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question of levying an export tax to that of determining who is to have the inevitable and growing unearned increment of scarcity value.

C. F. BICKERDIKE

International Labour Legislation. By H. J. W. HETHERINGTON.
(Methuen. Pp. ix+112; Appendices 79. 6s.)

THE new Principal of University College, Exeter, has produced a most useful essay on the practical beginnings of the International Labour Organisation, a side of the League of Nations which, despite considerable lack of publicity, has not failed to impress itself as a living effort at constructive internationalism. It is essentially from this constructive standpoint that the book is of particular value. In the opening chapter, and in other passages, Mr. Hetherington raises a number of questions that touch the root of the general problem of international labour legislation; these are, in general, clearly set out, but the scope and object of the volume does not allow of their being extensively explored. The bulk of it is devoted to analysing the constitution of the International Labour Organisation and to reviewing in detail the first meeting of the annual International Labour Conference, held at Washington in November, 1919. The constitution of the Organisation was drawn up by the Commission appointed for that purpose by the Peace Conference, and it was eventually incorporated as Part XIII. of the Treaty of Versailles, and later in the other treaties with the ex-enemy Powers. (The English text is given in full as an appendix.) Members of the League of Nations are *ipso facto* members of the Labour Organisation, but not *vice versa*, for there are the significant exceptions of Germany and Austria, which were both admitted to the Organisation by the Washington Conference, in accordance with special powers conferred upon it. In consequence, the greatest drawbacks which have been experienced from the Covenant forming part of the Treaty of Peace do not exist for the Labour Organisation. On the other hand, the fact that it is not included in the Covenant, and is not even mentioned in it, makes its precise relations to the organs of the League difficult to determine from the scanty and very general indications given on this point in Part XIII. of the Treaty. The institutions of the Labour Organisation comprise the Conference, the International Labour Office and the Governing Body, which controls the Office. Two chapters, devoted to the structure and authority of the Conference, contain an analysis, with interesting practical examples, of the provisions of the Treaty in this respect and a survey of the fundamental

questions which confronted the Paris Commission. What should be the proportion between the three elements in the Conference, —the Government, the employers and the workers? How should the non-Government representatives be appointed? Should the Conference be a "Super-Parliament" with direct, legislative powers? What form of international legislation is compatible with the constitutions of Federal States? Of each of these problems there is a discriminating review, though perhaps the point is scarcely sufficiently emphasised that the old diplomatic method of dealing with international affairs has been in great measure thrown aside, not only by the participation of employers' and workers' representatives, together equal in numbers to the Government representatives, but also by the recognition of the principle of voting by individuals, not by delegations, and of the binding character of a two-thirds majority of the Conference for draft conventions. At the same time, this binding character is, under existing circumstances, wisely limited to the initial obligation on the part of each Member of the Organisation, within one year or, in case of exceptional circumstances, within eighteen months, to bring any draft conventions so carried "before the authority or authorities within whose competence the matter lies, for the enactment of legislation or other action." The final word is thus left to each separate nation. "*Le grandi idee fanno i grandi popoli. E le idee non sono grandi se non in quanto travalicano i loro confini. La vita nazionale è lo strumento, la vita internazionale è il fine.*" As an estimate of the means, this still, in the main, holds good for us now as for Mazzini then. Yet, a vital change is registered both by the official international collaboration of Governments, employers and workers, and by the invaluable opportunity offered for the focussing of public opinion. It is sanely pointed out that publicity is the one true sanction for the enactments of the Conference. The Treaty lays down an elaborate procedure to be followed against defaulting Members, culminating in the employment of the "economic weapon," but this, difficult and insecure in itself as it is, appears in so guarded and optional a form that but little utility can be claimed for it. On the other hand, and especially as regards ratification of draft conventions, the efficacy of the sanction of publicity depends, in part, it is true, on the force of example, but in the end mainly on the supporting activity of the workers' organisations; hence the possibility of the balance of the Organisation being upset in the process of attaining tangible results, or of its internal collapse through impatient withdrawal of collabora-

tion. Mr. Hetherington raises an interesting question as to the balance of the three different interests represented in his consideration of the objection that the tripartite division is based upon a very transitional form of social organisation; he might perhaps have added in this connection that current lines of argument may lead to demur to the absence of similarly specific representation of the consumers.

The Preface is dated April, 1920, so that necessarily the account given of the Governing Body and the International Labour Office is somewhat unsatisfactory, since the former was only elected by the Washington Conference, while the latter, though its formation was energetically begun by January, 1920, for various reasons could not take very definite shape until its establishment at Geneva in July. Hence only a very slight anticipation is given of the enormous, and rapidly growing, amount of work performed by, and devolving upon, these two bodies. In dealing with the Labour Office, Mr. Hetherington does well to lay stress on the extreme importance of thoroughly adequate preparation of the various items on the agenda of Conferences, if practical legislative results are to be attained; the experience of previous international assemblies fully justifies his insistence on this point,—experience which both the Washington and Genoa Conferences, as well as the first meeting of the Assembly of the League, have in various forms amply confirmed. In his brief account of the Governing Body the chief emphasis is laid on the fact that of its twenty-four members there are, at present while the United States has not yet adhered, only four who do not come from European countries—two Canadians, one Japanese and one Argentine. It may be supposed that degree of industrial organisation and experience, quite apart from difficulties of distance, will occasion in practice European predominance; it requires, however, to be borne in mind that Labour is agricultural as well as industrial, and that any treatment of the dominating questions of credit and raw materials depends obviously enough mainly on the countries outside Europe.

Mr. Hetherington was a member of the Secretariat of the Washington Conference, so that his six excellent chapters on its circumstances, procedure, course of work and decisions are mainly written from first-hand knowledge. The principal of the decisions were the six draft conventions, respectively on the eight-hour day and forty-eight hour week in industrial undertakings, on unemployment, on the employment of women before and after child-birth, on the employment of women during the

night, on the minimum age for admission of children to industrial employment, and on the night work of young persons employed in industry. Six recommendations were also adopted dealing with unemployment, reciprocity of treatment of foreign workers, the use of white phosphorus in the manufacture of matches, anthrax, lead-poisoning, and Government health services. A most useful appendix gives the English text of these draft conventions and recommendations. Mr. Hetherington does not confine himself to a bare *résumé* of the discussions in the Commissions and the Conference, but supplies judicious criticism and illuminating observations on the actual working of an international body of indisputable weight and importance; in particular, his remarks on labour problems and Japan, China and India should be closely noted. The closing summary includes special notice of the responsibility attaching to the Governments in their attitude to the Organisation and to the crucial question of ratification of draft conventions, as well as an examination of the position of members of the Conference as delegates or as representatives; in either case, as is most justly insisted, a considerable degree of continuity in the *personnel* of the Conference is essential, if sound work is to be achieved and community of will truly incarnated in a living institution. The general conclusion reached is that "no one, perhaps, would be disposed seriously to question the success of the Washington Conference," and that, although the Labour Organisation inevitably reflects numerous divisions of opinion and must not be expected as yet to alter profoundly the economic and industrial fabric of the world, yet its very existence points with great significance to the reality "of a sufficient community of will and of interest to make its establishment possible. . . . One's great hope for the Organisation and the League is that their success will be as much in the inward task of focussing, supporting, and instructing the common will and hope of men for justice and peace as in the sphere of outer enactment. It is a battle of the spirit that has to be won." As a pendant to this may be quoted the final words of a well-informed and very favourable article on the Labour Organisation which recently appeared in an official German review. "To the International Labour Organisation, in addition to its specific task of creating a code of international Labour legislation for the welfare of the workers, will fall a further task, that of bringing nearer the day of reconciliation between the peoples estranged by the war."

B. H. SUMNER