'Defining Transnationalism', *Contemporary European History* (vol. 14, no. 4, 2005), pp. 421–439, cited here, p. 422); see also 'AHR Conversation: On Transnational History', *American Historical Review* (vol. 111, no. 5, 2006), pp. 1441–1464 (available online at: www.historycooperative.org/journals/ahr/111.5/introduction.html). And, in general, A. Iriye and P.-Y. Saunier (eds), *The Palgrave Dictionary of Transnational History* (Basingstoke: Palgrave Macmillan, 2009).
8. Article 427 of the Treaty of Versailles provided the basis for the ILO's mandate to eliminate child labour and improve children's education.
9. The International Association for Labour Legislation had planned in 1913 to develop a minimum age Convention; see M. Delevingne, 'The Pre-war History of International Labor Legislation', in J. T. Shotwell (ed.), *The Origins of the International Labour Organization* (New York: Columbia University Press, 1934), Vol. 1, pp. 19–54.
10. During the discussions at the Peace Conference on the form that an international labour organization might take, the American delegates thought that one of the priorities in the future organization's statutes should be protecting children at work because it exercised 'a universal appeal to humanitarian sentiment' (cited by E. Phelan in his memoirs: see *Edward Phelan and the ILO: the Life and Views of an International Social Actor* (Geneva: International Labour Office, 2009), p. 146).
11. It was adopted by 92 votes to 3 (*International Labour Conference* – hereafter *ILC, 1st Session*, Geneva, 1919, p. 176). The other Convention specifically on children concerned the prohibition of night work.
12. See on this subject C. Nardinelli, *Child Labor and the Industrial Revolution* (Bloomington: Indiana University Press, 1990). It was symptomatic of this trend that in 1919, nine ILO member countries had already fixed the minimum age for starting industrial work at 14.
13. K. Lindenmeyer, *A Right to Childhood. The US Children's Bureau and Child Welfare 1912–1946* (Urbana: University of Illinois Press, 1997), and Nardinelli, op. cit.
14. See H. Kaelble, *Vers une société européenne (1880–1980)* (Paris: Belin, 1988).
15. A. Vinao Frago, 'La distribution hebdomadaire et quotidienne du temps et du travail dans l'enseignement primaire en Espagne (1838 à 1936): théories,

règlementation et pratiques', in M.-M. Compère (ed.), *Histoire du temps scolaire en Europe* (Paris: Institut National de Recherche Pédagogique, Editions Economica, 1997), pp. 67–105.

16. *ILC*, Geneva, 1924, 'Report of the Director', p. 896; they were Bulgaria, Estonia, UK, Greece, Romania, Switzerland and Czechoslovakia.

17. Unlike other Conventions such as on the eight-hour day; see O. Hidalgo, 'La Convention de Washington de 1919 sur la journée des huit heures: une illustration de la politique sociale internationale menée par les Britanniques à l'OIT (1919–1932)', *Traverse* (2012, in press).

18. AILO, D 601/2010/02/1: Report on the application of the 1919 Convention, April 1929: four of the 18 states which had ratified the Convention allowed these exemptions. See also AILO, D600/2001/17/1 on Czech employers' failure to apply the Convention.

19. The contribution which child labour made to the family budget in the 19th century was not to do with their earnings (which were very small), but with the fact that children living away from home reduced the family's living costs. See M. Rahikainen, *Centuries of Child Labour: European Experiences from the 17th to the 20th Century* (London: Ashgate, 2004).

20. *ILC, 1930*, 'Report of the Director', pp 182–183.

21. Instruments relating to night work, the minimum age in industry and agriculture and at sea, medical examination prior to working at sea, and vocational education in agriculture.

22. AILO, ED 1000/25/2: International applied psychology conferences 1921–1928; note by Thomas of 5 August 1921 on the Office's delegation to the 1st conference. The Jean-Jacques Rousseau Institute of Educational Sciences in Geneva edited the 'Vocational Guidance' section of the Office's *International Labour Review*.

23. In French: Association Internationale de Protection de l'Enfance (AIPE).

24. On the setting up of the AIPE see Droux, op. cit.

25. AILO, D 600/571: Congrès international pour la protection de l'enfance, Brussels, July 1921: see also the report by W. Martin on the Brussels congress of 18 July 1921, on the sharing of competences between the AIPE and the International Labour Office: 'the AIPE's statutes no longer contain anything to concern us'.

26. AILO, D 600/406 to 406/14: International Save the Children Union, congresses from 1921 to 1938.

27. 'The International Labour Office and the League of Red Cross Societies': address by C. Hill and R. Sand at the 3rd ILC, *Bulletin of the League of Red Cross Societies*, Geneva, Oct.–Nov. 1921.

28. See *Edward Phelan and the ILO*, op. cit., p. 188.

29. *ILC*, Geneva, 1927: 'Report of the Director': there were six standing committees at the time.

30. AILO, D 600/57: Congrès international pour la protection de l'enfance [International Child Protection Conference], Brussels; note from W. Martin to A. Thomas, 27 May 1921.

31. AILO, P 670: J.D. Dickinson file, note of 21 December 1932; in the late 1920s the International Labour Office had almost 400 officials.

32. AILO, L 12/12/6, Thomas to Johnston, 28 May 1928.

33. On this absence of links with education and child protection circles: AILO, ED 1000/13/8: Conférence internationale de l'Instruction Publique [International Conference on State Education], and ABIT, D 600/2001/04: Measures to promote the ratification of Conventions, 1932.

34. AILO, P 1870: M. Thibert file; see F. Thebaud: 'Les femmes au BIT: l'exemple de Marguerite Thibert', in J. M. Delaunay and Yves Dénechère (eds), *Femmes et relations internationales au XXe siècle* (Paris: Presses Sorbonne Nouvelle, 2006), pp. 177–187.

35. AILO, D 600/571: Letter from a Save the Children Fund activist in Hungary calling for the International Labour Office to intervene to make Hungary comply with the Washington child labour convention, which Thomas rejected as 'a little hotheaded' (*circa* 1924). Even in 1925 an offer from the International Save the Children Union (ISCU) to launch a campaign to promote the ratification of these conventions went unanswered (AILO, D 600/406/12: ISCU: Clouzot to Johnston, 31 October 1925).

36. M. Constant, 'Combats contre la traite des femmes à la Société des Nations', *Relations Internationales* (no. 131, 2007), pp. 39–47.

37. On this Committee see Droux, op. cit.

38. See P. Clavin, Chapter 13, and I. Liebeskind Sauthier, Chapter 4, in this volume.

39. The head of the Office's Migration Service sat in the Committee on the Traffic in Women and Children from its first sitting in 1922.

40. AILO, L12/11/1: Committee for the Protection of Children, 1926: the delegates were the head of the 'Intelligence and Liaison' Section, G. A. Johnson, and the head of the Migration Section, L. Varlez.

41. AILO, L 12/12/6, Johnston to Thomas, 29 March 1928.

42. In 1929 the secretariat of the social section, which dealt with work on the traffic in women, child protection and the traffic in opium, had only seven officials (*LON Yearbook*, Geneva, 1929).

43. AILO, L 12/11/1: at the first sitting of the Committee in 1926 the Office called for reports to be drawn up on assistance for migrant children, agricultural training, family allowances, apprenticeships and youth employment in cinemas.

44. AILO, L 12/12/5: Thomas to Maurette, 30 June 1927.

45. For example, the International Association for Social Progress at its congress in Zurich in 1929 (AILO, ED 1000/40/1: International Association for Social Progress: Raising the school leaving age), or the Protestant churches in the UK (*ILC*, Geneva, 1929, 'Report of the Director').

46. Archives of the International Bureau of Education, Geneva, Box 125: C2/9/304: 'Publications; BIE'; in 1925 Thomas was involved in the committee behind the creation of the IBE.

47. AILO, ED 1000/13/6 et 7: International Bureau of Education; questionnaire on raising the school leaving age (1931–33).

48. AILO D 600/2001/04: Relations with international and national organizations in order to hasten the ratifications of the draft conventions on child labour, 1932. See also AILO, D 600/2001/02: correspondence with the Inter-Parliamentary Union; AILO, D 600, 2001, 22/4: France (correspondence with Freemasons).

49. *ILC, 1930*, 'Report of the Director', pp. 182–183.

50. Draft note from A. Thomas, *circa* 1928 (AILO, L 12/12/6: 4th sitting of the CPC).

51. The report is presented in *Minutes of the 47th Session of the Governing Body of the International Labour Office*, Geneva, 1930, pp. 143 et seq.

52. B. Beaven, *Leisure, Citizenship and Working-class Men in Britain 1850–1945* (Manchester: Manchester University Press, 2005).

53. At the Congress on Children which the ISCU held in 1931, for instance, the International Labour Office delegate reported to the congress on these issues (guidance, training and leisure for adolescents) (AILO, D 600/406/11: ISCU, Thélin to Johnston and Di Palma, 6 June 1930).

54. AILO, D 616/900/2: Minutes of the Committee on the Age of Admission to Non-Industrial Employment, April 1932.
55. AILO, L12/12/11: CPC, 8th sitting, 9–15 April 1932: Johnston Report, 26 April 1932.
56. AILO N 102/4: Family allowances.
57. International Labour Office, *Family allowances*, Geneva, 1924 (Studies and Reports, No. 13). Several aspects of this idea caused differences of opinion between employers' organizations and trade unions, focusing on whether the allowances should be compulsory or voluntary, whether workers' organizations should be involved in their management, whether they should be attached to the social insurance system, and whether they should be financed through taxation.
58. AILO, L12/12/6: Johnson to Thomas, 29 March 1928.
59. For Italy see S. Gallo, Chapter 9 in this volume, and for Germany S. Kott, 'Dynamiques de l'internationalisation: l'Allemagne et l'Organisation Internationale du Travail (1919–1944)', *Critique Internationale* (vol. 52, no. 3, 2011), pp. 69–84.
60. A report sent to the International Labour Office in July 1934 by a Belgian correspondent said that between 20 per cent and over 40 per cent of the unemployed in the western countries were aged under 25 (U 22/0: Vlaminck to Fuss, July 1934).
61. The very young unemployed were not covered by insurance schemes since they had not contributed for long enough (or sometimes not at all yet) to receive benefits, or could not be admitted before a certain age (16 in the UK, for example: AILO, U 22/0: Report to the Governing Body, February 1933).
62. See *La jeunesse et ses mouvements: influence sur l'évolution des sociétés aux XIXe et XX siècles* (Paris: Editions du CNRS, 1992); C. Bouneau, 'La jeunesse socialiste et l'action internationale durant l'entre-deux-guerres', *Le Mouvement social* (vol. 2, no. 223, 2008), pp. 41–53.
63. See Droux and Matasci, op. cit.
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16
Pension Privatization: The Transnational Campaign

Mitchell A. Orenstein

Introduction

This chapter analyses the rise and spread of pension privatization, the partial or full replacement of pay-as-you-go pension systems with ones based on individual, private pension savings accounts. Pension privatization is significant both because it revolutionizes the postwar social contract and exemplifies the emergence and spread of transnational public policy. What is particularly notable about the spread of pension privatization since 1980 is that transnational actors have been involved directly in their development, transfer and implementation in more than 30 countries around the world. In this sense, pension privatization is a case of global public policy-making. While most countries implementing pension privatization to date have been middle-income developing countries in Latin America and Europe, these reforms have been debated and to a limited extent implemented in developed countries as well.

Pension privatization

Pension privatization revolutionized welfare state practices as part of a broader 'neoliberal' agenda of economic reform that swept the world after being enacted in Chile and Britain in the 1970s and 1980s.[1] The neoliberal agenda for policy reform is based on the view that markets are almost always more efficient than states as a mechanism of distribution and that therefore, state services should be replaced by market mechanisms wherever possible. While pension privatization was not part of the initial 'Washington consensus' on policy reform, it was clearly consistent with it and became a key part of Washington-based policy advice starting in the mid-1990s. Pension privatization is important for three reasons: 1) it radically alters the social contract in affected countries and is thus highly controversial; 2) pension systems represent a large proportion of the total economy; and 3) pension privatization has been implemented through a global policy process with significant direct involvement of transnational actors.

The basic difference between pay-as-you-go and privatized pension systems can be summed up in a phrase: individual, private, pension savings accounts. Pension privatization introduces such accounts and seeks to increase reliance on them as a means of funding retirement benefits over time. Social security systems are state-run systems in which current revenues are used to pay for benefits to current retirees. Both systems require mandatory payroll tax contributions and both provide state-mandated savings for old-age security. However, they do so in very different ways with very different economic consequences, reflecting different philosophies of welfare state provision.

Financing

Both systems are financed by (usually) mandatory payroll tax revenues paid by employees and/or employers. In most developed countries, nearly 90 per cent of employers comply with payroll tax requirements. In many developing countries, payroll tax compliance is much lower. Some countries do not require all workers to contribute to pension systems, but only those in certain privileged sectors. While both social security and new pension reform systems rely on payroll tax revenue, they differ in the use of these payroll taxes. In social security systems, current payroll tax contributions are used to pay current beneficiaries as a 'pay-as-you-go' system. Pension privatization systems are pre-funded. Individuals deposit contributions in their private pension savings accounts during their working life and draw on these contributions, plus investment returns and minus management fees, in retirement.

Redistribution

Social security systems combine aspects of pension savings, old-age insurance and social redistribution in a single system. They require people to save for retirement, insure people against the risk of living to an exceptionally old age, and redistribute funds to those in relative need. Social security-type systems may redistribute funds in three ways: from those who die young to those who die old, from one generation to another, and from people in one part of the income distribution to those in another. Pension privatization dramatically reduces redistribution within pension systems, tying pension benefits firmly to individual contributions. Advocates of pension privatization argue that aspects of savings, insurance and redistribution within pension systems need to be separated out and that individual private pension funds are an excellent tools for savings, while other government programmes can achieve the goals of insurance and social redistribution.[2]

Risks and returns

A central problem of social security-type systems is vulnerability to risk, particularly broad-based demographic aging due to increased standards of

living, higher life expectancy and reduced fertility rates in many countries.[3] In addition, social security systems may face economic risks arising from unexpected changes in growth rates, wages or prices that may reduce the ability of social security systems to obtain sufficient revenues through payroll taxes. There are political risks, such as the failure of the political system to respond to changes in the policy environment, or institutional risks that may arise from failures of the social security administration to adequately predict system balance or to administrate benefits properly. Finally, there are individual risks that people take, arising from uncertainties about the future of a work career and earnings.

Privatized pension systems face a different set of risks. While demographic risks are substantially reduced since pension benefits do not rely on the earnings of another generation, individual economic risks are increased. Individual savings depend almost entirely on an individual's career trajectory and economic conditions during a working life. Institutional risks are also different, as pensions do not depend on the health of a single government agency, but on the health of a private pension fund and an annuity insurance company regulated by the state. While individual risk in these systems is generally higher,[4] some individuals may also receive higher potential individual returns to pension savings.

Pension privatization and growth

One of the primary arguments for pension privatization is that these systems are more pro-growth than traditional social security systems and therefore better for the overall welfare of society, including pensioners. The central argument is that rather than placing a drag on the economy, privatized pension systems create high rates of savings, cause those savings to be invested in productive ways through financial markets, and provide an important source of capital for developing economies in particular. Returns on this investment accrue to individual pensioners, meaning that they benefit as the economy grows. Economists have debated many of these points, including whether private pensions truly raise the savings rate.[5] None of these points has been demonstrated beyond a reasonable doubt. Still, there is evidence that countries adopt pension privatization in the hope of spurring economic growth, savings and investment.[6]

Variations in pension privatization

The preceding sections have explored social security and privatized pension systems in a side-by-side comparison, as if policy-makers must choose one system or the other. However, in many cases, pension privatization results in a system that combines a private and a social security system in either a 'mixed' or a 'parallel' reform. In mixed reforms, the private pension system

Table 16.1 Varieties of pension privatization worldwide, 1981–2006

Substitutive	Mixed	Parallel
Chile 1981	Sweden 1994	UK 1986
Bolivia 1993	Hungary 1998	Peru 1993
Mexico 1997	Poland 1999	Argentina 1994
El Salvador 1998	Costa Rica 2001	Colombia 1994
Kazakhstan 1998	Estonia 2001	Uruguay 1996
Dominican Rep. 2001	Latvia 2001	Lithuania 2002
Nicaragua 2001	Bulgaria 2002	
Kosovo 2001	Croatia 2002	
Nigeria 2004	Macedonia 2002	
Taiwan 2004	Russia 2002	
	Slovakia 2003	
	Romania 2004	
	Uzbekistan 2004	

Sources: See R. L. Madrid, *Retiring the State: The Politics of Pension Privatization in Latin America and Beyond* (Stanford: Stanford University Press, 2003); K. Müller, *Privatizing Old-age Security: Latin America and Eastern Europe Compared* (Aldershot: Edward Elgar, 2003); C. M. Becker, A. S. Seitenova and D. S. Urzhumova, *Pension Reform in Central Asia: An Overview* (Tokyo, Hitotsubashi University, PIE Discussion Paper Series, 2005); E. Fultz, 'Pension Reform in the EU Accession Countries: Challenges, Achievements, and Pitfalls', *International Social Security Review* (vol. 57, no. 2, 2004), pp. 3–24; R. Holzmann and R. Hinz, *Old Age Income Support in the 21st Century: An International Perspective on Pension Systems and Reform* (Washington, DC: World Bank, 2005); M. Orenstein, *How Politics and Institutions Affect Pension Reform in Three Postcommunist Countries* (Washington, DC: World Bank, 2000); R. Palacios, *Pension Reform in the Dominican Republic* (Washington, DC: World Bank, 2003).

partially replaces the older social security system, but both continue to operate side-by-side. In parallel reforms, participants continue to have a choice of whether to participate in the social security-type or private pension system. Reformers sometimes argue that a partial replacement of social security is the best option because it enables risk diversification.[7] Some argue that neoliberal reformers simply want to get a foot in the door, with the objective of totally eliminating social security sometime in the future. Yet most countries that have experienced pension privatization have reduced, but not eliminated, the pre-existing social security system (see Table 16.1).

The transnational campaign for pension privatization

The story of pension privatization begins in Chile in the early 1980s. After the overthrow of the Allende government by General Augusto Pinochet in 1973, Pinochet's government began a dramatic series of economic reforms inspired by 'Chicago school' neoliberal economics. These reforms represent the vanguard of a transnational movement that had advocated market-oriented policies as a counterweight to Keynesian economics.

The pension reforms designed in Chile in 1980–81 marked a major departure from the country's previous tradition of social insurance. The new system eliminated the old pay-as-you-go system and replaced it with one based on individual, private accounts. People who had contributed to the old system received 'recognition bonds' from the state that were deposited in their individual accounts and paid a four per cent interest rate.[8] The new funds were managed by pension fund management companies that each established a single pension fund which reduced payroll tax rates and increased take-home pay, making the programme popular among workers.

Although the neoliberal reforms initially faltered as inflation spiralled out of control,[9] the revival of the economy redeemed the pension reform programme. Account balances grew rapidly; replacement rates have been high by international comparison at 78 per cent,[10] mostly due to rapid growth in the Chilean economy. Chile's new pension reforms began to be seen as a legitimate model for other countries, particularly in Latin America,[11] but also by the international community. In many cases, transnational actors funded the reform teams that were to consider pension privatization, though policy-makers in Latin America also received ideas and advice directly from Chile, through conferences, policy entrepreneurs and private fund management companies. Leading Chilean pension reformer Jose Piñera played a key role, proving to be a fantastically successful spokesman among Latin American policy-makers. Piñera established his own think tank and has made a career of promoting pension privatization worldwide. He speaks frequently at events organized by the World Bank and USAID to promote pension privatization, provides pro bono advice to governments, organizes study trips to Chile, and often meets with top political leaders in countries around the world to convince them of the principles of pension privatization.

A turning point in the development of the transnational campaign for pension privatization came in 1994 with the publication of *Averting the Old Age Crisis*, which brought the World Bank and its resources fully on board with the campaign for pension privatization that had already taken root in Latin America. *Averting* added a new intellectual justification for pension privatization and coincided with a measurable policy shift in World Bank pension policy. It also presented a more palatable set of options for pension privatization that amended the Chilean model in important ways. In particular, *Averting* advocates what it calls a 'multipillar' or three-pillar approach to pension reform. This includes: 1) state-provided, redistributive benefits; 2) mandatory pension savings in privately managed individual accounts and; 3) voluntary savings in funded individual or occupational pension plans.

By making advice more flexible than the Chilean approach and allowing room for continuation of the state social security system, *Averting* made the global policy approach more appealing to a broader array of countries

without giving up the key element of adding individual, privately managed, funded accounts. The intellectual and financial resources behind this campaign were also magnified.

The transnational coalition that supported pension privatization grew in the early and mid-1990s to include not only the World Bank, but also the US Agency for International Development (USAID), the Inter-American Development Bank (IDB), the Organization for Economic Cooperation and Development (OECD), and other actors. These organizations generally followed the lead of the World Bank on broad reform strategy, but otherwise played distinctive roles within this joint effort. USAID focused on financial sector development and often worked in a longer-term fashion on reform implementation. The OECD produced extensive publications and organized conferences to promote pension privatization in developed and developing countries. IDB focused on financing and promoting reform in Latin America. This coalition of transnational actors formed a coherent transnational campaign that developed research on pension reform, identified and trained advocates of reform worldwide, funded reform teams in multiple countries, sponsored study tours for officials in countries considering privatization, provided direct assistance to reform teams to overcome domestic political opposition, and hired successful reformers to work in other countries to promote reform.[12]

The ILO and the World Bank model

This transnational advocacy coalition for pension privatization was not without opponents. Pension privatization was opposed by a second coalition of transnational actors composed primarily of the International Social Security Association (ISSA) and the International Labour Organization (ILO). The ILO had been deeply involved in the spread of social security systems worldwide after the Second World War. It quickly perceived the World Bank's campaign for pension privatization as a major threat to its hegemony in the world's pension advisory community. However, the ILO was initially unable to successfully counter the World Bank's campaign. Primarily, the ILO lacked the resources to oppose the World Bank successfully worldwide. The World Bank publication and conference budget was far higher than that of the ILO and, as a result, the ILO was unable to get its ideas in front of policy-makers with the speed of the World Bank. ILO advisory teams, such as its Central and East European Team (CEET) based in Budapest, Hungary, found themselves unable to counter the World Bank's campaign, despite alliances with domestic labour unions.[13] The ILO finally issued a comprehensive response to the World Bank strategy in 2000, six years after the publication of *Averting*, when the trend towards pension privatization was already well under way.[14] The ILO played a significant role opposing pension privatization in only a few of the countries that adopted it

during the 1990s, including Hungary, where its CEET was based. However, it was far from a major presence in reform debates in most countries and was increasingly influential only in those poorer developing countries where the World Bank did not advocate pension privatization.

Nonetheless, the ILO managed to articulate a distinct perspective on pension reform, one that reflected its long tradition as an advocate of social security-type systems. Gillion et al.[15] tried to turn attention away from privatization and towards several other issues that it argued were more important, most notably pension system coverage and poverty alleviation. The ILO argued that in many countries of the world, the main issue is that official pension systems cover only a small minority of the working population and thus they leave workers uncovered in old age. In all, fewer than 20 per cent of the world's workers are covered by an official pension. Pension privatization does nothing to alleviate this problem. As a result, many older workers and retirees live in poverty. Gillion et al.[16] acknowledged that private, funded accounts could have their place in a well-designed pension system, an important tactical concession to the World Bank. However, pension privatization was not a panacea or even a significant part of a solution to the world's pension dilemmas.

Why did the World Bank succeed in supplanting the ILO as a lead transnational adviser on pension reform worldwide? A key factor was resources. The World Bank simply had far greater resources in the 1990s and 2000s to pursue thought leadership worldwide than the ILO. However, this begs the question: why did the World Bank benefit from greater resources? One answer is high politics. The ILO had top-level political backing from the victorious powers after the Second World War to spread social security-type pension systems worldwide. Political leaders such as Franklin D. Roosevelt visibly supported this in the hope of building accountable states that would prevent further wars. Social security was one plank in a broader platform of social guarantees to ensure social peace. In the 1990s, top political leaders in the United States, in particular, had abandoned the ILO and its vision of tripartite social peace. Instead, world leaders threw their support and resources behind projects of privatization led by the World Bank and other international financial institutions. The closeness of the Bank and US government economic circles is signified by the fact that Lawrence Summers, who commissioned the 1994 World Bank report, *Averting the Old Age Crisis*, later became US Treasury Secretary. A third factor is thought leadership. The ILO in the 1990s did not have sufficient research resources or an amenable organizational structure to sponsor new thinking on pension reform issues. *Averting* was a landmark in large part because it created a new problem definition – population aging – for which social security-type pensions had no convincing response. The World Bank helped to identify and define this trend and put forward its preferred solution: pension privatization. The ILO ceded ground in part

because it did not have the resources, structure or policy entrepreneurship to be at the forefront of pension thinking.

In contrast, the World Bank-led transnational advocacy coalition in favour of pension privatization benefited from:

- A compelling problem definition and clearly focused reform agenda;
- A platform that emphasized ancillary benefits for economy-wide savings and investment;[17]
- Consistency with the neoliberal reform agenda;
- Top-level political support;
- Limited opposition from the ILO and vested interest groups;
- Coordination with multiple organizations and thus an ability to leverage various resources more effectively.

Pension privatization was developed by a transnational advocacy coalition including Chilean reformers, US economists, US government agencies, and the World Bank and other multilateral international organizations. This campaign was highly effective in changing nation-states' policies on pensions – a core element of the social contract and an area of policy thought to be highly resistant to change.[18] The success of this transnational policy campaign should cause us to reshape views of how policy is made in both developing and developed countries.

Policy transfer

Between 1992 and 2006, pension privatization spread to 30 countries worldwide. An additional set of countries has adopted policies consistent with pension privatization (for instance NDC or voluntary private) but without mandatory private accounts. This is true, in particular, for rich OECD countries that are often seen as slow reformers. Transnational actors have had an impact on pension reform in country after country and this section draws on case study research to provide a preliminary picture of global policy actor involvement in new pension reform processes.

Transnational actors have a multiplicity of tools to encourage countries to adopt pension privatization or other policy reforms. Transnational actors often operate as proposal actors in domestic politics. While lacking veto rights, they have the power to formulate legitimate and well-elaborated policy proposals. Proposal actors orient their activity toward convincing domestic veto players to adopt their problem definitions, norms, and proposed solutions.

Because of their lack of formal, concentrated veto power, transnational actors are forced to use a variety of channels of influence to co-opt, cajole, inspire and recruit domestic veto players to their cause. Membership and loan conditionalities are one set of tools. Others include the deployment of expertise to develop new problem definitions and policy proposals,

workshops, publications and conferences that spread information about proposed policy solutions, strategic use of resources to encourage states and domestic actors to adopt proposed policies, and technical assistance in reform implementation.

Transnational actor interventions are often pervasive, taking place in a variety of deliberative forums across time. This presents one of the key methodological problems in assessing transnational actor influence, because there is rarely a single moment or event that encapsulates the full range of transnational actor influence. Instead, transnational actors behave like nervous parents, hovering over domestic reform processes, bemoaning their own lack of control, yet exerting subtle influence at all stages.

As a first step, World Bank and other transnational actor officials seek to identify promising candidates for reform and country officials who are potential partners. This is done through a variety of means. One method is to use conferences and seminars on pension privatization to get to know a wide variety of pension reform officials from countries around the world. The World Bank, through its World Bank Institute, has run a large number of such seminars over the years, training thousands of officials. The World Bank and other organizations also have developed substantial publication series on pension privatization, including a 'pension reform primer' intended to train country officials in the workings of pension privatization ideas. Conferences, seminars and publications can be seen as part of a strategy of 'inspiration'[19] to recruit and develop new partners in national government and shape their policy preferences. However, transnational actors focus most of their resources on countries where they have already established willing partners. Here the emphasis shifts to providing these partners with resources to elevate their political fortunes ('partnership'), creating incentives for other domestic veto players to join the reform bandwagon ('subsidy'), and training new pension reform officials in the technical tasks of administration. One of the key contributions of the World Bank to pension privatization reform efforts worldwide has been the provision of sophisticated modelling software that enables officials to enter parameters and make projections about the future of a country's pension system under different scenarios. This modelling software, which is typically customized for each individual country, provides a unique power resource. Because such models are technically demanding to create, they can provide a distinct advantage to reformers who are able to better demonstrate the benefits of their own ideas, undercut the reform proposals of their opponents and display greater technical acuity in expert debate.

Other ideational resources provided by transnational actors also act to bolster the political power of domestic reformers. Access to high-powered legal experts and consultants can help domestic reformers to outgun their opponents in public or intra-governmental debate. Provision of technical

support to a particular ministry can make that ministry the centre of pension reform discourse and elevate it over its rivals in technical expertise. Large loans also provide necessary resources and encourage governments to adopt reforms.

One overlooked channel of World Bank influence has been through personnel policies. The World Bank has not only seconded or released its own employees to participate in the reform teams for pension privatization in different countries, but also hired prominent pension reform officials onto its staff. Operating a revolving door between leading transnational actors and national governments creates individual incentives for top reformers to participate in the pension privatization campaign and also helps to provide high-level personnel resources to reform teams. It further enables neighbouring countries to benefit from local knowledge and social learning provided by natives of their own or nearby peer countries.

One of the most important comparative studies of pension privatization in Latin America and Central and Eastern Europe was conducted by Müller,[20] showing that in the eight countries selected for the study, all had substantial direct involvement from transnational actors. Chief among the transnational actors pushing pension privatization was the World Bank. Müller's study looked at two countries in four sub-regions: Central Europe, Southeastern Europe, the Andes, and the Southern Cone of Latin America. While there still may be selection bias, her study gives a good sense of the level and types of involvement of various transnational actors. In addition to the World Bank, transnational actors included leading Chilean economists, the International Monetary Fund (IMF), the United States Agency for International Development (USAID), the Inter-American Development Bank (IDB), the United Nations Development Program (UNDP) and the Asian Development Bank (ADB).

In every case studied by Müller,[21] government reform teams planning pension privatization were financed by external actors and provided with extensive technical assistance. This suggests that transnational actors made a coordinated effort to spread pension privatization worldwide, with a regional focus on Latin America and Central and Eastern Europe. In all countries, several transnational actors have played complementary roles in the reform process. Müller's findings illustrate the important role transnational actors have played in the transfer of new pension reforms to countries in Latin America and Central and Eastern Europe.

After the financial crisis

With the global financial crisis of 2008–09 and the collapse of stock market values worldwide, private pension fund balances have been badly hurt. It remains unclear what impact this will have on the transnational campaign for pension privatization. On the one hand, it is possible that countries will

be deterred from implementing such reforms due to the poor performance of funds in other countries and the weakening logic behind neoliberal policy reform generally. On the other hand, the transnational campaign for pension privatization remains in place. It has been highly effective and has trained thousands of officials in reform, most recently in Asia and Africa. It will be interesting to see in coming years whether the trend towards pension privatization is paused, slowed or ended.

One clear impact is a change in emphasis in the transnational debate on pension system reform. Since the financial crisis, there has been a significant slowdown in the number of countries adopting pension privatization. Instead, countries have focused on reforms to social security-type pension systems to enable them to meet the needs of the population in hard times. Chile has again been a leader in this regard. Under the government of Michelle Bachelet, Chile has substantially increased the level of its minimum pension, which had been minimal under the Pinochet reforms. On this issue, the World Bank and ILO have more common ground.[22] Minimum pensions have been advocated by the World Bank as part of the reforms suggested in *Averting* since 1994, because they target benefits at the poor. At the same time, minimum pensions also provide a way to address the concerns with coverage and poverty relief that are central to the ILO.

Still, it is too early to declare the trend toward pension privatization dead.[23] Demographic aging remains a worldwide phenomenon, one that will put increasing pressure on social security-type pension systems. Such systems cannot maintain fiscal balance when the pension age population increases more rapidly than the working age population, as is happening in countries around the world. Reform remains on the agenda. As long as it does, pension privatization remains there too. Similarly, the transnational campaign described above continues to function. If it is a significant factor in driving pension privatization decisions in countries worldwide, then the trend will persist, perhaps with some new amendments or modifications. It may be paused or slowed, but not ended.

Conclusions and implications

Pension privatization has been pursued by a transnational advocacy coalition that seeks to revolutionize social protection on a global scale. Transnational actors are likely to remain a major force in the advancement of these reforms, even after a global financial crisis that has clearly slowed the adoption of these reforms since 2008. A key issue for future research is to establish whether the patterns explored in this chapter hold in other countries implementing these reforms, and in particular whether developed countries such as the United Kingdom, Denmark, Sweden and the United States are influenced by transnational actors in similar or different ways.

Another key issue is determining the relative extent to which transnational actors, crises, local structural conditions or domestic policy actors shape the outcomes of reform. Available evidence suggests that pension privatization should be seen as part of a global policy process that includes global policy development and transfer mechanisms in conjunction with domestic policy actors and conditions.

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17

The Embattled Standard-bearer of Social Insurance and Its Challenger: The ILO, The OECD and the 'Crisis of the Welfare State', 1975–1985

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The 'crisis of the welfare state' and controversies about the 'burden' of social expenditure or the 'looming menace' of demographic ageing have now become staple items on the political agenda of industrialized countries. However, we still lack proper historical understanding of how these paradigms spread from country to country through various transnational channels. In order to fill in this gap, I go back to the incubation decade of these controversies (1975–1985), when the combined pressure of the recession and resurgent free-market ideology challenged the post-war consensus for social security expansion. Using the archives of both the International Labour Office (ILO) and the Organization for Economic Cooperation and Development (OECD), this chapter analyses this critical juncture by comparing the divergent outcomes of two interconnected policy initiatives. I investigate first the activities of a task force convened in 1980 by the Director-General of the ILO and whose final report (*Into the 21st Century*, 1984) attempted to counter critiques accusing social expenditures of exacerbating the impact of the 1970s recession. I then explore the genesis of the *Welfare State in Crisis* conference convened by the OECD in Paris in October 1980. While the ILO report is now largely forgotten, the OECD conference is still widely considered as an early signpost for the above-mentioned paradigm shift in social policy development.

The parallel history of these two policy initiatives underscores how the ILO, the standard-bearer of post-war social security expansion, found itself wrong-footed by the entry of the OECD on this policy field from 1975 onwards. This chapter exploits a comparative investigation of international organizations to highlight the reformulation of transnational policy paradigms during the upheavals of the 'long 1970s'.[1] Following the thematic thread of the 'crisis of the welfare state' inside both organizations enables me to assess the processes that underlay the international competition for ideas in this domain.

1980: social security at the crossroads?

In a letter dated 22 April 1980, Pierre Laroque (1907–1997), President of the Social Section of the French *Conseil d'Etat* and founding father of the *Sécurité sociale*, congratulated Francis Blanchard (1916–2009), Director-General of the ILO, for his recent article in *Le Monde* about the 'general crisis' of social security.[2] In this tribune, as well as in a longer contribution published in the *International Labour Review*, Blanchard underlined that 'voices [were] being raised' all over the Western world 'to alert governments to the dangers of pursuing the same social policy without taking the changed economic situation into account'.[3] This 'tense atmosphere' was itself aggravated 'by a loss of confidence in the redistributive effect of social security systems' and critiques according to which social security expenditures had reached a 'saturation point'.[4] Blanchard minimized this 'outcry and alarm' and pointed out that advocating the introduction of 'a measure of [private] funding' in social policy programmes, 'would certainly not be very desirable given the risks inherent in inflation'.[5] Blanchard finally reminded his readers that social security was not detrimental to economic development. On the contrary, it had contributed to soften the impact of the recent recession.

Underlining the need to 'rethink social security problems', Laroque urged his friend to commission 'independent experts' to write a report on this issue. Blanchard greeted Laroque's appraisal, arguing that 'the problems [he had] tried to evoke [. . .] figured among the most difficult and preoccupying' he was currently facing. Encouraged by Laroque's mention that his impending retirement in Autumn 1980 would give him time to coordinate such a group, Blanchard asked Giovanni Tamburi, head of the ILO Social Security Department, to explore the feasibility of such an endeavour.[6] By late 1980, experts had been contacted, $23,000 had been scraped together to finance the Director-General's *groupe de réflexion* on the future of social security, and a first meeting scheduled for April 1981 in Geneva.[7]

Besides Laroque, the *groupe de réflexion* was composed of leading social security figures.[8] Wilbur J. Cohen (1913–1987), a former Secretary of Health, Education and Welfare during the Johnson administration, had worked for the US Social Security Administration from the New Deal to the Great Society. Gerard M. J. Veldkamp (1921–1990), a Dutch Christian Democrat, had enacted key social programmes as Minister for Social Affairs (1959–1967). A professor in Leiden, Veldkamp also chaired the European Institute of Social Security, an outfit that entertained close contacts with the Directorate for Social Affairs of the European Commission. Sir Owen Woodhouse (born 1917), a Judge at the New Zealand Court of Appeals and an expert on social legislation, had also promoted social insurance expansion in his country. Finally, Brian Abel-Smith (1926–1996), a former student of welfare scholar Richard Titmuss and a professor at the London School of

Economics, had advised Labour governments on social affairs. Civil servants from the Portuguese, Canadian and Danish Ministries of Social Affairs (Antonio da Silva Leal, John E. Osborne, Adam Trier), as well as the Polish Institute of Social Affairs (Ewa Borowczyk) supplemented this senior quintet. To make up for the absence of Third World representatives, Jérôme Dejardin (1919–2002), the Belgian president of the International Social Security Association (ISSA), was associated to the *groupe*, while Giovanni Tamburi and his ILO colleagues offered their support.

Straddling the Atlantic (or even the Pacific-Atlantic!) realm and encompassing Western European centrists, social democrats as well as individuals from former authoritarian regimes (Portugal) and the Eastern bloc, the *groupe de réflexion* brought together a common generation who had shaped social legislation across national and ideological boundaries. Its geographic and political diversity was a testimony to the width of the post-war consensus for social security expansion among capitalist *and* communist industrialized countries.

This post-war consensus was facing mounting challenges. As Blanchard had underlined in his articles, social security found itself 'at the crossroads'. At the very time when rising unemployment and budgetary deficits were destabilizing social programmes, a resurgent free-market and conservative critique denounced the looming 'crisis' of Western welfare states. Economists Milton Friedman and Martin Feldstein, who were both backing Ronald Reagan's anti-tax and anti-welfare campaign, had fired the first salvo of this offensive at the beginning of the Carter administration.[9] Indeed, Blanchard's decision to set up the *groupe de réflexion* narrowly preceded Reagan's triumph at the July 1980 Republican Convention and his November 1980 electoral victory. The conservative offensive was also gathering momentum in Western Europe in the aftermath of Margaret Thatcher's May 1979 election victory. In these circumstances, the strong presence of 'Anglo-Saxons' in the *groupe de réflexion* (four out of ten members) was not surprising. Since 1979, Wilbur Cohen had worked with trade unions to counter cutbacks in welfare expenditures through a coalition named 'SOS–Save our Social Security'.[10] Upon his retirement, Pierre Laroque himself could witness with dismay how fellow Gaullist Jacques Chirac, candidate for the spring 1981 French presidential elections, was adopting a strident anti-tax and anti-welfare platform to battle both the incumbent Valéry Giscard d'Estaing and the Socialist challenger François Mitterrand.[11]

The second semester of 1980 was indeed a key critical juncture and the ILO was not the only international organization to scrutinize the future of social security. In March 1979, the first ministerial-level social security meeting convened by the Council of Europe had underscored the need 'to pursue efforts undertaken to extend and ameliorate the protection of all members of society against social and economic risks'.[12] Blanchard and his collaborators were also aware that the Paris-based OECD was convening in

October 1980 a high-level conference to address the issue of the 'welfare state in crisis' (French: *La crise de l'Etat protecteur*), the first in the history of the organzation devoted to social security.[13] During this meeting, Ministers of Social Affairs, senior civil servants, prominent social scientists and economists, as well as a handful of trade union and business representatives, debated the coming challenges facing OECD countries. The proceedings of the conference revealed positions that were clearly antagonistic to those upheld by Blanchard and his *groupe de réflexion*.

At the OECD conference opening, James R. Gass, head of the Directorate for Social Affairs, Manpower and Education (SME)[14] set the tone of the meeting. While asking rhetorically whether welfare state expansion might lead towards a 'welfare society', Gass underlined that:

> [T]he growth slowdown means that we cannot escape the necessity to remodel our social policies while continuing to ensure a minimum of protection [. . .] The aim should not be to axe social programs but to intervene with almost chirurgical precision.[15]

The Secretary-General of the OECD, Emile van Lennep, was more straightforward. Arguing that it was 'necessary to put an end to escalating [social] claims if we want to satisfy all demands that weigh on our resources without fueling inflation', van Lennep pleaded for 'new relationships between public services and private action [and the need] to reinforce every one's personal responsibilities'.[16]

Similar views also surfaced in two conference syntheses prepared by A. H. Halsey, an Oxford sociologist, and Victor Halberstadt, a Dutch professor of public finance. While Halsey underscored that both 'optimistic' and 'pessimistic' views of the future of the welfare state had been debated, he noted that 'most participants [had] however preferred to adopt cautious intermediary positions [. . .] neither privatization through increased market participation nor delegation of responsibilities or general deregulation have encountered much positive endorsement'.[17] By contrast, Halberstadt bluntly remarked that:

> While the welfare state has not been attacked directly, participants have seemed to favor a more conservative approach [as well as] the necessity to question [. . .] its limits. [. . .] As it is clear that almost all participants wish for a return to at least moderate economic growth, the first priority should be, or so it seems, to convince the 'social policy industry' [. . .] that social policy [. . .] runs the risk of creating obstacles to economic growth.[18]

Inside their offices at the Château de la Muette, OECD officials felt that the wind was turning. Responding to a collaborator who worried that the OECD

was 'getting left behind' by the current conservative offensive, SME Director James. R. Gass retorted in early 1981:

> [I]n this particular case we are not losing an opportunity. Indeed, we are moving into exceedingly difficult territory with more than desirable speed. Of course I know that it might be important to jump on the Thatcher/Reagan/Chirac bandwagon but as an international secretariat we have a duty to tackle political problems from a professional angle and in the interests of all our Member countries.[19]

Gass's caution was typical of the OECD technocratic outlook. However, as I will show shortly, the OECD was not only in the course of adapting itself, but also contributing to the ongoing change of the ideological climate towards the welfare state.

This section has underscored preliminary intersections between the trajectories of the ILO *groupe de réflexion* and the OECD 'welfare state in crisis' conference. While confirming that 1980 was a critical juncture for social security debates, it leaves several questions unanswered. For example, I still have to ascertain *why* and *how* the ILO perceived to be embattled around 1980, whereas the OECD was entering the social policy arena with new assertiveness. In other words, why did the ILO, the standard-bearer of post-war social security expansion, find itself wrong-footed by the entry of a newcomer on its familiar turf? What is more, how did both organizations react to each other's interventions? The next section will answer these questions by focusing on how the turbulences of the 1970s impacted social policy perspectives in both organizations.

The embattled standard-bearer of social insurance and its challenger

The ILO's long-term contribution to 20th-century social policy development is well known. As an early adopter and/or initiator of foundational texts such as the Atlantic Charter (1941), the Beveridge Report (1942), the Declaration of the Philadelphia International Labour Conference (1944), the UN Declaration of Human Rights (1948), and finally its own Convention No. 102 on Social Security (1952), the ILO positioned itself as a leading proponent of social insurance expansion.[20] During the post-war growth decades, the ILO had followed three simultaneous aims. The organization first promoted Convention No. 102 and supplemented it with additional Conventions devoted to specific social security domains. This painstaking process brought mixed results, but the production and diffusion of social policy norms remained a key domain of ILO intervention.[21] Seconded by the expert networks of the ISSA, whose structures had been reorganized in 1947, the ILO also provided social security technical assistance throughout

the world, and in particular among new Third World countries.[22] Finally, from 1949 onwards, the ILO produced the *Costs of Social Security* (COSS), a series of statistical inquiries that constituted a reference in the field.[23]

From the 1960s onwards, the ILO prominence in social insurance began to be undermined by several concurring evolutions. First, the parallel goals of improving social insurance systems in the industrialized world and building such schemes from scratch in the Third World strained the limited resources of the organization. Secondly, the development of social statistics, charters and conventions by the Council of Europe and the European Communities not only emulated, but also competed with the ILO in the region that contained the most developed welfare states.[24] East–West and North–South rivalries also impacted the organization, sometimes with crippling effects. Between 1977 and 1980, after escalading fights between capitalist and Third World countries, the Carter administration withdrew from the ILO, which amputated a quarter of the ILO budget in the process.[25] The ILO found itself wrong-footed at the very time when economic imbalances and ideological critiques were eroding the impetus of post-war social security expansion.

In comparison to the ILO, the OECD entered the turbulent 1970s without a well-defined stance on social security. Indeed, its new assertiveness in this domain was not only informed by the emerging economic critique of the 'burden' of social expenditures, but also contributed to the consolidation of policy ideas that fitted perfectly in this new ideological paradigm. Far from being embattled or wrong-footed, the Paris-based organization emerged as a powerful challenger in the international arena for social policy expertise. Yet, despite its importance for the governance of contemporary capitalism and the ubiquitous use of its numerous reports and statistics, the history of the OECD is only now beginning to attract scholarly interest. Recent works underscore that, from the mid-1970s, the OECD underwent a shift from 'embedded liberalism' and Keynesian growth strategies towards neo-classical economics.[26] Scholars have also analysed the OECD involvement in recent welfare state reforms, but have paid little attention to the origins of this involvement.[27] The following paragraphs will underscore basic features of the organization and focus in particular on its growing involvement in social policy.

In contrast to the global reach of the ILO, the OECD – which succeeded in 1961 the Organization for European Economic Cooperation (OEEC) founded in 1948 to monitor the progress of the Marshall Plan[28] – had in 1980 an exclusively Western European, North American and Australasian membership.[29] This 'triadic' profile insulated the organization from the severe East–West and North–South dissensions that imbalanced the ILO and imperilled its finances. The OECD acted as a meeting place for civil servants, experts and government officials and, in contrast to the ILO tripartite structure, extended only a consultative role to business organizations and trade unions. The organization operated as a 'monitoring agency' acting,

in the words of political scientist Martin Henderson, as 'one small part of the sizeable international management exercise concerned with the maintenance of the viability and good health of world capitalism'.[30] Finally, unlike the ILO, the OECD neither drafted Conventions to have them ratified, nor produced legal norms to which its members had to comply. The organization rather served as a clearing house where new policy consenses were forged and given an aura of international respectability. According to Martin Marcussen, the OECD worked as an 'ideational arbitrator' shaping 'soft regulation' through consensual and technocratic discussions based on dominant economic knowledge.[31]

The OECD's initial work on social affairs was based on a 1964 Recommendation that defined 'manpower policy as a means for the promotion of economic growth'. This focus on manpower training, recruitment, productivity and forecasting was typical of Gosta Rehn (1913–1996), the Swedish economist who headed the OECD Committee for Manpower and Social Affairs (Manpower Committee, the future SME) from 1962 to 1973. Rehn was a leading proponent of the post-war Swedish model of labour relations (also known as 'Rehn-Meidner' model).[32] Despite their inclusion in the Committee duties, 'social affairs' remained at the margins. This situation changed when economic growth lost momentum. In 1972, the Manpower Committee underscored the new challenges set by new unemployment patterns, youth rebellions and labour conflicts. These post-1968 'symptoms of persisting social unrest' emerged at a time when multinationals, service industries and a growing public sector were transforming the economic fabric. Besides the need to study 'social adjustment problems' and 'quality of life' issues, the Committee already stressed the importance of assessing the 'cost effectiveness' of rising social expenditure and the need to rationalize its chaotic expansion.[33]

These trends motivated a review and reorganization of the Manpower Committee.[34] Besides a greater emphasis given to social affairs, educational issues were added to its work agenda. In 1974, the renamed Directorate for Social Affairs, Manpower and Education (SME) began its operations with an annual budget of 8.2 million French francs (against 2.8 million in 1970) and a staff of 62 (34 in 1971).[35] Rehn left Paris to lead the Swedish Institute for Social Research (SOFI). His successor, the British educational sociologist James R. Gass, was an insider: Deputy Director for Scientific Affairs, he headed the OECD Center for Education Research and Innovation. The SME had become the 'social arm' of the OECD at a critical time.[36] The shift of emphasis from manpower to social issues coincided with the profound upheavals of the turbulent 1970s. The OECD immediately developed its 1972 working party on 'income transfers' and launched new inquiries about the impact of 'integrated social policies' (1974).[37] By 1977, the SME had added changing demographics, health expenditures and pensions to its research agenda. Correspondence between the OECD and the ILO on

social policy matters evolved from a trickle in the pre-1972 period to more regular exchange from the mid-1970s onward. Commenting on these developments, Giovanni Tamburi of the ILO (who was regularly invited to SME meetings as an external observer) noted in 1975 that they might indeed cause potential 'overlap' with ILO work. However, Tamburi assessed the issue as 'not [. . .] too disturbing'.[38] As I show below, the exact opposite was the case.

In contrast to the ILO, which had defined and honed its social security stance decades earlier, the OECD joined welfare state debates when the Keynesian consensus was unravelling and its Secretary-General, Emile Van Lennep, was carefully managing the transition of the organization towards the emerging supply-side counter-revolution.[39] Political scientist Robert Keohane underscored the implications of this shift in a 1978 analysis of the OECD-sponsored McCracken report (*Towards Full Employment and Price Stability*, 1977). Coordinated by a US economist who would soon join Ronald Reagan's advisory economic team, this OECD expert commission put forward a controversial interpretation of the crisis: criticizing rising social expenditures and labour market 'rigidities', it urged OECD members to restore 'non-inflationary growth'. The report is commonly considered as a signpost of the OECD retreat from Keynesian positions.[40]

From 1977 onwards, the OECD annual report devoted a section to 'social policies'. Two years before, the same publication had already indicated that the McCracken Commission would examine, among other themes, the 'continuing pressure [. . .] for increased social expenditures' among OECD countries, an issue that was beginning to raise alarm in the international press.[41] The OECD Secretary-General's work programme for 1978 also under-scored the need to study the 'emerging crisis in social policy resulting from the uncontrolled growth of social expenditures and the growing discontent targeted at the way social services are delivered'. This document also mentioned the project of an international conference to discuss social policy issues and offer perspectives for the 1980s.[42]

This project had been the object of a lively exchange inside the SME. In 1977, early drafts evoked the concept of the 'New Welfare Society', or how to reconcile a 'highly rationalized market economy' with welfare state development.[43] This first idea, considered as too vague, was abandoned. This echoed 1976 critiques by US OECD delegates towards SME attempts to reach an 'overall assessment' of 'redistribution policy'. For these delegates, the comparative study of social transfers should rather highlight potential shortcomings and/or potential for improvement. Echoing analysis by economist Martin Feldstein on the negative effect of Social Security on savings, the delegates added that:

> more attention needs to be devoted to the relationship of private and public pensions, other pension questions, and the effects of such pension

[sic] on other problem areas, such as having to do with capital formation, for example.[44]

Two mainstays of the emerging social security critique, the analysis of social contributions as a burden on wages and the development of private alternatives to state-based social provision, were undoubtedly making headway inside the OECD. In December 1978, the SME presented to country delegates a new conference project that focused this time on the 'potential conflicts between social policies and economic performance' and on trends that implied '*the conclusion of a policy "era", spanning at least two decades*' [my emphasis].[45] Some country delegates expressed their uneasiness with this pitch, finding it 'too general' and 'speculative'.[46] As an ILO observer present at the meeting noted, French and Belgian representatives urged the SME to pitch the conference 'at the technical level, which means without reaching political conclusions'.[47] If we remember the conference conclusions quoted in the preceding section, it should be clear to the reader that their content was very political indeed.

The reorientation of the SME towards the critique of social security confirms that the ILO task force was an indirect response to the new perspectives developed by the OECD. In 1983, while the *groupe de réflexion* was drafting its report, the head of the Paris ILO office underscored that 'it is now confirmed [. . .] that the OECD will significantly expand its activities in the field of social security'.[48] She also observed that several country delegations considered the SME stance on social expenditure as 'too economically minded', but that 'politically explosive' topics such as privatization were definitely on the work agenda.[49] It is worth mentioning that I have not found comparable comments on the ILO in OECD archives. This underscores both the embattled position of the Geneva organization and the new assertiveness of its emerging challenger, a configuration which became even more evident during the 1980s.

Aftermath: the 'crisis of the welfare state' as new horizon

As we have seen in the preceding sections, defiance and resistance towards the emerging critique of social security were strong in the Geneva offices of the ILO. In his introductory notes for the first meeting of the *groupe de réflexion*, Giovanni Tamburi underlined in late March 1981 that:

> The slowing down of economic growth and the crisis [. . .] gives rise to difficult and disquieting questions about the future of Social Security [. . .] The social advantages which have been won – to which since its inception the ILO has made an important contribution – could be under threat.[50]

Answering Owen Woodhouse, who had asked him how the ILO was going to position itself vis-à-vis the OECD stance on the 'growth and control of

social expenditures', Pierre Laroque insisted that 'independent' voices were clearly needed.[51] Seizing the initiative, Brian Abel-Smith proposed to start working immediately on a text that would reiterate the solidaristic aims of social security, respond to critiques regarding its alleged burden on growth and wages, outline solutions to solve its bureaucratic shortcomings, and finally propose potential medium-term improvements. With Abel-Smith, Laroque and Veldkamp acting as an informal steering committee, the members of the *groupe de réflexion* began to work on their respective drafts and reconvened twice in Geneva, in February 1982 and April 1983. These meetings took place in a rapidly changing context that witnessed the privatization of the Chilean pension system in May 1981 – which Tamburi considered as an issue of 'great concern'[52] – Helmut Kohl's 1982 electoral victory in West Germany as well as Mitterrand's turn towards austerity in early 1983. Abel-Smith finally weaved together the drafts into a manuscript entitled *Into the 21st Century. The Development of Social Security*.[53] This incisive text was handed to Francis Blanchard in July 1983 and finally presented to the press on 15 February 1984.[54]

Into the 21st Century explicitly countered the positions developed by proponents of the 'crisis of the welfare state'. While accepting that social insurance had to be adapted to face new economic realities and to make for shortcomings such as women's unequal access to social rights, the report defended universal, state-centred and -financed social programmes. The report contained a point-by-point critique of 'reforms' triggered by austerity measures, and denounced 'new partnerships' with private providers as opening the door to hollowing out social solidarity and re-channelling much needed funding towards financial interests. Reviews of the report underscored how the ILO 'upheld' social security, denounced the tendency to make it into a 'scapegoat', and argued that the 'crisis' of the welfare state was neither 'irreversible' nor ineluctable.[55] The report received accolades from sympathetic civil servants and academics who praised the report, in the words of UCLA Professor Milton Roemer, as 'a superb analysis' that would 'help tremendously to neutralize so many of these superficial criticisms of the whole social security movement, which one continues to hear every day'.[56] However, if *Into the 21st Century* briefly put the ILO into the limelight, it remained a belated and inadequate bulwark against the onslaught of the 'crisis of the welfare state' controversy that engulfed the West during the early 1980s. The report itself was soon forgotten.

In the meanwhile, the OECD was ramping up research and inquiries on social security issues and, increasingly, insisted on necessary 'reforms'. A new *Social Policy Studies* (SPS) series inaugurated in 1985 a steady stream of reports that not only compiled statistics (*Social Expenditure, 1960–1990. Problems of Growth and Control* [SPS#1, 1985]; *Measuring Health Care 1960–1983* [SPS#2, 1985]) but also advocated cost-containment proposals for health care or pensions (*Financing and Delivering Health Care* [SPS#4, 1987];

Reforming Public Pensions [SPS#5, 1988]). As early as 1985, the OECD started planning a new database on social expenditures, the famous SOCX, which became a staple of social policy scholarship.[57] Funds devoted to this sole undertaking were considerable: a draft budget circulated in 1985 envisioned annual expenses amounting to at least $200,000.[58] The means devoted to this pilot study represented ten times the amount that had been scraped together with some difficulty to finance the ILO *groupe de réflexion*. The success of the OECD was thus not only based on the potency of its ideas; even more important was the financial and logistical effort that enabled the OECD to claim more and more ground by repeatedly spinning and diffusing its reform imperatives.

A decade after judging OECD activity as 'not too disturbing', Giovanni Tamburi's reports to Francis Blanchard deplored the embattled position of the ILO. Noting that the OECD viewed social security 'mainly as an "economic" problem, not as a social question', Tamburi admitted that without being a *persona non grata* at OECD meetings, the ILO found itself marginalized:

> Views such as those of the ILO are welcomed by individual representatives in order to bring more balance in the debates, but the secretariat of OECD does not necessarily share our views and will tend to keep the ILO at the periphery of their work in social security. Personal contact [. . .] and the publication of high-quality studies by the ILO will be a crucial factor in strengthening our uneasy position in this context.[59]

Asked by Blanchard to voice his opinion about the new *Social Policy Studies* series, Tamburi summed up the challenges faced by the ILO:

> [The OECD] has been allocating [. . .] highly specialized personnel and important means which enable it to prepare social policy meetings and studies without having to rely on international organizations competent in this domain [. . .] Regarding 'Social Expenditures 1960–1990': this publication contains very interesting statistical information. However its conclusions are based on a totally different philosophy that the one that underlies, for example 'Into the 21st Century'. One may indeed note some contradictions between the wish to reach greater social equity and Recommendations that point towards 'two tier' social security measures. The OECD report admits indeed that the Recommendations it formulates may potentially endanger social consensus. This said, no OECD study leaves the public indifferent. It is up to us to do better. But do we have the means to do so?[60]

The question was left unanswered, but Tamburi fully realized the difficult situation faced by the ILO. Though still a point of reference on social

policy issues, the organization found itself wrong-footed by an ideological shift whose core principles clashed with those it had defended during the golden age of social policy expansion. Instead of social justice and solidarity, supply-side economics, budgetary constraints and 'reform' pressure not only permeated the 'totally different philosophy' professed by the OECD, but also the argumentation lines developed by other international organizations and expert networks. Besides the OECD, the position of the European Economic Community (EEC) was also shifting. Ideas about the coordination and expansion of a 'social Europe', which were still circulating among the networks of the European Institute for Social Security and the European Commission Direction for Social Affairs during the early 1970s, were de facto put on the backburner by the free-market dash towards the 1986 Single Act. Beyond Europe, multilateral organizations such as the World Bank and the International Monetary Fund also entered the social policy arena with perspectives that reinforced and consolidated the horizon of the 'crisis of the welfare state'.[61]

Conclusion

This contribution has highlighted the contrasting responses of the ILO and OECD during the incubation decade of the 'crisis of the welfare state'. It has analysed how international bureaucracies not only respond to changing ideological currents, but also contribute to shape policy debates that are crucial for our contemporary societies. In this context, the confrontation of sources drawn from the ILO and OECD archives underscores how historical analysis enables us to go beyond the façade of international institutions and to assess both their internal mode of operation and their interactions. Such methodology brings not only a better understanding of a troubled crisis decade, but also points to a series of topics and issues that have to be further investigated.

Firstly, understanding the new role of the OECD in the social policy field would imply a full and in-depth analysis of SME activities, its personnel and knowledge output. How and when did the change of paradigm analysed in this contribution take place inside the OECD secretariat? How did national delegations contribute to the reorientation towards the objectives of cost control, reform and privatization? Were there resistances against this change inside, as well as outside, the OECD secretariat? These questions prove that much remains to be done to fully 'historicize' the work of the OECD during the crises of the 'long 1970s'.[62] Applying the same set of questions to the World Bank and the IMF would also offer a foundation for a thorough study of the transformation of social policy expertise during the late 20th century.

Secondly, my characterization of the ILO as an embattled standard-bearer should be tested in a wider perspective. For example, this evolution should

be better connected with the marginalization of the 'social Europe' agenda briefly mentioned above, and its partial rebirth under the vague, and highly ambiguous, slogan of the 'European social model'. How did the reformulation of new national priorities among Western welfare states affect the potency of other international organizations in social policy matters? In other words, it would be necessary to analyse the broader policy realms associated with their competing interpretations of social policy development. Another way to progress in this direction would consist in reintroducing national influences at the international level, as well as the feedback effect of international organizations on national social policies.

Last but not least, the transnational dimensions of the 'crisis of the welfare state' should also include the actors and institutions that are active in the interstices between international organizations such as the ILO and the OECD. For example, how did private lobbies and organized interests contribute to the diffusion of social security reform inside international bureaucracies? All these interrogations point to an encompassing research agenda.[63] They also emphasize that much remains to be done to historicize the paradigm shifts that took place during the 1970s and early 1980s in terms of social policy development.

Notes

1. C. S. Maier, 'Two Sorts of "Crisis"? The "Long" 1970s in the West and in the East', in H. G. Hockerts (ed.), *Koordinaten deutscher Geschichte in der Epoche des Ost-West-Konflikts* (Munich: Oldenbourg, 2004), pp. 49–62.
2. F. Blanchard, 'Sécurité sociale: une conférence internationale pour surmonter une crise générale', *Le Monde*, 8 April 1980.
3. F. Blanchard: 'Social Security at the Crossroads', *International Labour Review* (vol. 119, no. 2, 1980), pp. 139–151 (here: p. 141).
4. Ibid. p. 141.
5. Ibid. p. 144.
6. ILO Archives (hereafter ILOA), SI 69/1, P. Laroque to F. Blanchard, 22 April 1980; F. Blanchard to P. Laroque, 14 May 1980 and P. Laroque to F. Blanchard, 22 May 1980. See also G. Tamburi to F. Blanchard, 22 July and 29 August 1980.
7. Laroque had envisioned a larger group that included experts from developing countries, but this initial proposal was reduced for budgetary, translation and logistics reasons. Early drafts had envisioned a $60,000 budget. See ILOA, SI 69/1, G. Tamburi to ILO-BUDFIN, 10 Feb 1980; M.H. Chatelanaz to G. Tamburi, 14 Oct 1980; G. Tamburi to F. Blanchard/S.K. Jain, 20 Oct 1980; G. Perrin to G. Tamburi, 20 Oct 1980. The final budget came from leftover funds from the ILO Governing Body Committee on Multinational Enterprises. See ILOA, SI 69/1, J. P. Martin (ILO-PROGRAM) to F. Blanchard, 27 Nov 1980.
8. E. D. Berkowitz: *Mr Social Security: the Life of Wilbur J. Cohen* (Lawrence: University Press of Kansas, 1995); J. Bosmans, 'Veldkamp, Gerardus Matheus Johannes (1921–1990)', *Biografisch Woordenboek van Nederland*, online edition at: www.historici.nl/Onderzoek/Projecten/BWN [accessed 16 April 2012]; D. Eames, 'Special Honours: Sir Owen Woodhouse', *New Zealand Herald*, 6 February 2007;

P. Townsend, 'Smith, Brian Abel- (1926–1996)', *Oxford Dictionary of National Biography*, online edition at: www.oxforddnb.com [accessed 16 April 2012].

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11. F. Denord, 'La conversion au néo-libéralisme. Droite et libéralisme économique dans les années 1980', *Mouvements* (vol. 35, Sept–Oct, 2004), pp. 17–23, here: p. 19.

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13. ILOA, IGO 01-2-02-9, F. Breton, Rapport de mission: OCDE 48e session du Comité de la main d'œuvre et des affaires sociales [SME], 17–19 May 1979, p. 9, undated [circa mid-1979].

14. Forerunner of the OECD Directorate for Employment, Labour and Social Affairs (DELSA).

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16. OCDE, op. cit. pp. 10, 12.

17. Ibid. p. 31.

18. Ibid. pp. 34, 36.

19. OECD historical archives, Paris (hereafter OECD-HA), file #203261, document SME/D/81.98, J. R. Gass to J. P. Poullier, memorandum 'On reforming social policies overnight', 16 Feb 1981. The initial comment was from economist Stephen Marris (SME), who had sent Gass an article that applauded Chirac's offensive against social expenditures. See P. Locardel, 'Dénoncée par Thatcher, Reagan et Chirac. La crise de l'Etat-protecteur sévit dans tout l'Occident', *Les Echos*, 2 February 1981. See also F. Painton and L. Malkin, 'Europe: Reassessing the Welfare State', *Time*, 12 January 1981.

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22. C. Guinand, 'La création de l'AISS et l'OIT ', *Revue internationale de sécurité sociale* (vol. 61, no. 1, 2008), pp. 91–109.

23. See http://mzes162.mzes.uni-mannheim.de/projekte/coss/main.htm [accessed 16 April 2012].

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25. C. Guinand: *Die Internationale Arbeitsorganisation*, op. cit., pp. 290–291; D. Maul: 'Der transnationale Blick. Die Internationale Arbeitsorganisation und die sozialpolitischen Krisen Europas im 20. Jahrhundert', *Archiv für Sozialgeschichte* (vol. 47, 2007), pp. 349–370 (here: pp. 360ff).

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27. K. Armingeon and M. Beyeler (eds), *The OECD and European Welfare States* (Cheltenham: Edward Elgar, 2004); J. M. Dostal, 'Campaigning on Expertise: How the OECD Framed EU Welfare and Labour Market Policies. And Why Success Could Trigger Failure', *Journal of European Public Policy* (vol. 11, no. 3, 2004), pp. 440–460.

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32. H. Milner and E. Wadensjö (eds), *Gosta Rehn, the Swedish Model and Labour Market Policies: International and National Perspectives* (Aldershot: Ashgate, 2001).

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50. ILOA, SI 69/1, *Groupe de réflexion* on the future of social security, Introductory document prepared by the Social Security Department for the first meeting of the Group (Geneva, 6–10 April 1981), March 1981, p. 2.
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52. ILOA, SI 69/3, For correspondence and drafts. For the February 1982 minutes of the meeting during which the *groupe de réflexion* discussed the Chilean case, see file SI 69/3, ILOA.
53. ILO, *Into the 21st Century. The Development of Social Security* (Geneva: ILO, 1984). French edition: BIT, *La sécurité sociale à l'horizon 2000. La sécurité sociale face à l'évolution économique et sociale des pays industrialisés* (Genève: Bureau International du travail, 1984).

54. Circulation amounted to 4000 copies, with an additional 2500 copies for the French version. On the publication of the book, as well as media coverage, see ILOA SI 69/4 and SI 69/5.
55. Reviews and news clippings can be found in ILOA, SI 69/5.
56. ILOA, SI 69/5, M. Roemer (UCLA) to G. Tamburi, 22 May 1984. Milton Roemer (1917–2001) had been a Director of the World Health Organization during the 1950s. He was a key proponent of national health insurance in the US and Canada. See his obituary at: www.ph.ucla.edu/pr/miroemer.html [accessed 16 April 2012].
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60. ILOA, SI 69/5, G. Tamburi to F. Blanchard, 29 May 1985.
61. See in this volume the contribution by Mitchell A. Orenstein (Chapter 16) as well as M. A. Orenstein, *Privatizing Pensions: The Transnational Campaign for Social Security Reform* (Princeton: Princeton University Press, 2008).
62. These dimensions will be at the centre of an ongoing research project under my direction entitled 'An Elusive Warden of Global Capitalism. The OECD between Prosperity and Crisis (1961–1985)' (SNSF research professorship, 2012–2016).
63. For a case study focusing on the insurance industry, see M. Leimgruber, 'Bringing Private Insurance Back In. A Transnational Insurance Think Tank for the Post Keynesian Decades', in C. Boyer and F. Sattler (eds), *European Economic Elites between a New Spirit of Capitalism and the Erosion of State Socialism* (Berlin: Duncker & Humblot, 2009), pp. 473–495.

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