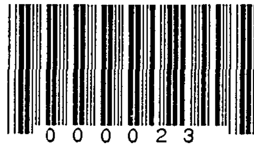

Labour Legislation in France during and after the War

by Roger PICARD

On the outbreak of the war it seemed likely that, by reason of the many claims on the attention of the legislative authorities and the Government, labour questions would be relegated to a second place. There was even some cause to fear that existing labour legislation, which had been won after so prolonged a struggle, would at once fall into abeyance for a very long time.

As a matter of fact, a Ministerial Circular was issued as early as 2 August 1914, authorising exemptions from legal restrictions on hours of work in mines and in industries connected with national defence work. A day or two later, on 14 August, a second Circular recommended the authorities in charge of the administration of labour legislation to exercise the utmost tolerance; but the legislation itself was to remain in force throughout the war, however great the demand for its abolition. On 18 June 1916 a Circular concerning the employment of women on night work was issued by the Ministry of Munitions, which pointed out the danger of permanent exemptions from such legal restrictions; on 11 February 1918 another Circular was issued by the same Ministry, which, while admitting the impossibility of withdrawing exemptions already granted, recommended that they should be put into practice sparingly and only where absolutely necessary.

But even on the assumption that there was no abuse of these exemptions, the consequences were found to be dangerous, and the need of legislation to protect the worker became only too apparent. In a speech on 6 June 1916 the Under-Secretary of State for Artillery and Munitions stated that " war-time experience has proved how indispensable is the labour legislation which was passed before the war, in view of technical and economic necessities and even from the standpoint of the worker's health. "

The need for intensive production and increased industrial effort, together with the exceptional condition into which the labour market was thrown by the war, thrust new problems forward, and also endowed some of the older problems of labour with an urgency and importance which they had never

previously possessed. Labour recruiting for munitions work, labour recruiting of women and foreign workers, required the organisation of powerful labour exchange institutions; the dread of unemployment, which prevailed both at the beginning and at the end of the war, made it necessary to establish systems of unemployment relief; again, the extraordinarily rapid rise in the cost of living made it impossible to leave wages questions to be settled by bargaining between employers and employed or by arbitrary decisions of the former. Finally, the necessity of intervening in order to ensure the health and comfort of the workers became more urgent, when thousands of both sexes were concentrated in towns or in establishments which were often ill prepared to receive them, while, with a view to preventing labour disputes, it became indispensable to bring about easier and more profitable relations between masters and men. It thus became customary to encourage collective bargaining and trade unionism, to set up joint wages boards and joint committees for arbitration and the regulation of labour conditions, and to endow workers' representatives with rights of supervising conditions in the factories.

The methods by which these problems were solved and the spirit in which this was done form the subject of the following brief survey, which deals both with legislation as such and with Decrees and administrative regulations; these sometimes merely interpreted the law and sometimes supplemented it; for, owing to the power exercised by the administrative authorities, actual innovations were introduced by this means.

Our survey, however, will make no attempt to deal with the whole range of measures touching labour and industry which were issued during the war. No mention will be made of legislation which, though social in scope, is not labour legislation in the strict sense or fails to apply directly to labour conditions, as, for example, relief, cheap housing, war savings, etc.; nor, again, shall we consider the many temporary measures, called for by passing circumstances, which, unless embodying a new idea or a general principle, were of purely provisional character.

One of the first labour problems which attracted the attention of the Government at the beginning of the war was that of unemployment and labour supply. The crisis, sudden, but brief, which threw a large number of workers out of employment immediately after the declaration of war, was followed by a steady and intense demand for labour. Moreover, during the course of the war a number of new questions arose, such as the problem of finding work for refugees and for discharged men, and later, after the Armistice, the problem of the re-absorption of demobilised men into industry.

The unemployment crisis of 1914 occurred at a time when it was difficult to adopt any but emergency measures;

it did not last long enough for these to be replaced by any real system of insurance or of the distribution of the unemployed in public works, or by any other rational plan for combating unemployment. It is remarkable that neither the unemployment crisis of the winter of 1919 nor that which has prevailed for the last few months has led to this type of measure. In August 1914 the aim of the authorities was to act with the greatest possible speed. A Circular, issued by the Premier on 20 August 1914, set up the National Unemployment Fund, the purpose of which was to give support to communal and Department funds ; this was done to an ever-increasing extent as the war went on. The system of relief then inaugurated was maintained, but improvements were introduced and efforts made to define the term 'unemployment' and the rights and obligations of unemployed persons in receipt of relief from public funds. The Circular laid down that the unemployed person must in fact have been exercising a trade, and must have lost his chief means of employment. It was also realised that the unemployment relief system would have to be linked up with the labour exchange system, in order that some control might be exercised over the use of funds, and some guarantee given that unemployed persons were still entitled to draw grants. The institution of municipal and Department funds was strongly encouraged, though a Circular of 8 December 1914 speaks of them as being "essentially temporary". A Decree of 19 April 1918 drew up a model constitution for such funds, while a Circular of 23 January 1918 attempted to impose uniform regulations, to define their functions and the general principles of their administration. These funds have outlasted the war and continue to perform the most useful service. They were among the first war institutions administered by a joint committee constituted of the same number of workers' and employers' representatives, a principle of equality, whose frequent application we shall have occasion to mention below.

An employment exchange system was not so rapidly organised. A Central Bureau was first set up to direct and co-ordinate the work of the local bureaus. Later, on 16 November 1914, a Central Committee was attached to this Central Bureau, for consultation and information. Separate bureaus in each Department were not established until 15 December 1915; even municipal bureaus, under the terms of the 1904 Act on public employment exchanges (1) were not encouraged before that date. All these measures were taken with a view to demobilisation.

The bureaus, which were speedily established, that of the Department of the Seine serving as a model, still perform the most useful functions. Their management is wholly

(1) Afterwards Article 85 of the Industrial Code.

in the hands of a joint committee of representatives of the principal local industries. They have been fully and precisely instructed on the best methods of providing employment, and the managers' conference, which has taken place annually since 1917, has led to an exchange of ideas which usefully supplements the directions issued by the Government authorities. Branches dealing with separate industries have also been formed, and a special effort has been made to carry out the orders contained in the Circular, of 12 August 1916 and to organise the exchange of agricultural labour. The general result has been that the placing of labour has proceeded smoothly, and a considerable contribution has been made to the problem of reabsorbing demobilised men into industry (2).

A very great deal might be written on the subject of the policy of withdrawing men from the army with a view to supplying labour to munitions factories ; but, inasmuch as this was a purely temporary measure, it falls outside the scope of this article. The employment of foreign labour was another immediate necessity, and one which did not end with the war ; the organisation here established during the course of the war implies an immigration and population policy which touches on something more than mere labour questions.

By joint initiative of the Ministries of the Interior, of Munitions, and of Labour, immigration bureaus were set up at the frontier, and all foreign workers who came to France were passed through these. Detailed regulations were worked out for supervising these immigrants, for providing them with work, and for protecting them against their own inexperience in concluding employment contracts. Efforts were made to provide some selection of immigrants and to make sure that they were really capable of giving to industry and agriculture the work for which they had been recruited ; in addition, the Government tried to prevent the influx of foreign labour from injuring the French worker, either by causing unemployment or by lowering wages. These considerations were taken into account in the treaties between France and the nations which send their surplus labour, more especially in the treaties with Italy and Poland.

In a country like France, which has a stationary population but is very highly developed industrially, male labour has to be supplemented either by foreign or by female labour. There are risks in either expedient. Excessive immigration may rapidly change the national character and national standards ; a too general forcing of women into industry

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(2) Mention should here be made of the Act of 22 November 1918, which guaranteed that the employment contracts of mobilised men should not be broken ; this was an extension of those Articles of the Labour Code, which guarantee the continuity of their jobs to workers called to the colours for military training. An Act is being drafted to protect conscripts of the 1919 class who have recently been mobilised on the Rhine.

further decreasing runs the risk of the population. In order to combat the first danger, the number of immigrants was restricted and a selection was made; the second possibility was dealt with by measures designed to spare the strength, and to preserve the health, of women engaged in industry.

The last-named measures are still in force, in spite of the fact that the number of women employed in industry has enormously decreased since the Armistice was signed. A detailed description is called for of the work of the Committee of Women's Labour, which was set up by the Ministry of Munitions. This Committee discussed and drafted the larger number of the reforms which were adopted in the sphere of factory hygiene with a view to the welfare and physical and moral protection of women workers. It is impossible here to mention every one of these reforms, but we may note the Circular of 28 February 1916 (3), in virtue of which the Committee was set up, which gives a typical list of measures to be taken, if satisfactory factory conditions and a fair rate of wages are to be provided for women workers. The Circular of 29 August 1916, which deals in detail with the organisation of women's canteens, cloak rooms, washing facilities, rest periods during work, and the precautions to be observed as regards the work of women before childbirth, shows the spirit inspiring it by instructing those in charge of labour "to demand that employers should give their attention to everything touching the health of their women workers".

Action had also to be taken to prevent abuse of night work for women. This could not be absolutely prohibited, but the Minister of Munitions, in his Circulars dated 29 June 1916 (4) and 11 February 1918, refused to sanction it for girls under 18, allowed it only by way of exception for women between 18 and 21, and recommended that it should not be required from older women except when necessary.

In another very important document, the Circular of 1 July 1917, the Minister recommended that female labour should, in the national interest, be employed as little as possible in munitions industries. The Minister also dealt in great detail with all sanitary questions touching women's work. In a Circular of 4 January 1917 he laid down that special rooms should be set apart in factories, in which nursing mothers employed in the factory could feed their children; they were to be allowed two periods of half-an-hour during working hours, in order to feed their children and give them the necessary attention. An Act (5) dated 5 August of the same year made these provisions compulsory, and is still in force.

(3) *Bulletin* of the Inter. Lab. Office (Basle), Vol. XI, 1926, p. 287.
(4) *Ibid.*, p. 292.
(5) *Id.*, Vol. XIII, 1918, p. 46.

Wages problems were even more urgent than problems of unemployment. The prices of all necessaries began to rise considerably at the end of 1914 and continued to do so more and more rapidly. The unemployment which had been so wide-spread at the beginning of the war had, however, in many cases led to a fall in wages ; in certain industries, such as the clothing industry, it was not until 1917 that they really reached the pre-war level. Had the Government not intervened, serious injustice would have been done, and there would have been a danger of acute or chronic disputes, which, in the interests of national defence, it was essential to avoid.

In a Circular dated 14 November 1914, the Minister for War ordered a careful verification, and, if necessary, revision of the wages paid by contractors working for the army. " It is inadmissible ", states the Circular, " that these employers, who receive a very good price for their manufactures, should not be ready to pay a fair wage to those in their employ " ; stern measures were threatened against employers who failed to do their duty. These threats were repeated in successive Circulars, dated 7 April 1915, 24 April 1915, 2 and 5 June 1918, etc., threats which undoubtedly prove the sincerity and perseverance of the Ministry, but which leave some doubt as to whether the warnings took effect. As a matter of fact, it became necessary to struggle without intermission in order to prevent wages from being lowered or from being kept down at a level which no longer corresponded to the ever-increasing cost of living.

Enquiries, threats to rescind contracts or to refuse fresh ones, insertion in contracts of binding wages-clauses, a binding obligation to post the prices paid for work in the places where it was distributed or carried on, were among the methods adopted in order to protect the wages of the worker. This proving insufficient, it became necessary to adopt the principle of minimum wages-scales and to regulate these by Acts and Decrees.

The Act of 10 July 1915 applies only to women home workers in the clothing industry. This Act, which had been voted by the Chamber just before the war, after a campaign of years on the part of its promoters, was intended to put an end to the disgraceful abuses which had often been denounced in the press and by speakers in the Chamber or at various congresses. The principle of the Act is to entrust the fixing of wages-rates to wages boards and expert committees composed of an equal number of workers and employers. These wages-rates must be publicly posted and, after the expiry of a fixed period during which appeal may be made against them, they become compulsory for all employers in the district and industry in question. There is no doubt that this Act has helped to raise the miserable wages of women home workers ;

but its application has been very slow in some districts, it is insufficiently safeguarded, and, in general, it has been laxly administered. It has, therefore, not achieved all the results which might have been hoped for.

In the munition and armament factories more effect was produced by the issue of a single Decree on 16 January 1917. This Decree, it is true, had been preceded by numerous Instructions, it applied to establishments, all of which were under the direct control of the issuing authority, and a body of energetic and vigilant inspectors were on the spot to see that its provisions were observed. The Decree set up joint committees to draw up wages-tables, and defined the principles which were to guide them. Each table fixed a basic wage, and laid down detailed rates for piece-work and for the different cumulative bonuses. No alterations could be made except by fresh decision of the joint committee, approved by the Minister. This ended the abusive practice, of which the workers had frequently complained, of lowering piece-rates as output rose.

These were measures of outstanding importance. Until that date French law had protected the wages of the worker in various ways ; wages were inalienable and exempt from seizure up to seven-tenths of their amount ; they had to be paid in cash, and were a first charge on the assets of the employer, etc. ; but the rate of payment had been left to the laws of supply and demand. The 1915 Act and the 1917 Decree, which may be considered to have been based on the Decrees of 10 August 1899 concerning contracts for public works, employ hardly any compulsion ; they merely insist that employers and employed shall meet and, without reference to their immediate private interest, discuss and extend the agreement thus reached to a whole district or a whole industry. Employers and employed are obliged to conclude a kind of collective agreement, and the law gives this agreement a scope and an authority which it could not have received from the parties concluding it.

The Decree of 17 January 1917 established a precedent, and similar measures were applied to industries other than the munitions industry. Circulars of the Minister for War, dated 3 and 23 March 1918, adopted such measures in all establishments working for the Ministry, with a view to making wages correspond with the cost of living. The Circular of the Ministers of Munitions and Labour, dated 5 February 1918, supplemented by Circulars of 4 March 1918 and 24 September 1918, lay down that in mines and slate quarries wages shall be fixed by joint committees, to whom general instructions are issued as to the principles which shall govern their determination of minimum wages, bonuses for output, cost of living bonuses, etc., but who are given complete freedom as to the actual fixing of rates.

Another Act which touches on wage questions is that of

19 March 1917, setting up companies which allow the workers a share in the profits. This Act lays down that joint-stock companies, in addition to their ordinary scrip, may issue co-partnership scrip, to be the collective property of the paid staff, which is formed into an employees' co-operative society. Up to the present little use has been made of this Act ; were it put into operation, it would certainly improve wages, while at the same time giving the worker a certain share in the management of the works on which he depends for his livelihood.

But while it was necessary thus to increase the amount of the money which the working classes earned, it was no less necessary to effect some improvement in the way in which they spent it. Here the law could not intervene directly, but it could encourage institutions giving the wage-earning classes the means of using their resources to the best advantage. This is the object of consumers' co-operative societies, and the services which these institutions rendered during the war are shown by the steady increase in their turnover. An Act of 7 May 1917 for the first time gave a legal definition of these societies; the rate of the dividend payable to members was limited, and a special fund was established to advance money to such societies at an interest of 2 per cent. On 22 November 1918 a Supreme Co-operative Council was set up, which also proves the interest felt in these co-operative societies by the legislative authorities. The producers' co-operatives had been regulated three years previously by an Act of 18 December 1915, and in return for certain advantages in the way of grants and of credit at low rates of interest, they had been put under an obligation to distribute at least 25 per cent. of their profits to their staff, whether members or not.

The recruiting and the remuneration of labour were urgent problems, demanding an immediate solution. But in the course of the war other problems, which had previously remained in the background, forced their way to the front and had to be dealt with by fresh legislation. Many innovations in social and industrial hygiene have been introduced in the course of the last seven years by custom, even if not by legislative enactment; efforts have been made to improve sanitary conditions in factory and workshop, while at the same time a higher personal standard has been expected from the worker. In the first place, a vigorous campaign has been carried on against alcoholism. Unemployment relief was withdrawn in cases of drunkenness by a Circular of 5 May 1917; the military authorities imposed severe limitations on the sale of drink, while the civil population was also subject to restrictions on its freedom in frequenting establishments where liquor was on sale. A Circular of 16 February 1917, issued by the Ministry of Munitions, ordered the supervision, or, where necessary, the closing, of dangerous or suspected licensed premises in the vicinity of industrial

centres, while an Act of 6 March 1917 forbade the introduction into factories either of alcoholic beverages or of persons in a state of intoxication.

Nor was the practice of temperance the only demand made on the worker. The Act of 16 February 1919, prohibiting secret commissions, was a step towards imposing on the wage-earner a standard in honesty and loyalty; that of 27 July 1919, organising technical courses, put before him the duty of acquiring skill at his job.

Labour regulation in France thus implies the principle that labour is a social function, that neither those who perform it, nor those who require it, are entitled to act in an arbitrary way. It is to the interest of society that the forces of labour should be employed in the best possible way for the common good and for the prosperity of the country; this is the reason for introducting technical education, which increases the productive power of the individual, for setting up a system of employment exchange, which provides for the proper distribution of labour, and for imposing hygienic regulations, which avoid waste of effort. It is because labour is a social function, that the law tries to enforce a rational organisation of industry, either by imposing such regulations as are considered just, as when it fixes the hours of work and the periods of rest, or by urging or requiring the members of an industry to combine in groups, to make collective agreements, and to settle their disputes by peaceful means.

I propose here to illustrate the ideas in the last paragraph by a rapid survey of French law and regulations instituting the 8-hour day and establishing or modifying the whole system of collective bargaining, of trade unionism, and of arbitration committees.

While the war was still being fought it was impossible to accede to the persistent demand for the 8-hour day, which the workers had been putting forward for many years. On the contrary, it even became necessary to relax the observance of existing legislation limiting the length of the working day. But after the Armistice, when all the energy which had been uninterruptedly concentrated for four years was relaxed, each individual and each class felt vaguely that, after the sacrifices which had been made and after the physical and moral sufferings which had been undergone, some compensation was owed to them and a brighter future was their due. The workers' groups announced great demonstrations for the first of May 1919 in favour of the 8-hour day; meanwhile, several of the employers' organisations, including the employers in the metal industry, who form one of the most important groups, voluntarily introduced the 8-hour day by the method of collective agreement. The prevalence of unemployment in the winter of 1918 to 1919 was also favourable to the reduction of the working day.

The 8-hour day, then, seemed to be both economically

possible and desirable and also necessary from the psychological point of view; it became reality by the Act of 23 April 1919 (6). This Act confines itself to laying down the principle that the average working day shall not exceed eight hours, and leaves each industry free to decide on the distribution of hours over the week, the month, or the year in the way best suited to the conditions obtaining within it. The Act is not to become operative immediately, but is to be applied in each industry by Administrative Instruction; employers' and workers' organisations must be consulted and existing collective agreements taken into account, before such Instructions can be issued. Important Circulars were issued by the Ministry of Labour on 27 May and 17 December 1919 defining the conditions under which the Act should become operative, and in the last two years a considerable number of Decrees (7) have been issued for applying the Act to the principal industries in the country, such as the metal industry, textiles, hides and leather, to commerce, etc. These Decrees, for the most part, reproduce the collective agreements already concluded by the interested parties, though with certain additions and suppressions.

The principle of making use of collective agreements, which is expressly laid down in the Act itself and forms one of its main features, had had a direct precedent in an Act of 11 June 1917 (8), which gave the Saturday afternoon half-holiday to women workers in the clothing trade. This Act has to be enforced by Administrative Instruction, "which shall refer to the agreements, where existing, concluded between workers' and employers' organisations in the industry and the district". The 1915 Act on minimum wages for home workers and Millerand's earlier Decrees of 1899 on the wages of workers employed on public works had already paved the way.

The custom of concluding collective agreements has, however, increased so enormously in recent years, that it is not surprising that legislating authorities should regard these agreements as the best instrument for applying labour legislation and for adapting it to actual industrial conditions. Administrative Instructions now merely translate these agreements into legal terms and define their provisions more precisely; the interested parties become their own legislators.

In view of these facts it became a question whether it were not desirable to give legal force to collective agreements as such, seeing that they could encounter no opposition. The Act of 25 March 1919 (9), however, which dealt with collective agreements, did not go so far. It defined the term

(6) Inter. Lab. Office *Legislative Series*, 1919; Fr. 3.
(7) *Id.*, 1920; Fr. 13-19.
(8) *Bulletin* of the Inter. Lab. Office (Basle), Vol. XIII, 1918, p. 46.
(9) Inter. Lab. Office *Legislative Series*, 1919; Fr. 1.

'collective agreement', and also laid down various provisions as to the duration of such agreements. But the obligations imposed by collective agreements under the terms of the Act are not very great, as any member of an organisation which has signed such an agreement may, in most cases, be released at any time by means of a few short and simple formalities.

Nevertheless, the Act of 1919 shows some progress as compared with legislation previously current. It makes null and void all clauses in individual employment contracts between persons bound by collective agreements, where such clauses contravene the collective agreement. It permits of the same principle being adopted to regulate relations between persons parties to the agreement and third parties. It further includes two legal innovations, which appear somewhat bold in French law. It gives employers' and workers' organisations the right to represent their members before courts of law and to claim damages in their name; and it admits an exception to Article 1006 of the Code of Civil Procedure, by allowing a clause to be included in the collective agreement, to the effect that any future disputes which may arise concerning it shall be submitted to arbitration. These two provisions are amply justified. The first is necessary on account of the inexperience, and presumably unprotected state, of the worker whose employment contract works out to his disadvantage ; the second merely confirms the great progress made by arbitration and conciliation procedure in the course of the war.

The French Legislature has not yet adopted a system of compulsory arbitration, such as exists, for instance, in Australia; it has not gone beyond the Act of 1892 on voluntary conciliation and arbitration. During the war, however, compulsory arbitration was set up by various Decrees, and arbitration authorities are still in existence at the present time and ready to act. The initiative in setting up this system was taken by the Ministry of Munitions in a Decree of 17 January 1917, which made arbitration by a joint committee compulsory, and endowed the ruling of such a committee with executive force. The Ministry of War followed and applied the system to disputes in industries working for them. The system was also adopted in the mercantile marine by Decree of 17 April 1918, and an inter-Ministerial Circular, dated 10 August 1919, regulated the working, and defined the authority, of the joint committees, arbitrating on harbour disputes between employers and employees, as had already been done in the case of disputes between shipowners and registered seamen.

The above is a further example of the important place assigned to joint committees of workers and employers. Mention of these committees has had to be made on every page of this article, whether in discussing unemployment funds, or labour exchanges, or wage-fixing organisations, or any other body. Many committees of this type have also

been set up, in order to do consultative work and to supply information; for instance, there were the joint committees for investigating problems connected with the maintenance of national work, set up on 5 February 1915. A real effort has been made to apply the principle of industrial democracy, by replacing the power of the law or the authority of the employer by a system of collaboration between workers, employers, and the state, in order to regulate those industrial conditions which simultaneously affect the working class as a whole, the employers' class as a whole, and the nation itself.

Like the workers' representative bodies elected in munitions factories under the terms of a Circular of the Minister of Munitions, dated 24 July 1917, the joint committees can exist only on condition that they represent powerful industrial organisations and are always supported by their authority. It thus became an obvious necessity to enlarge the scope and flexibility of legislation on trade unions. This was the purpose of the Act of 12 March 1920 (10), an Act which is the latest symptom of the admirable movement for bettering labour legislation which began in 1914. The competence and authority of the unions had already been increased up to a certain point by law. Article 33 K of the 1915 Act on minimum wages authorised them to take civil proceedings "without being under the necessity of proving an act prejudicial to their interests ". The 1919 Act on collective agreements allowed them to plead on behalf of their members and to defend them before the courts. The 1920 Act increased their powers of acquiring and holding property. Under the terms of this Act trade union organisations could acquire all kinds of property, personal or real, by any procedure, either against payment or free of charge, without restriction; they were entitled to purchase all tools and material necessary for the carrying on of an industry, and distribute them to their members. They could have their " label " registered as an ordinary trade mark, and could thus protect their trade rights as well as their trade property. Federations of trade unions, which were not bodies corporate at law, were placed on the same footing as trade unions. Finally, the right to belong to a trade union was widely granted to all women, minors, and aliens, nor were members of the liberal professions excluded.

We have now sketched the principal features of French labour legislation since 1914. This article has been an attempt to point out new and striking features in that legislation. Considerable progress has been made, yet it cannot be said that there are no omissions. With the

(10) Inter. Lab. Office *Legislative Series*, 1920; Fr. 8.

exception of the Act of 9 November 1919 (11), extending the system of compensation for industrial accidents to industrial diseases, nothing has been done in the field of social insurance. A recent Bill, which was laid before the Chamber in March 1921, will, if it becomes law, as is to be hoped, do something to fill this gap, even though incompletely.

Another omission in labour legislation in France is more serious, because it appears to be intentional. Agricultural labourers enjoy very little protection at law. They have long demanded that they should be so protected against the risk of accidents arising out of their employment, but a Bill to this effect, which was voted by the Chamber in 1915, has not yet been adopted by the Senate. In addition, they have long been demanding that health and housing legislation should be made to apply to them, that they should be able to apply to committee of counsel (*conseils de prud'hommes)*, etc. ; they do not enjoy the advantages of the Act on the 8-hour day, while the Act of 9 April 1918, giving discharged and disabled soldiers an opportunity of becoming small peasant proprietors, can hardly be regarded as intended to benefit them. The task which is now before the nations would appear to be just this regulation of agricultural labour conditions, not only in order that justice may be done to the rural worker, but also in the best interests of production, which is far from being too abundant.

In spite of these omissions, post-war labour legislation in France has made considerable progress and can bear comparison with that of other countries. No great innovations have been introduced, but a number of long-needed reforms have been carried out and, above all, the way for further reforms has been prepared by the encouragement given to that spirit of industrial democracy which we have touched upon.

Increased attention to questions of social hygiene, a systematic effort to organize the employment market, and a bold attempt at limiting the working day, are the principal features which at first sight strike the investigator. But perhaps the most important feature of this recent legislation is the attempt made to draw in the worker and employer themselves to help in the work of legislation, whether by consultation, or by entrusting them with the management of new institutions, or by increasing the power of their organisations and allowing them to formulate their own law. The power of the state seems to a certain extent to efface itself and to exist merely in order to stimulate initiative or to encourage agreement. Labour apparently is no longer to be regulated from above, but regulation shall

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(11) *Ibid;* Fr 7.

arise where work is being carried on. Proudhon predicted that the workshop would replace governments. It is too soon to decide the truth of this saying, and, in any case, a long interval still separates us from this goal. It cannot be doubted, however, but that labour legislation is destined to become to an ever-increasing extent the work of labour itself, which will initiate, apply, and safeguard it, and this may be unhesitatingly recognised as a sign of real social progress.