

INTERNATIONAL LABOUR OFFICE

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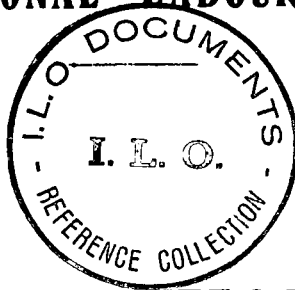
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# INTERNATIONAL LABOUR REVIEW

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## India and the Washington Conference

by

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IT is not easy for the general public to make a fair estimate of the difficulties which have to be faced by the Indian Government and people in ratifying and putting into effect some of the decisions of the Washington Conference. This article will therefore include a brief description of the conditions affecting labour in India, and of the direction in which the Indian labour world has moved in the past two years.

### I

The source of all labour in India—both agricultural and industrial—is the worker on the land; and to get a true picture of the conditions in which he lives we must look back to mediaeval Europe. The Indian village, which is the home of the agricultural labourer, holds for him, however poor, much peace and happiness. All his interests are centred in that little plot of land where even the humblest has probably built his own little hut out of free material and on land given to him without money and without price. His family has lived there for generations, he is amongst friends, and the community in which he lives is pleasantly democratic—within the limits of caste distinctions. He is on friendly terms with his richer neighbour, and can look forward at the end of a day's work in the fields to a long, warm evening spent in village gossip, listening to music or to the interminable chanting of some religious mythical poem. His life is not so monotonous as it sounds, for there are numerous festivals, when he takes part in the ceremonies of a picturesque religion, always an excuse for a day off.

There is, however, a darker side to this pleasant picture. Indian law and custom compel the constant subdivision of the peasant's tiny holding. Bad seasons are all too frequent; though the methods of cultivation are well adapted to the economic system, that system itself is out of date and wasteful, and human labour is extravagantly and ineffectively applied. In many cases the load of debt hangs heavy round the neck of the Indian smallholder, and he is forced to add to the income of the family by seeking employment elsewhere. Lured by high wages, he naturally turns to the city. But it must be remembered that as a class the peasant immigrant has one ambition: to earn enough to enable him to return to his village and dwell there in comfort. City life has no attractions for him; the noise of the streets, the glitter of the shops cannot make up for the comfort and the friends that he has left. He hates the costliness of city life; the idea of paying rent for the cramped and dirty room where he lives is foreign to his mind; and he usually returns to his home as soon as he can and for as long as he can afford.

The urban industrial population is thus constantly changing. The workers are unskilled and differ widely, for example, from the spinner or weaver of Lancashire, who has gained a high degree of skill from constant attendance on a particular type of machine, who often has ambitions of rising in the industrial world, attends evening technical classes, and invests in the shares of the mill where he works. Indian labour, though its wages are low, is not necessarily cheap; it is in many cases as dear as or dearer than western labour. Congestion in some of the larger cities is as acute and as costly to remedy as in Europe. The physique of the Indian peasant is often poor. He suffers from several preventible diseases; hookworm, malarial fever, and tuberculosis are frequent. Matters become worse when he leaves his village and crowds into the cities. It is scarcely to be wondered at that the Indian mill-hand is not, as a rule, in favour of concentrated effort. Factory labour through the long hot hours of an Indian day is leisurely in the extreme, and the breaks in work, when the labourer takes a "spell off" for a drink and a smoke, are very frequent. The worker has a low standard of comfort. There are few things on which he cares to spend his money; and, provided he can secure a certain sum per month, he prefers to make use of a rise in wages by taking more days off from the mill, rather than by increasing his monthly earnings.

The country, however, is so large, and its conditions so diverse, that departures from the normal types are frequent. The peasant of northern India is a fine, sturdy specimen of mankind; he is often ambitious of bettering himself, and in the engineering shop is capable of putting in very effective work, if the job suits him and rates are favourable. Many factories are situated in rural areas, or in the still uncrowded fringes of large cities, and there the worker still lives in rural

or semi-rural conditions. Employers in some places began, a few years ago, to see that industrial dwellings were a fine asset and tended to attract the pick of the labour market. Though labour was, as a rule, unorganised, there were a few more or less inchoate Indian labour unions; and unions of a somewhat more effective type were found on the railways, and in the post and telegraphic service, everywhere, in fact, where Europeans and Anglo-Indian workers were employed in considerable numbers. The few educated Indians who had interested themselves in the cause of labour had done so from political or philanthropic motives; Indian labour had produced no leaders of its own. But because Indian labour was unorganised, it would be a great mistake to think that employers had everything their own way. The demand for labour greatly exceeded the supply; and the workers were capable of rapid and effective combination for a short time, to protest against isolated acts of injustice, or to secure favours or privileges to which they thought themselves fairly entitled. But such movements were spasmodic; there was no class consciousness and no steady pressure to better the general position of labour. It is important to bear in mind this utter lack of organisation, since it is precisely here that the change during the past two or three years has been most remarkable.

Finally, it must be remembered that, though India contains many immensely wealthy landowners or capitalists, it is, as a whole, one of the very poorest countries of the world. No country can afford to spend more than a certain proportion of its income on its public services, however necessary. Though the Central and Provincial Governments are efficient, they cannot afford a very numerous or well paid staff, and many fields of useful activity have to be left untouched. The local authorities are not very effective, as they have little or no indigenous basis, but are foreign institutions, which have not yet developed much life or initiative of their own. The factory inspectorate has so far been recruited almost entirely from the United Kingdom, owing chiefly to the very small number of technically trained Indians available. The number of doctors, especially women doctors, is very few; and in rural areas the private practitioner is almost unknown in most parts of India. The organisations for training doctors are quite inadequate. The Government health services, therefore, are rudimentary. Thus the agencies for maintaining relations between the government or the local authorities and labour are slight; and labour itself, as has been shown, has been practically unorganised.

To sum up, on a rural economy resembling that of a mediaeval country had been superimposed a modern, highly developed system of transport and commerce, together with large organised industries, which, though much more extensive than those of European countries, are yet relatively of small

importance compared to the scores of millions employed in agriculture. The administrative responsibility for all this lay with a Government, still mainly foreign in personnel and principle, which, however profoundly it had affected the ideals and culture of the country, was yet not itself deeply rooted in popular sentiment.

The factory legislation in force had been passed in the year 1911, and at that time represented the utmost that public opinion, so far as it was effective, would accept, and perhaps a little more. It did not protect labour engaged in the smallest, and therefore the least efficient, industries; nor did it apply to mining and transport. The law affecting these said very little about the hours and conditions of labour.

## II

We may now consider how these difficulties affected the decisions of the Government of India, when the various Conventions and Recommendations of the Washington Conference came before it for ratification.

It must be remembered, in the first place, that these decisions had to be taken at the very beginning of the great constitutional change known as the Reform Scheme; and it was decided, in accordance with the democratic principles of this scheme, to obtain in the first place the general approval of the Legislative Assembly in the form of resolutions to such of the Washington decisions as involved legislative or other action on the part of India.

The most important of the Conventions was that which limited the hours of work in industrial undertakings in India to 60 in a week. The sense of the Assembly was decidedly in favour of the resolution, the only opposition coming from an Indian unofficial member, who had no particular connection with labour questions.

The definition of an "industrial undertaking" contained in this Convention and in that relating to the age of children involved a great extension of the definition of "factory" in the Indian Act of 1911, and this, in turn, required a great increase in the duties and responsibilities, and therefore in the numbers, of the factory inspectorate. Before considering further the proceedings in the Legislative Assembly the full scope of this difficulty may be stated. The Convention regarding the employment age of children required that the definition of "industrial undertakings" should be expanded so as to include factories employing 10 persons and upwards. The Indian Factory Act of 1911 has a minimum limit of 50 persons, which can be lowered to 20 persons, if good cause exists. The Government of India recognised the desirability



of including the smaller factories, in which abuses are most apt to arise, for all the purposes of their proposed new law, and not only for the employment of children. But no information existed as to the number, nature, and situation of the smaller factories, and this had to be collected by a special enquiry. A decision had to be reached as to the proportion of these that it was practicable to place under inspection, and as to the possibility of recruitment of the necessary staff. The Government of India finally decided that the farthest they could go, without risk of rendering their law ineffective, was a reduction of the obligatory limit of numbers from 50 to 20, and the optional limit from 20 to 10. This constitutes substantial, though not exact, compliance with the Convention. The "time limit" Convention also required the application of the 60-hour week to mines and to certain branches of railway work, still further extending the scope of factory legislation and of the consequent inspection. The Government of India are now engaged in framing the necessary legal provisions to give effect to this Convention, but the difficulty involved in so wholesale an extension of the ground to be covered by the inspecting staff, while maintaining their original high standard of work, can be readily understood.

The Draft Convention regarding unemployment required a good deal of consideration, not as to its desirability in point of principle, with which the Government of India were fully in accord, but as to the practicability of carrying it into effect, in a country where labour is so stationary, so ignorant, and, it may be added, so much in demand that employers or their agents who require workers have, as a rule, to seek them out in their homes and arrange for their removal to the factory or the tea garden. Moreover, owing to the lack of labour organisation, labour itself has no machinery whatever for the collection of statistics required by the Convention, statistics which, it may be remembered, are mainly collected by the trades unions. The whole burden of this would therefore fall on the government rural and district staff, and on the local authorities. It is, at any rate, clear that, so long as Indian industries draw on the surplus of agriculture for their workers, some special or limited form of statistics, differing essentially from those obtained in more highly organised countries, will be required. There was also the fact that in ordinary seasons there is no unemployment; that, in fact, there is scarcely a factory without a large number of vacancies; while in famine years Government has itself to provide employment for numbers which often run into millions, and in any case are more than industry can absorb. This employment is at present provided under the Indian famine codes economically, efficiently, without pauperisation, and as a matter of course, whenever the need arises, such need being measured by methods which have been worked out from the experience of many years. This relief is followed up by an

extensive system of loans to the small farmer, to restore his seed-grain and cattle and enable him to make a hopeful start with the next season. There are, however, a few congested areas, where, though there is no actual unemployment, wages are relatively low, in spite of emigration. For these it was thought that employment agencies might be useful; and experience might be gained here for possible future extension elsewhere. The Legislative Assembly, on the advice of the Government, decided to ratify the Convention, and accepted a resolution to that effect.

The Draft Conventions regarding the employment of women during the night, and the night work of young persons employed in industry, involved no change in Indian law or practice, and were therefore ratified without further reference.

The employment of women before and after childbirth formed the subject of another Convention, which, so far as India is concerned, was limited by a resolution of the Conference, calling on the Indian Government to study the questions of the employment of women before and after childbirth, and of maternity benefits, and to report to the 1921 Conference. This was endorsed by the Government of India, who, both on their own behalf and through Provincial Governments, have set on foot extensive enquiries; and the question has been discussed at various meetings and conferences. Great difficulties were found to exist, owing to the complete absence of statistical information. Local custom differed greatly and was often not ascertainable without personal enquiry from individual workers. The lack of private practitioners, of women doctors, of medical colleges, and of government health services has already been described.

Some allusion has already been made to the Draft Convention on the minimum age for the employment of children when describing the great extension of inspection involved by certain other Conventions. This Convention, which, in the case of India, required the minimum age for the employment of children to be raised from nine to twelve, was, it will be remembered, passed in the Conference itself, against the considered proposals of the Special Committee of the Conference. This Committee proposed that the Government of India should be invited to work out and submit a report on the subject to the next Conference. The acceptance of this Convention involved, as has been already explained, a widening of the scope of the factory law. In the next place, the registration of births in a country so deficient in education as India is difficult and imperfect; and as no attempt is made to record births in such a way as will enable the age of any child to be ascertained, the age of each child who desires employment in a factory has to be determined approximately by separate medical inspection. This has been a difficult and unsatisfactory procedure in the past, and constant effort has been needed to prevent abuses. Moreover, the custom of

the country insists on the employment of the children of the poorer classes in agricultural work or in domestic industries, even before they reach the age of twelve. It was also pointed out by opponents of the measure that only a small proportion of children below the age of twelve are receiving education, to the rapid extension of which lack of funds has proved an obstacle that can only slowly be surmounted. The raising of the minimum age would therefore mean that the children would either idle away their time, or, more probably, would be transferred by their parents to other and less desirable forms of employment, lying outside the provision of the factory law.

Though fully aware of the force of these objections, the Government of India were desirous of going as far as they possibly could in the direction of ratification, and brought the proposal before the Legislative Assembly in the form of a resolution. This proved to be the only Draft Convention to which any serious objection was taken by the Assembly; but the Government received sufficient support from non-official members to enable it to defeat by a majority of eight the amendment proposing a minimum age of eleven. It was, however, found necessary to qualify the offer of ratification by two reservations, one of which proposed to allow transitional provisions covering the case of children between nine and twelve at the time of the passing of the new law, similar to those included in the Convention applying to Japan. The other provided that, in view of the greater difficulty of securing effective age determination in small factories, many of which are in out-of-the-way localities, the application of the reduced age limit to factories with more than 10 but less than 20 persons should be left to the option of Provincial Governments. The Government of India also on their own initiative proposed an extension of the maximum age for the special protection of children, a matter which found no mention in the Washington Convention, but seemed desirable in itself.

Turning now to the Recommendations of the Washington Conference, those regarding the application of the Berne Convention of 1906 prohibiting the use of "white" phosphorus in the manufacture of matches, and the reciprocity of treatment of foreign workers, were already covered by existing law or practice in India, and required no action.

The Recommendations regarding the protection of women and children from lead poisoning and the prevention of anthrax were accepted by the Legislative Assembly, and embodied in the draft factory legislation which the Government of India were preparing. The two remaining Recommendations referred to unemployment and to the establishment of government health services. The Legislative Assembly, to which these questions

were referred, felt that they required further consideration, involving as they did the setting up of costly schemes for which neither data, nor experience, nor, in some cases, even nucleus organisations existed. The Assembly therefore remanded the Recommendations for further consideration. To impose wholesale an unemployment insurance scheme on a society, whose local organisation and social and economic functions, — barring the Central and Provincial Governments, the railways, and the factories — are closely parallel to those of the fourteenth century in Europe, is to invite failure. This relegation of the Recommendations in question, however, does not mean that the proposals are in any way shelved. Active enquiries are being set on foot, data are being collected regarding the domestic economics of the working classes, and such action as the conditions warrant is certain to follow.

A few words are necessary in retrospect. The enquiries set on foot by the Government in fulfilment of its obligations under the various Conventions and Recommendations, the notices in the press of the proceedings of the Conference itself, and the public speeches of the returned delegates aroused a great deal of interest in the position of labour in India among classes which had previously concerned themselves but little with it. This propaganda happened to coincide with a great wave of unrest among Indian labour itself, caused by the rising prices, by the industrial boom, by the general unsettling of popular ideas due to the war, and to the political awakening in India, which by this time was beginning to exercise a decided and novel influence among the uneducated classes. The immediate practical result was the foundation of a relatively large number of labour organisations, entirely Indian in membership and organisation, in almost all parts of the country. The defects of these were obvious. They were organised by persons with little or no interest in labour other than political or philanthropic. Their organisation was imperfect; some had no live membership, few, if any, effective rules, and no reserve funds; and they lacked the strength, flexibility, and confidence that can only come with working. But the intelligentsia show signs of either handing over management to workers whom they are training for this end, or of definitely throwing in their lot with labour. Labour all over India has begun to be class-conscious. It is learning to know its leaders and its own real interests and needs; and it will never revert to the attitude of inertia varied by spasmodic outbursts of ill directed turbulence that characterised it in the past. It knows a little of what labour is aiming at in other countries; it is acquiring a little of the international spirit; but it needs direction and advice.