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Regional Labor Problems

FRANCIS G. WILSON

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and religious accompaniments, ruled Java and Sumatra from early in the Christian era to the ascendance of Islam, creating powerful kingdoms and vast empires, one of which, Sri Vijaya on Sumatra included at one time or another in its domain parts of India, Indo-China and all of western and middle Malaysia. These dynasties are now but historic memories, but still the culture of civilized western Malaysia is largely Indian. The rich mythology, the colorful literature and drama, plastic and graphic arts, dyed *batik* and woven *ikat*, the jeweler's art and the builder's craft, all attest the power of Indian thought and culture to stimulate and perpetuate itself in the talent, imagination and artistic genius of the Malay peoples. To an unknown degree Indian civilization has affected the Philippines; and it did not stop there, but passed eastward to the very limits of Polynesia and southward into Melanesia, and there, as in Malaysia, it left its indelible impress on native life.

Underneath all these historic overlays are innumerable indigenous traditional cultures of autochthonous tribes and communities, many elements of which—family and communal relationships and codes, land and agricultural systems, means of livelihood and modes of life—are so integrated with environment and so embedded in native mentality and tradition that, though they may be modified, they cannot and will not die, short of the extinction of the peoples themselves. In addition, there are highly developed arts and crafts, such as the many schools of wood carving in all parts of Oceania and Malaysia, mat and basket plaiting, cloth and pottery making, house and boat building, which deserve to survive, and may, with wise protection, utilization and adaptation to progressive needs, continue their steady evolutions toward functional perfection.

WE ARE today in the midst of this vast human composition of progressing racial fugue and cultural counterpoint. What the finale will be, no man can predict. But this can be said: that, as intensification of tempo and crescendo of movement rise toward a climax in the near future, whether a meaningless and discordant cacophony or a grand symphony of life shall result, depends wholly on intelligent and far-sighted leadership and planning by the elect of all races, acting in collaboration and mutual sympathy.

The Pacific and the International Labor Organization

By FRANCIS G. WILSON

JUST as the League of Nations has faced some of its most trying problems in the Pacific, so the aspiration of the International Labor Organization to be truly universal depends in a large degree on the countries of the Pacific rim. The states and nationalities in the important present-day Pacific movement are not antagonistic toward the Geneva theatre of labor discussion and action, but there are a number of problems of political, economic, and social character which are difficult to fit completely into the scheme drawn up by the Peace Conference and made Part XIII of the Treaty of Versailles. Some of these problems are not peculiar to the Pacific, having implications as to the Western European scene; and others which are peculiarly Pacific involve in some degree all countries of Asiatic civilization. The widest contrasts of races, of civilizations, and social and economic conditions are found in the Pacific area. Not only are there the highest standards of living for workers, but the lowest; not only the most highly developed industrialism but the most primitive.¹

NATURE OF THE PACIFIC PROBLEMS INVOLVED

THE international labor movement, which began during the early part of the nineteenth century, has been from its inception largely a European movement. It arose because of the unfortunate conditions of labor in the industrial countries of Europe, and on the theory that by international action improvements in the conditions of labor might be removed from the field of international economic competition. From the days of Robert Owen to the present, the international labor movement, whether official or unofficial, has had a

¹The International Labor Organization as organized under Part XIII of the Treaty of Versailles is composed of an annual Conference consisting of two government delegates, and one employers' and one workers' delegate from each member of the Organization; a Governing Body composed of twelve government representatives (eight from the countries of chief industrial importance), and six employers' and six workers' delegates; and an International Labor Office located in Geneva. The Labor Section is included in the other Treaties of Peace negotiated by the Peace Conference of Paris.

predominantly European slant. The importance of the Pacific in world affairs has demanded a re-orientation of viewpoint which has been very difficult for Western governments, trade union leaders and employers. The Treaties of Peace require that the Organization shall be universal, but the tendency toward regionalism is ever-present. The conflict between these two tendencies is particularly important in the relations of the Pacific countries with the Organization, for, on the one hand, the Western countries feel that industrial countries in the East should accept advanced labor standards, and, on the other hand, the East wants a full participation in the work of the Organization but feels that it cannot maintain the same body of social legislation as in the West.

The range and complexity of the international labor problems of the Pacific is seldom viewed in anything like its totality, if indeed it could be. The two chief non-members of the League of Nations and the International Labor Organization, the United States and Russia, are Pacific powers. This may make it difficult for the industrial countries of the Pacific to accept the legislative standards of labor protection established by the Labor Organization.² The most important federal states which are members of the Organization are Pacific countries: Canada and Australia. The United States would, upon joining the Organization, add complexity to the federal problem, which nearly wrecked the negotiations at Paris preceding the formation of the International Labor Organization.³ According to Part XIII a federal government, where the constitution so demands, is allowed to treat a draft convention of the Labor Organization, requiring formal ratification, as a recommendation, which in turn does not require international ratification. So far only Canada and Australia

² The Japanese employers' delegate in the Twelfth Session of the Labor Conference, in justification of Japanese non-ratification of conventions, pointed to the fact that all of Japan's important industrial neighbors were taking no part in the Organization, including in his statement not only the United States and Russia, but also China. See International Labor Conference (ILC) *Final Record*, 1929 (12th), p. 198. See also ILC, *Final Record*, 1930 (14th), p. 179, where a Japanese government representative presumes that if there are any regional interests in the Pacific it is because certain countries in that region do not belong to the Organization. He declared that as long as the United States and Russia are out of the Organization there will be strong grounds for claiming special regional interests.

³ This statement is not an attempt to minimize the enormous political importance of the United States in the Pacific Area, which importance has a significant bearing upon the course of Pacific economic history. See F. G. Wilson, "International Labor Relations of Federal Governments," *The Southwestern Political and Social Science Quarterly*, September, 1929.

have made any extensive use of this privilege, but the fact that these countries have marked Pacific interests may in the future handicap the efforts of the Organization to secure in the Pacific a measure of uniformity in labor conditions. Nor can it be forgotten that Latin America has large potential stakes in the Pacific area, though up to the present the work of the Organization in the Pacific has not been influenced by Latin American interests.

THE problem of native labor, in colonies especially, concerning which the Organization has been developing a program for several years, involves the Pacific area as well as such countries as India and the native states. The ratification of the convention prohibiting forced or compulsory labor, adopted by the Labor Conference in 1930, will signify a clear development of attitude toward the Pacific of certain colonial powers, though this problem is by no means limited to Asia (particularly Indo-China), as it involves to an even greater extent the use of forced labor in Africa. It is probably true that the countries of the Pacific will not be willing to undertake the execution of labor conventions until colonial powers and those holding Oriental concessions are willing to grant protection to native and Asiatic labor over which they have control.

However, the problem of the Pacific as far as the Organization is concerned is primarily the problem of China and Japan. Powers, such as Siam, which are not highly industrialized and which are not factors in international competition do not constitute a serious exception to the standards of international labor protection. But such is not the case with the two great Oriental powers. Both are industrially important, and both have huge aggregations of industrial labor which, from the viewpoint of Part XIII, deserve the "humane conditions of labor" for which the League of Nations system stands. If the Labor Organization can succeed in influencing labor policy in these two countries, its problem of the Pacific will be solved. The labor standards of Canada, the United States, and Australia, are high for the most part; and even if the federal states are non-members or cannot ratify, they represent in sum much of the protection to labor which the Treaty of Peace demands. Hence, their effectiveness in international competition does not depend on the exploitation of relatively poorly paid labor.

CHINA AND PART XIII OF THE TREATY OF PEACE

CHINA played no part in the drafting of Part XIII of the Treaty of Versailles; she has ratified few conventions; and only in recent years has she sent a complete delegation to the International Labor Conference.⁴ This does not imply that China has not been an important member of the Organization, or that the Chinese governments have considered it of no interest. Delegates from China to the Labor Conference have been somewhat preoccupied with the political problems of the international concessions and settlements, which, from their standpoint, have prevented the development of Chinese labor protection because of the lower standards in the foreign industrial areas. Repeatedly in the Labor Conference such claims have been advanced and listened to. China has found in the Labor Conference, just as she has found in the Assembly of the League of Nations, a reluctant forum from which she can point out the inequalities of the treaty régime. Generally speaking, this is the fundamental rôle she has played in the Conference; it has been an instrument by which she is able to call to the attention of the labor of Europe, especially, the injustices the Western powers have imposed on Chinese working people.⁵

The triple *démisme* of Sun Yat-sen is wholly compatible with the program laid down in the Preamble to Part XIII of the Treaty of Versailles. The "principle of livelihood" not only involves the national protection of the people and the workers, but also reasonable internationalism based on equality in cooperation. Nationalistic China has nothing to fear from the program of the Geneva constitution of labor, for its objectives are in substance the social objectives laid down by Dr. Sun. An organized China making a serious effort to carry out the Three People's Principles will inevitably be driven to

⁴ The first complete Chinese delegation, i.e., two government delegates and one employers' and one workers' delegate, was sent in 1929 to the Twelfth Session of the International Labor Conference. It is interesting to note that the Conference had for the first time the discussion of forced labor on its agenda at this Session. In general the Chinese policy has been to send government delegates only.

⁵ A particularly strong protest was made in the 1931 Conference by the Chinese workers' delegate who asserted, among other things, that while China allowed freedom of association and had protective factory legislation, the foreign capitalists recognized neither the freedom of association nor Chinese factory legislation. ILC, *Practitioner Record*, 1931 (15th), No. XIII, pp. 191-192. See also ILC, *Final Record*, 1929 (12th), p. 620. It might be observed that Indian representatives have shown an increasing tendency toward regarding the Conference as a place for the discussion of political issues.

coöperation with the International Labor Organization. This effective coöperation with Geneva, toward which Geneva looks with the same eagerness as the Chinese nationalist-liberals, is, however, for the future rather than the present.

IN MARCH, 1929, the Director of the International Labor Office, Mr. Albert Thomas, reported to the Governing Body on his recent trip to the Far East. In his report he noted the failure in 1923 of the Chinese government to secure the enforcement of its provisional factory legislation, especially when the Chinese attempted to obtain enforcement in the concessions. Renewed efforts of the Chinese in 1928 to enact factory legislation, after the triumph of the Nationalist government, resulted in new and advanced legislation. The Director in fact warned the Chinese against a too ambitious program and pointed out the need of a personnel trained in labor administration. However, he offered ample encouragement to the Chinese both as to their program of labor legislation and to the beginnings of a genuine trade union movement which he observed. In part as a result of the suggestions of the Director, the Chinese government asked in February, 1931, that an International Labor Office mission on the establishment of a factory inspectorate be sent to China. This invitation was accepted by the Governing Body in April, 1931, and the mission was sent. The mission reported to the Governing Body on its work in China in January, 1932. During the discussion of the report the Japanese government representative on the Governing Body congratulated China on its progress in labor legislation and hoped that the latter would use Japanese industrial experience and legislation as a guide to its future progress in labor protection.

The willingness of the Chinese to profit by the research of the International Labor Office in industrial matters offers the Office an opportunity to assist in preventing the progressive industrialization of the Far East from going through the cycles of misery which have been characteristic of Western countries. The liberal principles of the Chinese Revolution pave the way for an effective collaboration in the field of research and industrial experience. Later these same principles will pave the way for the ratification of the international code of labor legislation embodied in the draft conventions

and recommendations adopted by the International Labor Conference.

JAPANESE RELATIONS WITH THE ORGANIZATION

THE Japanese have from the outset taken an important part in the work of the Labor Organization. Japanese representatives in the Peace Conference sat on the Commission which framed Part XIII of the Treaty of Versailles; as one of the chief industrial states of the world she has had from the beginning a seat on the Governing Body; and in nearly every Conference the influence of the Japanese delegates has been felt. Under these circumstances Japan, as the leading industrial nation of the Far East, has frequently assumed the rôle of leader for Oriental interests, and in general it is around the views of the Japanese that the Pacific problem of the Organization has come to be summarized. This activity of the Japanese has produced at times conflicts which have made history in the development of the Organization. While the number of Japanese ratifications of conventions is not as great as some of the Western powers, she has ratified more conventions than any other Pacific or Oriental state or member of the Organization not under Western control. In a true sense the Organization approaches universality because of the active participation of the Japanese. We may say, therefore, that an examination of the important problems of Japanese relations with the Organization reveals not only the claims of the Far East and the Pacific in international labor matters, but also the problems which the Organization must face if it is to have the moral appeal for the Pacific that it has, for instance, for European international trade unionism.

The fundamental demand which Japan has placed before the Organization is for equality. In the Peace Conference Commission the Japanese representatives abstained at the last from voting for the convention substantially embodying the present provisions of Part XIII. They were uncertain whether Japan could take part in the Organization upon an equal footing with Western states.⁶ The reason for this hesitation was, of course, that industrial development in Japan presented certain fundamental contrasts to Western industrial conditions, and it was impossible that the Japanese system should

⁶ An analytical summary of the proceedings of this Commission is published in the *Official Bulletin* of the International Labor Office, Vol. I (1923). For the Japanese position see pp. 53, 111-112, 181, 188-189.

be scrapped overnight. At the First International Labor Conference in 1919 at Washington, the Japanese and the Far East generally, including India, asked for special treatment, particularly with regard to the convention designed to establish the eight hour day and forty-eight hour week in industry. These "special conditions" were provided for in the Treaty of Peace in order to satisfy the Japanese in the Peace Conventions. Articles 405 and 427 of Part XIII state that the powers recognize that differences of climate, habits and customs, of economic opportunity and industrial tradition, make strict uniformity in the conditions of labor difficult of immediate attainment. The Washington conventions, where necessary, make exceptions in favor of Asiatic countries. The hours convention, for instance, makes special exceptions in favor of Japan and India, and stipulates also that it shall not apply to China, Persia and Siam. The Japanese exceptions permit, for persons over fifteen years of age, a fifty-seven hour week, except in the raw silk industry, where sixty hours a week may be worked.⁷

Even at the time of the Washington Conference in 1919 the Japanese workers' representative was opposed to special treatment,⁸ insisting that Japan was able to grant the same protection to workers as was given by other industrial countries. The Japanese employers were especially eager for special treatment, and the government was willing to ask for it. The principle behind these special conditions was that a convention should be drafted in such terms that all countries might ratify it. Yet something anomalous in the situation was shortly to develop, for India and Japan were among the eight chief industrial countries of the world, which gave them permanent seats on the Governing Body, and at the same time they were unwilling to adopt the general standards set by the international labor conventions.⁹ The fact that such concessions were granted likewise implied a certain backwardness which was something more than mere difference of system. The situation was contradictory in nature, and very soon,

⁷ See ILC, *Final Record*, 1919 (1st), pp. 229 ff., "Report of the Commission on the Application of the Hours of Work Convention to Special Countries."

⁸ ILC, *Final Record*, 1919 (1st), pp. 159-161.

⁹ The Council of the League of Nations finally recognized India in 1922 as among the chief industrial states. Japan was included from the outset by the Organizing Committee of the Labor Organization.

probably shortly after the Washington Conference, the Japanese apparently regretted having asked for and having accepted special treatment. The government of India has never developed an entirely consistent policy, and on certain matters, such as the treatment of Indian seamen, the lascars, it has continued to favor special treatment.¹⁰

Thus the Japanese workers and the Japanese government could agree on not asking for special treatment, but for very different reasons. The workers were opposed to such treatment because they felt the government should ratify strong, protective labor conventions, and the government was opposed perhaps for reasons of prestige as well as the lack of logic in asking for it. The government and employers of Japan began in the Conference of 1919 and have continued to present an alternative to modern labor legislation: the "family system" under which the moral responsibility of the Japanese employer is emphasized. While the traditions and customs of the Japanese workers and the Japanese industrial system do not permit the adoption of Western standards, it does not mean, from the official Japanese point of view, that Japanese workers are less protected than those in Western industrial states.¹¹

THE evolution of the Japanese position has reached another stage. Merely to say that tradition and custom, and the "family system" were substitutes for conventions would mean finally the withdrawal of the Japanese from active participation in the Labor Organization. The Japanese were quite unwilling to accept such a status, and in order to protect their position they developed an argument which has been used at times by the European employers' delegates in opposition to

¹⁰ The Indian workers' delegate in the 1930 Conference asserted that the government delegate had no right to say India could not ratify the convention on the hours of work of salaried employees because no special treatment was accorded India, since the Indian government had made no claim to special treatment at any time during the preparation of and the early proceedings concerning the convention. The Indian government in reply to the Office questionnaire had asked for a recommendation rather than a convention. ILC, *Final Record*, 1930 (14th), p. 431. In the long run there is not much difference between conventions of mere principle and recommendations. But there is a great difference between strong conventions, i.e., with high standards stated in detail including exceptions or special conditions, and recommendations. The reluctance of Asiatic governments to ask for special treatment is undoubtedly due in part to the feeling that if such conditions are granted there is a definite moral obligation to ratify.

¹¹ The Japanese workers' delegate in 1930 protested vigorously against the "family system," and while admitting it to be a special tradition, he argued that it was for the benefit of the employer and not the worker. ILC, *Final Record*, 1930 (14th), p. 423.

the claims of the workers. This argument is that conventions should be very general in their terms, allowing each state wide liberty of application, but also permitting ratification with fewer detailed obligations. To refuse to ask for special treatment and then to refuse to ratify would constitute a purely negative attitude in the Labor Organization. But to urge that conventions should be assimilated in fact to recommendations is positive in that it would allow ratification with a much greater diversity of labor conditions between ratifying countries. From the trade union viewpoint such a policy, if adopted by the Organization, would result in formal rather than real equality between the Far East and the West, as well as in breaking down the effectiveness of the system of ratified conventions upon which must be based the international labor code. The unfriendly reception given the Japanese proposal and the actual nature of the conventions adopted indicate that the workers as a whole, including the workers of Far Eastern countries and many governments, will not accept it.¹²

MIGRATION AND OTHER ASIATIC PROBLEMS

A SECOND phase of the demand for equality is found in the relation of the Labor Organization to the question of migration. While the emigration countries, such as Italy and Poland, have from the beginning tried with some success to direct the energies of the Organization toward this highly controversial question, the Chinese and Japanese representatives of all groups in the Conference have stated their claims with greater frankness perhaps than the others. While the Italians at the Peace Conference tried to secure without success the right of workers to migrate wherever they wish,¹³ the

¹² In ILC, *Final Record*, 1930 (14th), p. 178, the Japanese government delegate notes that since the Washington Conference, the Conference "was never asked to adopt any convention containing a special clause applying to any country." The Conference, he declared, has been making conventions more elastic with the result that they may be adopted by all countries. See, for instance, the speech of the Japanese employers' delegate, ILC, *Provisional Record*, 1931 (15th), No. XIII, p. 186. See also *ibid.*, No. XXVI, pp. 442-443. The discussion here involved the convention on the age of admission of children to non-industrial occupations. The Indian attitude at the same time and in direct contrast to that of Japan favored special conditions. *Loc. cit.*, p. 441. Japan has also assigned as a cause for non-ratification the rigidity of conventional treatment was given her. Japan also expressed her fear of Chinese textile competition.

¹³ *Official Bulletin*, Vol. I, p. 210.

Far Eastern claims to this right which have cropped up in the Conference, though often by implication, take on a more significant aspect simply because of the intense feeling which has been aroused by Oriental and Indian emigration. There is no doubt but that from the Japanese point of view the Organization can only fulfill its purpose when it takes a firm stand in favor of free migration of both capital and workers. Naturally, the immigration countries have been divided, some of them since the war having practically ceased to be immigration countries because of new national legislative policies. The Canadian, Australian and South African representatives have at times stated that committees of the Organization dealing with this question have been balanced in favor of emigration countries; and it is clear that the steps the Organization has taken to protect the emigrant as a worker have been governed by a strict avoidance of the really fundamental question involved in the problem of migration: whether there should be a world policy of free migration. The whole history of the Organization shows so far that the fundamental issues involved in the problem of migration cannot be touched by it without most unfortunate consequences.

Trade union organization has been until recent years a characteristically Western movement. But at the base of the ordinary functioning of the Labor Organization is the right of freedom of association guaranteed by the Treaty of Peace. Because trade unionism has been a Western concept and practice, it has been difficult for Far Eastern countries, and Japan particularly, to make the necessary adjustments of internal policy. Part XIII provides that the employers' and workers' representatives shall be appointed "in agreement with the industrial organizations, if such organizations exist, which are most representative of employers or working people, as the case may be, in their respective countries." One of the most striking events of the early years of the Organization was the protest of the Japanese workers' delegate against the acceptance of his own credentials. While the Conference has never rejected the credentials of any non-government delegate, as it has the right, such protests as were made by the Japanese trade unionists against the policy of the government consti-

tuted a strong and in fact successful pressure on the government to adopt a more liberal trade union policy.¹⁴

IN 1919 the problem of countries of Asiatic civilization was the non-existence of workers' organizations. During the discussions of the Peace Conference Commission it was made clear that one result of the existence of the Organization would be the stimulation of the trade union movement. The Japanese government pleaded in the early Conferences that it was difficult for it to select a workers' delegate from a trade union movement which represented only a very small minority of the Japanese workers. As a substitute for the system envisaged by Part XIII, they instituted a system of election of the workers' delegate which was clearly not in agreement with any particular workers' organization. However, the history of the last few years seems to indicate that the Japanese government has recognized the growing trade union movement by appointing delegates for the workers from such organizations.

Part XIII of the Treaty of Versailles provides a system of control, or a number of measures of control, over the obligations each state assumes as a member of the Organization. These obligations consist, aside from full participation in the work of the Organization, in submitting to the "competent authority" draft conventions and recommendations adopted by the Conference,¹⁵ in enforcing conventions when ratified, and in submitting annual reports on the application of ratified conventions. Any member of the Organization or an

¹⁴ The protest in 1919 was simply against the course followed by the government in not nominating the workers' delegate from the trade unions of Japan. I.L.C., *Final Record*, 1919 (1st), pp. 52, 206. There was no protest in 1920 although a sea captain was sent as seaman's delegate. In I.L.C., *Final Record*, 1921 (3rd), pp. 607-610, the Credentials Committee notes that the Japanese workers' delegate has protested against his own credentials and hopes that in the future the Japanese government will appoint the workers' delegate in conformity with Article 389. The workers' delegate in 1921 was the administrator of an orphanage. At the Conference of 1922 the Japanese workers' delegate was the Director of the Association for the Maintenance of Harmonious Relations between Capital and Labor. I.L.C., *Final Record*, 1922 (4th), pp. 461-462. In 1923 the Japanese workers' delegate again protested against the acceptance of his credentials. I.L.C., *Final Record*, 1923 (5th), p. 221. This situation was in fact repeated in 1924. I.L.C., *Final Record*, 1924 (6th), p. 517. Finally, at the Conference of 1925 there was no protest against the acceptance of the credentials of the Japanese workers' delegate.

¹⁵ In the view of the Japanese government, the "competent authority" is the Privy Council. The Labor Office maintains the view that the competent authority must include at least the authority which passes labor legislation. The competent authority in Great Britain, for example, is Parliament. At times in its correspondence with the Office the Japanese government has referred to administrative or executive ordinances as virtually the equivalent of legislation. See *Official Bulletin*, Vol. V, pp. 145-146. *Official Bulletin*, Vol. X, pp. 161-166, 173.

industrial association may submit complaints or representations to the Governing Body against a member for the non-enforcement of a convention. There are several steps in the procedure of control; theoretically, they move from consideration by the Governing Body to a commission of inquiry, and from a commission of inquiry to the Permanent Court of International Justice, and finally to economic measures. The history of the Organization shows that only the first stage, consideration by the Governing Body, is likely to be important. Two instances have arisen which have involved measures of control, and both of them developed out of the 1920 convention on the facilities for finding employment for seamen, which provides among other things for the abolition of fee-charging employment agencies. Both of these incidents involved the question of the abolition or non-abolition of fee-charging agencies, and both arose on the representations of seamen's unions in the respective countries involved. The first instance was the Japanese in 1924, and the second was the Latvian in 1930 and 1931. The Governing Body took practically the same action in both: it accepted the complete explanations of the governments concerned.

The Japanese seamen's union urged in 1924 that the Japanese government was not enforcing the convention mentioned above. The representation was unofficially submitted by the Director to the Japanese government representative in Geneva before submitting it to the Governing Body. Such a procedure was not, however, provided for in Article 409 of the Treaty. The Japanese government offered explanations to the Governing Body tending to show that the enforcement was actually better than the seamen charged, and while they admitted that they had not been able to enforce the convention completely, the progress of the government in the abolition of fee-charging agencies was indicated. This procedure of the Japanese incident was followed in the Latvian one in that the representation was communicated unofficially to the government before it was presented to the Governing Body. Under the present international situation it is doubtful whether the Labor Organization could proceed as far as a commission of enquiry should it so desire.

The International Labor Organization began early to establish correspondents' offices in certain countries to spread information on the work of the Organization, but it has been

found that the chief utility of such offices at the present time is to assist in the research conducted by the Office by collecting information. The correspondents' offices in China and Japan form a close link between Geneva and the Far East, and they are invaluable in furnishing necessary information on the development of labor legislation and labor relations. Both China and Japan were anxious to have such offices established; their cordial reception in these countries indicates a deep scientific interest on the part of the Far East in the international relations of Labor.¹⁶

CONCLUSION

THIS brief survey of the chief problems in the relations of the Pacific countries with the International Labor Organization shows that while the fundamental points of view of Geneva have been accepted, the early hopes of students of the Labor Organization that it would find its most useful work in guiding the development of labor legislation in these countries has been realized only in a limited degree. The Committee on Special Countries at the Washington Conference laid emphasis on the acceptance by Asiatic countries of the principle of the protection of labor by legislation, and events have shown that this principle has been accepted. Again, the principle of the Organization that each member must recognize and guarantee trade union liberty has been received, though with some hesitation. However, it is clear that the universality of the Organization depends on peace and international order. Neither the League of Nations nor the International Labor Organization can realize their economic and social aims without these conditions. A solution of the political difficulties of the Far East will enable the League system to function normally and thus gradually overcome the obstacles to its program in this area. On the other hand, the existence of federalism, which is a material hindrance to the program of the Peace Treaty, is not likely to disappear.

The table of ratifications of conventions published by the Organization does not reflect the importance and influence of labor internationalism. This is certainly true of the West, but it may be that it is more of an accurate picture of the influence

¹⁶ Japan has maintained since 1920 a Delegation in Geneva to keep in contact with the International Labor Organization. Japan's initiative has been followed by a number of other countries.

of the Organization in the Pacific. While Australia and New Zealand have high labor legislative standards, they have held themselves somewhat aloof from the International Labor Organization. Hence a ratification of a convention by either country involves a more distinct effort, even when legislation is nearly in accord with a convention, than in countries more deeply involved in international events. As to the Far East, owing to the relative lack of labor legislation in 1919, enactment of legislation since that date represents more probably some influence of Geneva. In the West the pre-war acceleration toward labor legislation was great to begin with, and advances may be due to a continuation of this acceleration. In view of these circumstances it may be said that the Organization has had considerable influence in the Pacific, but that in any case a list of the ratifications of each country is not a picture of the progress of labor legislation.¹⁷

¹⁷ In March, 1922, 454 ratifications had been deposited with the Secretary General of the League of Nations of the thirty-one conventions adopted by the International Labor Conference. Thirty-nine recommendations had been adopted at this time.

At this time Australia had ratified five conventions on facilities for finding employment for seamen, inspection of emigrants on board ship, minimum wage fixing machinery, marking the weight of heavy packages transported by vessels, and forced or compulsory labor. In addition eighteen other conventions were applied at least in part by legislation or other means by states of the Commonwealth. Canada had ratified four conventions concerning the minimum age for admission of children to employ-ment at sea, unemployment indemnity for seamen in case of loss or foundering of ships, minimum age of trimmers and stokers, and compulsory medical examination of young persons employed at sea. Likewise, sixteen other conventions were applied at least in part by provincial legislation. No ratifications have been effected by New Zealand, and in fact the first delegation to the Labor Conference was sent by New Zealand in 1930. There was, however, only one government delegate. Siam has ratified no conventions.

China had ratified two conventions concerning the establishment of minimum wage fixing machinery and the marking of the weight of heavy packages transported by vessels. Legislation had been passed or was in preparation which would affect eight other conventions. India at this time had ratified twelve conventions which were the Washington hours convention, the Washington unemployment convention, the night work of women, the night work of young persons, the right of association of agricultural workers, weekly rest in industry, the minimum age of trimmers and stokers, compulsory medical examination of young persons employed at sea, equality of treatment of national and foreign workers as regards compensation for accidents in industry, workmen's compensation for industrial accidents, the inspection of emigrants on board ship, and marking the weight of heavy packages transported by vessels.

Japanese ratifications numbered eleven and were the unemployment convention, minimum age of admission of children to industrial employment, minimum age of admission of children to employment at sea, facilities for finding employment for seamen, minimum age of admission of children to agricultural employment, minimum age of trimmers and stokers, compulsory medical examination of young persons employed at sea, workers' compensation for industrial accidents, equality of treatment of national and foreign workers as to industrial accidents, inspection of emigrants on board ship, and marking the weight of heavy packages transported by vessels.

The Director of the International Labor Office devoted in 1930 considerable attention to the rise of the pan-Pacific movement, which is expressed by numerous international institutions in the Pacific Area.¹⁸ His contention was, in substance, that the Labor Organization must take a place in the contemporary development of pan-Pacific cooperation. While it might seem that on economic matters cooperation is difficult, the facts are that a broad and diversified basis of cooperation has now been worked out, though perhaps cooperation is hardly functioning normally. The Director went so far as to suggest that perhaps a Pacific consultative conference on labor matters might be instituted, which is somewhat different from the demand, especially of the Indian workers' delegate in the 1930 Conference,¹⁹ for an Asiatic session of the International Labor Conference or at least an Asiatic preparatory technical conference. The interest of the Labor Organization in the Pacific is not artificial, in the view of the Director, despite the great differences in economic and labor conditions in the Pacific countries. "An important Conference of the Institute of Pacific Relations was held at Kyoto in October and November. A representative of the Office attended it, in pursuance of the relations which, as described in previous reports, the office has maintained since 1925 with the Institute at Honolulu."²⁰

¹⁸ The *Report of the Director* to the 1930 Labor Conference, in which this discussion is mentioned, leaves out for the first time the section entitled theretofore "special countries." This was in part simply a reorganization of material and in part a gesture of friendliness to the Asiatic and Pacific Area.

¹⁹ See ILC, *Final Record*, 1930 (14th), p. 468. The resolution calling for such a Conference was not adopted owing to lack of a quorum.

²⁰ *Report of the Director*, 1930, Sec. 4. The International Labor Office was represented at the Shanghai Conference of the Institute in 1931 by four observers.