



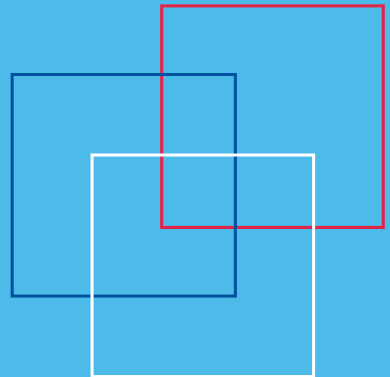
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THE DRIVING FORCE

BIRTH AND EVOLUTION OF TRIPARTISM – ROLE OF THE ILO WORKERS' GROUP

Kari Tapiola



The Driving Force

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Preface

This book, which you are about to read, is the result of a collaboration between the Bureau of Workers' Activities (ACTRAV) and a figure from the trade union movement: Kari Tapiola. Both a witness and a player in the evolution of the ILO, Kari describes a little-known page in the history of our Organization. This is the important role played by trade unionists, in particular the Workers' Group of the ILO Governing Body, in strengthening workers' rights and promoting social justice.

The launch of this book during the ILO's centenary celebration in 2019 therefore has twofold objectives.

First, it is a tribute to all trade unionists, anonymous or famous, who have contributed to the history of the ILO. This well-deserved tribute reminds us that many of the achievements and benefits we enjoy today in the world of work are the result of a long struggle led by brave trade unionists who have taken their responsibilities at key moments in the ILO's history.

Secondly, this is a modest contribution which aims to stimulate interest in research on the trade union movement. We hope that this publication will encourage in-depth research on Trade Unions without whom the value of tripartism, which is an ingredient in establishing social justice and decent work for all, is no longer relevant.

Former journalist and active trade unionist, Kari immerses us in the origins of the only tripartite organization of the United Nations system that involves governments, employers and workers in its decision-making process. The author describes key moments in the history of the ILO from its creation in 1919 to the present day, through the great figures of the trade union movement. As he correctly underlines in the title of this book, the driving force of the ILO has been the Workers' Group, which brings together trade unionists from all regions of the world. Since the aftermath of the First World War, and throughout the Great Depression of the 1920s, the Second World War, decolonization, the Cold War, globalization and so many other key events, the ILO has been present to regulate and influence the world of work. Through examples, the author also shows us how the ILO has helped to protect workers' rights in many countries where trade unionists have been threatened.

Through the testimonies of many key players, the author also unveils the roots of ACTRAV, a department that it is my honour to lead, supporting workers' organizations around the world. This shows the importance given to tripartism by the

founders of the ILO who understood the need to strengthen trade unions in order to establish social dialogue in countries. The two Bureaux created by the Office, ACTRAV and ACT/EMP are the legacy of this vision of the ILO founders, and continue today to assist the social partners and promote tripartism.

While the question of the future of work is now emerging as one of the major challenges for all, this rich and captivating testimony of Kari Tapiola illustrates the importance of the tripartism in which workers have been and still are key players. On behalf of my colleagues at the ILO, I would therefore like to thank Kari for this contribution. I would also like to thank my colleagues from ACTRAV, my predecessors, and all those who contributed with their testimonies to the writing of this book.

It is a coincidence of History that the ILO, which is celebrating its centenary, is led for the first time since 2012 by a former trade unionist, Guy Ryder. A perfect example to illustrate that trade unionism and tripartism are sure values that we must all strengthen in order to offer decent work and social justice for all.

Maria Helena ANDRE
Director of ACTRAV

Acknowledgements

I completed this work over a couple of months in early 2019. I readily admit to all its shortcomings, including occasional shortcuts, flashbacks, fast forwarding, and inevitable omissions. Much of the text was cooked up in my head, for better or worse, with ingredients collected during forty-five years through my relations with the ILO and the Workers' group. The topic really merits research staff, a couple more years, and ideally, a tripartite team to adequately cover all corners of the triangle. The story might have been different, but I do not think that it would have changed the basic message: the core agenda of the ILO is the one driven by its Workers' group.

I particularly wish to thank my friend of many years, Maria Helena André, Director of ACTRAV, and Mamadou Kaba Souaré, who guided my writing without interfering. I have also consulted others in ACTRAV: Anna Biondi, Sergeyus Glovackas, Enrico Cairola, Claire La Hovary, Faustina Van Aperen, and Amrita Sietaram, as well as Harry Cunningham and his Turin team.

I reached out to former ACTRAV Directors and Secretaries of the Workers' group and benefited from exchanges with Eddy Laurijssen, Giuseppe Querenghi, John Svenningsen, Jim Baker, Manuel Simon, and Dan Cunniyah. And I appreciate the perspectives of Serguei Popello, Niels Enevoldsen, and Michiko Hayashibala.

I have also had long-term discussions with many colleagues in the Office, delegations, and both national and international trade unions. Some of the truths of how the ILO functions have been gleaned from friends sitting on the Employers' benches. But the more people I mention, the more I would be leaving out. I wish to extend these unnamed contributors a broad and inclusive thank-you.

Many of the questions dealt with in the text have been discussed over the years with Guy Ryder, currently Director-General, but none of my conclusions or observations should be construed as reflecting his views. The General Secretary of the ITUC, Sharan Burrow, and the Secretary of the Workers' group, Raquel Gonzalez, greatly advanced the drafting of this text by inviting me some time ago to discuss the ILO's role for trade unions with the ITUC staff in Brussels.

Finally, I wish to thank the prompt and continuous support of the ILO's historian, Dorothea Hoehtker, and the keepers of the ILO's archives, Remo Becci and Jacques Rodriguez.

Geneva, 9 May 2019
Kari Tapiola

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1. Introduction

This is a story of a century of achievements, though not necessarily victories. The grand achievement – the creation of the International Labour Organization in 1919 as a permanent body focused on labour issues – came with the victory of the First World War. Trade union demands that the peace agreement integrate workers' perspectives were honoured. But as history has shown, too much victory but too little genuine collaboration sowed the seeds of future conflict.

Walter Schevenels, of Belgium, was the General Secretary of the International Federation of Trade Unions (IFTU) and for many years the Secretary of the Workers' group of the International Labour Organization. In his history of the IFTU, he stressed the importance of the ILO despite early disappointments, when the threat of revolutionary upheaval in Europe subsided and governments were backing down from their earlier commitments. "The decision to make the ILO a tripartite institution and to give the workers and the employers controlling power over it was none the less a revolutionary one", which put the ILO "in a unique position as intergovernmental agency".¹

The IFTU traced its origins back to 1901. Relatively moderate in its ideology, it had to defend its members' positions against more radical trends within the international trade union movement. At the same time it was too "socialist" for the liking of trade unions in the United States. With its participation in the ILO, it stood solidly on a middle ground. In the fight for workers' rights, the prospect of cooperating with employers' representatives within the same organization was not an easy sell.

Jan Oudegeest of the Netherlands, one of the Governing Body Worker members and the first Secretary of the Group, stated in 1921 that although the International Labour Office and the IFTU were "predestined collaborators", certain "imperfections" in the system should be taken care of over time. One of these imperfections was that International Labour Conventions were not automatically binding on governments. Oudegeest declared that, if needed, the workers would not shrink from the "most energetic measures" to advance their interests.²

¹ W. Schevenels: Forty-five years, 1901-1945; *International Federation of Trade Unions, a historical precis* (Brussels, Board of Trustees, 1956), p. 96.

² ILO: *International Labour Review*, 1, 1921, pp. 41–44.

Experience over the last hundred years has shown that, even with such energetic measures, progress in workers' rights is achieved only gradually, through negotiation and compromise. Governments, trade unions, and employers have all met with victories and defeats, often through forces external to the labour market. The world of labour is not an isolated bubble. This short book tries to show how tightly intermeshed it is with both the world economy and political circumstances, and how tripartite cooperation can influence these two factors.

The Organizing Committee of the first Conference of the ILO in Washington already considered that "it may be thought desirable to make some special arrangements with a view to keeping the International Labour Office informed of the view of the Employers and Workers respectively".³ This was not a matter of creating a technical division or unit to assist delegates at ILO meetings. Rather, these arrangements would seek to establish continuous interaction between the Office and the Employers' and Workers' groups.

The first Director, Albert Thomas, wanted to ensure that the culture of tripartism was alive not only in the Organization but also in the Office. A recent evaluation refers to the Bureau for Workers' Activities (ACTRAV) as "a semblance of tripartism".⁴ In the system which has evolved over a century, it is one of the four components ensuring input from workers. The others are the Workers' group of each of the tripartite meetings, the Secretariat of the Workers' group, and international trade union organizations, which are ultimately responsible for policy decisions.

It follows from this that ACTRAV officials need intimate knowledge to assist Workers' groups at sessions of the International Labour Conference (ILC), the Governing Body, and other tripartite assemblies. At the same time, ACTRAV does not have a policy distinct from that of the ILO or the Workers' group. It is, however, generally understood that one of its roles is to support free, independent, and democratic trade unions and promote human and trade union rights.⁵

While all officials are expected to be in contact not only with government institutions but also with employers' and workers' organizations, especially through activities in the field, this should be facilitated by, and coordinated with, ACTRAV and the Bureau for Employers' Activities (ACT/EMP).⁶ What goes for ACTRAV by and large applies to ACT/EMP as well. Usually anyone who has worked in one

³ ILO: *Memorandum on the Organization of the Labour Office*, Appendix I: Minutes of the First Session of the Governing Body of the International Labour Office, Washington, Nov. 1919.

⁴ ILO: *Organizational Review of the Bureau for Workers' Activities (ACTRAV)*, Final report, Feb. 2016.

⁵ ILO: Circular No. 183 (Rev. 1), Bureau for Workers' Activities (ACTRAV), 8 Nov. 1994. See also *Terms of Reference for the Bureau for Employers' Activities (ACT/EMP) and the Bureau for Workers' Activities (ACTRAV)*, Director-General's announcement, 5 Oct. 2016.

⁶ ILO: *Relations with employers' and workers' organizations*, Circular No. 26, 8 Jun. 1971.

of these non-governmental groups will be familiar with the way the other group functions.

The ACTRAV of today is the descendant of units that have simultaneously served the Director-General and the Workers' group. It has also inherited the experience of the workers' education programme, which was introduced in 1950. The result is a body of knowledge distilled from extensive experience ready to serve the international trade union movement.

This monograph attempts to explain why the Workers' group is a decisive driving force for the ILO. It is not an auxiliary body that, together with employer representatives, offers some measure of "value added" to intergovernmental decision-making. Simply put, the Workers' group agenda is the *raison d'être* of the ILO. From the nineteenth century onwards, it has forged the labour and social policies of both governments and employers. At each point in time, it has reflected the priorities of the day.

The author's aim is to explain how this agenda has influenced the general orientation and key decisions of the ILO. Some of the events described here may be instructive for the challenges of today. There is a substantial corpus of historical examples that highlight why the ILO is the "social conscience" of the world and how trade unions may draw upon its resources.



The Workers' Group of the Governing Body, elected for 2017 - 2020.

2. The birth of the ILO and tripartism

The trade unions hoped to be able to prevent the First World War in 1914 through joint strike action, but this turned out to be an illusion. Yet less than four years later they presented a programme which remains relevant to this day. The well-known principle that “labour is not a commodity” originated with the trade unions. It was first advanced by Irish economist John Kells Ingham at the British Trades Union Congress (TUC) of 1880, held in Dublin.¹

The structure of the ILO was a British construction. The idea of a permanent organization for labour was strongly influenced by the British and in keeping with the approach of the annual TUC, which since 1868 had convened around an agenda that already embodied many of the ILO’s founding principles.

Though trade unions advocated a permanent labour organization, the International Labour Office in Basel, established in 1901 by the International Association for Labour Law, lacked authority and enforcement procedures. These parties envisaged an organization that associated governments and trade unions. But prior to the 1919 peace negotiations in Paris, the British TUC had already accepted the view that employers should have equal representation in the new organization.

Thus, somewhat to their surprise, employers were brought in as full participants. The experience of ministers who had been trade union leaders – George Nicol Barnes of the UK and Emil Vandervelde of Belgium – helped convince others that such an organization was urgently needed. Yet the blueprint for this organization said little of its aims and agenda.

The first Director, Albert Thomas, a French Socialist and former armaments minister, derived his programme and budget outline from the “desires formulated by the trade unions at their international conferences in Leeds (1916) and Berne (1917)”.²

¹ This is addressed by a substantial body of literature: P. O’Higgins: “‘Labour is not a Commodity’ – an Irish Contribution to International Labour Law”, in *Industrial Law Journal* (1993, Vol. 26, No. 3, Sep.), pp. 225–234. S. Evju: “Labour is not a Commodity: Reappraising the Origins of the Maxim”, in *European Labour Law Journal* (2013, Vol. 4, No. 3), pp. 222–229. M. Ruotsila: “‘The Great Charter for the Liberty of the Workingman’: Labour, Liberals and the Creation of the ILO”, in *Labour History Review* (2002, Vol. 67, No. 1, Apr.), pp. 29–47. Samuel Gompers was particularly annoyed that the statement that labour was not a commodity had been qualified by “merely”. The offensive word was omitted in the 1944 Philadelphia Declaration.

² ILO: Minutes of the Second Session of the Governing Body of the International Labour Office, Paris, 26–28 Jan. 1920, p. 28.

Thomas's original vision was an office which would deal equally with governments, employers, and trade unions, though this would not come to pass. He proposed to assign a central role to a political division, which would liaise directly with employers' and workers' organizations. Sufficient funds were not available through the League of Nations, and the political support for a truly independent office was also lacking.

Demands were presented by the trade unions of the former adversaries and the neutral countries. There were two trade union leaders on the Labour Commission of the Peace Conference: Léon Jouhaux, general secretary of the General Confederation of Workers (CGT) of France, and the Commission's chairperson, Samuel Gompers, president of the American Federation of Labor (AFL). They had been involved in the drafting of the demands. The suggestion that the peace treaty include "workers' economic clauses" had been made by the CGT at the conference in Leeds.³

Europe was experiencing the post-war consequences of the Russian Revolution, and the Peace Conference accepted trade union claims as a basis. By early 1919 the revolutionaries had lost in Germany, but uprisings were continuing in Hungary and Bavaria. There were strikes in Britain; and in Paris, troops descended on the streets to contain demonstrations. Even Jouhaux resigned from the French delegation after being injured in violent May Day clashes. By that time the work of the Labour Commission had been completed.

In the final version, mainly prepared by the UK Foreign Secretary Arthur Balfour, the nearly twenty proposals put forth by trade unions were reduced to nine labour principles of "special and urgent importance":

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

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

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

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

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

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

³ The Leeds programme is reproduced in B. Georges and D. Tintant: *Léon Jouhaux: Cinquante ans de syndicalisme* (Paris, Presses Universitaires de France, 1962), pp. 457–460.

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

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

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

This list underpinned the international labour standards developed by the ILO and the thrust of its major programmes. In his memoirs, Harold Butler called them ILO's "Nine Articles of its faith, upon which Albert Thomas built a great body of doctrine with all the dialectic of a medieval theologian".⁴

The Conventions adopted by the first ILC in 1919 directly emerged from these aims, with the Hours of Work (Industry) Convention, 1919 (No. 1), on the eight-hour working day playing a dominant role. Other Conventions concerning unemployment, maternity protection, women's night work, and the minimum age for employment were inspired by the same agenda.

But the first task of the Organization was to determine how it wanted to work. Its chosen approach was put to the test at the ILC in Washington, DC, held in the late autumn of 1919.

The beginning of tripartism

Trade unions in various forms had been developing with industrialization in Great Britain, the United States, and continental Europe since the early nineteenth century. Employers' organizations formed in response to two related phenomena: increasingly international demands voiced by workers and the development of national social and labour legislation. After the founding of the ILO, employers' representatives in the new Organization set up their own organization in 1920.

In his history of the International Organization of Employers, Jean-Jacques Oechslin calls the ILO "an unsolicited gift" for employers, who had not participated in the preparations. Yet they saw great interest in joining forces with the workers to rein in excessive government regulation and involvement in industrial relations.⁵

Tripartite cooperation within the ILO was first illustrated at the initial session of the Governing Body, in Washington, DC, on 27 November 1919. The discussion centred on appointing the organization's first Director.

⁴ H. Butler: *Confident Morning* (London, Faber and Faber, 1950), p. 173.

⁵ J.-J. Oechslin: *L'Organisation Internationale des Employeurs: Trois quarts de siècle au service de l'entreprise* (Geneva, 2001), p. 20.



This picture of Samuel Gompers, President of the American Federation of Labor, and Albert Thomas dates from a pre-ILO time. Gompers was visiting US troops in Europe in 1918 and Thomas was the French Minister of Munitions.

Government representatives proposed a temporary solution. Léon Jouhaux insisted that the Governing Body should immediately come to a definite decision. Louis Guérin, representing French employers, suggested the meeting be adjourned for ten minutes for consultation within and between participating groups.⁶

The principal architect of the structure, Edward Phelan, immediately recognized that something important had happened although its significance had escaped the attention of most.⁷ After the break, Jouhaux said both groups wanted to reach decisions then and there. Worker and Employer members at the Governing Body session elected Albert Thomas and André Fontaine, both from France, as Director and Chairperson, respectively.

During the Conference itself, Guérin already had to explain to impatient Government delegates why group meetings were necessary. “We must first bring

⁶ ILO: Minutes of the First Session of the Governing Body of the International Labour Office, Washington, Nov. 1919, p. 2.

⁷ E.J. Phelan: *Yes and Albert Thomas* (New York, Columbia University Press, 1949), p. 15. P. Waline: *Un patron au Bureau International du Travail* (Paris, Editions France-Empire, 1976), p. 27.

about definite conclusions among ourselves and then see about the possibility of agreeing with our colleagues, the workmen.”⁸

During the negotiations in Paris, Edward Phelan’s last-minute lobbying had yielded the rule according to which governments had two votes and employers and workers one each. What happened at the first Governing Body was what he, though few others, had anticipated. The employers and workers joined forces and won the vote, some government representatives having been absent.

⁸ ILO: International Labour Conference, First Annual Meeting, Washington, 29 Oct.–29 Nov. 1919, p. 39.

3. Tripartism as an international tool

At the insistence of the IFTU, Germany and Austria were extended ILO membership at the Washington Conference in 1919. As much as possible, the ILO tried to avoid a vindictive stance on the part of First World War victors. The German trade unions were important actors in the IFTU and European trade union history. The Chairperson of the German trade unions, Carl Legien, participated in the second session of the Governing Body in January 1920.

Outside Europe, the ILO catalysed the formation and consolidation of trade unions. In India, the convening of trade unions for the annual nomination of the Workers' delegate was a driving factor in the creation of the Indian National Trade Union Congress. In Japan, much heated debate on workers' representation paved the way for this representation by trade unions. The Workers' delegates of both countries made full use of their right to speak and oppose restrictive government policies.

The United States did not immediately join the ILO, and AFL relations were not an issue in the Workers' group. Neither was the division between the radical leftist trade unions and the Amsterdam International. The Moscow-based Red International considered the ILO an instrument of class collaboration and boycotted it until the Soviet Union joined the ILO in 1934. The Workers' group welcomed the entry of both the American and Russian trade union representatives. Only Josephus Serrarens, of the Netherlands-based International Federation of Christian Trade Unions (IFCTU), disagreed with the approval of the credentials of the Soviet Workers' delegate.¹ Meanwhile, the IFTU was exploring affiliation with Soviet trade unions – though no such bond was ultimately forged.

The mainly socialist IFTU and the Christian trade unions differed in their views on women's issues and political alignments. The Christian trade unions favoured paying women for work to be confined to the home.² Their attitude to fascist organizations in Italy and Germany was initially ambivalent. But when trade unions were destroyed in Nazi Germany, the Christian International lost some forty per cent of its members.

¹ ILO: International Labour Conference, 23rd Session, Geneva, 1937, p. 297.

² P. Pasture: *Histoire du syndicalisme chrétien international: La difficile recherche d'une troisième voie* (Paris, L'Harmattan, 1999), pp. 114–116.



Three Directors: in the middle Albert Thomas (1920 – 1932), on the left Harold Butler (1934 – 1938) and Edward Phelan (1941 – 1948). The picture is taken in 1922 when Butler was the Deputy Director and Phelan head of the Diplomatic Division of the new Office.

Dealing with workers and employers

Initially, the relations with the Workers' and Employers' groups were based on the personal contacts of Albert Thomas. Edward Phelan describes vividly how, at the Maritime Conference in Genoa in 1920, the Director ventured into the "dangerous sphere of that complicated web of Trade Union policies and disputes where the threads are known only to the initiated and where any intervention from outside is liable to be resented or at best ineffective". Knowledge of this world as well as "intimate acquaintance with its personalities and a comprehensive knowledge of its complexities" was what Albert Thomas brought into the Office.³

³ E.J. Phelan: *Yes and Albert Thomas* (New York, Columbia University Press, 1949), p. 90.

Phelan thus admitted that others in the Office did not quite possess the same knowledge. Thomas could not oppose the IFTU, which held the Workers' seats on the Governing Body. Yet he kept his channels open to the Christian unions through a linguist working in the Office⁴ and attended a congress of the Christian International.

The employers' group was less enthusiastic about Thomas's leadership. Contrary to their expectations, he had not shed his socialist and trade union mantle quickly enough.⁵ He attended trade union conferences and made a point of meeting trade unions on their premises under tense circumstances, such as in Spain in 1925. During a stay in Moscow, on his way to the Far East, Thomas also made modest but unsuccessful overtures to the Soviet trade unions, in a 1928 meeting with their chairperson, Dmitri Tomsky.⁶

After the death of Thomas, his successor Harold Butler had less intimate relations with the Workers' group. Butler was better placed to negotiate with the United States, which joined the ILO in 1934. His relations were cordial with the US trade unions but even friendlier with business and intellectual circles, which were more interested in scientific management and industrial relations than international labour law. With the New Deal, the principal protagonists behind US membership in the ILO were President Franklin D. Roosevelt and his Secretary of Labor, Frances Perkins.

Léon Jouhaux, the most prominent of the Workers' representatives, had to defend his participation in the ILO and League of Nations meetings to his critics within the French CGT. The time spent by national trade union leaders in addressing international commitments has always been a favourite subject for their opponents. Jouhaux explained that the ILO had achieved several important Conventions, although he questioned the governments' will to implement them. Without the ILO, however, frustrated workers might take to the streets.⁷

Achievements and problems

Much of the technical work and debate within the ILO between the two World Wars focused on working time. This included discussions on the slow ratification of Convention No. 1, concerning the eight-hour day, and its application. This Convention was of supreme symbolic value, and it was already supported through

⁴ P. Pasture: op. cit., p. 119.

⁵ J.-J. Oechslin: *L'Organisation Internationale des Employeurs: Trois quarts de siècle au service de l'entreprise* (Geneva, 2001), p. 35. The employers' original positive impression was due to the role of Albert Thomas as French Minister of Armaments during the First World War.

⁶ A. Thomas: *A la rencontre de l'Orient: Notes de Voyage 1928–1929* (Geneva, Société des Amis d'Albert Thomas, 1959), pp. 22–25.

⁷ G. da Silva: *Léon Jouhaux: Une vie de combat pour le syndicalisme libre et indépendant* (Paris, L'Harmattan, 2014), pp. 411–413.

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Margaret Bondfield of the British TUC attended the 1919 International Labour Conference as an adviser. She was the first spokesperson of the workers in the Committee on the Application of Standards in 1927. She also was government delegate to the Conference. In the picture she is attending the 1930 Conference as Labour Minister.

much national legislation. As no preparatory discussions had been possible, the application of the Convention featured prominently in the Conference debates for over a decade. Attention then turned to the Forty-Hour Week Convention, 1935 (No. 47). It held the promise of alleviating unemployment, but the workers needed assurance that it would not lead to pay cuts.

The tripartite system allowed the Workers' group to question the governments' and employers' paternalistic approaches to workers. The debates were constantly re-centred on the basics of international labour standards. The Workers' group repeatedly affirmed that the purpose of standards was not to regulate inhumane practices but that they needed to be abolished, whether the use of child labour or the denial of racial and gender equality. Through the ILO, the workers gained a platform and a vote, and on many occasions they carried the day.

Gender

Samuel Gompers and Léon Jouhaux were offered a seat on the 1919 Labour Commission for several reasons. One of them was to avoid an international trade union conference, parallel to the Paris peace negotiations, which they had been planning and would have involved German participation. Women activists succeeded in organizing parallel conferences in Paris and during the ILO's first Washington

Conference. The outcome of their efforts may have been less visible, and a proposal for mandatory appointment of women to each delegation was ignored. Yet the ILO Constitution called for women to participate in labour inspection. It also stated that when issues involving women's work were discussed, women should at least be involved as advisers. This was not much, but at the time it was a step forward.

The question of whether the focus should be on protection for women or on equal protection for all workers persisted with the prohibition of night work. This was the topic of one of the Conventions at the Washington Conference, and discussions around it continued up to its revision in 1934 and beyond. The priorities of women trade unionists and women activists or academic experts did not always converge.⁸

In Northern Europe, women in trade unions did not favour the ILO's protective approach and argued for equal work opportunities and conditions. At the same time, Christian trade unions were against any employment of married women. The emphasis on equality finally gained ground. Swiss trade unionist Ruth Dreifuss would later lead the Workers' group in negotiations for the Night Work Convention, 1990 (No. 171), finally reconciling the early approach focusing on women's protection with the aim of abolishing, as far as possible, all night work, especially for competitive reasons, irrespective of gender. Dreifuss later served as President of the Swiss Confederation.

“Native labour”

While the participation of women at the Conference, at least as advisers, had been addressed by the Constitution, the Workers' group pressed for the representation of workers from colonies. In 1927, the Indian Workers' delegate, V. V. Giri – later President of India – proposed in a resolution that when issues concerning workers of mandated or colonial territories were discussed, the workers concerned should be included in the delegations.⁹ The one-sentence resolution was forwarded to the Governing Body which responded that the nomination of delegates and advisers was a matter to be addressed by member States.

Another resolution by V. V. Giri proposed that the Conference should not only consider forced labour but the wider, complex issue of contract labour. The League of Nations, while discussing slavery, decided to defer the question of forced labour to the ILO. The focus on forced and contract labour was crucial for the conditions of work in the colonies. In principle, member States should have extended

⁸ K. Scheiwe and L. Artner: “International Networking in the Interwar Years: Gertrud Hanna, Alice Salomon and Erna Magnus”, in E. Boris, D. Hoehtker, and S. Zimmerman (eds): *Women's ILO: Transnational Networks, Global Labour Standards, and Gender Equity, 1919 to Present* (Geneva, ILO and Brill, 2018), pp. 75–96.

⁹ ILO: *Resolution concerning native labour* Record of Proceedings, International Labour Conference, Tenth Session, Geneva, 1927, p. 683.



The Conference Committee on Forced Labour in 1930. In the middle row, the French Government Delegate, Blaise Diagne, Deputy from Senegal, who clashed in the Plenary with the French Workers' Delegate Léon Jouhaux.

provisions of ratified Conventions to their colonial (“non-metropolitan”) possessions. Not much was done, and what was accomplished was the result of pressure exerted by trade unions and reform-minded government and International Labour Office experts.

The Workers' group played a decisive role in the negotiations for the Forced Labour Convention, 1930 (No. 29). The Worker spokesperson in the Conference committee addressing forced labour was the President of the Spanish *Unión General de Trabajadores* (UGT), Julián Besteiro de Fernández, who was also professor of philosophy at Madrid University. In fact, many of the Workers' delegates and advisers at the time had academic qualifications. Several were also members of national legislatures.

Léon Jouhaux advanced the arguments of the Workers' group at the decisive 1930 Plenary, facing off with Blaise Diagne, who was the French Government representative, a staunch defender of the colonial position, and deputy for Senegal. The amendments adopted by the Plenary made it possible for the Workers' group to agree to the Convention. They included the promise of future action to unconditionally ban both and long-term contract labour.¹⁰

Shiva Rao, the Workers' delegate for India, strongly denounced forced labour as a vicious system. He also regretted the virtual lack of colonial worker representa-

¹⁰ ILO: Record of Proceedings, International Labour Conference, 14th Session, Geneva, 1930, pp. 269–334.

tion during deliberations. Another active Workers' adviser, Hadji Agos Salim, from Sumatra, was on the Dutch delegation.

In 1935 and 1936, the Conference negotiated a Convention on the recruitment of indigenous workers. Conditions were particularly hard for workers in the gold mines of southern Africa. As in the case of the Forced Labour Convention, the workers were the ones to assert that the purpose was not to regulate unacceptable colonial practices of forced labour, but to do away with them completely.¹¹

During the negotiations, the Workers' group was led by William George Ballinger, adviser to the British Workers' delegate. Ballinger had been sent in 1928 to South Africa by the British Labour Party to support the industrial and commercial workers' union. He later advised the African National Congress and represented the non-white population, until apartheid abolished even this indirect form of representation. The British workers' delegation also included in 1935 an adviser from Swaziland, Norman Xumalo.

During the decisive negotiations in 1936, Ballinger was joined by Izabel Oyarzábal de Palencia, representing the Spanish workers. She had been the first female labour inspector in Spain, and the only woman on the League of Nations Committee on Slavery. Oyarzábal de Palencia took part in the drafting of the text and especially regretted that a clear ban on the recruitment of children was not adopted.

At the Plenary stage, the South African employers presented an amendment by which they would be exempted from paying the cost of travel, which could amount to 15–20 per cent of a worker's wages. This was fiercely opposed by various parties, including the South African Worker representative, who spoke on behalf of "both European and non-European" workers in his country. After two votes by show of hands and a recorded vote, the employers' amendment was defeated by the slightest possible margin.

Ballinger successfully defended the Recruiting of Indigenous Workers Convention, 1936 (No. 50), although some of its provisions "were at the utmost limit of compromise" for the workers. Neither did the Convention go into freedom of association or conditions of employment, but a promise was made that these matters would be addressed by later "native labour" Conventions.

Ballinger regretted on more than one occasion that "recruitment did not have the same appeal to peoples in Europe as the 40-hour week".¹² When the Conference adopted the Penal Sanctions (Indigenous Workers) Convention, 1939 (No. 65), the spokesperson of the Workers' group was the only representative of indigenous workers in attendance. The Workers' adviser of the Netherlands, Soekiman

¹¹ The committee reports and the debates in the Plenary are in the Records of Proceedings of the 18th (1934) and 20th (1936) Sessions of the International Labour Conference.

¹² ILO: Record of Proceedings, International Labour Conference, 19th Session, Geneva, 1935, p. 413.

Wirjasandjojo, called the penal sanctions for contract workers slavery in disguise. The Government delegates of India and China agreed with the Workers' group.¹³

These debates foreshadowed the re-emergence of the question of racial discrimination in the 1960s. They also demonstrate that without the action of the Workers' group, the call to end forced labour in the colonies would not have been heard in the relevant international forum.

Freedom of association

The principles of freedom of association and the value of representative and independent trade union organizations were gaining ever greater recognition. This was to no small extent due to the conviction of Albert Thomas: to make tripartism work, the ILO should especially support the weakest partner: trade unions.

The Right of Association (Agriculture) Convention, 1921 (No.11), affirmed that agricultural workers had the same rights to freedom of association as industrial workers, though it did not define these rights. The number of countries that have ratified it (123) is remarkably high, and among them are countries that have not ratified the later freedom of association instruments. But the negotiations for a comprehensive Convention on freedom of association failed in the 1920s due to disagreements on the right not to organize as well as the desire of certain governments to have their corporatist structures – such as the Fascist organization in Italy – excluded or excused. The Conference was only ready to return to the question following the Second World War.

In the meanwhile, its Credentials Committee continued to focus on trade union independence. The Workers used the Credentials Committee to enforce the requirement of the Constitution that their representatives be appointed after consultation with the “most representative” organizations. Over the years, delegate credentials have only been invalidated 11 times, including cases that involved the tripartite Hungarian Delegation after the repression of the 1956 uprising. But the process of verification has become increasingly interactive and inquisitive, and this has had a significant effect.¹⁴

The credentials of the Italian Workers' delegate were challenged as early as 1923, when trade unions were dissolved and workers, together with employers, were pressured to join the Fascist corporations. The Italian government complained because the Fascist workers' representatives were excluded from the Governing Body and official Conference functions. However, the Constitution of the ILO could not be used to limit the autonomy of either of the two Groups. Government-con-

¹³ ILO: Record of Proceedings, International Labour Conference, 25th Session, Geneva, 1939, pp. 300–330.

¹⁴ D. Petrović: “Le mécanisme de vérification des pouvoirs”, in J.-M. Thouvenin and A. Trebilcock (eds): *Le droit international social* (Paris, Bruylant, 2013), pp. 267–285.

trolled delegates could attend the Conference, but they could not take part in the policy-making activities of the Workers' group.

In 1933, after rising to power in Germany, Adolf Hitler appointed Robert Ley, the leader of the Nazi Labour Front, German Workers' delegate. Ley arrived at the Conference with the heads of the socialist and Christian trade unions, but they were assigned strictly silent roles. The Workers' group excluded Ley and his Arbeitsfront advisers from key deliberations and challenged their credentials. After some bitter exchanges, Germany withdrew Ley's credentials and left the Conference. Soon thereafter it left the ILO itself.¹⁵

Italy followed an opposite approach until it, too, stopped attending Conferences in 1936. Despite having played a prominent role since the foundation of the ILO, Italy failed to persuade other parties that its Fascist corporations, which involved both workers and employers, embodied a kind of tripartite cooperation – much less, an improved one.

The international nature of early tripartism

There were no national tripartite meetings for Albert Thomas to attend during his frequent travels. National trends favoured bipartite agreements that developed collective bargaining. The form of tripartism that the Italian Fascist corporations offered was no model to follow.

A resolution presented jointly by the Canadian Employer and Worker representatives and adopted by the Conference in 1928 suggested that the Office, from time to time, should submit reports for the Conference reviewing the “progress and spirit of collaboration” between labour and management.¹⁶ This led to a series of studies on specific national cases. Bipartite cooperation and industrial relations became more important as the Great Depression forced the ILO to look at both economic and employment policies and management processes.

In his report to the 1932 Conference shortly before his death, Albert Thomas made the link between industrial relations and tripartism: “Employers' and workers' associations would seem always to have been the mainspring of industrial relations”, and best results could be achieved through union–management cooperation. He tried to allay the fears both of trade unions, who thought they could be co-opted through works councils and other collaborative arrangements, and of the employers, who did not want to share too much power with trade unions.¹⁷

¹⁵ R. Tostorff: *Wilhelm Leuschner gegen Robert Ley: Ablehnung der Nazi Diktatur durch die Internationale Arbeitskonferenz 1933 in Genf* (Frankfurt am Main, VAS, 2007).

¹⁶ ILO: *Resolution concerning the progress of the spirit of collaboration between employers and employed* International Labour Conference, 11th Session, Geneva, 1928.

¹⁷ ILO: Report of the Director, International Labour Conference, 16th Session, Geneva, 1932, p. 67.

4. Tripartism in war and reconstruction

The inter-war Conferences did not discuss tripartism, and there were no proposals to adopt international labour standards addressing it. With the Second World War looming, in 1939 the Governing Body – acting on a proposal from the Workers’ group – decided the Conference must urgently deal with the issue. Tripartism was to be on the agenda for the 1940 Conference, which was cancelled because of the war.

A Special Conference was convened in New York in 1941 to demonstrate that, even if the ILO was forced into war-time exile in Montreal, it was alive and operational. The report of Acting Director Edward Phelan focused on the ILO and reconstruction. It was a reminder that the ILO existed and should resume all its functions once the war was over.

Phelan contrasted the conditions of workers in Germany, and lands occupied by Germany, with voluntary agreements that had been developed in democratic countries. The war had

made social policy a central preoccupation both because of its immediate relevance to defence and because it is ultimately at the core of the issues which the war will decide. No country concerned with building up its defence can afford to ignore the social measures taken by Germany on the one side and Great Britain on the other. ... No country can ignore the social elements in the process whereby Germany plans to consolidate her conquests and which if put into effect must profoundly affect social and economic conditions elsewhere.¹

The Conference discussed tripartite cooperation by referring to a survey on the roles of national trade unions and employers in the war effort. The report underlined that “an essential need of collaboration at any time, and particularly in war time, is for flexibility in the methods used”.² It highlighted the negative effects

¹ ILO: *The I.L.O. and Reconstruction* Report by the acting director of the International Labour Office to the Conference of the International Labour Organization, New York, Oct. 1941 (Montreal, ILO, 1941), pp. 87–88.

² ILO: *Wartime developments in government–employer–worker collaboration: Supplement to Methods of collaboration between the public authorities, workers’ organizations and employers’ organizations* (Montreal, ILO and McGill University, 1941), pp. 87–102.



Edward Phelan signing the Declaration of Philadelphia at the White House in the presence of (left to right) President Franklin D. Roosevelt, Cordell Hull (US Secretary of State), Walter Nash (President of the 26th Session of the ILC), Frances Perkins (the longest serving US Secretary of Labor) and Lindsay Rogers (ILO Assistant Director), Washington DC, 17 May 1944.

that long working hours, insufficient rest and medical care, and lack of employee input on working conditions would have on productivity. Studies carried out by the United States Department of Defense argued that, despite the pressure of war-time production, basic labour rights had respected.

In the Conference Plenary, some governments were unhappy that the conclusions went no further than advocating practices they already embraced, while others might have wanted the Conference to endorse the particular ways in which they implemented tripartism. In the end, all agreed that more time would be needed to reach conclusions on the ideal forms of tripartism. A precise framework or model for tripartism had yet to be established.

At the outset of the war, ILO Legal Adviser Wilfred Jenks provided justification for ILO support of Allied policy on the basis of the ILO Constitution. In 1944, together with Phelan, Jenks drafted the Philadelphia Declaration. This Declaration formulates a broad mandate for tripartite cooperation, extending all the way to questions of war and peace.

Bipartite and tripartite cooperation

In the ILO bipartite cooperation was especially characteristic of the maritime sector. Discussions in the 1940s about the future of sectoral activities raised the question of whether they should be dealt with in a bipartite or tripartite manner. When Industry Committees of the ILO were set up, they were tripartite, but arguments in favour of a bipartite approach had also been advanced.

The 1943 Governing Body session, which decided to convene the ILC in Philadelphia the following year, deliberated on the form Industry Committees should adopt. Employers favoured a bipartite sectoral meetings.

But the ILO adhered to the logic of Adrien Tixier, then Labour Minister of the free French government. He referred to the pre-war experience of discussions on the 40-hour week, which illustrated that “bipartite consultative committees were excellent instruments for preparing international regulations”. Yet when governments were also represented, the atmosphere of these meetings was more conducive to progress than at the ILC. It had “often happened that proposals put forward by government delegates had provided a way out of a deadlock which had resulted from the discussions between employers and workers”.³

Tixier knew what he was talking about. Albert Thomas had recruited him in the early 1920s to coordinate ILO work on social security.

Tripartism as a resource for reconstruction

Throughout the Great Depression and the Second World War, right up to reconstruction, trade unions in democratic countries gradually came to play recognized roles at the national level. Tripartism carried the ILO through economic and political crises. It soon became even more urgent to strengthen this role as decolonization led to the rapid emergence of scores of independent states. The colonial or “native” labour that the ILO had earlier dealt with became work by citizens of independent countries and their sovereign economies.

³ ILO: Minutes of the 91st Session of the Governing Body of the International Labour Office, London, 1943, p. 69.



David Morse speaking on the occasion of the ratification by Japan of the Freedom of Association Convention No. 87 in 1965. Seated from left to right: Jean Mori, Workers' Vice-President of the Governing Body of the ILO, Wilfred Jenks, Deputy Director-General, Erik Dreyer, Chairman of the ILO Fact-Finding and Conciliation Commission to Japan, Hisao Kodaira, Minister of Labour of Japan, David Morse, Director-General, Morio Aoki, Japanese Ambassador in Geneva and Akira Iwai, General Secretary of the General Council of Trade Unions Japan .

The experience of the Second World War, reconstruction, and technical assistance needed for decolonization brought tripartism to the national level. As Director-General David Morse said in his Nobel lecture in 1969, tripartism was hardly known nationally in 1919:

By insisting on tripartite delegations to its Conference and meetings, the ILO made it essential for governments and employers to accept trade unions as equals and as valid bargaining partners, at least for the purposes of representation at the ILO. And if the concept could be accepted and applied in Geneva, why not at home?⁴

By the time of the Philadelphia Conference, the Employers' group was ready to support the principles of freedom of association and free speech. The earlier insistence on a parallel recognition of right not to organize was set aside. Through experiences with totalitarian systems, it had become clear that the freedom of en-

⁴ D.A. Morse: "ILO and the Social Infrastructure of Peace", Nobel Lecture, Oslo, 11 Dec. 1969, p. 23.

trepreneurship could be threatened just as much as that of the workers to organize and take action. The employers were also ready to embrace the 1919 position, which had set them alongside workers as beneficiaries of rights tied to the freedom of association.

The Philadelphia Declaration and the conclusions of the Delegation of Constitutional Questions, which amended the Constitution at the 1946 ILC held in Montreal, strengthened the requirement that the “most representative” Workers’ and Employers’ organizations be independent.

A Resolution “concerning the Independence of the Trade Union Movement” from governments and employers was adopted in 1952. After the Soviet Union had rejoined the ILO, another Resolution on protecting trade union rights was adopted by the 1955 Conference. It underscored “the importance of the fundamental rights of both employers and workers in their respective organizations, and in particular the rights of freedom and independence”.⁵

⁵ ILO: *Resolution concerning the Independence of the Trade Union Movement* International Labour Conference, 35th Session, Geneva, 1952; ILO: *Resolution concerning the Protection of Trade Union Rights* International Labour Conference, 38th Session, Geneva, 1955.

5. Geopolitics and the elusive unification

War-time optimism in 1945 led to the unification of most strands of international trade unionism under the banner of the World Federation of Trade Unions. But this also prompted an existential battle for the future of the ILO, where parties coalesced around two opposing poles: the Soviet-supported WFTU and the US-based AFL. The WFTU replaced the IFTU, but the AFL had not joined it. The other ILO Workers' group members were stymied by disagreements within the WFTU, which increasingly voiced the position of the Soviet and other communist trade unions.

The immediate question was who would address freedom of association and how. Behind it loomed the question of whether labour issues would still be dealt with by the tripartite ILO or by the new United Nations and its Economic and Social Council.

The WFTU and the Soviet Union did not want the tripartite ILO to handle freedom of association. The communist majority within the WFTU leadership hoped to achieve through the new UN what had up to then been controlled by IFTU members of the ILO. The Soviet government was wary of private employers, who in 1937 had lodged a complaint concerning the new socialist managers with the ILC Credentials Committee.

Parallel proposals were presented to the UN by both the WFTU and the AFL. The negotiations for the adoption of the Freedom of Association Convention, 1948 (No. 87), involved a series of exchanges between ECOSOC and the ILO. They resulted in UN recognition of the authority of the ILO, with which it concluded its first agreement for cooperation with a specialized agency, in 1946. The UN signatory of the agreement was the Norwegian Trygve Lie, the organization's Secretary-General. Lie was a friend of Albert Thomas, had been a trade union lawyer in the 1920s, and participated as Workers' adviser in early ILO Conferences. He was one of the many personalities who had held trade union positions and later made contributions at different moments in ILO history.



Two legends of the ILO: long-time Legal Adviser and then Director General, Wilfred Jenks, together with Léon Jouhaux, Workers' Delegate of France throughout the inter-war period and later until 1952. Among other things, they worked together on the Freedom of Association Convention. New York, USA ,23 October 1953.

The Marshall Plan and the Cold War

The 1945–1949 conflict within the WFTU took place outside the Workers' group of the ILO, but it was very much about the ILO. European reconstruction was a burning political issue that also affected the UN.¹

The Workers' group had high expectations for European reconstruction. At the 1947 Conference, Léon Jouhaux proposed a resolution in support of reconstruction that was unanimously adopted.² Jouhaux' hypothesis was that the war-time Allied countries – whose leaders were meeting in Paris at the very same time – would move ahead together.

However, this optimistic vision was not borne out by acts. Under Soviet pressure, Poland and Czechoslovakia cancelled their participation in the Marshall Plan. The trade unions closest to the Soviet Union, including the majority of the CGT in France, fiercely opposed American-supported reconstruction efforts, while the European members of the former IFTU could only be in favour. After all, the re-

¹ ILO: *Resolution concerning European and World Reconstruction* International Labour Conference, 30th Session, Geneva, 1947.

² Another crucial question was the role of International Trade Secretariats, which the WFTU majority wanted to bring under control of the central international organization. With their own history and structures, the sectoral internationals wanted to have nothing of the kind, and they played an important role in the setting up of the ICFTU in 1949.

construction programme was directly inspired by the 1941 ILO Special Conference in New York and the 1944 Philadelphia Conference.

The two American trade union federations, the AFL and the CIO, were closely involved in the reconstruction and rehabilitation of trade unions in the countries that had been occupied by or allied with Germany. In Germany itself, the unions had to be rebuilt from scratch. While in the three Western occupation zones the aim was to graft them onto the traditional roots of the pre-Hitler trade union movement, the Eastern zone applied the model of the Soviet trade union structure.

The unity of the WFTU crumbled, and in 1948, the trade unions supporting the Marshall Plan set up a consultative committee for the recovery programme. This body, the Trade Union Advisory Committee (TUAC), included the western European Christian trade unions. In 1949, the pro-reconstruction trade unions set up the International Confederation of Free Trade Unions (ICFTU). The ILO had officially recognized the consultative status of international employers' and workers' organizations and extended it to the new ICFTU just months after its founding.

Most of the Worker members of the Governing Body belonged to the new ICFTU. An ICFTU Office was opened in Geneva in 1951 to help coordinate the group's policy. In addition to actively promoting the freedom of association Conventions, it stressed the traditional agenda of wages, working time, and working conditions. The abolition of forced labour and discrimination gained new prominence. As was the case before the war, when addressing the issue of forced labour, trade unionists from colonial territories that were approaching independence could participate in ILO meetings as Workers' advisers, or through the ICFTU and the WCL.³ In time, the consultative status of the ICFTU also provided a way to bring suppressed trade unions to the ILC.

The Soviet bipartite model

To understand how, in the new UN, the Soviet Union and its allies could seriously consider having the WFTU take the place occupied by the ILO since 1919, one has to recall that the Soviet system delegated all labour issues to the trade unions. Government authorities were obliged to consult the trade unions on all labour and social issues. In the Communist hierarchy, formalized by its nomenklatura, union leaders often had more authority than Ministers or government officials – though they were all still obliged to carry out the instructions of the Communist Party.⁴

³ A. Carew: "Towards a free trade union centre", in A. Carew and M. van der Linden (eds): *The International Confederation of Free Trade Unions* (Berne, Peter Lang, 2000), p. 231.

⁴ Spravochik profsojuznovo rabotnika. Profizdat, 1979, pp. 27 – 28. The handbook explained the legal provisions according to which the Ministries of the USSR were obliged to agree to all decisions concerning labour with the Soviet trade unions.

The Soviet model was bipartite. This was not completely unlike what the trade unions had envisaged for the ILO at the Leeds and Berne conferences before the British negotiators endowed the ILO with a tripartite decision-making structure. But given the course the Bolshevik Revolution had taken, no attempt to adopt a democratic bipartite system was ever made in Soviet Russia.

The Soviet bipartite model was anathema to employers, who were denied any role in it. When the Soviet Union joined the ILO in 1954, and the Cold War began to dominate the Conference debates, some of the most vehement discussions took place between the Employers' group and representatives from socialist countries.

Apart from those belonging to the US-based AFL and its associates, members of the ICFTU Workers' group were more measured in their statements. They saw limited merit in adopting an ideological anti-business discourse before employers with whom they negotiated at home. Neither were the 1960s the right time to alienate Workers' delegates from former colonial territories – now “developing countries” that had gained their independence. In Africa especially, there were loud calls for regional solidarity, and the newly independent countries were subject to both ICFTU and WFTU pressure.

In principle, the members of the Organization of African Trade Union Unity (OATUU) set up in 1973 should not have belonged to other international bodies. An accommodation was negotiated between the OATUU and the ICFTU on African participation in the Workers' Group of the Governing Body.⁵

⁵ R. Gumbrell-McCormick: “Facing new challenges: The International Confederation of Free Trade Unions (1972–1990s)”, in A. Carew and M. van der Linden (eds): *The International Confederation of Free Trade Unions* (Berne, Peter Lang, 2000), p. 424.

6. The Cold War and trade union rivalry

The Workers' group of the ILO continued to be dominated by ICFTU members, although this called for certain accommodations. The IFTU had insisted in 1919 that the Workers' group would only consist of full-fledged members, but already at the first Conference, the group included a Workers' adviser from the Christian trade unions of the Netherlands. Despite some hesitation, the Christian trade unions did not join the WFTU in 1945 or the ICFTU in 1949.

Omitting a short period, between 1934 and 1939, the Soviet trade unions and their radical allies considered the ILO to be a tool for class collaboration. Following the Second World War, they saw it as an awkward structure through which labour made compromises with capital. But it increasingly provided a meeting venue and a forum for political outreach. The trade unions of the developing countries exhibited a new, growing pluralism. After the 1949 split, the ICFTU and the WFTU competed for trade union allegiance, and the means of persuasion had to be soft. One of these means was access to assistance programmes.

When the Soviet Union – including Ukraine and Byelorussia – joined the ILO in 1954, Conference Workers' group dynamics changed. The WFTU was now represented by its largest affiliate, and it had the support of a number of socialist countries.

With Soviet membership in the ILO, the Governing Body set up a group of three experts, chaired by Lord Arnold O. McNair from the UK, to report on the independence of employers' and workers' organizations from government control.¹ In its 1956 report, the Commission did not identify cases of such control – harassment, repressive administrative measures, forced dissolution – within industrialized countries. There were, however, worrying restrictions in “less advanced countries” facing the wave of decolonization. The Soviet Union had no employers' organizations, but the Commission concluded that socialist management had extensive powers, discretion, and responsibilities which could enhance the work of the ILO.

The Commission found no evidence of direct government control of Soviet trade unions. It did identify an issue of concern: the leading role of the Communist

¹ ILO: “Report of the Committee on Freedom of Employers' and Workers' Organisations” [The “McNair report”], in *Official Bulletin* (1956, Vol. 39, No. 9, Mar.), pp. 475–599.

Party, which, according to the Soviet constitution, was to guide trade unions. Another report commissioned after the Soviet Union rejoined the ILO concluded that although the Soviet trade unions had an intimate relationship with the Communist Party, they had been founded prior to the Revolution and had a legitimate role at the workplace level.²

At this time, the newly independent countries were looking for development models, and their trade unions received assistance from different international sources. Many of them had links with the trade unions of the former empire and had been involved in the independence process. From the start, the ICFTU aimed to help strengthen independent trade unions. Former colonies and their unions were in a good position to benefit from the ILO's new Workers' Education Programme. Neither of the two leading Cold War opponents, the United States and the Soviet Union, had a colonial past.

Divergent ideological and political views on trade unions were also reflected in standards set by the ILO. In 1961 the Soviet and Romanian Workers' delegates presented a draft resolution to the Conference on the privileges of workers' representatives, "including trade unions", at workplaces. Within the Conference's Resolutions Committee, a majority of the Workers' group members rewrote the WFTU draft so that, starting with its title, it strongly endorsed trade union rights at all levels – not just in the workplace – and made references to the ILO's freedom of association procedures.³ The sponsors of the original draft voted against the new version.

However, the process thus set in motion continued. In 1967 a tripartite meeting of experts recognized that the different roles of workers' representatives and trade unions needed to be clarified. The provision of protection and facilities to workers' representatives was especially urgent where the trade union movement was "in the early stages of its evolution" and "had still to struggle for its existence and recognition".⁴

During the first standard-setting discussion in 1970, the Conference agreed to draft a Recommendation. However, at the beginning of the second discussion, a small working group of employers and workers proposed what became the Workers' Representatives Convention, 1971 (No. 135). Its aim is to recognize the primary role of trade unions and ensure that other elected workers' representatives would not undermine their capacity to deal with management.

² ILO: *The Trade Union Situation in the U.S.S.R.: Report of a Mission from the International Labour Office* (Geneva, ILO, 1960). To ensure balance, a report was also produced on trade unions in the United States.

³ ILO: *Resolution concerning Freedom of Association and the Protection of the Right to Organise, Including the Protection of Representatives of Trade Unions at All Levels* International Labour Conference, 45th Session, Geneva, 1961.

⁴ ILO: *Report of the Technical Meeting on the Rights of Trade Union Representatives and Participation of Workers in Decisions within Undertakings* Geneva, 20–29 Nov. 1967, paragraph 17.

Thus a Convention which serves to prevent conflicts and misuse of different representative arrangements emerged from a draft resolution that was supposed to prove the supremacy of the socialist system at the workplace level. This was countered by the reminder that the independence of trade unions was imperative at all levels. Over a decade, the full range of tripartite working tools was applied, from studies to expert meetings. And finally, the non-governmental groups reached a bipartite agreement on the Convention.⁵

In 1966, the Director-General presented a Report to the Conference on industrialization and development. David Morse referred to the need to develop a “new class” of entrepreneurs. This moved the General Secretary of the WFTU, Louis Saillant, to assert that, rather than the creation of a new class of employers, what was needed was gradual yielding of control over production to workers and trade unions. This had already taken place in countries that had moved to socialism, Cuba being a prominent example.⁶

The Soviet trade unions gained a seat in the Workers’ group of the Governing Body in 1966. This was partly a reaction to the walkout of the AFL-CIO from that year’s Conference.⁷ The Polish government candidate was elected by 184 votes against the 183 cast for the Dutch Labour Minister. It was the first time that a representative of the socialist countries had reached the highest Conference position. The Africa group supported the Polish candidate, geographic rotation having provided the main argument.

Employers’ delegates maintained that the representation of the socialist countries undermined both tripartism and the nature of the Organization. They emphasized that this was not because socialist managers represented nationalized industries but because they could not express themselves or vote freely.⁸ The socialist managers complained they were excluded from positions within the Employers’ group. Complicated arrangements afforded them limited participation in Technical Committees, but they had no role in decision-making. In the Employers’ group elections – which all appointed delegates could participate in – the socialist managers got less than a fifth of the votes.⁹

⁵ ILO: Record of Proceedings, International Labour Conference, 56th Session, Geneva 1971, pp. 507–518 and 677–684.

⁶ ILO: Record of Proceedings, International Labour Conference, 50th Session, Geneva, 1966, p. 355.

⁷ A. Carew: *American Labour’s Cold War Abroad: From Deep Freeze to Détente, 1945–1970* (Edmonton, Athabasca University Press, 2018), p. 268.

⁸ J.-J. Oechslin: *L’Organisation Internationale des Employeurs: Trois quarts de siècle au service de l’entreprise* (Geneva, 2001), p. 69.

⁹ P. Waline: *Un patron au Bureau International du Travail* (Paris, Editions France-Empire, 1976), p. 232. At the time, about twenty of the more than one hundred Employers’ delegates in the official group voted for the socialist managers.

The employers kept the socialist enterprise managers out of their group. Their status on the workers' side was more complicated. The ICFTU no longer monopolized (with tacit WCL support) the Workers' group of the Conference. Debates which had divided the trade union movement spilled into the Workers' group. Some believed that the revolution that had not taken place in 1919, or after 1945, was again a real possibility.

Squaring the circle: universalism vs. tripartism

In 1969, Wilfred Jenks delivered an address to the Graduate Institute of International Studies in Geneva.¹⁰ In principle, this was a high point in the history of tripartism: the 50th anniversary of the ILO and the Nobel Peace Prize ceremony were on the horizon. Jenks attempted to reconcile the two forces which had been straining tripartism as practiced by the ILO: universalism, on the one hand, and the ideal of cooperation between independent employers' and workers' organizations and governments, on the other.

Jenks noted that

while the three groups in the ILO have equal status, they are in essentially different positions in regard to political issues by the Conference. Trade unionism has always been a political force, claiming political rights, acknowledging political responsibilities, and expressing political views on political issues; it has remained of this character irrespective of the political affiliation of particular tendencies in the trade union movement or the extent to which they have exercised political power by association with or detachment from particular political parties or movements. There is no such thing as a wholly non-political trade unionism, and one must therefore expect to find the political attitudes and interests of trade unions reflected in their conduct in the ILO. This is all the more so as there is no other world organization or international forum where the trade unions enjoy the equality of status with governments and management which they enjoy in the ILO. Governments are in a wholly different position. They are represented in a wide range of world organizations and must, if they wish to maintain the coherence and consistency of national policy, deal with political matters through political channels. Management is still in a different position; it may have political views but in general it has no political mandate; it relies on other avenues of political influence and expression.¹¹

¹⁰ C.W. Jenks: "Universality and Ideology in the ILO" (address at the Graduate Institute of International Studies, Geneva, 27 Oct. 1969), in *Annals of International Studies* (1970, Vol. 1), pp. 45–64.

¹¹ C.W. Jenks: op. cit.



1969-12-10, Presentation of the Nobel Peace Prize medal. From left to right: Gullmar Bergenström, Employers' Vice-Chairperson, Hector Gros Espiell (Uruguay), Chairperson of the ILO Governing Body, Jean Möri (Switzerland), Workers' Vice-Chairperson, and David Morse, Director-General.

He concluded that workers disliked political discussions especially when they tend to divide their group; governments were constrained by discussions in other forums, including the UN; and management saw political discussions as going beyond its mandate.

From a historical standpoint, it is also possible to interpret Jenks' categorization as an answer to the question raised by the ILO since its foundation in 1919: Who was its main beneficiary? Jenks reminds us that, from the workers' perspective, the ILO was the only international forum for their concerns. Employers had access to other avenues of political influence, and governments were omnipresent.

Jenks highlighted two of the main issues causing tension and disruption within the ILO: political divisions among workers and employer representation. The latter had already come to the fore in 1937, when the Soviet Union first joined the ILO and the Employers' group contested the credentials of socialist managers. At that time, Harold Butler identified no less than eight different forms through which the role of employer was being exercised, and he consequently warned that the definition of employers' and workers' representatives according to the Constitution should not be excessively qualified. Butler thought that it was "as dangerous to make distinctions between different kinds of employers as it would be to make distinctions between workers according to their methods or their political convictions".¹²

¹² ILO: Minutes of the 79th Session of the Governing Body of the International Labour Office, 6–9 May 1937, pp. 39–40.

The October 1969 address by Jenks was also a reminder of what Adam Smith had already written in his 1776 *Wealth of Nations*: workers must band together – or “combine”, to use an earlier term – to defend their common interests, but both employers and governments have a multitude of other means and channels to pursue theirs.

Convergence: prospects and illusions

The underlying assumption in the 1960s and 1970s appears to have been that political divisions between trade unions would continue to exist, but that practical means of accommodation would be found, and that the Employers' group would gradually integrate representatives of public management. In fact, as early as 1956, the McNair report had identified growing public sector participation as a factor which influenced the balance between governments, employers, and workers. On the one hand, the more governments assumed employer functions, the better they understood how to deal with trade unions. Within this context, the value of workers and their representatives had grown due to the need for productivity and skill development. There was “more emphasis on productivity, less on just safeguarding interests”. The McNair report also believed that, in taking on management responsibilities, governments would develop a better understanding of private employers.¹³

Structural trends might have suggested that new forms of management were indeed developing. The notion of a “mixed economy”, today all but obsolete, had great currency in welfare states. After all, the system of works councils in Germany inspired the political vision of an economy ultimately managed by bipartite bodies from the bottom up.¹⁴ In the 1970s, Sweden was establishing a system of wage-earners' funds destined to change ownership structures in its economy. And after being elected President of France in 1981, François Mitterrand set out to nationalize industry.

In the ILO, the socialist countries tried to extend the notion of Employers by including “managers” – as when the Convention on Tripartite Consultations (International Labour Standards), 1976 (No. 144), was adopted. It is also worth noting the suggestion that all countries embrace a tripartite organization was not approved, as it would have meant more extensive involvement than consultations. All proposals to qualify the application of the principle of tripartism were dropped.¹⁵ This once again supported the conclusion reached by the 1941 Conference in New York that there should be no prescriptions for how tripartism should be implemented.

¹³ “McNair Report” (op. cit.: see note 1 above).

¹⁴ J. Schregle: “Workers' participation in the Federal Republic of Germany in an international perspective”, in *International Labour Review* (1987, Vol. 126, No. 3), pp. 317–327.

¹⁵ ILO: Record of Proceedings, International Labour Conference, 61st Session, Geneva, 1976, pp. 115–124, 136–147.

The growing concerns of the developing country group were supported by the Workers – to a point. In the inter-war period, the Workers’ group had argued for racial and gender equality and the abolition of colonial labour structures. Since the beginning of decolonization, the ICFTU and many of its members were active in countries about to become independent. New leaders with trade union backgrounds emerged in what became known as the “developing world”. Yet the colonial powers had effectively prevented the ILO from setting the stage for balanced labour relations before independence.¹⁶

After independence, the questions of forced labour and freedom of association lingered. Faced with pressing development needs, governments were hesitant to abandon methods for mobilizing labour. Neither were they inclined to cede too much power to independent union leaders. A number of recognized development experts believed states should wield enough power to drive development forward.¹⁷

This clashed with the model and principles of the ILO. As one of the consequences, since the 1970s and up to the end of the Cold War, disagreements on the nature of the New International Economic Order (NIEO) prevented a close alliance between the developing countries’ Group of 77 (G77) and the Workers’ group. For the ICFTU, any new order should be not only economic but also social, and should recognize the rights of independent trade unions.

¹⁶ D.R. Maul: “The ILO, Asia and the beginnings of Technical Assistance, 1945–60”, in J.M. Jensen and N. Lichtenstein (eds): *The ILO from Geneva to the Pacific Rim: ILO Century Series* (London, Palgrave Macmillan, 2016), p. 114.

¹⁷ The Swedish economist and sociologist Gunnar Myrdal in particular argued for extensive state involvement in the market economy in his three-volume analysis *Asian Drama: An Inquiry into the Poverty of Nations* (London, Penguin Press, 1968). He presented his proposals in 1970 in *The Challenge of World Poverty: A World Anti-Poverty Program in Outline* (New York, Pantheon Books, 1970). Myrdal’s emphasis on the interaction between governments and the markets remains relevant: many Asian countries have experienced significant growth since his study was published.

7. Pluralism in the Workers' group

The ICFTU had adopted in 1955, in Vienna, a policy on limiting contacts with communist organizations. But it left two openings: bilateral relations and participation in the activities of the ILO and the UN. There both the ICFTU and the WFTU were accorded consultative status, which they shared with the Christian WCL and OATUU.

Africa and the effect of apartheid

Beginning in the 1960s, the number of African ILO member countries grew rapidly. Some African trade unions had participated in the ICFTU at the time of its foundation. The French CGT had since the 1930s promoted union rights for nationals in Algeria, Tunisia, and Morocco.¹ In the 1950s, the ICFTU supported trade unions which had become members before their countries gained independence.

At its 1953 Congress in Stockholm, the ICFTU called for inclusion of ILO Conference participants from colonies on the path to independence. Growth was rapid. In 1954, there were trade union leaders from Senegal, Dahomey, and Cameroon in the French delegation, and from the Congo in the Belgian delegation; and the UK Workers' delegate had advisers from Jamaica, Trinidad, Rhodesia, and Barbados. That year the Gold Coast (later Ghana) sent a tripartite observer delegation to the Conference.

The following year, there were advisers from Africa in all groups of the French, British, and Belgian delegations. Barbados, Jamaica, Nigeria, Sierra Leone, and Singapore sent tripartite observer delegations. In 1960 there were 16 tripartite African observer delegations at the Conference: David Morse called it "the year of Africa".

As the negotiations for the inter-war "native labour" Conventions had shown, opposition to racial discrimination primarily came from the Workers' group. From the beginning, the ICFTU called for boycotts in response to the South African system of racial discrimination. The pressure against South Africa grew to the extent that, after an epic confrontation at the 1963 Conference, its government

¹ G. da Silva: *Léon Jouhaux: Une vie de combat pour le syndicalisme libre et indépendant* (Paris, L'Harmattan, 2014), p. 402.

withdrew from the ILO.² In response, the 1964 Conference adopted the Declaration concerning the Policy of Apartheid of the Republic of South Africa, which would be constantly updated, and the Programme for the Elimination of Apartheid in Labour Matters. Even in the absence of South African government representation, the Workers' group maintained contacts with the country's trade unions.

For three decades, the ILO examined the situation at each one of the International Labour Conferences, based on A Declaration and Programme of Action against Apartheid, adopted in 1964.³

The African trade union scene ran the risk of becoming an arena for competition between the ICFTU and the WFTU. South Africa had strong communist leanings since the beginning of the twentieth century. Repression under apartheid drove trade union leaders into exile, and they received support from many sources, not least of all from the WFTU. The ILO, and especially its Workers' group, provided a forum for deciding on actions in solidarity with South Africans. These actions initially consisted in assistance for liberation movements and later involved support, through educational programmes, for Southern African trade unionists in neighbouring countries.

The ICFTU policy of non-cooperation targeted the WFTU but could be accommodated by retaining an ILO cover. In 1973, an international trade union solidarity conference was under preparation with UN support. The ICFTU insisted it be held in Geneva within in structure of the ILO.⁴ Several subsequent tripartite Conferences took place with ILO assistance. They proposed measures to stop industrialized countries from investing in South Africa and allowing emigration to the country. ILO support for exiled liberation movements was extended to training for South African and Namibian trade unionists in the neighbouring countries in the region.

Apartheid forced parties to cooperate in the same way that the threat of fascism had brought trade unions of different stripes together, nationally and internationally, in Europe in the late 1930s. It served as a common cause for workers and employers inside the country and within the ILO.

The Congress of South African Trade Unions (COSATU) was founded in 1985. In 1988, COSATU requested – through the UN Economic and Social

² ILO: Record of Proceedings, International Labour Conference, 47th Session, Geneva, 1963, pp. 135–147 and 167–190.

³ ILO: *Official Bulletin* (1964, Vol. 47, No. 3, Supplement 1, Jul.). The process is described in: *From Workplace Rights to Constitutional Right in South Africa: The role and actions of the tripartite ILO constituency in the challenge to apartheid and the transition to democracy*, working paper prepared by Renee Grawitzky for the ILO Century Project, 2013. See also ILO: *From pressure principle to measured militancy: The ILO in the campaign against apartheid* paper prepared by Neville Rubin for the ILO Century Project, 2008.

⁴ R. Gumbrell-McCormick: "Facing new challenges: The International Confederation of Free Trade Unions (1972–1990s)", in A. Carew and M. van der Linden (eds): *The International Confederation of Free Trade Unions* (Berne, Peter Lang, 2000), p. 399.

Council – an ILO Fact-Finding and Conciliation Commission. After extensive discussions in the country, the Commission concluded its work in 1992 – in time to be of service to the process of democratization. African National Congress leader Nelson Mandela was freed in 1990, and he addressed the International Labour Conference in Geneva the same year.

COSATU and the South African Employers agreed in 1990 on joint action to change the Labour Relations Act. Once the democratic trade unions and employers of South Africa entered into cooperation, assistance by the ILO could be provided directly to them. After elections in 1994, South Africa returned to the ILO. Democratization had taken place after the Cold War ended, and earlier obstacles to international trade union solidarity were being removed.

At the end of the day, the tripartite structure of the ILO enabled concerted action and promoted lasting ties between the Workers' and Employers' groups and their counterparts in South Africa. This created a channel for information and support, the flow of which could increase once the bipartite process in South Africa fostered cooperation between the social partners.

The African trade unions always strongly believed in regional identities and sought unity.⁵ Trade unions were born in the colonial era, many having been ICFTU members before independence, and the ICFTU encouraged their participation in ILO meetings. Several political leaders, including Tom Mboya in Kenya and Sekou Touré in Guinea, came from trade unions. As in British India, trade unions in Africa contributed greatly to the struggle for independence and were a source of future leaders.



Shortly after having been released from detention in South Africa, Nelson Mandela, leader of the African National Congress, travelled to Geneva to address the International Labour Conference on 8 June 1990.

⁵ A.M. Kailembo: *Reflections on the Pan-African Trade Unions in the Development of the International Labour Organization: Contribution to the ILO History Project* 25 Mar. 2009.

Africa also turned to tripartism as a solution for social and political issues – in some respects, even more than Europe. Encouraged by the OATUU, the Organization of African Unity – later the African Union – transformed its Labour Ministers' meetings into a tripartite Labour Commission. Tripartite Councils were more frequent in Francophone Africa, where trade union pluralism expanded in the 1990s. Theoretically, the OATUU should only have had one member organization in each country, but this changed with greater openness following the Cold War. All trade unions could be represented in national tripartite councils.

The effects of détente in Europe

By the second part of the 1960s, a less confrontational phase of the Cold War had begun in Europe. A growing number of Western European trade unions had established contact with the Central and Eastern European unions, spurred by the détente policy of Willy Brandt and the German Social Democrats.

The Portuguese and Greek dictatorships crumbled in 1974. This left only Spain under undemocratic rule in Western Europe. The exiled Spanish trade unions were supported by the Workers' group. David Morse had been criticized for his stance towards Spain, which had helped it to return to the ILO. Still, a thorough report of a Study Group, made no excuses for the lack of democracy there. The Group's working method was similar to that of a Commission of Inquiry (COI). Clandestine translations of the ILO report were circulated in Spain by the trade unions.⁶ The transition in Spain began upon the death of dictator Francisco Franco and led up to general elections in 1977.

A realignment between the ICFTU's European members was under way due to European Economic Community (EEC) integration and enlargement. Italy's largest trade union central, CGIL, left the WFTU. A new European Trade Union Confederation (ETUC) was established in 1973 for EEC and European Free Trade Association (EFTA) countries. The European WCL members joined it in 1974, and the Italian CGIL followed suit a year later.

By that time, the ILO was ready to attempt another European Regional Conference. The first one held in 1955 had been paralyzed by the conflict surrounding the employer role assumed by the socialist countries' managers. An attempt at another Regional Conference was aborted after the occupation of Czechoslovakia in 1968. By January 1974, détente finally allowed a Conference to take place. The German Democratic Republic (GDR) had become a member of the ILO, to which Western Germany had already been admitted in 1951. GDR trade unions had long been attending ILO Conferences on the WFTU observer list.

⁶ ILO: "Report of the Study Group to Examine the Labour and Trade Union Situation in Spain", in: *Official Bulletin* (1969, Vol. 52, No. 4, Second Special Supplement).

The Regional Conference remained technical in scope and focused on the environment, social security, and health and safety.⁷ The 1972 UN Conference on the Human Environment held in Stockholm inspired the ILO to look closer at the issue, although there was then little follow-up. Most contentious draft resolutions were withdrawn: the employers did not raise the question of socialist managers, and the WFTU did not pursue its full-scale attack on multinational enterprises (MNEs) as tools of imperialism.

The process that led up to the European Conference on Security and Cooperation in Helsinki in July 1975 was accompanied by initiatives concerning youth, women, and trade unions, among other issues. Trade union contacts during the ILO conferences, and on the occasion of national trade union congresses, had developed bilateral East-West relations since the late 1960s. A meeting of nearly all European trade union leaders on the periphery of the Regional Conference set the stage for the first all-European trade union conference. Technically, it was convened by the four European Members of the ILO's Governing Body in 1975.

The carefully selected "neutral" theme for the high-level conference of the national central organizations was the general and working environment. While there was some follow-up for the conference, the momentum of East-West relations had been lost by the end of the decade. In Western Europe, the national trade unions invested considerable energy into the new ETUC and European integration. In the Soviet Union, Aleksandr Shelepin, the Chairperson of the All-Union Council of Trade Unions and a Politburo member, was removed from his functions and overly ambitious union activities discouraged.

While some harboured aspirations for a pan-European organization (including Central and Eastern Europe), practical circumstances yielded the ETUC, a confederation of countries belonging, or to different degrees affiliated with, the EEC. The pan-European dimension would recede into the background until the end of the Cold War.

Asia and Latin America

Japan and India – and especially their trade unions – had been prominent advocates of racial equality, and their trade unions frequently questioned their governments' policies. In British India, the need to select a Workers' delegate encouraged national trade union development. At some time in their careers, Mohandas Gandhi, Jawaharlal Nehru, and Mohammed Jinnah all held union positions.

As for Japan, the fact that its government could be questioned in an international forum in 1919 was a significant move towards recognition of trade union rights and gender equality. Japanese trade unions had been a part of the Governing

⁷ ILO: "Second European Regional Conference", in: *Official Bulletin* (1974, Vol. 57), pp. 145–153.

Body since 1928. Trade unions in Asian countries — especially South Korea, Indonesia, Burma, the Philippines, were closely watched by their governments, and possibly more than trade unions in any other country – especially in South Korea, Indonesia, Burma, the Philippines, and Vietnam. The experience of trade unions in Africa and Europe could not be applied to Asia or Latin America.

Trade unions – be they revolutionary, moderate, or outright conservative – usually did not want cooperation or coexistence. The People's Republic of China was recognized by the UN in 1971, but it took on a role in the ILO only during Francis Blanchard's time, in 1983. The Tiananmen Square events in June 1989 led to several years of scant cooperation, especially on the workers' side. However, European and other trade unions – but none from the US – resumed contacts, due to the growth of their countries' direct investments in China.

The All-China Federation of Trade Unions (ACFTU) has not joined any internationals. It had a Deputy Worker member on the Governing Body from 1984 to 1990, returning in 2002. As of 2011, it has held a Titular Member seat and been on the ITUC electoral list. One of the priorities of ILO's work with the ACFTU has been to provide training on collective bargaining, though China has ratified neither the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), nor the Right to Organise and Collective Bargaining Convention, 1949 (No. 98). More experience with collective labour relations, including conflicts, should prove useful at the increasingly market-oriented primary level.

Action taken in solidarity with Chileans shared similarities with measures taken in response to the South African situation. When the Socialist President Salvador Allende was overthrown through General Augusto Pinochet's coup d'état on 11 September 1973, the country's main trade union, the CUT, was not a member of the ICFTU; it was closer to the WFTU. The repression of trade unions in Chile led to calls for solidarity, but the ICFTU and the WFTU each stuck to their own measures.⁸ In the Americas, continent-wide joint action would have required cooperation between trade unions with starkly opposing views. The two extremes that could not be reconciled were the AFL-CIO and the Cuban trade unions. In the early days of the ILO, the Latin American trade unions were closely associated with the AFL of the United States. Later, there was a full spectrum of trade union orientations and differing models of trade union cooperation with political parties and leadership.

⁸ The ILO involvement in Chile primarily consisted of a Fact-Finding and Conciliation Commission on Freedom of Association following complaints from all quarters of the international trade union movement. Chile had not yet ratified Conventions Nos 87 and 98. (ILO: 196th Session of the Governing Body of the International Labour Office, Geneva, 30–31 May 1975.) Commission Members also served on a COI studying alleged violations of ratified Conventions Nos 1 and 111.

George Meany, President of the AFL-CIO, addressed the Conference on 11 June 1969. On the podium the President of the Conference, Jean Môri.



A brief hiatus

Since the Russian Revolution, relations between the trade unions of the United States and the Soviet Union had primarily been marked by tension. In 1945, the President of the AFL, George Meany, kept his organization outside the WFTU, criticizing his IFTU colleagues with unusually harsh words.⁹ In 1969 the merged AFL-CIO left the ICFTU, which Meany had helped to found twenty years earlier but which, in his opinion, had gone soft on communism.

David Morse had been under pressure to appoint a Soviet citizen to a high-level position in the Office. He left the decision to his successor, Wilfred Jenks. Against all expectations of the United States, Jenks promptly appointed Pavel Astapenko, a Byelorussian, to the post of Assistant Director-General. The United States reacted by temporarily withholding its dues. Continued discussion in Washington, DC – within Congress and at the AFL-CIO – focused on whether there was any reason to stay in the ILO.

After the Astapenko appointment, a 1974 Conference plenary voted not to adopt the report of the CAS because of a special paragraph on freedom of association for the Soviet Union.¹⁰ In addition, the Conference adopted a resolution condemning the Israeli occupation of Arab territories, according the Palestine Liberation Organization observer status in 1975. The US delegation, led by the AFL-CIO, walked out again.

⁹ A. Carew: *American Labour's Cold War Abroad: From Deep Freeze to Détente, 1945–1970* (Edmonton, Athabasca University Press, 2018), p. 10–17.

¹⁰ ILO: Record of Proceedings, International Labour Conference, 59th Session, Geneva, 1974, pp. 725–762.

George Meany stated publicly that the US should leave. The US gave notice that it intended to withdraw due to excessive “politicization” of the ILO. Though Western European trade union leaders tried many times to persuade Meany to change his mind, the US withdrew in November 1977.

The Carter administration considered that if US labour did not believe in the ILO any more, the government saw no reason to stay.¹¹ However, the statements of President Jimmy Carter, Secretary of Labour Ray Marshall, and Meany himself at the time of US withdrawal all expressed a desire for an early return.¹²

For two Conference sessions, there were no political incidents. The remaining industrialized countries partly compensated for the financial loss, and prompted by a Canadian initiative, they created the Industrialized Market Economy Group (IMEC) to coordinate their positions. A Cabinet-level committee chaired by Ray Marshall continued to monitor ILO developments. In early 1980 the United States returned.

The US trade unions’ international participation had been suggestive of a revolving door. They either disaffiliated from or walked out on the ILO and trade union internationals on different occasions. The views of leaders like Samuel Gompers and George Meany had a real impact. By the time the US had returned to the ILO, the ailing Meany had been replaced by his Secretary-Treasurer Lane Kirkland, who also brought the AFL-CIO back into the ICFTU.

The US exit in 1977–1980 did not create any lasting damage. If anything, it made the Workers’ group better prepared for the turbulence of the next decade. No matter one’s attitude towards the Americans, even many WFTU representatives felt the Workers’ group without the AFL-CIO was like the WFTU without Soviet trade unions.¹³

¹¹ This was specifically expressed to me by senior officials of the US Department of Labour during various discussions that took place in 1976 and 1977.

¹² “U.S. Membership in ILO ends”, in: *AFL-CIO: Free Trade Union News* (1977, Vol. 32, No. 12, Dec.).

¹³ My notes indicate this in several instances – as, for example, in reference to a discussion with Ryszard Pospiechynski, International Secretary of the Polish CRZZ, on 27 Jan. 1974.

8. Changing world economic structures

At the same time, modest signs of private initiative in the socialist economies – and unsuccessful attempts like the 1968 Prague Spring – were read to mean that transformation towards more market-compatible mechanisms could take place in the socialist systems. Democratization and restoration of trade union freedom took place in Spain, Portugal, and Greece.

In the Workers' group, by and large there was agreement on most questions of national and international labour policy, including the issues of MNEs, structural adjustment, and labour market flexibility.

Another element was the New International Economic Order (NIEO), championed by the developing country group at the UN. When it was launched at the 1973 General Assembly, international trade unions generally expressed their support. Yet they had an important reservation: for the Workers' group, this new order was only acceptable insofar as it was not just economic but also social. In practice, this prevented an easy alliance between the workers and the developing country group. The workers agreed with the G77 on questions of global political and economic injustice, but they agreed with industrialized countries and employers on the principles of freedom of association.

While there existed joint interests tied to technological and workplace change, trade union independence remained a line in the sand. Violations of freedom of association in the Soviet Union continued to occur, contributing to the brief exit of the United States. The issue then re-emerged in full force in Poland.

Multinational enterprises

Questions about the impact of MNE activities on host countries had been more and more frequently raised by the Workers' group since the 1960s. Much of the discussion focused on the political and economic effects of the US presence in Central and Latin America as well as Western Europe. The ICFTU organized a conference on MNEs and adopted a policy charter with the aim of controlling the social and labour-related effects of their operations. A resolution sponsored by the workers reached the Plenary of the 1970 ILO Conference but failed to pass due to the lack of

quorum. It was adopted a year later, mandating studies and “putting the item on the Conference agenda” – a phrase that hinted at the possibility of standard-setting.¹

The issue took a sharp political turn in September 1973, when a US multinational was found to have been involved in the coup d'état in Chile, which cost the life of President Allende. Even under conservative rule, Chile had for years tried to turn the attention of the UN to the negative impact of MNEs. The UN, the ILO, and the OECD all began to consider ways of regulating the activities of these businesses.

In the ILO, the workers called for an ILO Convention, but they did not obtain enough support at the June 1976 World Employment Conference. This, incidentally, may have provided those in the AFL-CIO dismissive of the ILO's importance an additional argument. The OECD adopted voluntary guidelines on MNEs, and the UN began negotiations (finally abandoned in the early 1990s) to define a code of conduct for what it called “transnational corporations”.

The ILO promptly produced a Tripartite Declaration on Multinational Enterprises and Social Policy, adopted by its Governing Body in November 1977.² The declaration had been drawn up by a small tripartite group, which brought together participants from all sides who were also involved in the OECD and UN discussions. The ILO Workers' group faced a challenge: though many of the problems caused by individual enterprises concerned freedom of association, no one wanted to duplicate the existing procedure of the ILO's Committee on Freedom of Association. In the OECD, most of the cases that trade unions brought up under its guidelines concerned trade union organizing and collective bargaining rights.

Cool-down in the 1980s

As the decade of the 1980s opened, other matters started to affect labour–management relations. Economic and employment growth failed to materialize in large parts of the developing world, and industrialized economies were slowing down. Economists and politicians began to search for solutions through increased labour market flexibility, austerity measures, and structural adjustment.

Structural adjustment in the developing world and austerity measures in the industrial countries set much of the tone for the decade. The fact that much of the debate took place within the OECD or international financial institutions left the ILO somewhat excluded. The need to have a say in international economic governance had been one of the early aims of Albert Thomas and Edward Phelan, sup-

¹ ILO: Record of Proceedings, International Labour Conference, 54th Session, Geneva, 1970, p. 677. ILO: *Resolution concerning the Social Problems Raised by Multinational Undertakings* International Labour Conference, 56th Session, Geneva, 1971.

² ILO: *Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy* adopted by Governing Body of the International Labour Office at 204th Session (Geneva, Nov. 1977) and amended at 279th (Nov. 2000), 295th (Mar. 2006), and 329th (Mar. 2017) Sessions.



Three Director-Generals: Francis Blanchard (1974 – 1989), David Morse (1948 – 1970), and Michel Hansenne (1989 – 1999). The picture is taken at the time of the 1989 Conference.

ported by the Workers' group. Francis Blanchard and, after him, Michel Hansenne established contacts with the International Monetary Fund (IMF). The ICFTU – and later the ITUC – also began to regularly consult the IMF and the World Bank.

Blanchard convened a High-Level Meeting on Employment and Structural Adjustment held in Geneva in November 1987. Not surprisingly, though participants readily recognized the need for better dialogue between the international institutions, their views on concrete measures differed. While the industrialized countries were engaged in a discussion on flexibility, the developing world was attempting to reconcile the austerity of adjustment policies with persistent poverty and lack of employment. The ILO naturally stressed the importance of social policies and international labour standards. This in turn provoked the concern that some form of conditionality would be sought to introduce such measures. As earlier, the employers were hesitant to venture into macroeconomic policy-making.

By the end of the decade, no effective consensus on a way ahead had been reached. The belief that boosting growth would quickly end poverty – that a rising tide would lift all boats – underestimated the significance of structural problems.³

³ R. van der Hoeven: *Poverty and Structural Adjustment: Some Remarks on Tradeoffs between Equity and Growth* (Geneva, ILO, 2000).



The divisive tactics in Europe of the multinational parent company of Hoover led the European Trade Union Confederation to organize a protest in Brussels in February 1993. The General Secretary of the ETUC, Emilio Gabaglio, is pushing an old vacuum cleaner which the Confederal Secretary in charge of social dialogue, Jean Lapeyre (marching on the right), had found in the basement of the office building.

Structural adjustment programmes generally weakened the bargaining power of trade unions despite the lack of evidence that this would lead to recovery.⁴

The damage was done: trade unions and labour market institutions in general came to be seen as impediments to growth and recovery. The members of the ILO's Workers' group from industrialized countries realized they were facing challenges that increasingly concerned them as well, and not just the developing world. Since the late 1970s, trade unions had been on the defensive when it came to macroeconomic policy, the need for international labour standards, and the role of the ILO itself. The 1980s brought Margaret Thatcher, Ronald Reagan, and neo-liberal policies.

In the United Kingdom, hard-line policies of both Prime Minister Margaret Thatcher and a part of the trade union movement almost reignited class warfare. A particularly bitter example was the prolonged miners' strike. Despite the trade unions' resistance, most coal mines were either closed or privatized. But the extent to which the Conservative government mistrusted trade unions was illustrated by the 1984 ban on organizing at the Government Communications Headquarters

⁴ S. Horton, R. Kanbur, and D. Mazumdar: "Labour markets in an era of adjustment", in: *International Labour Review* (1991, Vol. 130, Nos 5 and 6), pp. 531–558.

(GCHQ). The case was brought before the ILO by the TUC and was discussed by the Committee on the Application of Standards (CAS) for a decade.⁵

The concept of labour market flexibility in the industrialized countries again called collective bargaining into question, especially in centralized and industry-level negotiations. Paradoxically, the renewed emphasis on market forces mirrored more radical trade unions' critique of national incomes policies.

Criticism came more from government economists, treasuries, and think-tanks more than from employers, who rather naturally did not mind the turn of events. Employers actually seemed less concerned by trade unions than by a perceived anti-business wave in universities and by environmental and human rights NGOs.⁶

In the OECD, a high-level expert group led by Ralph Dahrendorf produced a report in 1986 that sought to advance a balanced view. The group, which included trade union and business representatives, concluded that flexibility should be negotiated and not used as a weapon by one group against another.⁷ At around that time, the President of the European Commission, Jacques Delors, tried to turn the tide in favour of dialogue: the new concept of social dialogue was embraced in 1985, calling for talks between partners first and action by the EC only in the absence of results.⁸

The EEC thus appeared to steer a course away from transatlantic macro-economic trends. This was to no small degree due to the need for support – from labour parties and trade unions – for deepening integration, especially through the creation of the single European market. This social emphasis led the TUC to withdraw its earlier criticism of the EEC. But it also increased Prime Minister Thatcher's dislike for European institutions, which were assuming greater roles in social affairs.⁹ Brexit, the difficult divorce Great Britain would later seek from the European Union, is best understood against the fault-lines that developed in the 1980s.

Poland

The economies of the socialist countries were also stagnating. This was one reason for the strikes in 1980 in the shipyards of Gdansk, Poland. The workers announced the establishment of an independent trade union, Solidarnosc, demanding that the

⁵ ILO: NORMLEX. There were CAS cases concerning UK application of Conventions Nos 87 and 98 in 1987, 1988, 1989, 1991, 1992, 1995, and 1997. In 1989, the CAS rejected a special paragraph after a record vote. In 1997, the Government again recognized the organizing rights of the trade union concerned.

⁶ L. Powell: "CONFIDENTIAL MEMORANDUM: Attack on American Free Enterprise System" (23 Aug. 1971).

⁷ OECD: *Labour market flexibility: report by a high-level group of experts to the Secretary-General* (Paris, OECD, 1986).

⁸ A good description is in J. Lapeyre: *Le dialogue social européen : Histoire d'une innovation sociale (1985–2003)* (Brussels, European Trade Union Institute, 2017).

⁹ J. Lapeyre: op. cit., pp. 58–62.



The President of Solidarnosc of Poland, Lech Walesa, gives the victory sign on the occasion of his speech as Workers' Delegate at the International Labour Conference in Geneva, on 5 June, 1981.

government respect the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87). Very soon Solidarnosc announced it had 10 million members. An agreement was reached, and after the Francis Blanchard's intervention, Lech Walesa, the leader of Solidarnosc, was appointed Workers' delegate to the 1981 Conference. The Conference hall was packed for his reasonably conciliatory speech.¹⁰ In December 1981, martial law was imposed, dissolving all trade unions and detaining Solidarnosc leaders.

The issue was immediately taken up by the Workers' group in the ILO. The Poland case made its way through the Committee on Freedom of Association (CFA), was the focus of a Direct Contact mission, and finally ended up before a COI. The formal complaint was lodged by Marc Blondel of Force Ouvrière (FO). In 1982, it was FO's turn to appoint the French Workers' delegate. Blondel made full use of this opportunity to submit the complaint, co-signed by the Norwegian Workers' delegate Liv Buck. The French government indicated it might also have cited Article 26 of the Constitution.¹¹ Some Western European unions were cau-

¹⁰ ILO: Provisional Record 10/9, International Labour Conference, 67th Session, Geneva, 1981.

¹¹ ILO: *Official Bulletin* (1984, Vol. 67, Special Supplement). See also ILO: Provisional Record, International Labour Conference, 68th Session, Geneva, 1982, p. 36/3; ILO: Minutes of the 222nd Session of the Governing Body of the International Labour Office, Mar. 1983, p. VII/7; ILO: Minutes of the 228th Session of the Governing Body of the International Labour Office, Geneva, 12–16 Nov. 1984, pp. 39–40.

tious, but the AFL-CIO was enthusiastic. Poland was one of the reasons for the resumption of contact between the Reagan Administration and the AFL-CIO, which had ceased due to conflict over the air traffic controllers' union.¹²

The Director-General of the ILO was directly involved in the Poland case for a decade. The COI could not travel to Poland, but through extensive interviews it formally confirmed that Convention No. 87 had indeed been violated. Francis Blanchard and Nicolas Valticos, who chaired the COI, were able to meet with Lech Walesa in detention. The Polish government announced its intention to withdraw from the ILO, but as negotiations continued, it postponed its original deadline. Solidarnosc was allowed to operate again, under certain restrictions, as of 1986, and it joined both the ICFTU and the WCL. Both organizations wanted to support trade union elements in Solidarnosc, which itself had become a political force with broad societal support.

The Soviet Union also considered walking out at that time, but its European allies were keen on maintaining access to technical resources their ILO relations offered them. Throughout the 1980s, the Polish question undermined the foundations of the system of socialist countries, but other events in the world contained it, leaving room for internal negotiations. The Soviet Union was bogged down in Afghanistan. Then decisive change reached Moscow, when Mikhail Gorbachev became General Secretary of the Communist Party in 1985. He launched a reform and transparency programme, with the catchwords "perestroika" and "glasnost".

In 1987 Gorbachev criticized the Soviet trade unions for not actively and sufficiently defending workers' rights. He believed trade unions should intensify their control over bureaucrats and managers, and that they should be democratized – though the leadership of the Communist Party must not be called into question. This shift in thinking had direct consequences. In 1988, a miners' strike led to an unprecedented confrontation and public negotiations between the government and independent mineworkers, which shook the foundations of the old trade union organizations.

Ironically, while Margaret Thatcher was waging a hard battle against trade unions at home, she and Pope John Paul II were idolized by Solidarnosc in Gdansk. She was also one of the first Western leaders to recognize that Gorbachev was carrying out real change. Poland was only briefly mentioned in a high-level meeting

¹² ILO: *Report in which the committee requests to be kept informed of development – Report No. 211, Nov. 1981* (CFA report concerning Case No. 1074 [United States]). The Private Air Traffic Controllers' Organization (PATCO) had supported Reagan in the presidential election of 1980, but it was decertified when it went on strike. Complaints were promptly sent to the CFA by both the ICFTU and the WFTU. The AFL-CIO, not being a member of either, disassociated itself from the WFTU complaint. The Committee concluded that a strike by air traffic controllers could be prohibited but the measures taken against the union and its members were in this case unusually severe.

of the ICFTU (with the AFL-CIO absent) with Gorbachev held in Moscow in October 1987.¹³

A series of discussions, and action by the ILO, international trade unions, and the Vatican under Pope John Paul II, led to national round-table negotiations with many participants, paving the way for democratic change. At the 1989 ILC, Alfred Miodowicz, Chairperson of the “old” trade unions, was the Workers’ delegate, while Bogdan Lis of Solidarnosc was his Deputy. Among the Workers’ advisers was Lech Kaczynski from Solidarnosc, later President of Poland, who died in a 2010 plane crash in Smolensk.

According to Francis Blanchard, the Soviet Union issued a confidential memorandum to its allies in 1988 suggesting they should no longer protest if the issue of Poland was raised in the ILO. At the same time, the socialist Employer and Worker representatives were no longer obliged to support or vote with their governments.¹⁴ For all practical purposes, this was the end of the Cold War in the Workers’ group. The Berlin Wall fell the following year.

¹³ Though the formal meeting agenda was concerned with disarmament, the discussion covered all political conflicts of the day. The ICFTU mission was led by its President, P.P. Narayanan, and by General Secretary John Vanderveken. Presidents or General Secretaries of the German, Swedish, British, Italian, and Japanese ICFTU affiliates and the Regional Secretaries participated. I have referred to the detailed notes made by Swedish participants.

¹⁴ F. Blanchard: *L’Organisation internationale du Travail: De la guerre froide à un nouvel ordre mondial* (Paris, Seuil, 2004), p. 204.

9. Transition and globalization

The end of the Cold War created a new situation in the ILO. For decades, the employers and the majority of the Workers' group had been engaged in an objective alliance against communism, each for their own reasons. Now an increasingly globalized market economy had won. At this juncture, the question was raised: with the communist system gone, was the ILO with its rules and regulations still needed?

Another urgent question emerged. How rapidly could the ILO assist its constituents, many of whom now were navigating in unknown waters? One of the responses of Director-General Michel Hansenne was the Active Partnership Policy, which set up 14 subregional multidisciplinary teams to more quickly reach ILO constituents. This involved reallocating roughly five per cent of budgetary resources, which had an impact on many ILO activities, including those related to employers' and workers' organizations.¹

Despite some calls for a new Marshall Plan, the post-Cold War transition took place without social or labour policy agreements. In many cases, it exhibited the abruptness of shock therapy, acting rapidly on market mechanisms. In countries undergoing major changes, concerns were mainly voiced by the traditional trade unions, which were trying to cope with their new roles and new markets open to direct foreign investment.

The ICFTU set up a Coordinating Committee for Central and Eastern Europe. It soon became evident that this group's attitudes to aspects of the market economy, including privatization and MNEs, differed significantly from those of the working party that had been dealing with MNEs since the 1970s. Attempts to reach a joint understanding met with limited success.

Capitalism and socialism were indeed converging, but not as expected. Instead of different sides meeting each other at the middle, the parties came together around a neo-liberal vision of the market economy. For a decade or two already, the markets had drifted away from the consensual principles that held sway during the days after the Second World War.

However, tripartite cooperation was advocated as a way to cope with change. Early on in this period, the Hungarians in particular recognized that labour relations called for reconciling conflicts of interest. The ILO multidisciplinary team

¹ M. Hansenne: *Un garde-fou pour la mondialisation: Le BIT dans l'après-guerre froide*. (Geneva, Zoé, 1999), pp. 47–48.

formed to assist Central and Eastern Europe with the transition was soon headquartered in Budapest. It was hoped that tripartism could facilitate the shift to effective representation of employers, workers, and labour authorities. At times, it seemed that belief in the value of tripartite mechanisms was stronger among countries in transition than among Western European nations. However, ILO models assumed that employers were independent and that trade unions had social backing and were tied to grassroots activism.

In the 1990s, the disappearance of ideological differences brought other members of the international trade union movement to the ICFTU and the WCL. They had already practically fused in Europe, and the road to global merger seemed open. Systems dominated by single unions were replaced by pluralistic structures. Hence, for the workers, facing market forces that were becoming more global and less inclined to consensus solutions, greater democracy did not necessarily spell greater unity.

The ICFTU hesitated for some years between restructuring “old” trade unions or creating “new” ones. In the end, the choice of strategy depended on national circumstances. Barring some exceptions, the surviving WFTU affiliates from the former socialist bloc drifted into the ICFTU. The Russian Workers retained Governing Body membership during the 1993 elections, but they were on the Deputy list. Transition led to serious problems paying workers’ wages, and one of the issues that eased the entry of the Russian trade unions into the ICFTU in 2000 was persistent failure to observe the Protection of Wages Convention, 1949 (No. 95).²

Transition was immediately followed by globalization which was a new concept. In a short time, it overtook others. The Workers’ group had been particularly circumspect in its views regarding MNEs, and it showed the same cautiousness with respect to the debate on core labour standards. Yet it was slower to respond to the labour market flexibility debate of the 1980s and the standards debate of the early 1990s. In both cases, trade unions were caught somewhat off guard, as often happens when established beliefs are shaken.

The standards dispute and the Workers’ group

After the systemic changes in Europe and around the globe, employers questioned the future of the ILO, but they were not ready to abandon it. Their criticisms focused on the ILO standard-setting system and the organization’s relevance to the concerns of their members as well as individual enterprises, among other points.

² ILO: *Fifth Supplementary Report: Report of the Committee set up to examine the representation alleging non-observance by the Russian Federation of the Protection of Wages Convention, 1949 (No. 95), made under article 24 of the ILO Constitution by Education International and the Education and Science Employees’ Union of Russia*. GB.270/15/5. See also ILO: *Official Bulletin* (1997, Vol. 80, Series A), pp. 108–109.

Scrutiny of ILO standard-setting was nothing new, but it had grown over the years. In addition, many governments were concerned because few countries ratified the growing number of standards. And those that did ratify them felt penalized, since they were liable to supervisory procedures that did not apply to non-ratifiers.

In fact, the number of new Conventions had started to fall since the 1970s, and agreeing on topics for new standards had become difficult. Employers felt the standards favoured workers too much. However, efforts to correct any bias by producing such instruments as the Job Creation in Small and Medium-Sized Enterprises Recommendation, 1998 (No. 189), showed that employment does not lend itself to the guidance of standards in the same way workers' protection does.

While the employers focused on the standard-setting system, a number of governments expressed increasing concerns about the mechanism for supervising their application. In an open international market economy, countries were more vulnerable than before to allegations they were violating workers' rights. They were mostly interested in how their application or violation of ILO standards would be treated in the new universal market economy.

The Employers' group wanted to suspend further standard-setting due to low ratification rates. In 1995, the Governing Body began a comprehensive review of standards policy, which in one form or another has continued ever since. The problem of topics for new standards was aggravated by the failure of the 1997 Conference to reach agreement on the somewhat vaguely defined issue of contract labour.³

The immediate problem of future standard-setting was resolved between the employers and workers. With Office assistance – but not its direct participation – a small group of leaders from both sides met in October of 2000, in Washington, DC. Recognizing the value of new and revised Conventions as well as Recommendations, they agreed that the adoption of future standards – by consensus if possible – would require careful preparations and a common understanding of the purpose of the instruments involved. Their accord was approved by both groups of the Governing Body.⁴

Resurgence of the child labour issue

Child labour was one of the original items on the workers' list, and the first minimum-age convention on industrial work was adopted in 1919. Though technical co-operation developed only three decades later, by 1924 the ILO had already sent an

³ ILO: Record of Proceedings (pp. 282–297) and Provisional Record No. 18 (Rev.), International Labour Conference, 85th Session, Geneva, 1997.

⁴ U. Edström: *International Labour Standards after the End of the Cold War* Study prepared for the ILO Century Project, 2015. The following people participated in the Washington meeting: Bill Brett, Ulf Edström, Ursula Engelen-Kefer, Gerald Zellhoefer, and Dan Cunliffe, on the Workers' side; and Rolf Thüsing, Ed Potter, Daniel Funes de Rioja, Thomas Moorhead, and Deborah France, on the Employers' side.



In 1998, the Conference started to discuss the Convention on the Worst Forms of Child Labour, adopted one year later. The Global March, a coalition of non-governmental organizations, including former child workers, with Workers' Group support, organized an international march from all continents which culminated at the opening session of the Conference. Director-General Hansenne speaks to the participants of the march.

expert to Shanghai to advise on child labour problems. (This activity in China soon ended due to a lack of funds.) Within the scope of standards, child labour had been addressed as a matter of minimum employment age and as a subset of forced labour. In the 1990s, the opening of markets was experienced in different ways: on the one hand, consumers were offered cheap products – some of which, especially carpets, were made by children – while on the other hand, workers resented unfair competition through child labour and lowered wages.

A concern of the Workers' group was that relying on the generally slow process of technical cooperation to resolve core labour standard issues might weaken the traditional process of standards application. However, it soon became clear that this offered new possibilities and enabled international, national, and local coalitions. In addition, it demonstrated that there was a need for new standard-setting to specifically address the least tolerable forms of child labour. The ILO received donor funding first from Germany, followed by other EU countries and the United States.

The Workers' group supported this renewed effort to combat child labour on the new global stage. It approached it in the same way workers had rallied behind the efforts against forced labour during the inter-war period. Trade unions also par-

ticipated in the steering committees of national child labour projects. Though they did not execute any projects, they were involved in their design and oversight.

A two-stage approach was followed. The first task was to tackle what was unacceptable, that is, any violations of fundamental standards. Then the focus was to gradually turn to finding more comprehensive solutions to the problems. The employers felt the public pressure and joined the workers. When the Worst Forms of Child Labour Convention 1999 (No. 182) was negotiated, the two groups agreed on virtually all of its provisions.⁵

Trade and labour standards

The Workers' group of the Governing Body defined its priorities in a statement issued for the 75th anniversary of the ILO. The document stressed the role of international labour standards and the need for both a World Charter of Workers' Rights and a social clause in trade agreements. The workers had long called for such a clause, which would condition market access upon compliance with fundamental labour standards. The statement was drafted by the ICFTU, the spokespersons of the Workers' group in various Governing Body Committees, and the General Secretaries of the International Trade Secretariats (now called "Global Union Federations").⁶

David Morse, Wilfred Jenks, and Francis Blanchard had considered linking trade to compliance with labour standards. The workers' preference in the ILO was to further bolster the standards supervisory mechanism by extending procedures for handling violations of freedom of association to forced labour and discrimination. They wanted to see some sort of joint action between the ILO and the new World Trade Organization (WTO), which replaced GATT in 1995. But both workers and employers agreed that the matter had to be dealt with by the ILO, which was the custodian of the standards.

To a great extent, globalization has been a debate about workers' rights. It is a reminder that in no way has the history of social justice ended with the Cold War. The uncertain transition to a global market economy could not be undertaken to the detriment of compliance with social and labour standards.

In his report to the 1994 Conference, Hansenne presented an analysis of standard-setting at a time of globalization.⁷ He also solicited discussion on the social

⁵ ILO: Report of the Child Labour Committee, Provisional Record No. 19, International Labour Conference, 87th Session, Geneva, 1999.

⁶ ILO: *ILO towards the 21st Century* document submitted to the Director-General of the ILO by the Workers' group of the Governing Body, Sep. 1993.

⁷ ILO: *Defending values, promoting change*, Report of the Director-General, International Labour Conference, 81st Session, Geneva, 1994. Three years later Hansenne presented another report on standards issues: ILO: *The ILO, standard setting and globalization*, Report of the Director-General, International Labour Conference, 85th Session, Geneva, 1997.

clause, given that it had raised acute concerns – especially in developing countries, which saw it as another trade hurdle.

This set the tone for the rest of Hansenne's term. After the 1994 Conference, the Governing Body set up a Working Group on the Social Dimensions of the Liberalization of International Trade. Once discussion on trade sanctions was banned there, it made its way through the UN World Summit on Social Development held in Copenhagen in March 1995 to the WTO Ministerial Conference in Singapore, in December 1996. The Copenhagen Summit drew many ILO participants, including Workers' and Employers' advisers belonging to national delegations. It determined that "fundamental workers' rights" were those associated with the ILO conventions on freedom of association and the right to collective bargaining, child and forced labour, and non-discrimination in employment and occupation.

The WTO Ministerial in Singapore confirmed this but asserted that the issue was the responsibility of the ILO and that others should support it. In 1998 the Conference adopted the Declaration on Fundamental Principles and Rights at Work and its Follow-up. Thus the "fundamental *workers'* rights" of Copenhagen had evolved into "fundamental principles and rights *at work*", which included employers' rights.

The Workers' group accepted the outcome as it had accepted the 1977 Declaration on Multinational Enterprises and Social Policy. Application of the instrument was voluntary, but there was a follow-up procedure. National and international trade unions could report on both ratified and non-ratified ILO Conventions, and they could participate in technical cooperation programmes which were launched in support of the 1998 Declaration. At the turn of the century, fundamental rights were the focus of over half of the ILO's assistance programmes, many of them tripartite or directly involving trade unions. Most concerned child labour, but a growing proportion addressed forced labour, due to increasing recognition of human trafficking and other dark sides of globalization.

10. Workers' education programmes

Here we shall pause our larger chronological narrative to consider one of the main services the ILO has provided to trade unions throughout its existence: workers' education.

The education of workers was an early priority both for individual trade unions and for the IFTU.¹ During the inter-war period, the ILO has participated in the initiatives of workers' organizations like the Nordic Summer School, which since 1931 has been sending groups of students to observe and study the International Labour Conference.²

The Office gradually began to organize specific pedagogical activities for each of the tripartite constituencies of the ILO. While the number of personnel involved in Workers' and Employers' relations in Geneva remained small, workers' education activities experienced remarkable growth, much of it concentrated in the regions. The Turin Centre also expanded over time.

Reconstruction efforts after the Second World War were supported through the provision of technical assistance, including vocational education and training. The Philadelphia Declaration emphasized the need for equal educational and employment opportunities. This also raised the question of trade union education.

The Workers' Education programme has its origins in the 1950 Resolution concerning the Extension of Compulsory Education and the Provision of Facilities for Adult Education. It was originally submitted by the French Workers' adviser Gaston Tessier. He was the first General Secretary of the French Christian Trade Union Confederation (CFTC), founded in 1919. Before the war, Tessier had participated in ILO Conferences as a Government adviser, and he was a prominent member of the French Resistance. After the war, representatives of French Christian trade unions were included on the list of Workers' advisers.

The 1950 Resolution called upon the ILO to "promote opportunities for workers to be educated in order to enable them to participate more effectively in

¹ W. Schevenels: *Forty-five years, 1901-1945; International Federation of Trade Unions, a historical precis* (Brussels, Board of Trustees, 1956), pp. 257–261.

² S.-A. Stahre: *Nordiska folkhögskolan i Genève 50 år: en samnordisk insats för ökade kunskaper och fördjupad insikt om det internationella samarbetets innebörd och betydelse* (Stockholm, Fören. Nordiska folkhögsk. i Genève, 1981), p. 25. The first course, held in 1931, met with the Workers' group and Albert Thomas. The course is held annually to this day.

various workers' movements and to fulfil more adequately their trade union and related functions". . Tessier himself said in the Plenary that he hardly recognized his draft but was in favour of the outcome.³

In 1955, David Morse presented his Conference report on labour-management relations in the light of technological changes and the new and more complex tasks faced by the labour force. He considered that workers' education was "obviously of benefit to the society as a whole, both because it increases the knowledge and skills of the workers and also because, by leading to an improvement in labour-management relations, it serves the cause of industrial peace."⁴

The first allocation for a Workers' Education Programme dates to 1956. Its purpose was to construct "a generalized store of knowledge and experience to be applied to individual specialized problems"⁵ through what were to be decentralized, made-to-measure activities. Among other items, it called for participation in, and support for, summer schools and other educational activities coordinated by national trade unions as well as the ICFTU, through its regional bodies.

Another resolution, adopted in 1962, led to the creation of the Office's Workers' Education Branch. During the 1974–1975 biennium, the Workers' Education programme was incorporated into the larger programme for the development of "social institutions", bringing its budget nearly up to USD 1.7 million.⁶

In 1986 the Conference called for "a new impetus" to ensure workers' access to education programmes. There was an urgent need to promote ratification of the Paid Educational Leave Convention, 1974 (No. 140), and the Human Resources Development Convention, 1975 (No. 142). The resolution adopted at the conference stipulated that freedom of association and trade union rights were to be respected in all education programmes. Workers' Education programme manuals were to be revised to reflect technological developments, their consequences on workers, and workers' changing roles in society.⁷

Once the ILO began extending technical assistance, workers' education activities fell within the scope of the general drive for adult education following the Second World War. The development of industrial relations necessitated workers' education. The growth of ILO membership also increased the need to educate trade unions and their members. Workers' education programmes were to serve the development of labour-management relations, tending to benefit the ICFTU.

³ ILO: Record of Proceedings, International Labour Conference, 33rd Session, Geneva, 1950, p. 365.

⁴ ILO: Report of the Director-General, International Labour Conference, 38th Session, Geneva, 1955, p. 119.

⁵ ILO: Programme and Budget, 1958, section 16.01.

⁶ ILO: Programme and Budget, 1974.

⁷ ILO: Provisional Record, International Labour Conference, 72nd Session, Geneva, 1986.

Towards the end of the century the situation changed for several reasons. National workers' education institutions suffered from tighter government budgets and austerity, and many of them were severely constrained or disappeared. The end of the Cold War brought new challenges, which were above all global. The role of workers in coping with globalization through various form of social dialogue became one of the main focuses for the ILO's Workers' Education Programme, which increasingly has been carried out by the Turin Centre.

Merger

Workers' relations (RELTRAV) and workers' education (EDUC) were, until 1994, the focuses of different Office departments. Coordination between them was limited. Education programmes were decentralized – as had been intended from the beginning – and, as a result, they had closer relations with national trade unions than with the small Workers' Relations unit. The latter mainly supported Workers' group participation in the Conference and the Governing Body. In the early 1990s, regional activities were further bolstered by Michel Hansenne's decision to assign Workers' and Employers' Specialists to each of the new multidisciplinary teams. By that time, the Cold War confrontation had come to an end.

RELTRAV and EDUC merged to form the ACTRAV we know today. This simplified decision-making and furthered comprehensive support for the Workers' group. The work of ex-RELTRAV officials could now extend beyond assistance for tripartite meeting attendees and include participation in research and seminars. Ex-EDUC staff became more closely involved with trade union conferences and increased their interaction with the leaders of these conferences.⁸ At the time of the 1994 merger, permanent staff consisted of 42 professionals and 18 technical officers.⁹ This was the team backing the Workers' group in its efforts at the eve of the next century.

⁸ Comments by Giuseppe Querenghi, former Director of ACTRAV, to the author on 20 Feb. 2019. Comments by John Svenningsen, former Director of ACTRAV, to the author on 26 Mar. 2019.

⁹ ILO: Programme and Budget, 1995–1996, paragraphs 230–235.



Bill Brett, Chairperson of the Workers' Group for most of the time of the trade and labour standards debate, together with Director-General Juan Somavia. Brett was one of those who persuaded Somavia to become a candidate to head the ILO. Having become Lord Brett, he chaired the Governing Body in 2002 – 2003. *91st International Labour Conference, Geneva, 3 June 2003.*

11. The twenty-first century

Juan Somavia from Chile took the ILO into the twenty-first century. Somavia carried with him the legacy of the Copenhagen Social Summit, and he had been a guest speaker at the ICFTU Congress in Brussels in 1996. Guy Ryder, then Director of ACTRAV, was persuaded by Somavia and the Chairperson of the Workers' group, Bill Brett, to head the Director-General's Office.

For his first Conference, in 1999, Somavia and his transition team prepared a report entitled *Decent Work*.¹ The concept it presented combined the strategic objectives of rights at work, employment, social protection, and social dialogue, and it also helped restructure the Office around four sectors. The Workers' group generally welcomed the reform, insisting that international labour standards be explicitly mentioned together with fundamental principles and rights at work.

There was less enthusiasm about the relocation of ACTRAV and ACT/EMP to the Social Dialogue sector, rather than having these divisions report directly to the Director-General without intermediate layers of management. The feeling that Somavia was more attuned to "civil society" and the world of NGOs rather than the ILO's social partners never quite wore off.

Yet the Decent Work approach had much promise. It was followed up by strategies for "working out of poverty" and the introduction of national Decent Work Country Programmes in the field. These ideas made their way to the agenda of the UN General Assembly and were incorporated into national policies. They were also associated with goals for managing globalization, leading to a World Commission on the Social Dimension of Globalization that presented its recommendations in 2004.

One of the co-chairs of this tripartite high-level commission, Tarja Halonen, a former trade union lawyer and President of Finland. (Halonen appears to have broken a record: she addressed three different ILC sessions as a serving head of state.) Her co-chair was President Benjamin Mkapa of Tanzania. The commission was an attempt at tripartite international dialogue. What it produced was perhaps less a programme than a textbook on the effects of globalization on various labour issues, from workers' rights and employment to coping with disabilities.²

¹ ILO: *Decent Work* Report of the Director-General, International Labour Conference, 87th Session, Geneva, 1999.

² ILO: *A Fair Globalization: Creating Opportunities for All* (Geneva, ILO, 2002).

New standards produced were the Worst Form of Child Labour Convention, 1999 (No. 182); the Maternity Protection Convention, 2000 (No. 183); the HIV and AIDS Recommendation, 2010 (No. 200); the consolidated Maritime Labour Convention in 2006; and the Domestic Workers Convention, 2011 (No. 189).

These developments at the ILO have prompted two events marked by trade union actions: World Day against Child Labour, celebrated on 12 June (anniversary of Convention No. 182), and Decent Work Day, observed by ICFTU affiliates on or around 7 October.

When a new and comprehensive Declaration was adopted at the 2008 Conference, the consensus between employers and workers became somewhat strained only at the final stage. The Declaration recapitulated the strategic orientations of the ILO, but employers did not want its title to be associated with the notion of Decent Work. The spokesperson of the Workers' group, Ebrahim Patel of South Africa, realized that the only way to do better than "Decent Work" was to choose a title indicative of both the historical and the present priorities of the ILO. The parties settled on *Declaration on Social Justice for a Fair Globalization*.³

Violations of fundamental labour rights

Politically, the 1980s had been dominated by Poland and the 1990s by transition and the trade and labour standards debate. There were some prominent cases of labour standard violations at the beginning of the current century. One was the long-standing issue of forced labour in Myanmar, then known as Burma. Ruled by the military alone, Myanmar had no trade unions, and complaints against it were lodged by the Workers' group. After a Commission of Inquiry published its report in 1998, the Burma case produced some "firsts" at the Conference and on the ground.

As the government showed few signs of cooperation, the Chairpersons of the Workers' and Employers' groups, Bill Brett and Rolf Thüsing, used an emergency resolution procedure which had *de facto* replaced the Resolutions Committee. In 1999, Myanmar was denied all technical assistance not for the express purpose of abolishing forced labour.⁴ In 2000, after little had happened in response, the ILC resorted – for the first time ever – to Article 33 of the ILO's Constitution, which permits it to take special measures for implementing the recommendations of a COI.⁵

³ ILO: Declaration on Social Justice for a Fair Globalization, adopted by the International Labour Conference at its 97th Session, Geneva, 10 Jun. 2008.

⁴ ILO: Resolution on the widespread use of forced labour in Myanmar, International Labour Conference, Eighty-seventh Session, Geneva, Jun. 1999.

⁵ ILO: Resolution concerning the measures recommended by the Governing Body under Article 33 of the ILO Constitution on the subject of Myanmar. International Labour Conference, Eighty-eight Session, Geneva, Jun. 2000.



Rabiataou Sérah Diallo, Vice-President of the International Labour Conference in 2008, on the podium together with Director-General Juan Somavia.

Under sustained pressure, the Myanmar government accepted the presence of an ILO Liaison Officer in Yangon. In 2007, an agreement was signed for a complaints system, run by the ILO, for forced labour cases. With political change, the ILO not only advised the government on legislation for freedom of association and against forced labour, but also assisted with the return of exiled trade union leaders.

The combination of representation on the ground for advice and assistance with regular tripartite discussions at the ILC and Governing Body sessions has been applied to other countries, including Colombia, Guatemala, Fiji, Uzbekistan, and Qatar. In Colombia, one issue was physical protection of trade union leaders. In Qatar, an ILO office was set up in 2018 to help defend the basic rights of a large, unorganized migrant population.

ILO support has been of crucial value to many trade union leaders and activists. In addition to its formal procedures, the organization has increasingly intervened, at the request of international trade unions, when trade unionists were harassed or detained. This role is a natural outgrowth of the ILO's lengthy experience defending embattled workers' leaders.

Over the last hundred years, the Workers' group has often sounded the alert when its members have gone missing or been detained or harassed. In 1933, the Workers' group was motivated by the fate of the German trade union leader Wilhelm Leuschner, who had been appointed to the Governing Body just before the



In February 2005, the last king of Nepal cancelled the Constitution and prohibited trade union activity. The ICFTU's Asia-Pacific Regional Organization was meeting at the time in Kathmandu. The ILO helped the delegates to leave the country and assisted the General Secretary of the Trade Union Congress, Laxman Basnet, in avoiding detention and being able to travel to Geneva to attend the Governing Body. The picture shows Basnet on the left, the then Director of the ILO Office Leyla Tegmo-Reddy, and Guy Ryder, at the time General Secretary of the ICFTU, remembering the events together in Kathmandu in 2016.

Nazi regime closed down the existing trade union organizations. Two detained trade union leaders for whom the ILO intervened in later years were Lech Walesa of Poland and Frederic Chiluba of Zambia. Both became presidents of their countries.

Two cases during Somavia's time illustrate this approach. In Guinea, the prominent trade union leader Rabiattou Diallo was under threat during a political upheaval, and interventions were carried out through various channels on her behalf. In Nepal, when the last king suspended the Constitution in 2005, the ILO took concrete measures to protect Laxman Basnet of the Nepal Trade Union Congress and help him leave the country to attend the Governing Body session.

Another economic crisis

The 2008 economic and financial crisis had a profound economic, social, political, and psychological impact. Early 2009 saw reactions from members of the national employers' organizations. The ILO changed its agenda after consultations during the European Regional Meeting held in Lisbon in March 2009. The ILC set up a

Committee of the Whole, which drafted a Global Jobs Pact.⁶ This provides another example of why Directors from Albert Thomas onwards have sought to extend the ILO agenda to general economic and social questions. Edward Phelan argued strongly for the ILO's role in reconstruction. David Morse, Wilfred Jenks, and Francis Blanchard wrestled with issues of decolonization, employment, and structural adjustment. These problems all had a decisive impact on labour, yet labour market measures alone could not solve them.

Michel Hansenne and Juan Somavia positioned the organization to deal with globalization, demonstrating why it needed to have a social dimension. To further social justice, social and political cohesion had to be linked, and this vision has characterized the ILO throughout its history. The Global Jobs Pact was recognized by other international institutions and helped integrate the ILO into the G20 meetings.⁷ Since 2007, German Chancellor Angela Merkel regularly convened the Directors-General of the OECD, IMF, WB, WTO, and ILO for discussions on the world economy.

Trade unions have played a role in winning recognition of the need to consider economic and social issues together. At an early summit in 1977 London bringing together heads of state and government from the US, UK, France, Germany, Japan, Italy, and Canada, the host government invited trade unions to present their views before the summit got under way. This led to annual "Labour Summits" before meetings of the G7, and later G8 (including Russia).

Encouraged by the recommendations of trade unions and employers, involvement of the ILO itself in summits has grown. Labour ministers have held their own meetings, where there have been interactions with the ILO, trade unions, and employers. These are not, however, examples of tripartism, but rather of consultation, a related approach.

The Global Jobs Pact of 2009 provided a summary of economic and labour policy measures needed for recovery. Though helpful for the G20, it could not serve as a blueprint. Negotiations involving employers and workers took place in many countries, but advancing an overarching ILO model was not feasible. Beyond the Decent Work Country Programmes, there has not been a forum for a concerted ILO assistance effort. The cross-roads between international and national tripartism are delicate. International assistance should not interfere with the functioning of national mechanisms. It is often best to assist the different constituents while recommending extensive tripartite cooperation and social dialogue in their home countries.

⁶ ILO: The Global Jobs Crisis and Beyond. The ILO World of Work Report, IILS, 2009.

⁷ The G20 was set up in 1999 as a forum for governments and central bank governors. Its membership consists of Argentina, Australia, Brazil, Canada, China, France, Germany, India, Indonesia, Italy, Japan, Mexico, Russia, Saudi Arabia, South Africa, South Korea, the UK, and the US. The EU, UN, World Bank, IMF, OECD, WTO, and the ILO are also participants.



Cutting the ribbon for the celebrations of the ILO Centenary on 22 January 2019. From left to right: Ambassador Claudio Julio de la Puente Ribeyro, Chairperson of the ILO Governing Body, Antonio Hodggers, President of the Geneva State Council, Mthunzi Mdwaba Employers' chairperson, Guy Ryder and Catelene Passchier, Workers' Chairperson.

The notion of Decent Work has left its mark in the aftermath of the market fundamentalism characterizing the last decades of the 20th century.⁸ It has provided a principled framework that includes fundamental principles and rights at work and international labour standards. When Somavia took over as Director-General of the ILO, the market economy was universal in its reach, but the supremacy of technological processes and the global markets were facing increasing scrutiny. These intellectual challenges were matched by anti-globalization protests on the streets: in 1999, demonstrations almost shut down the WTO Ministerial Conference in Seattle.

Somavia's successor, Guy Ryder, had left the ILO to head the ICFTU, which merged with the WCL in 2006 to form the ITUC. In 2010, Ryder returned to become Deputy Director-General. Two years later, he was elected Director-General from a list of nine candidates. Some countries had forgotten that, in the ILO, candidates can be slated by the Workers' and Employers' groups as well – and not just by Government representatives.

⁸ S. Hughes and N. Haworth: *The International Labour Organization (ILO): Coming in from the cold* (London, Routledge Global Institutions, 2011), p. 93.

Since becoming Director-General in 2012, Ryder has striven to keep the ILO agenda within the multilateral framework and relevant to the challenges of the future. If it would be said that he has pursued a workers' agenda, we must recall that such is indeed the agenda of the ILO, which is concerned with labour standards, jobs, social security, and social peace through negotiation and dialogue. It may not be a business agenda, but it is also the agenda for employers in dealing with industrial relations and rights at work.

Ryder convened a high-level tripartite group to advise on how to address the future of work. The group published its report in January 2019, stressing the concept of a universal Labour Guarantee.⁹ This may be understood as another necessary update of the 1919 "Labour Charter". It illustrates the agenda-setting function of the ILO. Though it is only a coincidence, the co-chairs of the Commission on the Future of Work – President Cyril Ramaphosa of South Africa and Prime Minister Stefan Löfven of Sweden – have both been leaders of their countries' metal and mineworkers' trade unions.

⁹ ILO: *Work for a brighter future* Global Commission of the Future of Work (Geneva, ILO, 2019).

12. The next hundred years

The Introduction of this book quoted Walter Schevenels and Jan Oudegeest, two Workers' group pioneers. The essence of their messages was that, with all its imperfections, the ILO was necessary – and even “revolutionary”. Others might consider that the ILO has sometimes gone too far and excessively favoured workers, but in terms of maintaining a liberal market economy, the organization has delivered. Its approach is perfectly aligned with the dynamics of a labour market which seeks optimal solutions through the participation of all players. The ILO was founded on the belief that participative labour policies are needed to maintain social peace, and peace in general.

From time to time, the ILO has had to refocus on the basics: guaranteeing a functional tripartite system. Explaining why it was necessary to convene an ILC under the difficult circumstances of 1941, Edward Phelan noted that the ILO was a “living organization”, and that “if its Members lost the habit of using it, atrophy, paralysis and death would be the inevitable stages of its decline and final disappearance”.¹ The subsequent Special Conference made the case for tripartite cooperation in reconstruction, and this was picked up again in Philadelphia in 1944.

ILO “non-use”, and the danger it poses, is a consequence of deteriorating relations between partners. Rapid changes in management can erode dialogue. The lack of response can lead workers to lose faith in negotiations.

Continued relevance of tripartite decision-making

Throughout its history, the ILO has taken no important decisions without the accord of the Workers' group. Yet all major steps have at one point or another required agreement between the Employers' and Workers' groups. Governments have frequently questioned whether the social partners have had too much sway over the ILO, but agreement between employers and workers also serves governments. The latest right-to-strike debate has shown how difficult it can be for government representatives to take a stand in one direction or another. Whatever position they take may provoke strong criticism at home from one side or another.

¹ ILO: *Edward Phelan and the ILO: The life and views of an international social actor* (Geneva, ILO, 2009), p. 283.

For solving labour issues, the Employers' and Workers' groups are partners and a valuable resource. The fragile but vital relationship between bipartite and tripartite cooperation benefits governments, too, but they are not merely spectators at a tennis match.²

Cooperation with civil society groups beyond the “established” trade unions and employers will persist. This is not a new issue, and accommodations have always been made. The history of women in the ILO has involved feminist and other activist organizations. Child and forced labour and trafficking have been tackled in cooperation with other non-governmental parties. The same holds in matters concerning cooperatives, indigenous and tribal peoples, and the rights of domestic workers. But it is hard to imagine parties other than the social partners assuming collective bargaining roles with a mandate from their constituents.

This is the unique feature of tripartism. Non-governmental players are accorded the authority to reach collective agreements ranging from joint recommendations to legally binding obligations. Hence tripartite decision-making, in all its forms, is more than consultation. If new parties are tasked with bargaining on behalf of workers, they must become trade unions.

International labour standards

The current discussion on international labour standards is the latest chapter of an ongoing debate that began at the foundation of the ILO. With all their flaws, the corpus of standards developed through tripartite negotiations is the basis of most labour legislation and practices around the world. Whether an instrument like the Freedom of Association Convention No. 87 defines explicit legal obligations or not is in practice always assessed by reference to the applicable legislation. The 1919 Constitution promoted the freedom of association “for all lawful purposes”. Those who consider this too restrictive can seek comfort in the conclusions of the Committee on Freedom of Association, which state that, while trade unions must respect the law of the land, the law of the land must respect the principles of freedom of association.

If we are concerned about divergence in the application of standards, we must recognize that this is not an abstract process: standards must be translated into local practice. Employers and workers apply them in an endless number of different circumstances. Should we be concerned about the “privatization” of standards? Not if

² The Industrialized Market Economy Countries (IMECs) complained that governments felt deprived of a role, having become “spectators of a tennis match between social partners”. *Standard Setting in the ILO – an IMEC Point of View* document presented to the Governing Body in Nov. 1993.

ILO standards continue to be the public goods they are designed to be.³ Reactions to the 1998 Declaration showed that the entire global system was served by reaffirming what fundamental rights at work mean.

How to “use” the system

Labour policies are not supposed to be knock-out solutions. Rather, they consist of a string of agreements, often temporary, to move past deadlocks on even fundamental issues. During the negotiations for the 1998 Declaration, there were many informal consultations between employers, workers, and the governments. At a certain stage, before general consensus can be achieved, the Workers’ and Employers’ groups must reach a mutual understanding. This is why each Conference Committee has its groups and why arrangements have to be made for separate *and* joint meetings.

In 2012, for a multitude of reasons, the Committee on the Application of Standards got bogged down over the question of whether the Constitution or Convention No. 87 provided for the right to strike. Consultations were unfruitful until the Chairpersons of the Workers’ and Employers’ groups, Luc Cortebeek and Jörgen Rønne, outlined an approach both groups could accept.

Morse and Jenks tried to reconcile universality and tripartism in the world of competing nation states. But today such reconciliation is needed not just between but within countries. The threat of a world where islands of prosperity rise above a sea of poverty looms. The World Employment Programme helped gain a perspective on the informal economy, but the gap between the more sophisticated economic sectors and the reality of millions of workers has widened. The aim of universality is not a geopolitical question. It is an issue of reaching those excluded from social justice and Decent Work, especially in the informal economy.⁴

The challenge of the Workers’ group is to reconcile universality and tripartism in this new context. A close eye has to be kept on evolving, and often elusive, forms of employment and globalized management. But it is imperative to recognize that a huge number of “old” problems remain: there is still precarious, dangerous, and unprotected work, both outside and within large sections of the industrialized economy, which in turn increasingly relies on this disadvantaged underclass to function. The more there is insecurity, disillusionment, and resentment against anything suggestive of a globalized establishment, the more social and political turbulence there will be. In his Nobel lecture in 1969, David Morse quoted Frédéric

³ International labour standards “can be regarded as *international public goods* that can be consumed free of charge by anybody and do no harm to anybody”. See W. Sengenberger: “The Role of International Labour Standards for Governing”, in: P. Auer, G. Bene, and D. Méda (eds): *Offshoring and the Internationalization of Employment: A challenge for a fair globalization?* (Geneva, ILO-IILS, 2008).

⁴ ILO: *Work for a brighter future* 2019, p. 14.

Passy, who warned that there still were “dangerous explosives in the hidden depths of the community – the national and the world community”.⁵ In his lecture, Morse stated that the next half century would be dedicated to removing these explosives. But we still need more time.

Sustainable Development Goals

For the ILO, the emphasis on the Sustainable Development Goals (SDGs) is warranted, especially as the ILO is the custodian of Decent Work. The educational activities of ACTRAV have boldly addressed the need to help trade unions play a role in achieving SDGs. As globalization continues, training programmes that link regular trade union activities to SDGs or transnational social dialogue are of special importance. If the ILO does not lead by example, few others will follow suit.

Catelene Passchier, the current Chairperson of the Workers' group, stresses that finding an alternative way to manage globalization remains a major problem.⁶ The social dimension should again be a focus, and the employers' interest in addressing it explained in more concrete terms. The obstacles range from misunderstanding to misplaced expectations. At times, trans-border social dialogue has raised the fear of “multinational collective bargaining”, which was, in practice, already settled in the 1970s. Yet suspicion remains – and when no apparent results are forthcoming, the trade union constituency becomes more radical and less inclined to negotiate.

Unwillingness or incapacity to negotiate in turn weakens organized labour and feeds frustrations. This has serious political consequences. In its policy statement, the Workers' group elected in 2014 indicated that the role of social dialogue in finding solutions for recovery from the crisis, and for economic and social issues more broadly, has been undermined.⁷

The topic of global social dialogue is likely to dominate the decades ahead just as the eight-hour week, child labour, and other elements of the Leeds and Berne programmes dominated the last Century. Such dialogue calls for new channels of negotiation and for changes in attitude and the development of new skills on the part of all concerned. But the ILO offers an existing route to meeting these challenges, already successfully used for reconstruction in the late 1940s and the establishment of a basic framework of standards for globalization: there is no need to need to reinvent the wheel.

⁵ D.A. Morse: “ILO and the Social Infrastructure of Peace”, Nobel Lecture, Oslo, 11 Dec. 1969. Frédéric Passy was a French pacifist who, together with Red Cross founder Henri Dunant, received the first Nobel Peace Prize in 1901.

⁶ During a Mar. 2019 interview for this publication held in Geneva.

⁷ ILO: *ILO Workers' group priorities (2014 – 2017)* (Geneva, ILO, 2015).

13. The trajectory of the Workers' group

The Workers' group entered the twenty-first century without any profound political and organizational divisions hampering its work. It would seem to be in a better position than at any other time in its history. A review of the last hundred years offers the following picture of the cross-currents it has overcome.

On one end of the spectrum there have been walkouts and non-participation on the part of the AFL-CIO – under various figures, from Samuel Gompers to George Meany – exhibiting uncompromising independence.

On the other end, for most of the century, there was the equally intransigent Soviet position. Its representatives believed that labour issues should be exclusively settled by trade unions, thus rejecting a central element of tripartism: a liberal market economy with private employers. The toppling of the Soviet system brought down with it seven decades of established paradigms within the Workers' group and the ILO as a whole.

The majority has been strongly marked by a mainstream of trade unions from industrialized countries with social democratic and liberal leanings. Navigating between the US and Soviet extremes, these unions struck deals with political players, but also had to account for the adherence of some of their more radical members to one or the other extreme. Geopolitical manoeuvring led to the failure of attempted cohabitation in the late 1930s and the short-lived unity of the WFTU.

Christian trade unions remained outside the majority group, but due to their position in some countries, they were represented in the Workers' group since 1919. Though the Second World War and the Resistance brought them closer to the socialist mainstream, a merger only became possible under new circumstances in 2006. By that time, most former WFTU members had joined ICFTU ranks.

In Japan and British India, the ILO helped consolidate trade unions. Most of the developing world has witnessed the full range of trade union stances, from deep-seated anti-communism to appeals for radical revolution. A mainstream body of trade unions created under colonial rule was supported by the international trade union movement during the independence process. The fact that before independence, a number of countries sent tripartite delegations to the International Labour Conferences, also had a significant role for trade union

contacts and development. Some parties also benefited from rivalry between different currents of international trade unionism, especially when development aid for trade unions became available.

Later conflicts between trade unions and governments were no longer marked by the divisions of the Cold War days. In the 1990s, both Indonesia and South Korea faced a situation suggestive of Poland in the 1980s, where a dominant trade union enjoyed close relations with an authoritarian government while the leader of the other trade union sat in jail. This changed with the onset of the Asian financial crisis: assistance from international financial institutions offered an incentive for observing core labour standards.

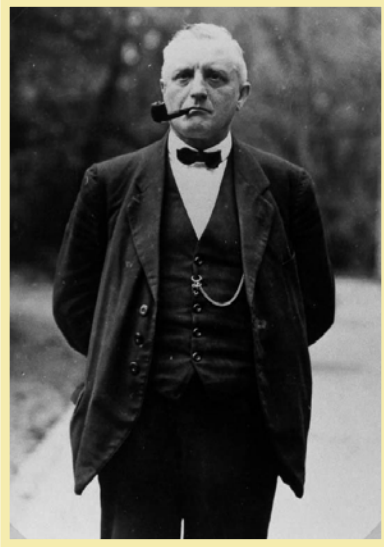
Events in Spain provide a good illustration of the remarkable support the Workers' group has extended to members subject to harassment and repression, and of the success with which some unions have weathered deep and dramatic upheavals. The question of political pressure against Spanish trade unions had already been raised within the Governing Body in 1919. After four decades of exile, the UGT returned to Spain (and STV to the Basque country). Founded in 1888, the UGT thus survived civil war and years of suppression.

In Italy, Germany, Austria, and Portugal, unions facing pressure from dictatorships did not survive, but with reconstruction, the workers returned to traditional models. Though Russian and Central and Eastern European trade unions were not set up by communist governments, they were brought under their control. After the Cold War, old practices re-emerged but newcomers brought in much-needed enthusiasm.

In any transition, the historical roots of each trade union are worth studying. And when organizations are erected through the struggle of the workers themselves, these roots run deep. This does not only apply to socialist, social democratic, and Christian trade unions. Apolitical, salaried employee and managerial staff trade unions are also well-rooted and continue to build on their histories. In many countries, they have joined other organizations – though, by way of illustration, Bill Brett was General Secretary of the Institution of Professionals, Managers and Specialists, a union affiliated with the TUC.

Leaders of the group

The early years of the ILO and tripartism depended greatly on personalities. Léon Jouhaux was at every meeting until the Second World War and later, after a period of incarceration in Germany, up to 1952. Jan Oudegeest from the Netherlands ran the IFTU and was the first Secretary of the Workers' group. Cornelius Mertens from the Belgian trade unions chaired the Workers' group between the two wars. After Oudegeest, Walter Schevenels became Secretary of the Group. He attended each of the sessions of the Conference and the Governing Body, including the war-time Emergency Committee of the Governing Body.



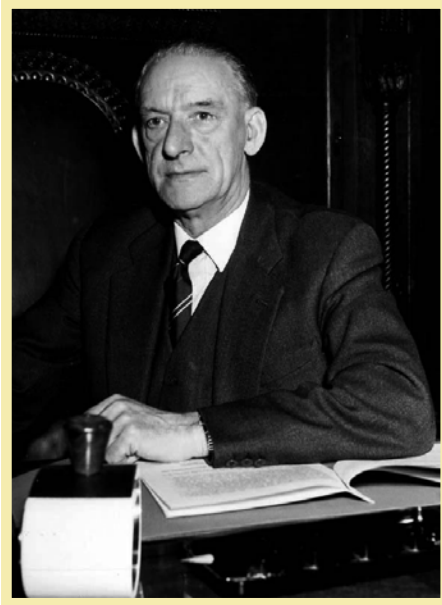
Jan Oudegeest of the Dutch Federation of Trade Unions chaired the International Federation of Trade Unions in the first years of the ILO. He was a Workers' Member of the Governing Body and also Secretary of the Group.

The British TUC traditionally selected its representatives from among the members of its General Council on a rotating basis. The Nordic trade unions also opted for rotation, which Albert Thomas already in 1921 recommended to the Nordic countries on the Governing Body.

Samuel Gompers of the AFL and Léon Jouhaux of CGT were the trade union representatives on the Labour Commission of the Paris peace negotiations. Gompers participated in the Washington Conference, but by the time the United States joined the ILO, he had already left. For Gompers, international labour law was not the priority. The AFL was more interested in negotiations with employers. Gompers sought a “charter” reflecting workers’ aims.

Just as one cannot imagine the ILO without Albert Thomas, it is difficult to conceive of the Workers’ group without Léon Jouhaux. He had become General Secretary of the French CGT in 1909. Days before the First World War, Jouhaux and his German counterpart, Carl Legien, attempted to see whether joint action by trade unions could halt the rush to armed conflict. When this failed, Jouhaux championed the *union sacrée* in support of the French war effort. The German trade unions agreed to the analogous *Burgfrieden* in their country.¹ At the time, Legien was still President of the IFTU.

¹ Jouhaux pledged French workers’ support for the war effort on 4 Aug. 1914, in his speech at the funeral of Jean Jaurès. See G. da Silva: *Léon Jouhaux: Une vie de combat pour le syndicalisme libre et indépendant* (Paris, L’Harmattan, 2014), pp. 87–90. On 2 Aug. 1914 the German trade unions decided to suspend calls for wage increases or strikes on the understanding they would be able to function unhindered. See S. Miller: *Burgfrieden und Klassenkampf* (Düsseldorf, Droste Verlag, 1974), pp. 48–51.



Alfred Roberts of the Trade Union Council (TUC, United Kingdom) chaired the Workers' Group during the difficult period of division of the international trade union movement after the Second World War.

In the 1930s, Jouhaux, together with Schevenels and Walter Citrine of the TUC, made several attempts to further peace, travelling to Czechoslovakia, Spain, and Poland. Jouhaux also met with Roosevelt in Washington, DC, and Stalin in Moscow, the latter in a failed effort to get Soviet trade unions to join the IFTU. At a time when governments were losing faith, trade unions were still trying to prevent war.

Jouhaux was again the ranking Worker representative when the Constitution was under review for the 1946 Conference in Montreal. In San Francisco, in 1948, he chaired the Workers' group and was rapporteur of the commission that adopted the Freedom of Association and Protection of the Right to Organise Convention (No. 87). Jouhaux was awarded the Nobel Peace Prize in 1951 in no small part due to his work in the ILO. By that time, his CGT had fractured. As leader of the FO, which splintered from the communist-led CGT, Jouhaux suffered the ignominy of having his credentials (unsuccessfully) challenged at the 1951 and 1952 ILCs by his former colleagues. Later, French trade unions adopted rotating occupation of the Delegate's seat. The CGT, represented by Bernard Thibault, returned to the Workers' group of the Governing Body in 2014.

The TUC chose representatives from among the leaders of its affiliated unions – occasionally even smaller ones, since their General Secretaries seemed to have the time needed to address ILO matters. Before and during the war, the Group was chaired by Joseph Hallsworth of the Union of Distributive and Allied Workers. From 1949 to 1960, the group was shepherded by Sir Alfred Roberts, General Secretary of the Amalgamated Society of Card, Blowing and Ring Room Operatives.



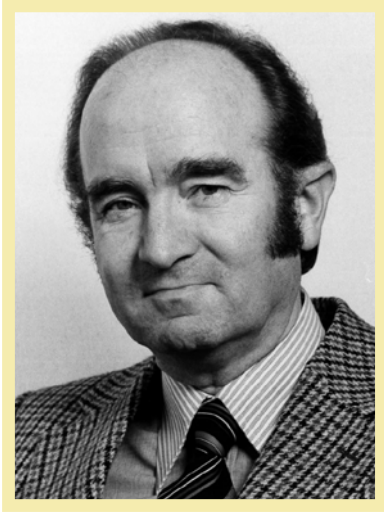
Joe Morris, Chairperson of the Workers' Group 1971 – 1977 and first Worker Chairperson of the ILO Governing Body.

Contemporaries described him as sharp and rough-hewed, yet kind. Later TUC leaders were John Morton and Bill Brett. Morton was General Secretary of the Musicians' Union and had an impeccable ear for the nuances of debate, especially within the Resolutions Committee.²

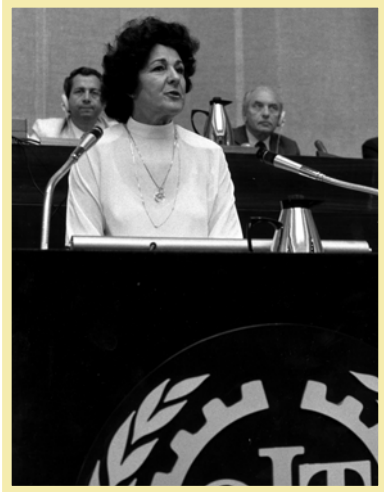
Due to their prominence in certain countries – especially Belgium, the Netherlands, and Switzerland – there were Christian trade unionists in the Workers' delegations as early as the first Conference. When the Dutch government in 1921 appointed a Christian Workers' Delegate – Jos Serrarens – the matter was referred to the Credentials Committee, and then to the Permanent Court of International Justice. The Court concluded that, while governments were obliged to consult all representative organizations, they need not select delegates from trade unions with the largest memberships. Pluralism was achieved through the appointments of Workers' advisers.

Serrarens took a seat as Deputy on the Governing Body in 1934. The Christian trade unions he represented were particularly involved in the CAS since it was set up in 1927. The Workers' Vice-Chairperson of the committee at its first session in 1927 was Margaret Bondfield of the TUC (a veteran adviser from the Washington Conference), but this position was later mainly occupied by Christian trade union leaders. Jean Möri began chairing the Workers' group in 1961, bearing testimony to the strong influence Swiss trade unions had on the IFTU and the ILO during its early years.

² In his farewell speech to the Governing Body Workers' group in 1991, John Morton – whom I replaced in the Resolutions Committee – said I was “a sanitized wheeler-dealer and thoroughly devious.” I have always taken this as a great compliment.



Gerd Muhr chaired the Workers' Group for 11 years, and after that also the Governing Body.



Shirley Carr, first woman to chair the Workers' Group, speaking at the Conference. Director-General Francis Blanchard sits on the podium, 71st Session of the International Labour Conference, Geneva, June 1985.

Sir Alfred Roberts and Möri had to manage two decades of expansion, change, and internal strife, and under their guidance, the Workers' group applied a principled but pragmatic policy. Referring to the rights of harassed and detained trade unionists, Möri affirmed that the smallest gain was worth the struggle: "To those who give up hope and reach the conclusion that it would be better for the I.L.O. to give up this attempt at the inter- national control of trade union law, we would reply that for the victims of government arbitrary action the least improvement is better than desertion through despair."³

³ ILO: Record of Proceedings, International Labour Conference, 46th Session, Geneva, 1962, pp. 400–402.

On the 50th anniversary of the ILO in 1969, Jean Möri was elected ILC President. In supporting his nomination, the Employers expressed that they too intended to have one of their representatives occupy the highest office of the Conference in the future. This practice was adopted: Pierre Waline from the Employers' group, Charles Gray from the Workers' group, and Jean-Jacques Oechslin and Daniel Funes de Rioja from the Employers' group would later preside in turn.

Joe Morris was President of the Canadian Labour Congress from 1962 to 1977. For most of this period, he was Member and then Chairperson of the Workers' group. In recognition of his service, he was elected to preside over the Governing Body. Morris was also the trade union member on the high-level commission chaired by Willy Brandt that, in 1981, produced the report *North-South: A Programme for Survival*. This was one of the first authoritative reports from "eminent persons" offering solutions to worldwide issues.

Morris was succeeded by Gerd Muhr, who had followed a traditional trade union leader's path from union representative in a metallurgical plant to the German Metalworkers' Union, and from there to the Executive Board of the German Trade Union Confederation (DGB). For two decades, he was Vice-President in charge of social policy. On many occasions, Muhr defended the idea that the market economy and the welfare state could be reconciled and that economic and social policy should jointly extend past national borders. He became Member of the Governing Body in 1970 and Chairperson of the Workers' group ten years later.

In 1991, Shirley Carr concluded her long career in the Canadian and international trade unions by becoming the first woman to chair the Workers' group of the Governing Body. She was deeply committed to working against discrimination, support from trade unions to end *apartheid* in South Africa started bearing fruit during her time in office.

TUC representative Bill Brett chaired the Workers' group during the period of debate on trade and labour standards. When negotiations were under way for the 1998 Declaration on Fundamental Principles and Rights at Work, while Guy Ryder was serving as his Secretary, Brett led the Workers' group to walk out of the Conference Committee, driving the Chairperson of the Committee to make a final compromise proposal. The move was planned in cooperation with the employers, chaired by Ed Potter of the United States, and the Declaration was adopted. Brett (since 1999: Lord Brett) was elected to chair the Governing Body in 2003.

Leroy (later Sir Roy) Trotman of Barbados became the first Chairperson of the Workers' group from a developing country. He succeeded Frank Walcott in the Caribbean Labour Congress, who, during the colonial period, had previously attended ILO Conferences as both a TUC Workers' adviser and a Workers' delegate with the Barbados observer delegation. One of Sir Roy's achievements was the Worst Forms of Child Labour Convention, 1999 (No. 182). Throughout the negotiations for the convention, he preserved the consensus reached with the Employers, chaired by Bokkie Botha from South Africa.



Leroy Trotman chaired the Workers' Group during most of the Somavia years. In the picture, Sir Roy and the author at our usual seats on the podium of the International Labour Conference, Geneva June 2010.

During his tenure, Sir Roy was a principled champion of non-discrimination and the developing world, especially Africa. His successor in 2011 was Luc Cortebeek, Chairperson of the Belgian Confédération des Syndicats Chrétiens (CSC). Cortebeek thus belonged to a long line of Christian trade union representatives who chaired the Workers' group of the CAS, including Jos Serrarens from the Netherlands (before and after the Second World War) and later Aguste Cool, Jef Houthus, and Willy Peirens from Belgium.

Cortebeek played an important role in the merger of mainly socialist and Christian trade unions to form the ITUC in 2006. This was seen as indispensable for ensuring not just economic but social globalization. According to Cortebeek, trade unions should succeed through precise and specific actions based on the ILO's fundamental principles and rights at work.⁴

Cortebeek and his counterpart in the CAS for many years, Ed Potter, developed constructive cooperation within the committee and expanded its reach through tripartite missions to countries like Colombia and Guatemala. Cortebeek presided over the Governing Body during the 2017–2018 period. As Chairperson of the group he was succeeded by Catelene Passchier from the Netherlands, who has a background in European trade union cooperation and cut her teeth during the ILO contract labour negotiations of the 1990s.

Presidents, prime ministers, and other notables have served on the Workers' group. Presidents who have been Worker members of the Governing Body include Frederick Chiluba of Zambia, Halima Yacob of Singapore, and Ruth Dreifuss of Switzerland. Bob Hawke, who served as President of the Australian Congress of Trade

⁴ L. Cortebeek: *La société solidaire: Le rôle des syndicats forts* (Leuven, Davidsfonds, 2008), p. 142.

Unions (ACTU) and Member of the Governing Body, became the longest serving Labour Party Prime Minister in Australian history (1983 – 1991). On the side of less successful careers, there was also Gennadi Yanayev, who as Vice-President led the failed putsch against Mikhail Gorbachev in 1991, bringing down the Soviet Union.

One cannot help noting that most Workers' group Chairpersons (and ILO leaders in general, for that matter) have shared the same profile. With the exception of Leroy Trotman, they have all been European or (in two cases) Canadian. Only two have been women. Dan Cunniyah is the only non-European to have served as Secretary of the Workers' group.

The group's Secretaries – heading the ICFTU (and later ITUC) Office in Geneva since 1951 – were Herman Patteet, John Vanderveken, Heribert Maier, Albert Heyer, José Aguiriano, Oskar De Vries, Eddy Laurijssen, Guy Ryder, Dan Cunniyah, Anna Biondi, and Raquel Gonzalez. They have been Directors of the office but their position has also been confirmed by elections in the Group and the Conference.

Charismatic figures in the Employers' group have shaped its attitudes and relations with the workers over the years. The International Organization of Employers was directed from Brussels until the 1950s, and the Belgians Jules Carlier and Jules Lecoq provided much of the early support for the Employers' group. Other significant Employers' group members were Hans Christian Oersted of Denmark, Pierre Waline of France, Gino Olivetti of Italy, and Sir John Forbes Watson of the UK. Gullmar Bergenström of Sweden, Jean-Jacques Oechslin of France, and Daniel Funes de Rioja of Argentina are more recent figures.

There has also been remarkably continuity among Government representatives, some having held positions since the beginning, in Washington, and up to the 1960s. This provided a measure of cohesion that helped preserve the organization during politically turbulent decades. At no point did the ILO become a country club for veteran members.

The Employers have frequently expressed concerns that the Office is heavily influenced by officials with workers' backgrounds.⁵ After the Second World War, there were Jef Rens (Netherlands), Bertil Bolin (Sweden), Elimane Kane (Mauritania), Heribert Maier (Austria), and other Deputy Directors-General who had previously been members of the Workers' group. The list of ILC participants over the decades shows that a considerable number of Government representatives, including Labour Ministers, have at some stage of their careers been in the Workers' group. This movement from trade unions into government is mirrored on the scale of many national institutions concerned with labour and social policies.

Throughout the decades, the ACTRAV and its counterpart, ACT/EMP, have stressed that cooperation between them in the Office is excellent. This is accentuated by similarities in their roles within the organization. Both serve liaison functions,

⁵ J.-J. Oechslin: *L'Organisation Internationale des Employeurs: Trois quarts de siècle au service de l'entreprise* (Geneva, 2001), pp. 143–145.



Luc Cortebeeck, Chairperson of the Workers' Group and later of the Governing Body, in action on the podium of the Conference. On the right, Director-General Guy Ryder. 107th Session of the International Labour Conference, Geneva, June 2018.

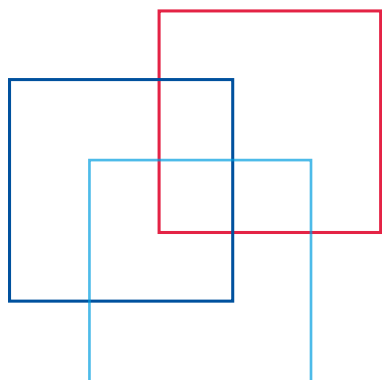
both advocate policies formulated by their groups, and both are tasked with keeping the Director-General abreast of important developments in their groups. And since 2012, ACTRAV and ACT/EMP again report to the Director-General.

A full account of the relations between the social partners would require a separate study which should also involve someone with intimate knowledge of the Employers' group. The history presented here shows but one side of the pyramid. I hope it provides a perspective on the structure as a whole and, of course, a grasp of the background and dynamics of the ILO Workers' group. These may perhaps best be described as embodying principled realism.

I conclude with two quotes. Firstly, it is helpful to remember the words of Jean-Jacques Oechsli, who long served as Chairperson of the Employers' group: "industrial relations are like fishing – not like hunting."

Secondly, in his last Report to the Conference, Albert Thomas quoted William of Orange, who in the seventeenth century said, "it is not necessary to hope in order to undertake or to succeed in order to persevere". With these words, Thomas was expressing what it takes to carry out the ILO's work for peace and justice: "the answer is the same as it always was – simply faith and determination".⁶

⁶ ILO: Report of the Director-General, International Labour Conference, 16th Session, Geneva, 1932, p. 68.



The Driving Force

Beyond stating that the International Labour Organization has, since 1919, had a unique tripartite structure, with the participation of governments and employers' and workers' organizations, not much has been written about how tripartism actually works. In our days, the question is even sometimes asked: what is the "added value" of the social partners in discussing and deciding on labour and social policies? Equally, the fundamental link between social justice and industrial peace — and indeed peace in general — is frequently overlooked. However, the world of labour is not an isolated area and cannot be treated in a vacuum. This book tries to show how tightly intermeshed it is with the world economy and political circumstances and how tripartite cooperation influences them. It also shows how this labour agenda has crystallized and promoted universally recognized human rights.

It recounts the story of the hundred years of the ILO from the perspective of the Workers' Group. The goals and guiding principles of the first modern multilateral organization set up at the Paris Peace negotiations in 1919 were determined by the trade unions and social reformers. The body of International Labour Standards lies on the foundation which, above all, the Workers' Group has advanced. At the same time, social justice also calls for direct negotiations and agreement between the trade unions and the employers. The book gives examples of the dynamics at work between the three groups of the ILO and explains how, over time, the force that has driven its agenda has been the Workers' Group.

About the author

Kari Tapiola (born 1946) has worked as a journalist and trade union official since 1966. He has also worked at the United Nations and as General Secretary of the Trade Union Advisory Committee to the OECD (TUAC). He was the first Workers' Delegate at an International Labour Conference in 1974. He became a Member of the Governing Body of the ILO in 1991 and was appointed Deputy Director-General in 1996. After serving as Executive Director until 2010, he retired from the ILO in 2014 but has continued working on both history and core labour standards projects.

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