

# **INTERNATIONAL LABOUR LEGISLATION**

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International labour legislation by H. J. W. Hetherington

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**H. J. W. HETHERINGTON**

**INTERNATIONAL  
LABOUR  
LEGISLATION**



Navigia atque agri culturas moenia leges

\* \* \* \*

usus et impigrae simul experientia mentis  
paulatim docuit pedetentim progredientis.

Sic unum quicquid paulatim protrahit aetas  
in medium ratioque in luminis erigit oras.  
Namque alid ex alio clarescere et ordine debet  
artibus, ad summum donec venire cacumen.

LUCRETIUS : de Rer. Nat. V. 1448.

Law  
International-  
H 5894 in

# INTERNATIONAL LABOUR LEGISLATION

BY

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TO  
MY FATHER AND MOTHER  
WHO  
IN PRIVATE AND PUBLIC DUTY  
HAVE PROVED THE WAYS OF  
NEIGHBOURLINESS AND PEACE



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## PREFACE

**A**T the close of the International Labour Conference, at Washington in November, 1919, Mr. H. B. Butler, the Secretary-General of the Conference, suggested to me that I might write its history. Since, however, an official verbatim record of the proceedings is to be published, it seemed a more profitable expenditure of the time which I could give to this task to attempt not so much a detailed examination of the debates and transactions of the Conference, as a brief exposition of its province, structure, and achievement.

I have therefore written this short account of the International Labour Organisation, of which the Conference is the legislative authority, and of its relation to the purpose and fabric of the central instrument of the new international order, the League of Nations. My main desire has been to stimulate interest in these embodiments of the international idea, and to awaken, in what measure I can, public concern for our responsibility towards them.

The greater part of the book is expository, first of the constitution of the Organisation, and secondly of the circumstances and enactments of the Washington Conference. But I have allowed myself some freedom of analysis, comment, and even of criticism. I have also added some observations on the general problem of international labour legislation. It will be understood, of course, that no officer of the Labour Organisation, and for that matter no one else, has any responsibility for what I have written.

Four appendices are given which may be useful for reference: (1) the text of Part XIII of the Treaty of Versailles, which is the Charter of the Organisation; (2) the list of the Delegates to the Washington Conference; (3) the Conventions and Recommendations passed by the Conference; and (4) a list of the members of the Governing Body of the International Labour Office.

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It will be agreed, I think, that hopeful as is the initial achievement of the International Labour Organisation, the most significant thing about it is that there exists even now, in this distracted world, a sufficient community of will and of interest to make its establishment possible. Its constitution bears the marks of the divisions that still persist within this common will: and those who framed the Charter of the Organisation did well to take account of them. The growth of a living spirit of unity among men, and of agreement in the ways of promoting human good, cannot be forced. This kingdom is only impaired by violence. But this elaborate system of checks and balances is not itself the ideal. Its creation settles no single problem; it provides merely the environment within which men's minds and wills may meet and work together, not only in the solution of particular difficulties, but to the creation of a more confident, more generous, and more universal attitude of mind, that shall be free to create and to sustain a more just and flexible and yet more stable international and national social order. The good will must incarnate itself in living institutions; it can grow only by means of outward embodiment. The supreme function of the Labour Organisation and of the League is just to serve as such a temple of the spirit of mutual care and service, and thereby to give that spirit room, and power, and opportunity for growth. Achievement is the best of all educational disciplines: and the Labour Organisation has important and specific tasks to undertake. But far more important, because far more fundamental, than any particular achievement is the development of that common will and understanding which, if the achievement is won in the right way, it may symbolize and strengthen. One's great hope for the Organisation and the League is that their success will be as much in the inward task of focusing, 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.

I have to thank Mr. Butler and Mr. E. J. Phelan, of the International Labour Office, for reading and criticizing my manuscript, and for much friendly assistance in every way. With characteristic kindness, Sir Henry Jones has spent much more time on the essay than its modest pretensions deserved: his criticism has helped me greatly. I should also wish to take this opportunity of expressing my indebtedness to the