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NINETY-FIRST CONGRESS  
SECOND SESSION

SUBCOMMITTEE ON DEPARTMENT OF STATE, JUSTICE, AND COMMERCE,  
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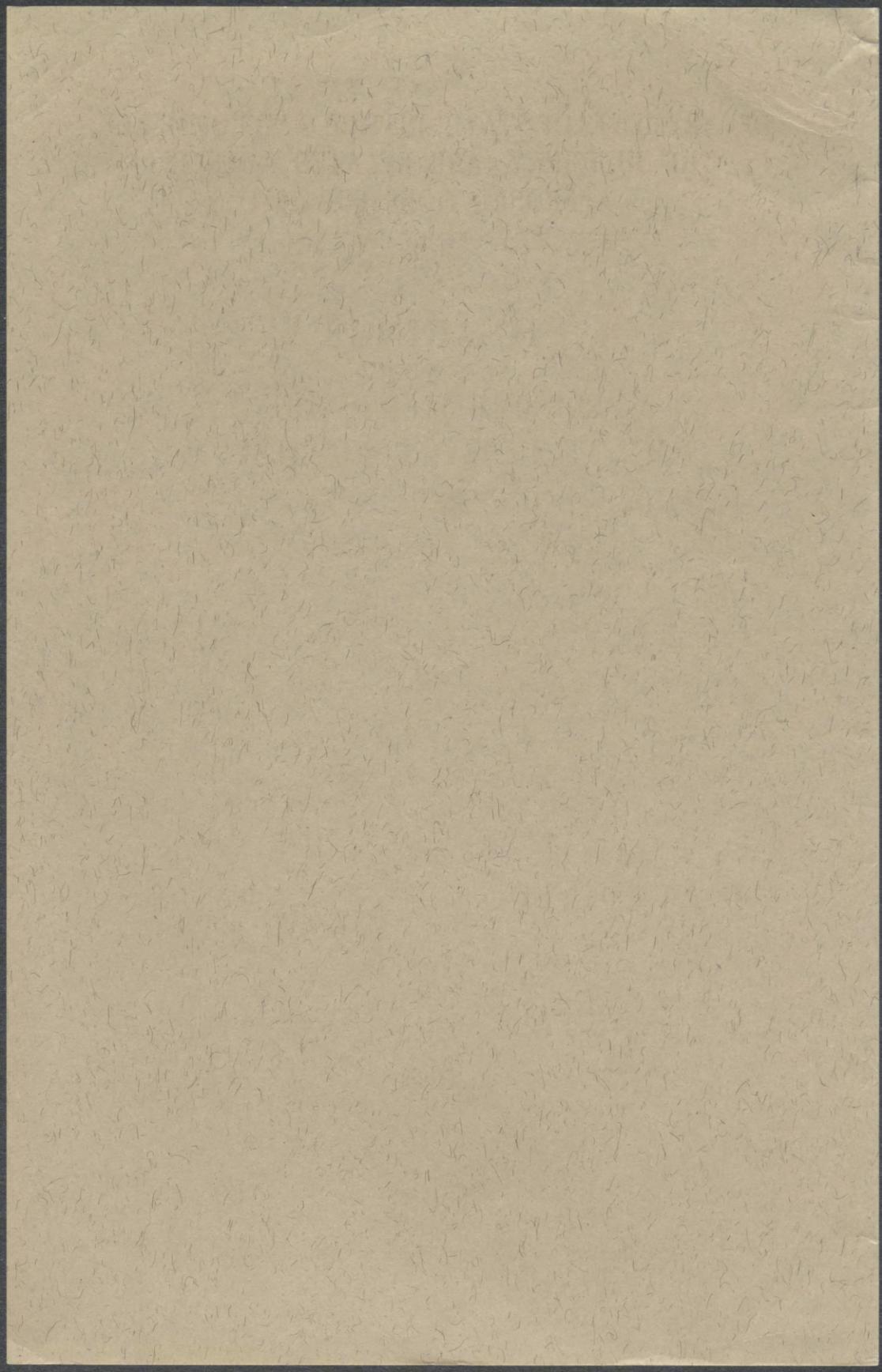
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PART 5  
ADDITIONAL TESTIMONY ON THE INTERNATIONAL  
LABOR ORGANIZATION



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PART 5  
ADDITIONAL TESTIMONY ON THE INTERNATIONAL  
LABOR ORGANIZATION



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DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE,  
THE JUDICIARY, AND RELATED AGENCIES APPRO-  
PRIATIONS FOR FISCAL YEAR 1971

FRIDAY, JULY 31, 1970.

DEPARTMENT OF STATE

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

INTERNATIONAL LABOR ORGANIZATION

WITNESSES

GEORGE MEANY, PRESIDENT, AFL-CIO  
ED NEILAN, EMPLOYER DELEGATE TO THE ILO  
GEORGE H. HILDEBRAND, DEPUTY UNDER SECRETARY FOR INTER-  
NATIONAL AFFAIRS, DEPARTMENT OF LABOR  
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BUREAU OF INTERNATIONAL ORGANIZATION AFFAIRS, DEPART-  
MENT OF STATE  
AL DELONG, ASSISTANT GENERAL COUNSEL, DEPARTMENT OF  
COMMERCE  
JOHN MULLIGAN, ASSISTANT TO ADMINISTRATOR, BDSA, DEPART-  
MENT OF COMMERCE

Mr. ROONEY. The committee will now please come to order.

Gentlemen, we are here this morning concerned with an international organization known as the International Labor Organization, domiciled in Geneva, Switzerland. We have been advised that there is the possibility that a Soviet Russian national might be installed at the

No. 2 level in this organization. The No. 2 position was filled for a number of years by a national of the United Kingdom and the organization has been directed by an American national named David A. Morse.

Most of us on this committee and in the Congress feel that there is not a real democratic labor union in all the Soviet alleged Socialist Republics.

So far the American taxpayers have paid in dues to this International Labor Organization a total of \$70,280,000.

The request for this fiscal year alone is in the amount of \$7,458,875. This is a very substantial increase over the past fiscal year which just ended on June 30. The increase is in the amount of \$805,691.

It is my understanding that the percentage of payments to this organization to keep it in business, made by the United States Government at the expense of the American taxpayer, is 25 percent as compared, Mr. DePalma, with how much paid by the Soviet Russians?

Mr. DEPALMA. Ten percent.

Mr. MEANY. And with other U.S.S.R. States it is brought up to 12.34.

Mr. ROONEY. We are gathered here this morning because of the concern of the head of the AFL-CIO, Mr. George Meany, at what might take place insofar as installing a Russian national in a No. 2 position in this International Labor Organization.

Mr. George Meany is here with us this morning and we shall first ask him if he would proceed to give us his views with regard to this organization and the possibility of this Russian national taking office in the second slot formerly held by Mr. Jenks, who has now been promoted by election to take the place of Mr. David A. Morse as Director General.

Mr. HILDEBRAND. It is not the second slot that is involved. It is the Assistant Director General, which is a little further down, but it is part of the top hierarchy.

Mr. ROONEY. It is not Mr. Jenks' slot?

Mr. HILDEBRAND. No.

#### STATEMENT OF MR. GEORGE MEANY, PRESIDENT, AFL-CIO

Mr. MEANY. It is one of the most important positions in the whole setup. It is one of the Assistant Director Generals. It causes us a great deal of concern.

Mr. Chairman, I would like to as briefly as I can go over this whole picture.

#### HISTORY OF THE ILO

The ILO came into being in 1920. It was the direct result of the activities of the president of the American Federation of Labor at that time, Mr. Samuel Gompers. It was based on a theory of Gompers' that if the workers and the employers throughout the world, in conjunction with government, would try to improve the quality of life among the people at the lower end of the economic ladder, and if we could step up the development of viable economies in the backward nations of the world, that this would in itself be a contribution toward future world peace.

Based on Gompers' theory that most wars came about because certain nations had more than others, and those who did not have

what they thought was their share, they would go to war to try to get that share. Gompers broached this matter to leaders of labor in other countries, notably the British and the French. They were in agreement that when the peace treaty was signed that something could be done to establish some sort of an international agency to direct its attention to this problem of raising the standards of life of the people all over the world who were at the lower end of the economic structure and in many cases who were citizens of countries which had no industrial potential at all.

In 1919 this matter was brought up to the convening powers in Versailles by President Woodrow Wilson, with Mr. Gompers at his side. A special committee was set up by the victorious powers in World War I. A special committee was set up to see what could be done to bring about the creation of this organization. Mr. Gompers was named chairman of that committee. After a report was submitted by him there was a provision in the Treaty of Versailles which set up the ILO. It provided for setting up the ILO and the ILO was set up here in the city of Washington shortly after the peace treaty was signed.

The Peace Treaty, of course, really set up the League of Nations and it provided that any country which joined the League of Nations automatically became a member of the ILO, and the entire structure of the ILO was based on what we call tripartitism, with Government, labor, and employers represented—with the Government having two representatives to each labor representative so that you had a tripartite system on a 2-1-1 basis, two representatives of Government, one representative of workers, and one representative of employer groups.

The ILO then, of course, lived for a number of years as part of the old League of Nations. Under the constitution of the League of Nations you could not be a member of the ILO unless you were also a member of the League of Nations, so for the first 13 years of the life of the ILO the United States of America was not represented.

However, in 1933 there was a constitutional change which allowed sovereign states to join the ILO even if they did not hold membership in the League of Nations.

When the League of Nations went down the drain the ILO continued to function as an independent international agency with the U.S. participation.

When World War II came to an end the ILO became a coordinating and cooperating organization with the U.N. Our country, of course, played a very prominent part in the early days of the ILO. The former Governor of New Hampshire, John Winant, was the Director General of the ILO during most of the war years. He was succeeded by a representative of Ireland, Ed Phelan who came out of the staff of the ILO, and when Phelan retired in 1948 David Morse, who was then Assistant Secretary of Labor in charge of international affairs, and who had attended ILO meetings, became the Director General of the ILO and remained in that post from the summer of 1948 until the spring of 1970.

The whole basis of the ILO is the tripartite system, The ILO recognized the necessity for bringing into its structure the independent thinking of labor unions to the point where member countries

could not designate a labor representative unless that labor representative was suggested and approved by the major labor organization in that country. In other words, while the ILO is an organization of sovereign states, it must have representation from both employers and workers, and the Government cannot under the ILO constitution submit the name of a worker for approval unless that worker is approved in advance by the organization in the country which represents the majority of workers. Of course, this in the early years was the AFL and since 1955 it has been the AFL-CIO.

#### SOVIET UNION MEMBERSHIP IN THE ILO

The Soviet Union applied for membership in the ILO for the first time in 1953, that is the first time after World War II. They applied with certain reservations——

Mr. ROONEY. It had already been in existence for 33 years?

Mr. MEANY. Oh, yes. They were in it when it was part of the League of Nations. However, they applied in 1953, but applied with reservations—that certain sections of the constitution should not apply to the Soviet Union. For instance, ILO decisions are appealable to the World Court at the Hague, and the Soviets said they could not accept that. So the ILO said they could not accept the Soviets into membership.

A year later, however, the Soviets decided that they would accept membership in the ILO and pledge themselves to abide by the constitution.

When they came in they came in, of course, with delegates supposedly representing employers and delegates supposedly representing workers. Delegations were accepted on that basis even though everybody in attendance at ILO conferences knew there was no such thing as private employers in the Soviet Union, and there was no such thing as free trade unions in the normal sense in the Soviet Union. Of course, this is still true.

In the Soviet Union they have what they call trade unions but actually these so-called trade unions are agencies of government. They are agencies designed to control workers, not to give expression to the views or the ideals or the aspirations of workers. As proof of that from time to time the official publications of the Soviet Trade Union Movement calls attention to that fact.

I recall in 1957 at the U.N. where I was a delegate, I was engaged in a discussion with the Soviet representative as a member of the Committee No. 3 on Social and Economic Subjects, and I brought to the attention of that committee a copy of the Russian, so-called Russian, trade union paper, the Journal of the All-Soviet Council of Trade Unions. I think that was the official title of that group. The magazine is known as Trud.

On the front page of this magazine at the time was a statement from the editors, and it was boxed in to emphasize it, that the Soviet Council of Trade Unions was attempting to move out of their sphere of influence by discussing wages, wages of workers, and what they call production norms.

The statement from this trade union paper wound up by saying that wages are not the province of the All-Soviet Trade Union group nor are production norms within the jurisdiction of the All-Soviet group, but these matters are party matters determined by the party.

This, of course, put the thing really in proper perspective, that these people are not representative of workers.

As a further indication, the head of this so-called union group is not elected by workers. He is appointed by the government. The present head of the All-Soviet Council of Trade Unions is a man by the name of Shilepin who spent his entire lifetime in the Russian Secret Police and was head of the Russian Secret Police when he was appointed about 3 or 4 years ago as the head of the All-Soviet Council of Trade Unions.

These are the circumstances in which the Soviets hold membership in the ILO.

However, they go much beyond this. They have a special membership. They operate under a double standard, and this has been more or less accepted by the Office of the ILO over the years. They accept officially, without question, the decisions of the ILO but promptly, once a decision is made, they proceed to ignore it. In other words, they have voted for the freedom of association at the convention of the ILO and they deny freedom of association. This is true not only of the Soviet Union but of the bloc countries. The head of the Polish Delegation was elected to the chairmanship of the annual conference of the ILO in 1966 when his nation was under sanctions of the ILO officially for denying the right of association to its members, so there is a double standard which has been set up in regard to Soviet membership in the ILO. And it is based on a practical approach to the Soviets, that they either get their way or they don't pay. They don't send any money.

Mr. ROONEY. We can do that, too, can't we?

Mr. MEANY. I am sure we can. Of course, this is a question for Congress in its judgment to decide. It is not only their privilege but their duty, I think, to decide this.

#### BASIC DEFECTS IN THE ILO SETUP

I have here a very long document written by a Prof. Carlos Vela of Ecuador, in which he analyzes this whole ILO situation in regard to what he calls basic defects in the ILO setup. He refers to the so-called double standard. He indicates, and this is back in 1966, that the Russians do have a double standard.

Mr. ROONEY. Do you wish that made part of the record, Mr. Meany?

Mr. MEANY. Yes.

Mr. ROONEY. Without objection we shall insert this document at this point in the record.

(Information referred to follows:)

CRISIS IN THE INTERNATIONAL LABOR ORGANIZATION; CERTAIN OBSERVATIONS CONCERNING BASIC DEFECTS BY PROF. CARLOS VELA M., CATHOLIC UNIVERSITY, QUITO, ECUADOR

(Translated from Spanish and reviewed by the author)

GENEVA, SWITZERLAND, May 25, 1965.

Mr. F. BLANCHARD,  
Assistant Director General, International Labour Organization,  
Geneva, Switzerland.

DEAR SIR: In accordance with our conversation yesterday, I take pleasure in sending you a copy of my study, "Crisis in the International Labor Organization;

Certain Observations Concerning Basic Defects," a study which I have made, taking advantage of my stay in this city, but quite apart from my chief work on collective bargaining institutions.

I would have been pleased to offer it to the International Labor Review, but I understand that it would not be appropriate for that publication, which is purely a technical publication.

In any case, bearing in mind the subject matter, I have not wished to go ahead with its publication before letting you see it, being certain that you will send me your valued comments.

In anticipation of these comments, which I hope will be made as soon as possible so as not to delay publication, I remain,

Sincerely yours,

CARLOS VELA M.

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4. Other aspects of the same problem.
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7. The opportunist position.
8. The balanced position.
9. Survival of the tripartite principal and universality.
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CRISIS IN THE INTERNATIONAL LABOR ORGANIZATION

Certain Observations Concerning Basic Defects

1. A Problem of Current Interest

The leaders of the International Labor Organization are currently concerned over the urgent need to overhaul its program and structure to enable them to meet the demands of the atomic and technological age that have brought the world to a stage of rapid evolution.

Among those who have been preoccupied with this matter are the Director General, in his annual reports of 1963 and 1964, the Conference, and the Governing Body especially at their last meetings; and these two organs must, in the near future, make decisions on the basis of the report and an analysis of the proposals submitted to them by the Director General.

These proposals cover vast fields. As regards the program; they include the development of human resources, development of social institutions, developments of the trade-union movement and labor relations, research and dissemination of information, review and updating of the International Labor Code, technical cooperation and activities, etc. Concerning structure; they cover the functions of the Conference, frequency of meetings, procedures, verification of credentials, resolutions, relationship between the Conference and the Governing Body, between the ILO and the United Nations, etc.

As can be seen, these are unquestionably very interesting, fitting proposals. Nevertheless, "political" attitudes, tensions and opposition, impediments, and even the undeniable practical difficulties, will cause more than one of these proposals to fail.

"The ILO," to quote the words of the Director General in the introduction to his 1963 report, (1) "is at one of the critical points of its history..." And we ask ourselves: "Will an overhaul of the practical program alone be sufficient to resolve this crisis, or will it also be necessary to revitalize to a certain extent some fundamental ideas?"

The discussion that follows makes no attempt to provide a direct answer to this question. It is limited to pointing out two defects of undeniable importance to the life of the Organization, which should not be overlooked, even though they have existed for a long time.

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(1) Report of Director General, 1963, page 1

A. STRUCTURAL DEFECT

2. The ILO is built on two fundamental bases, (a) universality and (b) tripartite representation.

The application of the system of tripartite representation is subject to the real and effective practice of the principle of liberty and independence of the representatives of management and labor. In other words, there can be no tripartite representation unless such liberty and independence exists.

Now, the application of this principle, and consequently the validity of the tripartite system, suffer from the negative impact caused by the situation created by the governments that actually or potentially dominate or control employer and worker organizations.

And, as the governments that now exercise such dominion or control are no rare exception, the impact on the ILO's organizational system is so strong that, by weakening its bases substantially, it endangers the very existence of the Organization as now constituted.

3. Location and characteristics of the problem

In the Socialist countries, liberty and independence of the representatives of management and labor do not exist, making genuine tripartite representation impossible. Such independence and liberty are nonexistent in such countries because:

Theoretically, neither employers' nor workers' organizations exist. The Government is the sole employer. And unions, under the dictatorship of the proletariat, are either agencies of the government or the government itself.

(a) No employer organizations exist because the state is the sole entrepreneur and the sole employer. Taking the specific case of the Soviet Union, according to the McNair Committee, (2) and considering the legislative and constitutional precepts, as well as statements by the Soviet Government itself on various occasions, we have the following:

All instruments of labor and means of production have been nationalized (Articles 4-9 of the Constitution).

The national economy is operated according to the economic "plan" (Article 11), and which, at all stages, is prepared under the direction of the Communist Party, which plan is "a legal act with mandatory force."

Industries are administered directly by the State, which appoints, from among the numerous ministries in charge of the different branches of the economy, directors of enterprises, chief engineers, and other administrative personnel.

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(2) See I.L.O. Official Bulletin

Consequently, employer organizations properly speaking do not exist. The director of an enterprise is responsible for hiring and firing workers, approving and changing the organizational chart and composition of the personnel, fixing and altering wages, etc. He may not, however, associate with other directors except to exchange scientific and technical information and experiences and to stimulate the economic development of the enterprise and the improvement of production methods.

(b) Neither do unions exist. The so-called unions are Government organs, organized on a unitary basis and according to the principle of "democratic centralism," which ensures absolute power over the trade-union movement by the Central Trade Union Council, the supreme trade-union authority. "The guiding force is the Communist Party. All other organizations, whether governmental or social, are merely Party transmission machinery."

Consequently a very definite structural deficiency exists in the ILO. It is not truly organized in accordance with the tripartite system, and in this sense it does not comply with the provisions of its Constitution.

#### 4. Other aspects of the same problem

A tripartite structure and universality are basic principles of the organization, as stated.

Some people believe that these two principles are contradictory in practice and so only one of them can have real practical application, since, if the tripartite principle is required, universality cannot exist, and if universality is given the preference, it has to be to the detriment of the tripartite principle.

Nevertheless, it is not hard to see that in the organizational and constitutional process, the tripartite principle comes first and universality next, since, for a country to acquire membership, it must accept the tripartite Constitution and be in position to fulfill the obligations emanating from the constitutionally established tripartite principle.

Universality is merely the right accorded to every State to become a member "if it fulfills the required conditions." Thus is "universality" given its juridical and doctrinaire meaning. But when put into practice, it becomes a "conditional" universality, that is, "limited" in fact to those States having the specific qualities provided for in the charter establishing the Organization.

When views were exchanged on the McNair Report at the 39th Conference, June, 1956, (3) the divergent opinions on this matter were expressed with utmost frankness, not only demonstrating the ideological and practical differences in the Organization, but also emphasizing the grave crisis existing in it.

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(3) International Labour Conference, 39th Session, Geneva 1956, Record of Proceedings

These opinions could be classified under the following four positions; the constitutional, pragmatic, opportunist, and balanced. The first defends the original tripartite structure and consequently accepts only relative or limited universality. The second, with practical action in mind, prefers universality even to the extent of disregarding the limitations that the tripartite structure would impose. The third attempts to strengthen the political position of certain States, and to use the tripartite structure and universality as simple weapons in the cold war, supporting for the moment absolute universality plus a tripartite structure without liberty. The fourth, finally, would be merely a procedural, methodological, or tactical device aimed at keeping the waters calm, or if they become rough, owing to the clash of opposing tendencies, at riding out the storm better. The western democracies represent the first position. The second, the neutral countries. The third, representatives of the Communist countries. And the fourth, the International Labor Office and the delegates most closely connected with it. Let us hear their opinions.

##### 5. The First Position

Sir Richard Snedden, employer delegate of the United Kingdom, is a typical exponent of the constitutionalist position. He said: (4)

"The McNair Report must have convinced everyone that the ILO has ceased to be a tripartite organization. It can still be represented in pamphlets and charts as consisting of three groups; but no one can doubt that there are at least eight delegations (from the Communist countries), in which the so-called delegates of employers and workers are no more than government delegates because of their subjection to the Government and the Party.

"...We have lost the tripartite structure, and, in fact, the Organization has become a hybrid entity, partly tripartite and partly inter-governmental... For some time now we have avoided taking up this problem frankly. Too many of us close our eyes, pretending that the problem does not exist or that it will resolve itself. But time is of essence... And in one way or another let us endeavor to rescue the ILO from the morass in which it is trapped. The task we must set for ourselves today is to re-establish the tripartite principle..."

"There are five courses of action or inaction from which the ILO can choose:

"1. To do absolutely nothing," ...which would be fatal.

"2. To amend the Constitution"... This must be done "in such a way that in those countries where the employer and worker delegates cannot be designated by genuinely independent organizations, only government representatives may be designated."

"3. At the same time, amend the Conference Standing Orders," in order to prevent mere tools of governments from being placed on the technical committees under the guise of being employer representatives."

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(4) IBID page 133

4. If the ILO fails to face reality, the free countries, which need a free ILO, could withdraw from the present organization and create a new ILO, as they withdraw from the World Federation of Trade Unions.

5. To transform the ILO into an exclusively inter-governmental organization, which would not be desirable, but, in any case, if some persons do advocate this solution, it would be preferable to say so frankly.

Thus spoke Mr. Snedden in defense of his extremist position. However, today it would be very difficult to find a speaker who would so express himself. Even then, such threats to withdraw from the ILO drew a reaction of surprise and displeasure from Mr. Tripathi, worker delegate from India, and in addition, the sound advice not to abandon a forum where matters could be taken up and discussed with all political systems.....

Another speaker added a sixth possibility to the five courses of action outlined by Mr. Snedden, that of transforming the ILO into an assembly devoted to study and the exchange of ideas, discarding the drafting of conventions and recommendations. Such a possibility is of course to be understood as merely speculative.

#### 6. The pragmatic position

Mr. Bhartavatsalam, Government delegate from India, expressed his pragmatism thus:

"The primary objective of the ILO is to improve the lot of the worker, and the polemics and debates concerning the juridical aspects of independence will only serve to distract us from that primary end.

"The tripartite structure is a very valuable principle, and no one here can threaten it....But let us not forget that the tripartite structure is merely a means to an end, to improve the lot of the workers. This is the objective to which procedures, methods, and systems must be subordinated... It should be possible to adjust all these to the needs brought about by developments in the situation. If the social organization changes in certain countries, let us take note of it, and let us adjust our working methods in such a way that all can play an adequate role."

It should be observed that the "improvement of the lot of the worker," the motto of this group, cannot be attained in slavery, with no respect for the dignity of the worker and the demands of social justice: And so, to demand that the principle of the tripartite structure with freedom continue to be effective is not the manifestation of a bias aimed merely at the exclusion of someone, but rather implies a demand that the rights of man be effectively respected as a basic condition for fulfilling the objectives of the International Labor Organization.

Extremist thinking within the pragmatic group, which no doubt places it near the third position, seems to be upheld by Mr. Raschid, Government delegate from Burma, and the candidate of the communist countries for the Presidency of the 1956 Conference.

In his opinion, "the only objective that the ILO should pursue is social progress, improvement of the living and working conditions of workers throughout the world."

For this "there is no essential incompatibility between the principle of universality and the tripartite character of the Organization. Perhaps it may be necessary to modify the tripartite structure, but it is necessary to save the principle of universality, which is much more important... That is why it is necessary to keep the doors of ILO open to the whole world. All countries may be admitted into the ILO, and all should play their role."

Thus, in the conflict of principles, Mr. Raschid proposes an extreme solution, universality at any price, even without liberty.

#### 7. The opportunist position

Mr. Surguchef, employer delegate of the U.S.S.R., holds these views: "...The McNair report mentions many facts giving proof of the increased participation by the socialized sector in the economy of nearly all countries. It is necessary to keep this in mind in order to seek a solution to the problem of employer representation...Private employers no longer occupy a predominant place in the general economic picture...The number of employers in the public sector is on the increase..."

"We support and are in agreement with the opinion that the ILO must maintain its tripartite structure... But we reject as completely without foundation the opinion of Judge Cornelius, who says that the directors of socialized enterprises are wholly lacking in independence in the management and administration of enterprises. However, we support the majority opinion of the report that the directors of enterprises of the Soviet Union and other people's democracy countries should participate on an equal footing with the other employers in the work of the Organization..."

"The active participation of the industrial leaders of the Socialist countries can, with their experience, contribute much to the effective results of the work of the Organization and to the improvement in the standard of living of all the nations of the world..."

"It is really strange to observe the attempts of some employer representatives of countries where the principle of private ownership of the means of production prevails to ignore the existence of employers in the Socialist countries. Such attempts ignore the developments and changes occurring even in their own countries..."

Mr. Licki, Polish Government delegate, concludes his remarks by saying that "of the five alternatives presented by Mr. Snedden, I would personally choose the first, which he has described somewhat demagogically and astutely as 'doing absolutely nothing'..."

It should be noted that the criticism of the employer and worker delegates from the totalitarian countries is not based on the fact that such delegates come from "socialized industries," but rather on the absence of "liberty and independence" of those delegates with respect to their governments. This is very clearly seen in the remarks of various speakers, and especially, in the proposal to amend Article 3 (par. 5) of the Constitution, which was made to the Governing Body (5) by Mr. Waline, delegate from France.

It is not difficult to understand that a delegate from "socialized industry" and a delegate who is "subject to the Government" are not exactly the same. There is a mistake, in this connection, in the statement of the Soviet representative, because there could exist, in theory, the case of representative of a socialized industry, or in other words, of the public sector of the economy, who may at the same time be free and independent, and consequently fully qualified.

#### 8. The balanced position

Falling into this category are those who think as Mr. Brown, the Canadian Government delegate, and at that time chairman of the Governing Body, who as the first speaker in the exchange of views declared (6):

If "we guided ourselves simply by the opinions of certain delegates all employer and worker delegates who do not fulfill the requirements established for their respective groups would be eliminated...the Organization would be reduced to a select and limited number of countries. This would mean greatly reducing the scope and areas of effective action of the Organization, a result that we would all greatly regret.

"...Neither do I believe that any of us wants the ILO to be transformed into a purely inter-governmental organization, no matter how much we may be attached to the tripartite structure."

Consequently, "we must be prepared to be patient in seeking a course and a method leading us to an acceptable and satisfactory solution..."

Mr. Ago, the Italian Government delegate and a member of the Governing Body, who was one of the last speakers, agreeing essentially with Mr. Brown, stated:

"The amendment of Article 3 (par. 5) of the Constitution is ill-advised for very serious reasons:

##### a. Convenience

The elasticity and flexibility of the present system would be lost, giving rise to a greatly increased number of objections to credentials and making it more difficult to find a reliable criterion for ruling on them.

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- (5) Minutes of the 133<sup>d</sup> Session of the Governing Body, Geneva, November 1956 First sitting, page 15.  
 (6) ILO, Record of Proceedings, 1956, page 131.

"The tripartite structure would be in no better situation with such an amendment, and, in addition, it would cause the withdrawal of the countries involved, a result which, while damaging the Organization, would not effectively improve the liberty and independence of the occupational organizations of those countries.

"Moreover, the amendment would run counter to the standard of universality prevailing in the family of international organizations of the United Nations.

"b. Practical reasons

"The proposed amendment could not be passed, because it would fail to obtain the two-thirds votes required for adoption.

"As a reaction, there would be a whole series of proposals and counter-proposals, which would produce instability and would upset us.

"The solution to the problem can come if, in a spirit of understanding we seek a practical arrangement...which could be found 'if we sat around a table, equipped with patience and endurance, and above all the firm determination to arrive at a solution acceptable to all!..."

This same position of compromise or seeking a balance continues to be, very probably, the present position of the International Labor Office. For the purpose, suffice it to cite the following words found in the 1963 annual report of the Director General, concerning the reform of the ILO program and structure:

"To pose such questions as these is to court a risk: that views will be so varied and divided that no clear pattern, no consensus, emerges. I feel that the risk is worth taking, because the events of recent years seem to me to show that the recognition of certain differences in philosophy concerning man and society may not be a barrier to practical action on labour and social matters, provided these are approached in a constructive rather than in a polemical way. Let me stress again that there should be no question of attempting now to re-define basic principles, to rewrite or revise the fundamentals of the Constitution or the Declaration of Philadelphia. On these basic principles there should be no disagreement, because every member State has accepted them by the act of membership itself. What it is necessary to discuss is a practical programme and the adjustments in organization needed to carry it out..." (7)

To sum up, the watchwords of this position would become: Neither constitutional reform nor discussion of the basic principles that would disturb us or make us uneasy...But simply, "a practical program," which would be the expression of our coexistence and would keep the Organization active.

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(7) See page 6

## 9. Survival of the tripartite principle and universality

Obviously, the tripartite structure is passing through a serious crisis. It is also evident that a solution is not easy to find.

The original tripartite structure, understood as a precept ordering the establishment of an organization with government, employer, and worker delegates, requires for normal functioning, that such delegates enjoy liberty and independence. This is essential to the tripartite structure.

However, it is not essential to the tripartite structure that management delegates come from private enterprise. They may very well be qualified representatives even if they come from a socialized enterprise, because the tripartite character is not dependent on the existence of any particular economic organization, but only on the freedom of the delegates to act.

For the efficiency of the system, the only elements necessary is this liberty, and so it can even be imagined that, at a later stage of development, the tripartite structure may become a mere "bipartite" structure if the concept of enterprise, understood as the joint work of entrepreneurs and workers, should be put into effect in such a way that it succeeds in eliminating the clash of interests between these two groups.

As for universality, conceived in the strict sense of the word, this is merely the potential right of every state to become a member of the Organization. But, since actual membership requires compliance with the conditions provided for in the Constitution, actually there is only a relative and conditional universality. In other words, in fact, not all States without distinction can be members, but only those that have the qualifications required by the Constitution.

And, as "liberty and independence" are basic to these conditions and do not actually exist in the totalitarian régimes, we believe that it is only by losing sight of the fundamental principles and the force of their precepts that have we been able to permit such régimes to enter a free organization.

The error having been committed, it is now very difficult to rectify it. There is the obstacle of the numerical strength of the vote, which, as far back as 1956, was opposed to the constitutionalist tendency. (8)

The McNair Report itself was also opposed to the idea. Because, although Judge Cornelius made it clear that the absence of legal status for directors of enterprises in the U.S.S.R. and the lack of political freedom in that country and in the satellite countries make it impossible to give serious attention to "the possibility of the liberty and independence of such representatives of socialized enterprises, who are merely representatives of the governments to which they are directly subordinated, the opinion of two majority members, without actually contradicting Judge Cornelius on this point, but rather assuming such lack of liberty and independence, suggests that the Organization accept such representatives because they do have a contribution to make to the ILO.

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(8) See Governing Body, Minutes of the 133<sup>d</sup> Session, page 33.

And thus, for the sake of "the contribution to be made," "a practical program," or "improvement in the lot of workers" we are being deluded, and freedom is being postponed.

Social progress without liberty, we repeat, is no good. This is clearly stated in the vibrant Declaration of Philadelphia, quoted below, which is an accurate physical and moral sketch of the ILO and a masterful description of its dynamic character:

"The fight against want must be carried forward with ceaseless energy within each nation of a constant, concerted international effort, in which the representatives of the workers and of the employers, cooperating on an equal footing with the Government representatives, participate in free discussions and in making decisions of a democratic nature, for the purpose of promoting the common welfare" (9)

#### 10. Another defeat for the tripartite principle

The attempt to strengthen the tripartite principle through the draft resolution presented at the 1964 Conference by a group of employers, in my opinion only succeeded in giving additional evidence of the weakness into which the tripartite principle had fallen, and its threatened repudiation.

The enacting part of the proposed resolution made reference only to minor aspects of the tripartite principle without actually touching the deep roots of the crisis which are found not so much in its "activities" as in the very structure of the executive bodies composed of worker and employer delegates lacking freedom and independence. Nevertheless, when the motion was discussed in the appropriate committee--despite the general disagreement evidenced by the 36 amendments presented, without considering also the possible truth in the observation of the Yugoslav and Ukrainian Government delegations to the effect that the text of the motion was "neither interesting nor effective," "and realizing that it did not offer anything that would alter or improve the present situation"--great care was taken to eliminate the sixth paragraph, of the preamble, which, with the eighth paragraph, at least left something of an unrealistic, nostalgic declaration of the tripartite principle of the past and pointed out, although only at the theoretical level and with no visible effect on the resolution itself, the substantive aspects of the present crisis.

The sixth paragraph considered "that the autonomy of groups, the result and condition of a true tripartite structure, should be scrupulously respected, particularly with respect to the election of their representatives to the various organs of the ILO."

The reasons for eliminating it, as can be seen in the First Report of the Resolutions Committee presented to the 1964 Conference (10) were the following:

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(9) Declaration of Philadelphia, Section I,d

(10) Record of Proceedings, Appendix IV, Page 603

A general objection to the tripartite principle by the totalitarian sector, because (a) the ILO structure had to reflect the important socio-economic changes which had taken place in the world; and (b) practical application of the tripartite principle has been unfair and frequently has had an adverse effect on the democratic development of the ILO.

In the opinion of "many members of the Committee," this [sixth] paragraph would reopen the discussion of procedures established for the designation of delegates to committees without having been designated by their respective groups.

The tripartite structure was not the only principle on which the Organization was based. "Universality" also existed, a principle to which the rights and prerogatives of groups should be subordinated. This was the comment of the Italian Government delegate.

Whereas the tripartite principle continued to have the same validity, the concept of the employer could not be limited to the private sector, nor could the principle of autonomy of groups be given a narrow interpretation. Because, since the founding of the ILO, some countries have established an economy based altogether on the public sector, while in other countries the public and private sectors of the economy live together in harmony. This was the comment of the French Government member.

Following this debate, the employer members, who drafted the resolution, placed on record their disagreement with the idea that universality would prevail over the tripartite principle and the autonomy of groups. However, they agreed to eliminate the paragraph.

Having suffered this first setback, the draft resolution was destined to fare no better at the Conference. It is true that the Conference began by accepting the preamble, still carefully phrased in the flowery trappings which have been serving as the shroud of the tripartite principle. As may be seen in the original language of the draft, the preamble cites the Philadelphia Declaration (par. 2), reaffirms the value of the tripartite structure (par. 3), expresses satisfaction over the successes achieved by the tripartite principle outside of the Organization (par. 4), proclaims the need for respecting and reinforcing the tripartite principle (pars. 5 and 7), and above all, "recalls and reaffirms the opinion expressed on numerous occasions, and especially in 1961 and 1963, by the Credentials Committee, concerning "the independence which non-governmental delegates should enjoy, both with respect to their own governments and with respect to each other. Furthermore, the spirit of Article 3(5) of the Constitution at the same time requires that employer and worker organizations be allowed to exist and to enjoy freedom of action" (par.8).

But the important thing was approval of the enacting part of the resolution, and this is what failed to pass. This part of the motion came to be summed up in simple applications of the watchword "the tripartism for the activities of the Organization." It failed to refer to the structure itself. Nevertheless, it was put to a vote, and the result was negative (11). They failed to muster the necessary number of votes, and the resolution failed to be adopted because of the abstentions of the African and Communist groups.

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(11) IBID, page 518

Thus, in actual practice, the tripartite principle suffered one more defeat, although once again it had been praised and revered in the papers and speeches of the Conference.

#### B. FUNCTIONAL DEFECT

11. Parallel to the structural defect, a marked functional defect is also to be noted in all of the organs of the ILO, both in their nature and in their operation, a defect that has not been pointed out, at least expressly, in the interesting report of the Director General for 1963 and 1964.

Have not the purposes and objectives of the ILO, as well as the principles underlying its policies, set forth in the preamble to the Constitution and repeatedly reaffirmed in the Philadelphia Declaration, been betrayed, in practice, by the implicit acceptance of two social justices, one for the Communist world and the other for the free world, the one based on the liberty and dignity of all human beings and the other on dictatorship and a desire to coexist with it?

Can it not be said with reason that the ILO has been forced to pay less attention to the urgency and gravity of its obligations with respect to action in the Communist world, and so it seems to have resorted to (a) a certain vagueness of principles and a diminution of their logical consequences, and (b) a system of imitating, covering up, slanting, or distorting the specific problems that affect the countries dominated by Communist dictatorship?

Consequently, is it not true that the ILO seems to use (a) two decalogues of social justice, a whole one applied to the free world, and another one cut in half, for the benefit of the Communist world; and (b) two terminologies, the one full of meaning for the West, and the other one, woven of conventional phrases and euphemisms, such as "countries having a centralized economy," to refer to the Eastern dictatorships?

Moreover, does not granting to the Soviet Union and other Communist countries unconditional membership in the ILO, with full rights and obligations, in itself presuppose an initial abandonment of principles, as well as conceding to totalitarian abuses?

Furthermore, is it not a profound contradiction of the facts and a white lie as well, for Russia and her satellites solemnly to commit themselves, first by becoming members, and secondly, by ratifying certain conventions, to putting into practice principles and provisions which are entirely irreconcilable with the totalitarian system they profess, when it is known in advance that they will never adhere to those principles and conventions according to their obvious meaning and natural interpretation?

How indeed, can Russia adhere to certain principles of the ILO Constitution and the Declaration of Philadelphia that proclaim the inalienable right of the individual to freedom and dignity and to the means to achieve material well-being and spiritual growth and to Conventions such as No. 87 and No. 98 concerning freedom of association and protection of the right to organize and collective bargaining, which, moreover, the Soviet Union hastened to ratify?

## 12. Two decalogues and two terminologies

Although it is not legitimate, if we adhere strictly to principles, to speak of "two" justices or of "two" decalogues, because it would be like maintaining the simultaneous validity of two mutually contradictory truths, when the truth is only one, and cannot be and not be at the same time. Nevertheless, the Soviet Union, in many official documents, elevates this notion of "two" justices, "two" decalogues, "two" terminologies to the level of indisputable doctrine.

Several such documents appeared shortly after the Soviet Union re-entered the ILO, on the occasion of the preparation of the McNair Report.

Remember that this Report was requested by the Governing Body from a committee of three independent persons charged with studying the degree of freedom of the employer and worker organizations in view of the critical remarks made by certain member States. Annex II of this report, which was actually submitted in 1956, contained papers on each of the member States which were prepared by the committee on the basis of information supplied by the governments and by the employer and worker organizations, concerning pertinent legislation and regulations, and the reports submitted to the Committee on Trade-Union Freedom. After these studies had thus been prepared, they were sent by the Committee to the various governments for whatever comments they considered appropriate.

## 13. The Soviet position

The remarks made by the Soviet Union at that time were as follows: "...The situation of the Russian trade unions cannot be judged on the basis of the same standards and criteria applicable to the labor unions of the capitalist countries...Only by bearing in mind the social and economic conditions under which the Soviet labor unions operate can their rights and activities be appraised objectively..." (12)

Therefore, it asked that the report carry a preface supplied by the Soviet Government itself concerning "the organization of the economic and social life" of the Soviet Union. In this statement, the Government belabored the well-known themes; the power of the State is in the hands of the workers; the means of production belong to the workers; the exploitation of man by man has been ended, etc.

## 14. Brief remarks concerning the foregoing proposition

The substantive error lies in the first part of the Soviet "observation" in attempting to establish two different decalogues or two different sets of principles, one being "the standards or criteria for evaluating the labor unions of the capitalist countries," and the other "the standards and criteria applied in judging the trade unions of the Soviet Union."

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(12) Report of the Committee on Freedom of Employers' and Workers' Organizations

Having established this false principle of the "duality" of decalogues, the second part of the Soviet declaration loses the reasonable meaning that it had to some extent in Section 5 of the Philadelphia Declaration.

Actually, this Philadelphia document, after clearly establishing the "unity" of the decalogues when it states that "The Conference affirms that the principles set forth in this declaration are fully applicable to all nations ..." goes on to say that "in applying these principles it is necessary to bear in mind the degree of social and economic development of each country." (13) That is to say, "principles" are one thing and always the same, while "the method of application" is something else, and this varies according to the economic and social conditions of each country.

Now, the Soviet Government interprets the phrase "economic and social conditions" of the Russian people in the light of the false premise of the "two" decalogues, and deduces therefrom significant arguments which it uses even when it defends itself against accusations of repeated, continuing violations of trade-union liberty.

The line of thought of these arguments is as follows:

"The workers are in power in the Soviet Union." Therefore, their rights cannot be violated nor the unions harrassed, because power, that is, the workers themselves, cannot damage or harrass itself...(14)

"The means of production belong to the people." It follows from this that it would be improper even to imagine that abuses could be committed in fixing wages and other working conditions, since all the benefits are for the people themselves.

And thus, we think, that in this Soviet reasoning we have a new version of the fallacious liberal dialectic of the 18th Century. "You are free," it said to the worker. "If you wish to work, do so; if not, do not." But actually the worker had to accept "freely" the conditions of exploitation imposed on him in order to escape starvation.

Today, Communism says something similar. You are working for the people. You are the people. Therefore, you are working for yourself. Consequently, the effort asked of you is not exploitation, but is for your own personal benefit.

Thus the same agrument is repeated, essentially with the same meaning, in a differnet form, but aimed at the same effects and markedly accentuated. Because "the freedom" of the worker, in the terms of the liberalism of that age, was a fact, while "the ownership by the Soviet workers of the means of production" has never gone beyond being a pleasant propaganda jingle.

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(13) Declaration of Philadelphia, Section V

(14) See par. 38 of the Reply of the Soviet Government to the IOFTU Charges, ILO Bulletin, vol. XXXIX, 1956.

15. Summary

The Soviet Government, in its comments submitted to the McNair Committee:

(A) Rejects none of the statements contained in the papers. It therefore recognized that democratic centralism and absolute control of the Communist Party are bases of the Soviet system, the "guiding force of the dictatorship of the proletariat," and all the other organizations are simply "party transmission machinery." It recognizes, therefore, that freedom and independence of the worker representatives do not exist, since they are completely subordinate to the one and only employer, the State, and to the Communist Party, and are subject to the superior authority accorded to them.

(B) The soviet Government does, however, impose on us a guideline of interpretation: "The Soviet trade-union system cannot be judged on the basis of the standards and criteria applicable to the capitalist countries." That is to say, for you, a social justice based on freedom; for us, a different social justice based on the dictatorship of the proletariat.

Let us not forget that such a guideline of interpretation is false and unfounded. Why should that system be judged on the basis of other norms and criteria? On the contrary, it should be judged on the basis of the same norms and criteria, since the principle of trade-union freedom is only one principle. The fact that the dictatorship may not recognize it and may wish to justify abuse in the name of a "different economic and social system," is truly no more than another violation of the rights of man.

16. The principle of the "two" justices infiltrates the ILO.

Thus was born the concept of the two social justices, of the two decalogues, of the two yardsticks. And not only was it born, but it was accepted as a practical formula for peaceful coexistence. It has penetrated the thinking of governments outside the Socialist camp. The "Third World" gives various examples of this. It penetrates in addition into the "modus agendi" of the Conference and takes over the functional approach of certain elements of the International Labor Office. A good example of this last statement is found in the Annual Reports submitted in 1960 by the study group that visited several countries, among them the Soviet Union and the United States. In its own words, its mission consisted in "inquiring not only into the legal aspects, but into the real and effective situation of each State for the purpose of giving an accurate picture of the extent to which trade-union freedom is guaranteed in each country. The survey was to be broad enough in scope to include all the aspects of national life related to trade-union freedom, and in order that it might be truly objective, complete, and faithful to the facts, it would not limit itself to official sources and documents, but would rather study the situation on the spot."

17. Background

In order to appreciate properly the importance of these reports, it is appropriate to recall some of the background.

It was a solemn mission decided on as a last resort, following a period of dissatisfaction and disillusionment, that began at the 1954 Conference as a result of the objections to the credentials of the worker delegates of the Soviet Union and Czechoslovakia and of the employer delegates of the "seven communist countries" of that time.

The objections were based on the affirmation that those delegates lacked freedom to vote as they pleased, because they were in fact "governmental" and because they had been elected by governments and not by free employer or worker groups, which destroyed the tripartite essence of the Organization.

The Credentials Committee was divided in its opinions. One of its three members voted for the objections, but the remaining two, that is, the majority, voted against.

When the matter was taken to the Conference, the voting resulted as follows: with respect to the worker delegates, 83 voted in favor of acceptance, 93 for rejection, and 30 abstained; with respect to the employer delegates, 79 voted for acceptance, 105 for rejection, and 26 abstained.

Accordingly, since the two-thirds vote necessary for the rejection of a delegation was not obtained, the majority report stood, and the delegates were accepted by the Conference.

Understandably, this resolution left the majority group of the Conference dissatisfied. At the 127th meeting of the Governing Body in November 1954, the majority therefore requested, through the group of free workers, the establishment of a tripartite committee, "whose task was to examine Article 3 (par. 5) of the Constitution, for the purpose of recommending the necessary amendments so that the employer and worker representatives would be chosen by organizations free and independent of their Governments."

This proposal was vigorously supported by the free employers, but opposed by the government group, and so, as a compromise measure, the following motion was approved at the 128th meeting of the Governing Body in March, 1955:

"To request the Director General to arrange for the preparation of a report covering the membership of the ILO regarding the extent of the freedom of employers' and workers' organizations from government domination or control; the report to be prepared by a committee of independent persons." (15)

#### 18. McNair Committee and Report

In accordance with this resolution, on May 31, 1955, the Director General formed the McNair Committee, which labored assiduously and was able to submit the voluminous report bearing its name in 1956.

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(15) ILO Official Bulletin, Vol. XXXIX, 1956, No. 9, page 476.

The majority opinion of the Committee (the majority consisted of Chairman McNair and Mr. de Alba, a member) considered that although "in this group of member states (the Communist states), employers or employer organizations in the ordinary sense of the word do not exist," nevertheless, those having the responsibility for managing industrial enterprises "are able to cooperate with the Organization by reason of their industrial experience, and should be accepted as employer delegates." (16)

As for worker organizations, the majority believed that "they are able, within their own hierarchy, to look out for themselves, and is unlikely that they will fall under the domination and control of the government" (17)

On the other hand, Mr. A. R. Cornelius, Pakistani Federal Court Judge, disagreeing with this opinion, signed his minority vote, pointing out among other things:

(a) With regard to the trade unions of the Soviet Union: "As many of these activities are publicly financed, it appears clearly that, under this system, the trade unions constitute an agency of the government for the performance of functions which in other countries appertain to the governments themselves..." (18)

(b) With regard to Communist employers: "Under the circumstances, it seems impossible to deny that their relationship with the government is one of direct subordination, leaving no scope for freedom of action...The possibility of the 'freedom and independence' of these 'representatives of socialized enterprises' with respect to the governments to which they are directly subordinate, is not, in my opinion, worthy of serious consideration." (19)

#### 19. Additional efforts

Nevertheless, the dissatisfaction continued. At the 1956 Conference, 46 employer delegates again moved that the Credentials Committee exclude the employer delegates from the Communist countries, on the basis of Article 3 (par. 5) of the Constitution.

In a vote on this motion, the three members of the Credentials Committee were again divided, two of the majority members taking a position against the objections, and the third, in favor. When it was put to a vote in the Conference, the result was overwhelming, with 53 delegates in favor (this is only 7 more than the total of those who made the objections), 108 against, and 42 abstentions. (20)

This vote demonstrated that the neutral nations had practically accepted the majority position of the McNair Committee

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(16) IBID, No. 352, page 583

(17) IBID, No. 348, page 582

(18) IBID, page 596

(19) IBID, page 599

(20) Record of Proceedings, 39th Session, 1956.

A similar thing happened in the case of Roumania. This country joined the ILO in 1956, after becoming a member of the United Nations; and acceptance of its delegates to that year's Conference, both worker and employer, was opposed by the group of free employers.

The Credentials Committee, in considering the objections, revealed that it had changed the position it held in previous years. Mr. Oksnes, Norwegian Government delegate, said that he was in favor of accepting both delegates by virtue of the same reasoning given by the Committee majority in 1954; while Mr. Kuntschen, employer delegate from Switzerland, stated that he favored rejecting both; and Mr. Sánchez de Madariaga, worker delegate from Mexico, voted not to accept the worker delegate of Roumania, and abstained from voting with regard to its employer delegate.

The case was put to a vote at the Conference with the following results: 75 votes for rejection, 91 for acceptance, and 38 abstentions with respect to the worker delegate; 70 for rejection, 93 in favor, and 47 abstentions with respect to the employer delegate. (21)

Consequently, the mass support of the neutral countries had forced acceptance of the Communist delegates. This solution, even though obviously expedient, constituted none the less a substantial crack in the tripartite principle as conceived in the ILO Constitution.

#### 20. On-the-spot surveys

Despite all this, both the employer group as well as the group of force workers were still not ready to give up. They argued that the McNair Report had been prepared on the basis of information supplied by the interested Governments themselves, and not through an impartial survey and investigation carried out within the country itself, by means of an examination of the actual facts.

Consequently, at the 138th meeting of the Governing Body in March 1958, the United States worker delegate successfully proposed that: "a group be created to investigate not only the legal aspects relating to trade-union freedom, but the actual situation of each member State."

One year later, after this proposal had been approved and invitations, first from the United States and later from the Soviet Union, had been accepted, the survey study missions named were on their way to those two countries, and later to four more. Following several months of study, they drafted their reports entitled "The Trade Union Situation in the United States," "The Trade Union Situation in the Soviet Union," etc.

In this manner they were fulfilling a serious commitment, a matter of honor. It was a splendid opportunity for the International Labor Organization. Placed above the political differences of the two great powers that had the leadership of the Organization, the ILO had been called on to give us the last word of calm and understanding, but, uncompromisingly, the words of truth and justice as well. Its very prestige was involved. But how did it carry out this mission?

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(21) Record of Proceedings, 39th Session, pp. 473 and 485.

## 21. The reports

An examination of these reports not only illustrates the manifold difficulties encountered in daily living in attempts to practice trade-union freedom, but also helps us to understand the difficulties encountered by the ILO itself, both in fulfilling its corrective functions, and in expressing in the same language and with the same sincerity its observations on what is occurring in the free world, and concerning what is in vogue behind the curtains of the Communist world.

The study group, author of these reports, faced with these real difficulties, seemed to have found no other escape than to adopt the use of the "two" truths, the "two" languages, the "two" attitudes, according to whether the subject was the United States or the Soviet Union.

To demonstrate this, it would be interesting to make a detailed comparison of what the Group says of the two countries. But since such an effort would go beyond our present purposes, we shall limit ourselves to quoting some passages and ideas as a brief illustration.

## 22. How the group operated in the United States

In the United States, the Group acted as an inflexible accuser, suggesting suspicion with every step and throwing shadows and doubts concerning "the American reality" and the picture of trade-union freedom, without not hesitating to employ strong admonitory phrases in its report, such as the following:

"The aggressive spirit of independence and adventure which opened up the vast expanses of the United States and its material resources has its adverse side in the violence, wastefulness and corruption that have disfigured many aspects of American society." (22)

To quote the language of the group, this is merely "stressing the problems of the unions, instead of emphasizing their accomplishments." (23) This carries the group to the extreme of refusing to recognize unreservedly the trade-union freedom attained by the American unions, although the Group report does come to their defense, but with a certain apparent distortion of principle, when the union movement is in conflict with other national groups.

An example of this last observation is given in connection with trade-union freedom. In fact, we know that this freedom includes the individual right "not to join a union," a right that is implied in Convention 87 of 1948, in the opinion of the ILO (24). Nevertheless, when certain national groups tell American public opinion that the unions are attempting to insert certain clauses of trade-union security, such as union shop, closed shop, etc., in the collective bargaining contract, even though contrary to the Taft-Hartley law, the Study Group expressed itself as follows:

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(22) The Trade Union Situation in the United States, Geneva 1960, p. 14

(23) IBID, p. 147

(24) Trade Union Freedom, pp. 132-133

"The evaluation of these laws depends upon a series of real circumstances surrounding their effectiveness. For instance, the degree of trade-union tradition and education prevailing in the pertinent region, the attitude of the employers toward the unions, and so on. To deny an organization the right to negotiate a clause of obligatory membership and to insist on the right of an individual not to be a member in certain circumstances unfavorable to that organization, as, for instance, the absence of a trade-union spirit among the workers, and an unfavorable attitude toward labor organizations on the part of the employers, could doubtless affect the development of the trade-union movement." (25)

It will escape no one that this type of argument, which is somewhat contrived, is tantamount to saying "yes" and "no" at the same time, to fence-straddling, or to accepting the self-contradictory proposition that trade-union freedom can be sacrificed to the development needs of the trade-union movement.

### 23. How the group operated in the Soviet Union

In the Soviet Union the Group acted very differently.

From the very first lines, its statement seems to take the form of a plea, as if the Group were a party to the proceedings, interested in absolving of all guilt and exempting from penalty, an accused, the Soviet trade-union, which would seem to have been misrepresented by the prejudice of the West.

The Group (or the "Mission," as they prefer to call themselves) had asserted that it was not within its powers to "pronounce judgment," but to "describe the true situation." However, since it is impossible to do one without the other, naturally it does pronounce judgment. Let us take any page of the Report at random, for instance page 9: (26) The Group states: "It is believed in the Western countries that the Soviet unions have no trade-union freedom (pars. 1 and 2)...However, such unions fulfill the same functions as the unions of the Western countries, especially as regards the collective contract" (par. 3).

This is really a judgment, partly implicit in the argument, but nevertheless a judgment, even though not stated in the classical manner since from stating the premises concerning "trade-union freedom" it jumps brusquely to "equality of functions," a non sequitur.

And here is another judgment on page 10, which we quote verbatim: "It is true that the situation of the workers and of the unions in the Soviet Union differs greatly from what goes on in the Western countries. But similarities exist, as well as differences."

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(25) The Trade Union Situation in the United States, p. 70

(26) The Trade Union Situation in the Soviet Union, Geneva, 1960

However, let us not take the trouble to look further for these similarities and differences. The clarity and frankness employed by the Group on the United States are surely not obvious when it talks about the Soviet Union.

And again on page 10 it says: "In the performance of the vital role of the unions, the Soviet Union has adopted various methods." (What these methods are is not clarified. It may be said that this is called "writing between the lines." It may be so, but it can never "describe the real situation.") It continues, "But, as regards the mission's topic of study, the concrete conclusion has been that the unions have come to occupy a position of great importance in the Soviet State."

The question obviously arises; Of what value is this "great importance" as a "conclusion" of the topic of study, "trade-union freedom?" Was not slavery important as a production factor in the economic and social organization of the Middle Ages? "Importance" is not the topic of inquiry. This is not the "subject of study" of the mission, but, we repeat, to describe whether or not the practice of trade-union freedom exists in that country.

Furthermore, as the Group very aptly observed in its visit to the United States, trade-union freedom presupposes the enjoyment of other freedoms and must co-exist with them. What then of those other freedoms in the Soviet Union? Not a single word on this score will be said to us, unless it is assumed to be "written between the lines," which we reject, because among other reasons, such a subterfuge is hardly befitting such a high-level mission.

It is useless to expect the mission "to describe the real situation." When they go into the matter carefully, and it does not seem easy--despite their skill at doing so--to again avoid making a pronouncement, and we believe that at last we will find at last a realistic touch, the mission disappoints us once again by repeating the same empty phrases; or, despite the embarrassment, prefers to declare itself beaten, and admit its failure. As evidence of this, let us take a look at these statements in the last chapter: "The situation of the worker as a union member is difficult to describe." It is a question of comparison on which the mission cannot form an opinion (p. 148). And the statement that closes the book is in the same vein: "Unions in the U.S.S.R. are firmly established as an integral part of the system, but their situation is evolving...This has made it more difficult for the mission to analyze and describe the actual situation. It cannot therefore be claimed that what has been said in this report is definitive."

Herein lies the great functional defect of the ILO; the duplication of its basic principles causing it to act contradictorily in analogous cases with regard to the same question, according to the interests at stake.

And this is also, in my opinion and as we shall see next, the real reason which led the Governing Body to put an end to the survey missions.

24. Evaluation of the reports to the Governing Body

This point is well illustrated by the report of the International Labor Office, signed by the Director General and submitted to the 154th session of the Governing Body in March, 1963, in which "the experience acquired in the mission surveys carried out and the lessons obtained from them would be analyzed," as well as the Records of Proceedings of the seventh sitting of the Governing Body, held in the same month and year, concerning the "examination of the entire collection of surveys on trade-union freedom."

In the document mentioned, the Office explained in detail the difficulties inherent in the assignment and arduous work of the missions; and in this extensive explanation of the nature of the work, it made the statement, already used as a defense in some of the Reports, to the effect that "the missions were not being asked to say whether freedom of association existed or not." (27) The Office also insisted on pointing out a certain artificial limitation of functions which would reduce the scope of Mission activities, in order not to infringe on the responsibilities of other agencies. This remark which was made after the surveys had been finished and the reports turned in, appears mainly as an effort to circumvent criticism of the ineffectiveness of the work done.

In paragraph 7 of the document under reference, the Office stated that the object of the questionnaires was to ascertain "the actual conditions of trade-union freedom," "the general situation of trade-union freedom," "the actual conditions existing in each country with regard to trade-union freedom," etc. And all of this "on a sufficiently broad scope to cover all the aspects of national life related to freedom of association." (28)

However, what kind of trade-union freedom was involved? Not, certainly, absolute trade union freedom, because such freedom would be against the public interest, and no such freedom does or should exist. Neither does it mean trade-union freedom in the purely doctrinaire meaning, for which it was not easy to find one single, objective standard in view of the heterogenous nature of the intellectual and moral characteristics of the member countries of the Organization. It was simply trade-union freedom as understood by the positive principles of international labor law, that is, in the conventions and recommendations of the Organization, as well as in its Constitution and the Philadelphia Declaration.

This is why we are in agreement with the contribution of Mr. Fennema, alternate employer delegate for the Netherlands, at the seventh sitting of the Governing Body,--which was later supported by Mr. O'Brien. He said that "in his opinion, the purpose of the Missions was to ascertain whether the actual situation in certain countries was in accordance with the provisions of the freedom of association Convention. Viewed in that light, the missions had not always been an outstanding success." (29)

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(27) ILO Minutes of the 154th Session of the Governing Body, Geneva, March 1963, page 103, paragraph 21

(28) IBID, page 102

(29) IBID, page 48

25. Special reference to the report on the U.S.S.R.

The Office report said that "the reports have been carefully examined and have been well received," and that "the only one to have caused controversy is the report referring to the trade-union situation in the U.S.S.R." (30)

This report was the ordeal by fire of the Missions, and furthermore, the Missions had been specifically created, as we indicated in section 10 et seq. of this paper, to decide a long controversy as to whether or not trade-union freedom existed in the Soviet Union and other Communist countries.

The Office, despite its brave defense and support of the Missions, admits that the report "discusses in concrete terms" only certain aspects of trade-union freedom; and that "it was not possible for it to make a decisive statement concerning others," and that "this report differs from the reports on the other countries." (31)

Thus, the document under reference touches briefly on what is to my way of thinking the double standard used by the study groups, and makes a vague reference to the failure to achieve the objective of the work done.

This "double standard" was singled out by Mr. O'Brien, Irish alternate employer delegate, at the seventh sitting (32) with his repudiation of the "different degrees" of application of the "trade-union freedom" referred to in the Office document; "different degrees" because, according to the document, "freedom exists to a certain extent in each country." And thus we have on the one hand the suggestion of the "two standards"; "to a certain extent," that is, "any extent," "any degree," and on the other hand "minimum essential degree," let us say that which is established by Convention 87, a minimum below which freedom would no longer exist, but on the contrary, a violation of freedom.

And "failure to attain the objective of the work done;" because if it is not "in concrete terms," it is not the "survey" they had <sup>been</sup> assigned to make; if, on the other hand, it is "inconclusive," it fails to fulfill their responsibility completely; and if, further, it is "different" from the other surveys, it has applied "the two standards." This is what caused the same speaker, Mr. O'Brien, to support Mr. Fennema's suggestion for a future time, concerning the formation of a survey committee to be composed of members of the Governing Body in lieu of international government officials, thus following the tripartite formula. "The international officials, somewhat limited by their duties," are predisposed to place themselves in ambiguous positions enabling them to avoid making "conclusive statements;" and "rather than present the facts," will take refuge in vague phrases, having nothing to do with the objective and concrete purpose of the survey," like the phrase "the Mission has been informed," etc.

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(30) IBID, page 105, paragraph 36

(31) Loc. cit. page 105, paragraph 37

(32) IBID, page 49

At the same time, it is of interest to note those coming out in favor of the report, since we have pointed out some who are opposed to it. Mr. Plitan, Roumanian delegate, saluted "the brilliant results of the survey," and regretted the intention of discontinuing them." (33) Mr. Borisof, a member of the Soviet Government delegation, had "the impression that the reports have served the interests of the trade-union organizations and the objectives of the ILO." Concerning the report on his country, the speaker "understood the difficulties encountered by the mission, composed only of ILO officials...Nevertheless, it is evident" added Mr. Borisof, "that the Mission has made a sincere effort to learn what was going on, and to transmit its impressions honestly." (34)

The World Federation of Trade Unions also made its voice heard in the session to join the communist delegates in emphasizing the "value of the surveys made, and to congratulate both the Director General and the team of ILO officials who accomplished these important missions." (35)

26. Origin and historical background of the double standard

In my opinion, the practice of such a double standard began in 1954 as an instinctively defensive movement. The re-affiliation of the Soviet Union brought into the Organization, if perhaps not that "fresh breeze" spoken of by the Soviet delegate, at least a complete change in the atmosphere of relative peaceful coexistence that had reigned until that time. Now with the presence of the Soviet Union, world tensions began to challenge the effectiveness of the efforts of the ILO to avoid the impact of the political problems of the world.

It must be noted that this second affiliation of 1954 was not automatic, as was the first in 1934. That year, the Soviet Union, by joining the League of Nations, automatically became a member of the ILO as well, and during that period, never wholly utilized its prerogatives as a member. By contrast, in this second affiliation, instead of appearing on the scene as a young nation in search of allies as in 1934, the Soviet Union was a mature and successful world power seeking additional means for achieving its objectives.

Thus it was that political considerations were determining factors in 1954. Let us recall that this was the year of Stalin's death, and although the Soviet Union had not changed its objectives it had changed its methods. It possessed the atom bomb and would no longer feel that it was at the mercy of atomic powers. Under changed circumstances, it would now choose more aggressive action in a wider range of activities.

After the First World War, the Soviet Union believed and expected that a universal proletariat revolution would follow. After the Second World War, it believed that the economic collapse of the capitalist countries would come as a prelude to the introduction of Communism. However, the expected collapse failed to occur, and so in 1954 for the second time it abandoned the attitude of "waiting for the inevitable to happen."

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(33) IBID, page 48

(34) Loc. cit. pp. 49-50

(35) Loc. cit. Appendix XIV, pp. 107 - 108

Furthermore, the Ad Hoc Committee on Forced Labor had published its report in 1953, and it was a desirable thing for the Soviet Union to have the opportunity in the same conference hall to refute the affirmations of that Committee that might operate to the discredit of the Communist régime.

Moreover, the delegates of the capitalist countries alone had had the opportunity of using these conference halls to "sell capitalism" to the new Asiatic and African nations. The Soviets would try to use them also to their advantage. And if they sought allies in 1934, now, 20 years later, they would again look for them, but for the purpose of increasing their sphere of influence and of including within it the neutral and uncommitted countries.

In June, 1954, when the Soviet Union sent a complete delegation to the International Labor Conference, the United States had been in the Organization over 20 years, and was, undoubtedly, its most influential member. With the re-entry of the Soviet Union, a clash of the two ideologies of the two leader nations was inevitable.

In the same period, the ILO had grown in stature and experience as an organization and attained undisputed prestige. It was able to sustain itself in various periods, sometimes without the United States, sometimes without the Soviet Union. The ILO had gained the reputation of being an institution set apart from the political problems of its members, including the most powerful, and its activities and objectives had been placed above the discord of the world powers.

Nevertheless, the ILO, dedicated to serving world-wide labor interests, has, since 1954, been forced to operate in the atmosphere of tensions caused by the presence in its various organs of the powerful leaders of the cold war. And this means looking at one, and turning around; and looking at the other, making an about-face in order to do it.

#### 27. An interesting survey

In 1949, this tension within the Organization had not yet been felt. I mention this particular year because at that time the Venezuelan Military Government Junta invited the ILO to send a special mission to the country to obtain on the spot "complete and impartial information concerning our social problems, general working conditions, the scope of the benefits that existing legislation and the National Government accord the workers, and the development and functioning of the trade-union organizations."

The invitation was accepted immediately, and on July 22 of the same year, the Mission, presided over by no less a person than Mr. Rens, at that time Assistant Director General of the Office, arrived in Caracas.

It is important to bear in mind that, at about that same time, protests made within the Governing Body and to the ILO Director General "of the acts committed by the Venezuelan Government against trade-union freedom" were awaiting a decision. This circumstance explains why implicitly, although not strictly in accordance with the ILO procedure--as the Venezuelan Government itself would point out later--this committee's powers were deemed as being broadened so that it could make a comprehensive survey of all the factors involved in the complaints.

The mission remained six weeks in Venezuela. Upon their return to Geneva, they prepared a report, and it was almost nine months later before it could send the first copies to the Venezuelan Government for comment. These copies were sent in mid-May, 1950, but on June 30 the Governing Body warned the Venezuelan Government that the report would be published on July 31 with or without the Government's observations, a procedure of unprecedented severity and firmness in the annals of the Organization, the more so if it is remembered that Venezuela made repeated request that the ILO withhold publication until the Venezuelan Government's answer to the charges made was available.

When he left Venezuela upon termination of his mission, Mr. Rens told the Venezuelan Minister of Labor: "We have a sufficiently representative idea of the country as a whole, and we will try to draft our remarks in as much objective a manner as possible, in language both explicit and moderate...When we were obliged to make statements which did not please the Government or the workers, perhaps you will understand that the responsibility does not fall on the Mission...You will realize the difficulty of making statements which would please the Government, the employers and the workers, all with different tendencies, at one and the same time. We will do what we sincerely consider to be our duty - reflect the reality as we have seen it..." (36)

#### 28. The report

The report was published in the form announced by Mr. Rens--clear, objective, and direct--under the title "Freedom of Association and Labor Conditions in Venezuela." The Mission did not go to Venezuela to try to evade the issue and avoid a heavy responsibility. Obviously, and by its own admission, the Mission "carefully refrained from pronouncing judgments on matters not included within its terms of reference," and therefore it made no statement "concerning industrialization and agricultural production problems." But, with regard to the object of its visit, it spoke and rendered judgment without hesitation, vacillation, or ambiguity, reporting in a forthright manner, calling a spade a spade, and showing a sense of responsibility, decision, and valor that did credit to both the Mission and the Office.

At no time did the Mission feel that it was tied, hindered, or intimidated. On the contrary, it exercised such freedom of action, movement, and initiative that we could almost say that it exceeded its powers, as when it attempted to interview political prisoners, something it could not do because it would not accept the conditions reasonably imposed by the Venezuelan Government to safeguard its sovereignty.

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(36) Freedom of Association and Conditions of work in Venezuela, ILO, Geneva, 1950, page 8

The Mission even went so far as to refer to "the political instability of the country, the periodic coups d'etat, the frequent suspension of the Constitutional guarantees, ...because such factors," said the Mission, "exert too great an influence on the social situation." (37)

To be sure, the burning question was trade-union freedom, and the Mission was not likely to mince words in its appraisal of the situation. Here are some of its conclusions:

"To put it briefly, the Mission has ascertained that the trade-union organizations of Venezuela do not enjoy freedom of action and of organization at this time."<sup>(38)</sup> "Restrictions in the exercise of the remaining fundamental freedoms continue to exist intact." (39) "Censorship of the press and other publications continues. Public gatherings continue to be forbidden...Guarantees of security of personal safety have been only partially restored." (40) "The most delicate aspect of the situation examined by the Mission was the fact that these guarantees (of human freedom, consecrated in the Universal Declaration of the Rights of Man, and the declarations issued by the General Assembly of the United Nations, especially Articles 8, 9, and 10) have not been respected." (41)

It is true that, as a result of the report, an as a protest against it, the Government of Venezuela withdrew for two years from the Organization. But it is also true that the report represented fulfilment of a difficult and exemplary task, in which errors and excesses were likely to occur--and undoubtedly did--despite the evident desire of the mission to keep within the bounds of truth and justice.

#### 29. Comparison of attitudes

Now, if the report on Venezuela to which we have referred is compared, in particular, with the report entitled The Trade-Union Situation in the U.S.S.R. previously referred to, we have, in my opinion perfect evidence of the concept of "the two yardsticks," "the two terminologies," or "the two attitudes."

There is no need to elaborate on this point. We do wish to underline again the fact that the obligations assumed by the states upon joining the ILO do not include acceptance of "two standards," or "two different sets of principles;" on the contrary, there is the obligation to abide by the "single" standard, the "single" set of principles upon which the Organization is based, and which are fully applicable to all nations, according to Section V of the Philadelphia Declaration.

The same single principle for Venezuela! The same single principles for the United States! The same single principles for the Soviet Union!

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(37) IBID, page 173

(38) IBID, page 175

(39) IBID, page 175

(40) IBID

(41) IBID, pp. 182-183

The concept of "the two standards" is, therefore, contrary to the very concept of the Organization, and is obviously completely forbidden. Weaknesses and concessions on so substantive a point can only be profoundly prejudicial. There is a single standard for everyone, a narrowly defined, perfected standard, the standard of freedom, dignity, and social justice as defined in the constituent instruments and specifically applied in the Conventions that have been ratified.

It is necessary to recall that more than once the Communist countries have appeared interested in defending the double standard, the wide part of the funnel for themselves, the narrow part for the others. Thus, whereas, according to them, inescapable obligations such as those relating to trade-union freedom can disappear in their regime under the weight of "economic and social conditions," imposed by the dictatorship of the proletariat, to such an extent that no charges are made even in the case of frequent violations, the Communists themselves, at the same time pose as zealous defenders and guardians of trade-union freedom in the Western countries, not always, as it is easy to see, out of a love of justice and the dignity of man, but rather for the sake of leaving the door open to revolutionary trade unionism.

### 30. In conclusion

To recapitulate, two grave ills afflict the International Labor Organization, as we have seen. One is the crisis of the tripartite principle, which would not be so deep and significant if it had arisen merely out of simple changes in the economic system rather than the refusal to honor such fundamental rights as that of association. The other is the double standard, the double criterion applied to the same problem, according to whether one is looking East or West.

These are ills, particularly the second, that cannot fail to produce a loss of confidence in the Organization, a loss of prestige, and the crumbling of the ideological scaffolding supporting it.

Curing these ills is in the interest of all. The ILO has had a brilliant record in the defense of the labor world. Under the banner of freedom, dignity, and social justice, it has advanced from success to success. The crisis it is now undergoing must be resolved under the same banner.

Let it be understood that we are not trying to suggest as a "remedy" the exclusion of one group of countries or the isolation of others. This would be no remedy, but retrogression to the beginning and starting the task all over again. Fortunately, it has gone a long way, attained many successes, smoothed out many rough and difficult spots.

Rather than expel or isolate anyone, would it not therefore be better to call on everyone to make a general review of positions? Circumstances have changed, and it may be that the time of good will, the time to speak the same language, has arrived. And let us call freedom by its right name, and dictatorship by its right name, not in a spirit of reproach, but with the noble aim of finding, within the existing "economic and social circumstances of each country," a common course which, in conformity with the same fundamental principles, will lead everyone to the effective achievement of progress and peace, founded on the qualities of freedom, dignity, and justice for all men and all nations.

## C. THE ILO CRISIS AND THE 1965 CONFERENCE

31. The reason for this addition

This pamphlet could not be distributed during the June 1965 Conference, at least not with all the preceding contents. The author endeavored to have it published in May, as can be seen by the letter he sent to the Assistant Director General of the ILO, reproduced on the first few pages of this publication, but he was unable to do so for reasons beyond his control.

Fortunately, the delay has not rendered the material obsolete, but on the contrary has enhanced its importance and provided the author with an opportunity to add some reference to the kind of work done and to the trends brought out at that meeting.

The agenda included some technical points such as the employment of minors in underground work, the role of cooperatives in economic and social progress, agrarian reform, the employment of women with family responsibilities, etc. As these items were not inclined to set off political tensions, the discussion followed a normal course, even though the atmosphere was charged with opposing views, and even though eventually some speakers did succeed in using the floor for propaganda purposes.

However, these political tensions did become overwhelmingly evident in the plenary sessions during the discussion of the Director's Report or in the Resolutions Committee, where freedom of initiative provided sufficient opportunity to renew Cold War skirmishes under guise of discussing labor problems. They were also evident in the discussions of the Committee on Application of Conventions and Recommendations, where again the dishonorable stratagem of "the double standard" was used.

32. Discussion of the Director's Report

This interesting document did not this time, as the Director General would have desired, provide "some fresh proposals and present fresh ideas on those points which clearly required some further examination." <sup>42</sup> "It has dealt," to quote again, <sup>43</sup> "only with general questions of programme and structure," that is, with certain superficial aspects of the problem. According to the Report, there is no intention this year of reopening a debate on the most controversial questions, and therefore the Director would not have to touch on the real roots of the existing maladjustment.

Nevertheless, it was too much to expect that one or more of the many speakers would not, at some point during the discussion of the Report, and even on other occasions, point out once more that, in order to end the present crisis, it was essential not to remain on the periphery, but rather to break through it and courageously go to the roots of the organic and functional troubles of the Organization.

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(42) Report of the Director General, 1965, page 3

(43) IBID, page 4

One speaker declared: "My delegation wishes to state its profound conviction that it will not be possible to revive, by superficial means alone, some of the fundamental ideas on which the Organization is built. We think that the readjustment must be both duly extensive and sufficiently thorough; therefore, we also think that the general measures now proposed must be followed as soon as possible by the study and adoption of specific action which must be taken with a view to the total readjustment of the Organization." (44)

We realize that the situation of the Office at this time is unenviable, and we have more than once admired its patient efforts at conciliation. Big deals are arranged behind closed doors, the details of which the general public has no knowledge. But the nature of the internal machinations are divined in conference corridors. Appearances can no longer be kept up completely. There is a feeling of trouble afoot, a feeling that "something is rotten in the State of Denmark," and many are becoming anxious for clear definitions and fair play.

The Office has assumed an enormous debt. By their authority and determined efforts, the Communist countries have enjoyed the "co-existence" that was offered to them in the Organization when they were a small minority. Things have changed now. Those same countries, supported frequently by primitive and emotional forces, are strafing against that co-existence that is now impeding them from achieving their manifest purpose of eliminating from the Organization those members not pleasing to them. Today it could be Portugal; tomorrow, Spain; after that, maybe the Latin American countries. What will the Office do then? Will the tenuous arguments of universality versus tripartism continue to be valid? Will tripartism even survive or will both of them fall inexorably before the Communist Molloch?

### 33. The Director's answer

The Director General is concerned. He had not expected to touch on these problems, but under the circumstances, it was inevitable for him to do so. He himself told us in his reply: "But as we come to the close of this Conference, I would be less than honest and less than frank if I did not express some uneasiness... There has been a continuing high level of political tension. I feel that there is in the Organization a basic problem which still remains to be resolved... This type of problem has been transferred from the Conference place to a series of informal discussion." (45)

What are these problems? The Director lists them, although he does not explain them. And he does it in such a way that they can be reduced to two broad aspects of the crisis we have been describing, which is for us a valuable confirmation of our views.

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(44) International Labour Conference, Provisional Record, #15 49th Session (1965), page 159

(45) IBID, #43, page 409

In addition to the "political tension," or the intent to politicize the Organization, the Director points to these two big fundamental problems:

The structural problem. "To know whether we are to be universal in the full sense of the word...To reconcile the principles of universality and tripartism. To find a pattern which will permit us to respect both principles and to live in conditions of confidence and mutual respect."

The functional problem: "To find fresh and effective methods for the universal application of ILO principles."

Let us make clear, for our part, that the structural problem is not really a "problem," but a "defect" arising from failure to comply with constitutional tripartism. In other words, in our opinion, it is not a question of our dreaming up, at the eleventh hour, some new principle to fill supposed gaps in the system of regulations. It is simply a matter of a defective application of a clear and explicit principle, established in the Constitution, which has been postponed out of a desire to "co-exist" with the dictatorships, and in their service, under the artificial motto of so-called absolute universality, which does not and cannot exist, and is, rather, contrary to the Organization's Constitution.

The functional "problem," which likewise is an extremely grave "defect" of practical application rather than an intellectual problem, boils down, as we have stated in preceding pages, to the need for putting an end to the "method" of "the double standard," "the two decalogues," and "the two justices," applying to one and all the single standard: the ILO Constitution and the Philadelphia Declaration.

#### ATTEMPTS TO POLITICIZE THE ILO

##### 34. Fresh attempt

At the 1965 Conference, we worked in an atmosphere of political tension. And it is true that a new attempt to politicize the Organization was made. This we affirm positively from the outset. I hope that something will be clear by the end of these comments.

We are not attempting--nor would it be an appropriate time to do so--to undertake a historical inquisition. We simply intend to describe a few scenes, one or two Roman arena type combats, whether fought in the amphitheater of the plenary session, the Resolutions Committee, or the Committee on the Application of Conventions and Recommendations.

##### 35. Politics in the plenary session

Suddenly, and unexpectedly, like a Viet-Nam guerrilla ambush, the Conference room was filled with noise of totalitarian jargon. The preferred target could naturally be none other than the United States. The reason is well known. The United States is now the only serious obstacle to world domination by Communism. Thus, it is necessary to attack the United States. It is necessary to undermine its prestige and influence, present it as imperialistic, an enemy of peace, freedom, and social justice, "which aims at the re-establishment of the old colonialism or the creation of neocolonialism in various forms." (46)

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(46) IBID, #9, page 51

This is the language repeated time after time with increasingly stronger epithets. Yugoslavia's Secretary of Labor opened fire, followed by the Soviet delegates, and then by others, and still others. It is unnecessary to mention their names or repeat their remarks. Many pages of the Records are taken up with this maneuver carried out under the condescending venue of whoever happened to be elected to the presidency of the sitting by vote of the self-same orators. (47)

The French Minister of Labor, in his valuable and thought-provoking speech, rejected such remarks on technical grounds. "Is it really necessary to recall that a more strict respect for its specific nature would protect the Organization from being turned aside from its own tasks by problems of a political nature, which are not only outside its competence but in which its intervention could have no practical effect?" (48)

The United States delegates naturally responded to the attack. One of these, an employer delegate, commented calmly:

"Beginning in 1960, I have sat in this plenary six times and have heard my country maligned and viciously attacked in parliamentary, unparliamentary, and abusive language. One year it is to smear us as monopolists, imperialists, and money-hungry capitalists, deniers of human rights; another year, as colonialists, neo-colonialists (whatever that means); and now we are charged with aggression by the masters of aggression. We have not forgotten Latvia, Estonia, Poland, Hungary, Tibet--have you? I would like to say also we were attacked last year on the basis of giving aid to other countries with designs of a selfish nature. Well, the many millions of taxpayers in my country have not had any designs on anybody but a desire to help. They have given \$120 billion--yes, I repeat over \$120,000 million--to the rest of the world, and what have they gained? --an imbalance in their payments structure, which is a matter of real concern.

"I have been disturbed and upset by these speeches. It is not the fact that the Soviets and their satellites make them that disturbs me. From long ILO experience I realize that the communist world is on the defensive, and propaganda is its effort at destructive achievement. To succeed, communism believes it must violently challenge all nations which possess true democracy and where people are truly free. The real and only reason I am upset by their violent, organized, correlated, and collective attack is because I have noted reactions here which indicate that some of you may have been taken in by some of these vicious and planned efforts to create confusion and to obscure the basic purposes of this Conference. (49)

The United States Workers' delegate replied to the "scurrilous attacks," and did so briefly: "I am," he said, "a trade unionist, a machinist by trade. I am neither a military nor a political expert, but I do know that in both South Viet-Nam and the Dominican Republic the United States--the people of the United States, including especially our free trade union movement--has but one objective, and that is to restore peace and freedom to the people of those countries as quickly

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(47) IBID, #11, page 83

(48) IBID, #11, page 90

(49) IBID, #27, page 309

as possible. Our aim is to assure to the peoples of those countries the democratic right to select their own government and to secure their countries from aggression. Once they have obtained this elementary protection we intend to give them every possible assistance they may request to permit them to embark upon the path of social and economic progress. The American trade union movement is cooperating with the democratic trade union elements in both those countries so that they may achieve their objective." (50)

The Government delegate also replied. He had already made several motions regarding points of order asking the President that, in accordance with the Standing Orders, all political subjects be ruled out of the discussion, since they were within the competence of the United Nations and in its legitimate province, but irrelevant to the purposes and tradition of the ILO.

The Government delegate recalled, in referring to the Conference debates, that "communist words often bear little resemblance to commonly accepted definitions. Such words as peace, aggression, imperialism, intervention, neocolonialism, and liberation have been sadly distorted--so distorted in fact, that the so-called 'liberators' had to build a wall in order to retain the 'liberated' people."

"Of course, the communists do not call their actions to overthrow all the legitimate governments of Asia, Latin America, and Africa subversion or aggression. In the distorted language of international communism they are 'wars of liberation.' They begin with infiltration, recruitment of dissidents, and propaganda and go on to guerrilla warfare, the establishment of so-called 'liberation fronts' and then an outright attempt to overthrow governments by armed force."

In such cases, "their propaganda apparatus screams its distortions at the intended victim and at any nation which dares to come to its help, calling them aggressors.

"This is precisely what has happened in Viet-Nam. We are in Viet-Nam because we have a commitment to honour. We are not there as aggressors, but to oppose a policy of aggression from the North. We have no colonial or territorial aims there, or in any other part of the world...

"We are determined to do everything necessary to preserve the right of South Viet-Nam to choose its own destiny. We will not forfeit the battle against communist aggression in South Viet-Nam. If we did, the free world surely would soon have to face the same problem in yet another country.

"The Communists already have proclaimed Thailand as their next target. And the first stage is well under way with Communist subversives killing Thai rural officials.

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(50) IBID, #25, page 286

"Likewise, in the Dominican Republic a crisis arose which the Communists sought to exploit for their own purposes... It was an emergency action, taken to protect lives and to give the inter-American system a chance to deal with a situation within its competence....

"Eastern European delegates have demanded the complete withdrawal of American forces from the Dominican Republic, but why have not the same delegates ever called for the withdrawal of the 80,000 Soviet troops in Hungary nine years after the Soviet intervention that ruthlessly suppressed the aspirations of the Hungarian people?" (51)

The introduction of politics into the plenary sessions could not but be tiring and cause dissatisfaction. Delegates who had always made speeches that were constructive and to the point were using the blocking tactics of mockery and ridicule in order to conform to the tone taken by the Conference, which was taken out of its normal channels by Communist pressure. To cite a single example, the workers' delegate of another country, also under attack, ended his speech with these words: "For my part, when I look at the realities and the peace of my country, I am reminded of an old Spanish proverb: 'The dogs bark-- that shows we are on the road.' Let the dogs bark, as far as I am concerned." (52)

### 36. Politics in the Resolutions Committee

As is well known, for purposes of its regulatory or quasi-regulatory work, the Conference has, in addition to the conventions and recommendations, a third device at its disposal, the Resolutions, which, since 1955, have been increasingly used by the Communist countries.

The Resolutions are the last resort, available at the initiative of the delegates, enabling them to present matters not included in the agenda during the Conference sessions. Moreover, whatever the opportunities for bringing up new matters, it is obvious that these, in order to be accepted, must conform to the objectives of the Organization and to matters within its competence. Article 17 of the Standing Orders specifies the conditions that must be met and the procedures to which draft resolutions are subject.

This year eight motions were presented to the Committee, of which three, submitted by Communist or pro-Communist delegates, had a purely political intent, in addition to being aggressive, sectarian, and completely opposed to any concept of "co-existence."

These are the three motions in the order in which they were presented for consideration:

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(51) IBID, #30, pages 339-340

(52) IBID, #30, page 362

Resolution condemning the Government of Portugal on the grounds of the forced labor policy practiced by the said Government in territories under its administration, submitted by Mr. Kamel, Government delegate, United Arab Republic.

Resolution concerning the protection of the rights of Spanish workers, submitted by Mr. Tabor, workers' delegate, Yugoslavia.

Resolution concerning equitable geographical representation of all States Members of the International Labor Organization in its Governing Body, as well as equitable geographic representation of elective offices at sessions of the International Labor Conference and of the Governing Body, submitted by Mr. Chajin, Government delegate, Poland, and Mr. Polyanichko, Government delegate, Ukraine. (53)

These three resolutions are clearly part of the Communist plan to seize control of the ILO. The first two lay the groundwork for the two countries concerned. The third, concerning geographic distribution, would bring a Communist majority into the Governing Body and would assure them strong positions in the elective offices. They have made progress in the psychological or softening-up process and have flattered the underdeveloped countries of the three continents in order to obtain their support. Step by step they are advancing, although not as rapidly as they were able to do in the World Federation of Trade Unions, with the same objective, that is, absolute control of the organization.

It is true that this time neither the motion concerning geographic distribution nor the one concerning "the protection of Spanish workers" reached the point of being examined. But owing to them, on any occasion, whether in the Committees or in the plenary assembly, the same demands could be repeated with that monotonous hammering which has devastating psychological effects.

These motions were not examined, but "presented" by their authors in accordance with the procedure established in Article 17 (par. 5).

After this procedure--and I speak as a witness of the incident--the Yugoslav delegate, Mr. Tabor, tried to withdraw the wording he himself had proposed of the following underlined phrase, contained in the preamble: "Bearing in mind that in Spain attempts are observed to break down, by means of torture, threats of death, assassination, and sentences of imprisonment or execution, the resistance of the militant democrats who struggle on behalf of the rights of workers."

No doubt he wished to do this because he suddenly realized that he could not prove such a preposterous statement, and it would discredit his proposed resolution. But he was unsuccessful. The Spanish Government delegate vigorously opposed it on the grounds that a change in the motion at that stage would be contrary to regular procedure, and in addition he declared that "after the calumny has circulated for more than 20 days," he refused to permit it to be withdrawn, sustaining its damaging effects and hampering the defense.

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(53) First Report of the Resolutions Committee (Appendix to Provisional Record #35)

It was a serious blow to the Communist delegate, and from that time on it could be seen that he had been defeated.

37. The case of Portugal

The "condemnation" of this country, which was approved, merits special comment, not only because the eventual expulsion of Portugal was set up; but also because passage of the Resolution was obtained by tortuous and unconstitutional means, using improper stratagems and even vulgar insults. And along with Portugal, the West was again castigated, and, what is worse, with the cooperation of delegates of definitely Western countries.

According to the author of the resolution and the delegates who supported it, the condemnation of Portugal was based on this fact: "The obligations of membership of the ILO were being flagrantly violated by Portugal" because "the methods for exploiting the labor of people who live within the territories under the administration of Portugal amount to forced labor and are not in conformity with the standards set by the Conventions ratified by Portugal." (54)

In short, Portugal was to be condemned for failure to honor the conventions it had ratified.

Several delegates remarked that they agreed that forced labor should be condemned wherever practiced, but stated that they could not support the resolution under discussion for the following reasons:

1. A specific condemnation addressed to one member State would not be proper as long as forced labor existed elsewhere as well.
2. Even if forced labor exists in Portugal, such a condemnation would involve a violation of constitutionally provided judicial ILO machinery to deal with any complaint arising out of an allegation of non-compliance with a ratified convention.
3. Such machinery has been used in 1962 to investigate an identical set of charges made against Portugal by Ghana.
4. The report of the Commission of Inquiry constituted on that occasion for studying the Ghana complaint, and composed of three internationally known independent jurists who made detailed investigations in the Portuguese territories, does not justify this formal condemnation, in as much as the conclusions of that report, accepted both by the Governing Body and by Portugal and Ghana, made it clear that the Portuguese territories were not following a forced labor policy.
5. With regard to the isolated cases mentioned by the Inquiry Commission, the report declared that the majority of these had been recently eliminated.

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(54) Second Report of the Resolutions Committee (Appendix to Provisional Record #42)

The Portuguese delegate declared that his country was resolved to eliminate any last vestiges of forced labor that might exist in its territories, and he requested the assistance of the ILO for the purpose, on condition that such help were provided through constitutional procedures and by using the prevailing procedures for judicial control.

He further recalled that "as is well know, a year ago Portugal had offered its full cooperation to the ILO, and had requested that a second commission of inquiry be sent to the Portuguese territories in order to investigate the existence of any racial discrimination in the labor policies within the territories." Portugal had repeated this petition three times, but the countries which so blindly pursue the condemnation have opposed them, and they also oppose the formation of this new commission. What does this mean? Certainly not that the principles and purposes of the Organization are being defended; rather, that they are being betrayed, and the ILO is being converted into a common tool of sectarianism and political warfare.

38. However, it is necessary to emphasize procedure...

Since this whole series of arguments was so well substantiated with reason and common sense and presented with fairness and in strict justice, it appeared that the proposed condemnation had no chance of success. Moreover, in as much as the approval or disapproval of such a motion would depend upon the number of votes rather than upon the weight and value of the arguments, it seemed wise to save face and prevent the ILO from the embarrassment of openly revealing itself by such tortuous means of action.

Then came the behind-the-scenes work. A substitute motion would have to be drafted, in general terms, which would satisfy, up to a point, the aroused feelings of some, and would at the same time protect the legal scruples of others.

This was done. This was the proposal which was discussed and approved. But one cannot foresee everything. And the title of the resolution had not been decided upon. The title read, as will be recalled, "resolution condemning the Government of Portugal on the Grounds of Forced Labor Policy..."

It was evident, to anyone who cared to see, that this title did not agree with the contents of the substitute resolution. From the original text, of the operative part of the resolution itself, the expression "condemns Portugal" was deleted, and replaced with the words "Portugal is invited to." Thus, the very substance of the resolution had been changed. Everyone knows that "an invitation" is a substantially different thing from a "condemnation."

This was also the opinion of the Organization's legal advisor. His brief and well documented report should normally have ended the matter had not the ILO been burdened by the terrible political tension. Especially since the legal adviser quoted precedents in the Resolutions Committee concerning a change of title as a result of a change in content.

The Chairman of the Commission did not disappoint. He did not maintain a passive attitude. He realized that the Commission was about to produce a legal absurdity, and he tried to prevent it. He therefore courageously declared that good "logic and common sense tell us that in this particular case the title must be changed in order to adapt it to the language of the resolution as it has been approved. The Commission voted down by a large majority the operative part of the resolution in the original that spoke of "condemnation." If the Commission wishes to be consistent, the title must be changed so that it will correspond to the language approved."

But none of this did any good. The numerical strength of the vote imposed on the Commission, and afterward on the plenary Conference session, the legal absurdity of calling an invitation a "condemnation." For purposes of propaganda and harming the prestige of those who are not on its side, Communism thus has one more instrument, a "resolution condemning a Western country."

### 39. The "double standard" in the Committee on the Application of Conventions

Among thirty countries the most inoffensive victims were selected to be placed on the "black list" for not complying with ratified conventions.

Naturally, no Communist country was included on this list, notwithstanding the fact that none of them, since their admission to the Organization, has ever complied with such conventions as the one on freedom of association and the right to organize.

This is an additional proof of what we have called the method "of the double standard," one very narrow for the free countries; the other very broad for the Communist countries. It is truly a fraud, and it is dishonorable that it be applied by these organs.

The delegate of one of the countries affected spoke up strongly. He exposed the stratagem and explained that, behind an apparent seriousness and nicety, we are victims of a constant deceit. He vigorously denounced the lack of fairness and comprehension involved in forming these lists. And things have reached such a point that one asks, how far are we going to let these things go? How long are we going to allow strict justice to be meted out to some while tolerating and winking at the violations of others? How long are favor and disfavor to be distributed so arbitrarily?

The Uruguayan delegate, who is the one to whom we are referring, spoke against "this report, which is unjust, erroneous, and not in keeping with the facts," and in evaluating the efficiency of the body that had prepared it, he said "We believe there is a lamentable failure to adjust to reality. You establish a procedure which is apparently equitable and general but which takes absolutely no account of the historical and social realities or of the special circumstances of the countries under inquisition by the Committee. It has occurred to me at times--and I am thinking of a remark made by a previous speaker--that the placing of a country on the famous special list is something like the Minotaur story, in which a number of virgins were selected by lot and sent for sacrifice. Although, of course, the special list is not concerned with virgins, there does seem to have been some casting of lots. I do not wish to criticize or cast aspersions on anyone, but it does appear that the choice is always made from a limited group."

He also said, with great truth, that "if these recommendations and sanctions are to be really effective, then we must begin by conforming to a standard of respect for the States Members of the Organization and the Committee, which are called upon to give explanations before the Committee." (55)

Lest it be believed that these appraisals are merely the understandable personal reaction of a government delegate offended by the treatment given his country, We shall cite here remarks to the same effect made by Mr. Waline, employers' delegate of France, in what to my mind was one of the best speeches made at this sitting. He said:

"Among the conventions which we have to look at every year to see whether their ratification means that they are really being implemented, there is one whose paramount importance is recognized by all--that is, the Freedom of Association and Protection of the Right to Organize Convention (No. 87)... This is what I said three years ago from the rostrum during a similar discussion: This Convention which we adopted in San Francisco in 1948...is the keystone of this tripartite Organization, for without freedom of association it would be nonsense to have here an Employers' group and a Workers' group."

"I spoke at that time because a great power, the U.S.S.R., had ratified the Convention in question six years previously, and our Committee of Experts year after year had made a series of observations which can be summed up as follows. Trade unionism as it exists in the U.S.S.R. is a system requiring prior authorization and is a monopoly, set up and maintained by the law, which clearly runs counter to the principle of members' freely setting up unions of their choice.

"Since then, three years have elapsed and nothing has changed in that position. With the exception of their Polish colleague and with a reservation from their Yugoslav colleague, the members of the Committee of Experts--who come from countries as different as Argentina, Barbados, Brazil, France, Germany, India, Japan, Lebanon, Malagasy Republic, Nigeria, Pakistan, Peru, Sweden, Switzerland, the United Kingdom, and the United States--have this year again expressed their opinion, . . . as follows:

"The Committee regrets that the Government has not answered the request for fuller information which the Committee has made several times since 1959, either in observations or direct requests, concerning certain legal aspects of the establishment and functioning of workers' organizations arising out of Article 126 of the Constitution of the U.S.S.R.

"The Committee has further noted that the Government states in its report that no changes have been made in the legislation during the period covered by the report.

"Now the case of the U.S.S.R. is not an isolated one. Similar observations were made by the Committee of Experts concerning other countries in Eastern Europe...."

It is surprising, therefore, that the Polish Government delegate a few days ago, said during the budget discussion at these sittings: "I can assure you that during the 20 years since the end of the war there has not been a single complaint against my Government concerning the application of any Convention ratified by us." (Provisional Record No. 25).

This declaration is even more surprising when one reads what the report of the Committee of Experts for that same year says about Convention 81: "In the absence of any new elements the Committee can only refer to the conclusions reached by it in previous years, namely that the legislation contains a number of provisions, recapitulated by the Committee in 1964, which are, or are liable to be, contrary to the rights and guarantees laid down in the Convention. As it indicated in 1964, the Committee is prepared to consider these problems further when the legislation has been amended or when new information has been provided."

In short, the Convention on the Right to Organize, "ratified by all the Eastern European States, is not being applied...then in all logic they should denounce it..."

"If, however, you consider it is better to be tolerant, patient, hopeful, rather than to condemn and make requests for denunciation, I would draw your attention to certain consequences that this entails...Other countries which for less important irregularities are put on our black list..." (56) But not the Communists.

#### 40. Politicizing of the Committee on the Application of Conventions

It is precisely through the use of the oft-cited "black list" that we have disgraceful evidence of this politicizing. We refer to the inclusion of Portugal on that list, something they had not succeeded in accomplishing within the Commission, but which was done in the plenary session for obviously political reasons, at the initiative of the Commission itself, by the use of the eloquent argument of the numerical strength of the vote. The delegate who proposed the amendment reasoned this way: It was the purpose of "rectifying the error committed in the Commission" (by not including Portugal), and to "repair an injustice." It would be truly unrealistic for Portugal not to be included in such a list, since according to the remarks of the Employer Vice Chairman of the Commission, Portugal has not complied properly with its obligation to reply to the questions.

The Portuguese Government delegate defended himself calmly and moderately. He began by saying that the one who proposed the amendment was acquainted with Angola and could tell the delegates what he had observed... But he did not tell us what he saw. His proposal was not innocent, and the motive for it was not innocuous. It was a case of attacking Portugal once more in this Conference, abandoning ILO principles and violating the ILO Constitution.

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(56) Provisional Record #44, pages 456-457

The delegate explained that the list referred to was of member States who have not provided the information requested under Article 22 of the Constitution, or, in other words, under the criterion of subsection "C" of the Report: of the governments which have failed to reply to observations or requests of the Committee on Experts in respect of ratified conventions. This was not true of Portugal. On the contrary, Portugal "had replied" as shown in the Report (page 30 of the Spanish Text).

Consequently, to include Portugal among those "who had not replied," would be failing to tell the truth, would be tantamount to a deliberate falsehood. Objective truth would no longer exist as a reality in the ILO, but would be replaced by the fiction of "the truth" dictated by vote... "Poor truth! Truth exists or does not exist. We cannot create it or make it disappear by voting." (57)

This simple and clear exposition exasperated the mover of the amendment who lost his patience and lowered himself to the level of aggression and insults. And without adding anything substantial to his arguments or refuting his opponent's arguments, he succeeded in obtaining sufficient votes to pass the amendment by a vote of 218, with 79 abstentions. A great victory for the speaker and a victory also for the scheming politicians! But a great defeat for the ILO and a breakdown of the truth, of its Constitution, and of the principles that govern it.

Geneva: Last week in June, 1965

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(57) Provisional Record #44, pages 462-463

Mr. MEANY. This is a very, very interesting document and it is as valid today as when it was written about 4 years ago.

What has happened since the Soviets came into the ILO is that the ILO has become a sounding board more and more each year for political discussions. Those of us who have attended ILO meetings in the last few years have been subjected to the indignity of listening to speaker after speaker on the resolutions committee denouncing the United States of America. This has become a forum for Russian political propaganda, and there is no effort made by the Office of the ILO to stop this.

“LENIN AND SOCIAL PROGRESS”

As a sample of the attitude of the Office of the ILO toward the Soviet Union here is an article written this April in the International Labour Review, which is the official publication of the ILO. The article is written under the title of Lenin and Social Progress. The article pleads for revolution in the developing countries and holds up the Soviet form of revolution as a model and the best road to social progress, and it portrays Lenin as the great benefactor of mankind, and nowhere in the article does it indicate that Lenin was the head of this proletarian dictatorship which was set up in Russia in 1920 and that he was the author of the Red terror and the oppression against the people of the Soviet Union. This is not mentioned in this article.

I would like someone on your staff to read this because this indicates the official attitude of the ILO Office in which they extol the virtues of a dictator, of a man who destroyed the Russian trade union movement. You know, there was a Russian Free Union Trade Movement under the Czar. It was underground, of course, and it had to fight for its life every day against the secret police, but it did exist and it did represent the wishes of the workers.

However, when Lenin and his crowd came in they very promptly shot the leaders and they disposed of the trade union movement. This fact, Khrushchev boasted about only a few years ago in a conversation which was relayed to me by President Kennedy. He told President Kennedy in Vienna “You pay too much attention to your labor leaders. We solved our labor problem many years ago.”

Kennedy asked “How did you solve it?”

He said “We shot the leaders.” That took care of that.

Mr. ROONEY. Without objection we shall insert this volume No. 101, No. 4, April 1970 of the International Labor Review at this point in the record so that each and every member of the committee and House may have an opportunity to read it.

(Information referred to follows):

[From the International Labour Review, vol. 101, April 1970, No. 4]

CONTENTS

Lenin and social progress.....*E. Pleitnev and Kossolapov*

For Lenin social progress could not be assessed in terms of industrialization, technological proficiency, output and so on. The only valid criterion was the position occupied in society by the working masses. In this article marking the centenary of Lenin's birth the authors review the chief features of his social thinking and show how it has influenced subsequent social policy both in the

Soviet Union and elsewhere. They point out that while notable improvements have taken place in working conditions, wages and social security, the Soviet Government's emphasis on educational spending is equally significant because advances in science and education are the principal factor in the rapid productivity increase that has made these improvements possible. Social policy is thus seen to coincide with economic policy.

#### LENIN AND SOCIAL PROGRESS

(E. Pletnev<sup>1</sup> and R. Kossolapov<sup>2</sup>)

Drawing his material from the storehouse of history, the writer Stefan Zweig composed an enchanting tale about the "luminous hours" in the story of mankind, when great men were vouchsafed special illumination or inspiration, or took action of decisive importance for the further history of the human race. Judged by the extent and profundity of the influence it has exerted on the fate of mankind, the life of Vladimir Ilitch Ulyanov (Lenin) is one long series of such decisive moments. His name is familiar to countless millions of people. His teachings may be rejected; they cannot be ignored. The arguments to which his name, ideas and work have given rise have gone on unceasingly—as is evident with the approach of the celebrations which will be held to mark the hundredth anniversary of his birth on April 22, 1970.

Lenin continues to live on in his ideas, as put into practice by generations of his disciples. The corpus of theory left by him remains at the centre of the 20th century's ideological contentions. Lenin, in fact, occupies a unique place among the social thinkers of mankind.

From time immemorial, the world's profoundest minds had been exercised by the search for some way to bring about a happy society. They were able to offer nothing but dreams—however brilliant—utopias or prophecy. The first thinker to offer a scientific forecast of the future, based on an exhaustive scrutiny of the facts, and to accompany it with illuminating theoretical reflections—the first man to provide a convincing account of the laws by which contemporary society is governed—was Karl Marx.

Lenin considered himself a disciple of Marx, and like him devoted his life to the search for ways and means whereby mankind might be freed from poverty, oppression and suffering. He brought the whole force of a powerful intellect to bear on the task of "conceiving the social revolution as a living phenomenon," as he put it. His intellectual legacy is a demonstration—on philosophical, economic and sociological grounds—that mankind can, and indeed must, take the socialist road. Hundreds of millions of people in all parts of the world have found, in his ideas, an answer to the burning questions of the age. A whole revolutionary epoch is bound up with Lenin and his activities. It is distinguished from all others in that socialism became a matter of action instead of a question of theory. It was Lenin, the great thinker and orator, who led the process whereby socialism was translated from the language of ideas into the language of mass action.

We may agree or not with Lenin's conception of socialism. But nobody can deny the close connection between his theories and his policies—policies still being developed by the Party and State he created. The very fact that these ideas are no less active today in changing the lives of millions of people, and constitute a mine which is still being quarried, gives Lenin's ideological legacy a place all its own in the world's treasury of social thinking.

Lenin's vision of social progress is inseparably bound up with an assertion of the need for a Socialist reconstruction of society. Recently, for example, there has been a tendency to judge a country's general progress by industrial and technological criteria. The technical level is, of course, an important factor. But a country highly developed technically may not necessarily be equally highly developed in its social institutions. This criterion by itself, therefore, provides no answer to the questions—for what purposes, and in whose interests, are advanced technological procedures being used? To what extent does modern technology insure the full employment of the labor force available?

Very frequently, too, output is taken as the principal yardstick for measuring social progress. But here again, output alone, and even output per head, does not tell us how the national wealth is apportioned, and what needs—and whose needs—are met.

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<sup>2</sup> Senior scientific collaborator, Faculty of Philosophy, Moscow State University.

Finally, it is sometimes argued that social progress is to be assessed by the degree to which people abide by the law. But once again we may legitimately ask: by what procedures and by whom has legislation been enacted, and in whose interest is it that the law should be observed?

Lenin devoted an entire lifetime to promoting the interests of the working class because he considered it the principal actor in history, by reference to which alone social progress can be assessed. What counts above all is the position actually occupied by the working masses within society.

After the successful October revolution the world was divided into two camps, each with its own system for regulating the relations between its members. For historical reasons the system of private enterprise continued in force for the time being in the countries most highly developed industrially. But in other, relatively less developed countries the masses seized the reins of power, did away with exploitation, and deliberately set about the task of regulating social relationships by means of planning of production. It may be that to some extent they were less free of the constraints of Nature but, in a social sense, they were infinitely freer—a convincing proof that progress cannot be measured by the criterion of technological advance alone. The need for a more fundamental explanation became apparent. It finally became clear that the degree of technical development attained was no more than a measure of the mastery of natural forces achieved by the society concerned; it could not be used to assess social development. Hence such a criterion can be, at best, an indirect indication of the freedom enjoyed by the individual.

We are entitled to talk of individual freedom only when man is not only free from the thrall of natural law but has achieved mastery over the laws governing the development of society. He is free only when he has tamed the forces which mold society; only when society exists first and foremost to promote the physical, cultural, esthetic, moral and political development of its individual members.

Lenin's preoccupation with social progress is borne out by the way in which he launched—and having launched, defended—the principle of peaceful coexistence of countries with different social systems. This is no accident. A moment's thought shows that a steady extension of the rights and privileges enjoyed by the workers, and improvement of both labor legislation and social policy can best come about in the favorable atmosphere of peaceful coexistence, when countries develop their relations in practical matters. Lenin stated a number of times that there was no reason why a Socialist country should not have unlimited relations on practical matters with the capitalist countries.

Lenin's conception of peaceful coexistence presupposes competition between two very different systems in economic, social, scientific and cultural affairs, and on a struggle between ideas. Lenin attached high value to a policy of peace as an essential prerequisite of all-around progress (and, we might add, of fruitful activity by the ILO)—a very different thing from policies of armaments and war, leading to the uprooting of whole peoples, the destruction of millions of human lives, the collapse of production, economic bankruptcy, and moral and cultural decay.

A country's social policy, its social and labor legislation, provide an excellent pointer to the degree of social progress achieved. In the last resort, social progress is to be measured by the extent to which the workers themselves can profit from the fruits of their labor. But in judging how far they can profit today from the fruits of earlier labor, we cannot leave out of account the general policy of the state. For example, if the government of country A devotes a proportion of the country's wealth to waging war on the people of country B, it will be depriving its own people of some of the fruits of their labor. No matter how wealthy country A may be, its social policy cannot be considered progressive.

#### LENIN ON NEW POSSIBILITIES OF SOCIAL PROGRESS

From the end of the 18th century, it became natural to regard radical social changes in terms of the French Revolution, and the Russian Bolsheviks, beginning with Lenin, were also for a time regarded as Jacobin extremists.

However, the tradition thus established lost its point with the October Revolution of 1917. "I am becoming more and more convinced," wrote the poet Alexander Blok, a contemporary of Lenin, in 1920, "that the comparison is inadequate. To judge today's events by this criterion is to show excessive caution, even pusillanimity. It is becoming ever more apparent that the times we are living in represent, not an epoch of transition, but a new era."

This was the judgment of an eyewitness, and history has more than confirmed its justice. The Russian Revolution was incomparably more far-reaching and radical than any of its predecessors.

During the early years of the Soviet regime, the social system introduced by Lenin was looked on by many people (even by many who called themselves Socialists) as the bastard child, as it were, of history. The reason usually given was that industrially, socially, and culturally, Russia lagged behind Europe and North America, and hence was not yet ripe for socialism. There were at least two flaws in this analysis.

Firstly, it made no allowance for the fact that in the 20th century, among countries unequally developed, the working class and the working-class movement in any particular country may well be ripe for socialism, even though capitalism in the country concerned may be at a relatively early stage of development.

At the beginning of the century Russia was, economically speaking, infinitely less advanced than England, Germany, or the United States. Nevertheless, as the historian Mikahil Pokrovsky—a party comrade of Lenin—pointed out, the concentration of the working class (and hence the scope for organization of the working class in huge enterprises) was three times greater in Russia than in Germany, and was not less than in any country of Europe, and perhaps of the world.

The critics of Lenin's experiment were also seriously at fault in that, although circumstances had radically changed, they were still obsessed with the lessons learned from other revolutions.

Even today it is sometimes asserted that the materialist interpretation of history has somehow been controverted by the October Revolution, indeed by Lenin himself. It is argued that economics does not determine politics but that politics may have a decisive influence on economics. This mistaken argument is the result of transposing what was characteristic of all previous social systems, including the capitalist one, to a period of transition from capitalism to socialism.

Any presocialist social system was of course the product of economic developments within the country concerned. When the feudal system was collapsing, the bourgeoisie's potentialities for revolution, in England, America, and France, remained confined to those particular countries.

In today's capitalist society there is a worldwide market, and the position is vastly different. Today, as Lenin put it<sup>3</sup>, developed capitalism has entangled countries in a closely woven mesh of trade relations, with the result that the antagonisms between international capital and the international working-class movement are more evident than ever before.

Experience shows that in this day and age the possibilities of revolution must be assessed with an eye not only to the condition of the economy in any particular country but also to the forces of production as they exist throughout the world. Whence Lenin's classic conclusion: "To the extent that large-scale worldwide industry exists, a direct transition to socialism is undoubtedly possible."<sup>4</sup>

It is obvious that in any country in which this transition to socialism is taking place there must be a certain minimum level of technological development, a certain minimum as regards production of goods, market organization, and communications. But, as the experience acquired by our own and other lands has shown, a country can catch up after the revolution.

Thanks to Lenin, a purely local, national approach to such matters is, it is now recognized, much too narrow. The tendency today, in assessing the possibility of revolution, is to consider conditions in the capitalist system as it exists throughout the world. The approach, in other words, is an international one.

Taking the world as a whole, economics determines politics, though in the local conditions of a particular country politics may for a time take precedence and direct and speed up economic development. By showing that this is now the only tenable view, Lenin powerfully contributed to our understanding of the way in which social progress is achieved.

Why should this be so? This question can best be answered by quoting the example of countries which have rid themselves of their dependence on colonialist powers and moved from precapitalism to socialism without any intermediate capitalist phase.

Is it conceivable, for example, that before the October Revolution a country as backward as Mongolia used to be could have set out to organize itself on socialist lines, relying entirely on its own resources? The answer, clearly, is no. Mongolia

<sup>3</sup> V. I. Lenin: *Polnoe sobranie sochineny* [complete works] (Moscow), vol. 25, p. 264.

<sup>4</sup> *Ibid.*, vol. 11, p. 310.

was one or two stages behind its neighbors, or the equivalent of several hundred years of social development.

We now know that this tremendous advance was accomplished thanks to the association of Mongolia (a member of the ILO) with the Soviet Union. It is impossible to calculate the vast savings in human lives, effort, physical, and mental resources, compared with what would have been needed for the stormy passage through feudalism and capitalism.

Clearly, the social relations obtaining within the country itself were far less important in the process than international relations of a new kind. The two factors interacted and were combined in a unique way to render a direct transition to socialism possible. This had never occurred before. Other peoples have remained arrested at an early stage of their development (or have been held back by colonialism); the gulf separating them from socialism cannot, under capitalism, be closed. It can, however, be bridged by a system of economic, political, ideological, and cultural links with the developed socialist countries, and by making use of the experience acquired by them in their own transition to socialism.

Lenin showed in theory, and the October Revolution bore him out, that any country, no matter what degree of economic development it may have attained, can make the change to the new socialist order. In some countries the relationship between the forces of progress and reaction, and the position occupied by the particular country in the clash between the two worldwide ideologies, have turned out to be the decisive factors determining when the transition is to be made, and not the country's own productive forces (the latter's role could temporarily be taken over by more highly developed international productive forces). This was a revolution not only for the contemporary world but also in the normal tempo of social progress.

This was, in a sense, a reorganization of history. A clearer idea of what it involved can be obtained from Lenin's note "On our Revolution."

His political adversary Sukhanov held the view that a Socialist revolution in Russia was premature, and that it ran counter to the laws of social development. Lenin counters this by denouncing a "slavish imitation of the past," and the fear "of departing from the example set by Germany."

"You say," he writes, "that a certain level of civilization is needed for the building of socialism. Well and good. But what was there to prevent us from laying the foundations, by expelling the landowners and Russian capitalists, for example, and then beginning the move toward socialism? Where is it laid down that such changes in the normal processes of history are inadmissible or impossible?"<sup>5</sup>

Abandoning the language of polemics for something more orthodox, we get the following picture.

The "normal" process of historical development (this is more or less how Sukhanov's teacher Kautsky saw it) began with the development of the forces of production (comprising the labor force, tools and equipment, and techniques). Then there came changes in technology and in the organization of production, as well as in the division of labor between people. Thereafter, as occurred in the changeover from communal production to a slave-owning society, from this to feudalism, and from feudalism to capitalism, there were changes in the ownership of the means of production. Lastly, these changes were crowned by an ideological and political revolution.

Did the October Revolution indicate any departure from the customary scheme of things? No, if we consider merely the overall development of the forces of production, both national and international. Yes, most emphatically, if we consider the situation in each of the countries beginning to build a socialist society.

In what did the change consist? First, there was a change in the part played by the State. The government of a socialist country did not—as had occurred everywhere else—merely set the seal of approval on changes which had already taken place in the machinery of production; it itself initiated these changes, and helped to carry them through.

Second, although there were in Russia industries which technically and because of the way they were organized, were ripe for reorganization on socialist lines, there existed at the same time a host of one-man undertakings which had nothing in common with socialism, either technically, or organizationally, or by the nature of their economic relations. As a result of these factors the role of the new form of ownership changed. Thanks to systematic support from a government of peasants and workers, and from the more advanced industries already

<sup>5</sup> Polnoe sobranie sochineny, op. cit., vol. 45, p. 381.

nationalized, this new form of ownership could emerge in areas where the technical prerequisites for its existence did not, strictly speaking, exist.

This is what happened, for example, during the early years of agricultural collectivization in the Soviet Union, when the primitive means of production (there were no others) owned by individual peasants were nationalized. Here the form of ownership came first, creating a state of affairs propitious to the emergence of productive forces. Since then, this has also been the experience of many other countries.

According to the normal scheme of things, the phase of public ownership would represent the third stage in development; it thus, in fact, became the first. By its very nature, public ownership, once introduced in the countryside, led to a development of its own technical and organizational foundations.

This foreshortening, as it were, of the processes of development had one immediate consequence: a multiplication of the possible forms which progressive social development might take. In practical, political terms this implied a widening of the sphere in which the revolutionary party and the revolutionary masses were free to take the initiative.

Lenin's solution to the problem of social progress can be understood only if we bear in mind what, in modern jargon, we might call the "optimization of social systems". This expression can, of course, be differently interpreted. For example, modern capitalism, based as it is on a mixture of state ownership and monopoly control, is likewise subject to a process of optimization for the sake of bigger profits. Socialism, on the other hand, claiming as it does to represent an alternative to capitalism, is designed to insure satisfaction of the scientifically determined interests of the main mass of working people.

Lenin taught that the aim of socialism—its very essence—lay in the transfer of the means of production to national ownership, and in the replacement of capitalism by an economy planned in the national interest. It was incorrect, he felt, to say (as did the Russian social democrat George Plekhanov) that socialism was the planned organization of society's production process to meet the needs both of society as a whole and of its individual members. Lenin considered this too narrow a definition since trusts might be claimed to provide such an organization. "It would be better to say: ' . . . on behalf of society as a whole' (since this both covers the idea of planning and indicates the agency responsible for doing it), and not only for the satisfaction of the needs of the members of society but also to insure the maximum possible welfare, and the free all-round development, of each and every member."<sup>6</sup>

Lenin, and those who were to succeed him, thought of socialism as a social system that seeks deliberately to improve itself with a view to meeting the workers' growing needs, both material and spiritual, in accordance with the laws governing social development, and making use of the resources available to society.

It would be vain to expect the passage from capitalism to this form of social organization to be automatic, or to imagine that it can be brought about by a lengthy process of reform. The barest acquaintance with socialism will suffice to show that it presupposes a qualitative change in the aims of production, a different organization of the economy and of all other aspects of the life of society. Most important of all, it presupposes a society organized to serve the interests of another class of person; no longer the private owner, whose interests must necessarily clash with those of the persons he employs, but the worker, who has acceded to co-ownership of the property of society. To bring about such a state of affairs demands nothing less than a revolution. It betokens a change in the protagonists involved.

The masses, and no longer a privileged caste, now occupy the forefront of the stage. It will be for each country to choose its own road (and the road may be hard) to this consummation.

Lenin, in fact, found a way of enlisting the scattered energies of many millions of individuals, hitherto condemned by capitalism to a dreary, unsatisfying round of mindless toil, in the cause of social progress. His concept of socialist competition is the natural fruit of a state of affairs, brought about by socialism, in which use can be made of the energies, freely made available for political, social and other purposes, by free workers, themselves imbued with a high sense of their obligation to work, individually and collectively, for the welfare of society at large.

"The workers and peasants," wrote Lenin in the early months of the Revolution, "are still 'timid'; they have not yet become accustomed to the idea that

<sup>6</sup> *Polnoe sobranie sochineniy, op. cit., vol. 6, p. 232.*

they are now the ruling class; they are not yet resolute enough. The Revolution could not at one stroke instill these qualities into millions and millions of people who all their lives had been compelled by want and hunger to work under the threat of the stick. But the revolution of October 1917 is strong, viable and invincible because it awakens these qualities, breaks down the old impediments, removes the wornout shackles, and leads the working people on the road of the independent creation of a new life."<sup>7</sup>

Despite every obstacle put in its way by opponents, socialism has been progressing for half a century—a convincing proof of the extraordinary capacity for progress inherent in the working masses. These are the hands which are now guiding the ship of State in the world's second great power, and in many other countries besides, resolutely toward the future. And their strength is increasing.

#### HOW LENIN'S IDEAS ARE EMBODIED IN SOVIET SOCIAL POLICIES

From Lenin's idea of progress arose an entire policy and program of social and labor legislation. He himself took the view that the Soviet régime had no more important task than to put this program into effect.

The October Revolution marked a very clear divide between a state of affairs in which the working class was powerless, and one in which it assumed governmental authority. *Before revolution*, the working class has to fight for its rights, step by step and inch by inch, wringing concessions from the opposing class forces. Clearly, it will be a very long time before anything is achieved by such methods and even then, the results will be extraordinarily circumscribed. *After revolution*, possession of the reins of power at once enables the workers to affirm their rights and to buttress them with all the safeguards which governmental authority can offer.

Lenin derived the basic contents of his party's social policy from the historic mission of socialism: "Let us make all people workers." This was proclaimed in article 18 of the first Soviet Constitution (1918) in the form: "He who does not work, neither shall he eat." Lenin considered that the most effective way of implementing this principle was to establish control by the workers themselves over the measurement of labour and consumption. He used to say that such a system was more effective than all the laws passed by the French Revolutionary Convention and its guillotine.<sup>8</sup>

By decreeing that work was an obligation for all, the Soviet social legislation created circumstances in which social parasitism and unemployment could be eradicated and the right to work guaranteed.

At the same time, on Lenin's initiative, a series of measures were drafted on the improvement of working conditions, starting on the fifth day of the October Revolution: an eight-hour working day was introduced by decree on November 11 1917.<sup>9</sup> Ten years later, a manifesto issued by the Central Executive Committee of the USSR announced that a 7-hour day was to be introduced, and this was done between 1928 and 1931.

Simultaneously, the Soviet system of social security was developed. This included a system of unemployment allowances (maintained until the social evil of unemployment was eradicated early in the 1930s), benefits for temporary incapacity, pensions for invalidity, old age, paid holidays, etc. In this fashion, the country of the Soviets became, in the early days of the Revolution, the most progressive country in the world in regard to the principles proclaimed and the changes brought about in social and labour relations. This exerted a powerful influence on the struggle of the working class and on social legislation in many other countries.

These social innovations have to be seen against an international background which between the two world wars was becoming steadily more sombre. With the growing menace of invasion, every hour was precious, and in 1940 the 48-hour week was reintroduced. Plans to develop and improve the social security system had to wait.

It should not be forgotten that out of the half-century during which the Soviet régime has been in existence, some 20 years have been spent either fighting the wars imposed on us, or in ridding ourselves of their disastrous consequences. Nevertheless, the gross social product in 1968 was 36 times larger than it had been in 1913, while the national income was 40 times as great. The indices for

<sup>7</sup> Lenin: Selected works in three volumes (in English) (Moscow, 1967), vol. II, p. 514.

<sup>8</sup> Polnoe sobranie sochineniy, op. cit., vol. 34, p. 310.

<sup>9</sup> Sobranie Uzakoneny RSFSR, 1917, p. 10.

1960 are 7.1 and 7.5 times larger, respectively, than those for 1940.<sup>10</sup> As production and efficiency increase, so can the Soviet Union concentrate its efforts on the improvement of social and labour relations.

With the remarkable growth of the economy and national income, it became possible to improve the economic and social condition of the workers and to carry out a whole programme of social action, which has been especially intensive in the last decade and a half.

Thus, a law was adopted to reduce hours of work to six and seven a day, and the five-day working week was introduced. As a result, the average length of the standard working week for adult workers in industry is 40.7 hours. At present, in fact, the working week of wage earners and salaried employees is 39.4 hours.<sup>11</sup> It may not be amiss to recall in this connection that, of the forty ILO Conventions ratified by the Soviet Government, the first was that on the 40-hour working week. Since 1956 the system of hiring and wages, collective agreements and settlement of labour disputes has been continuously improved. By legislation enacted in 1956 and 1964, the pensions system was overhauled.

The decisions taken by the September 1967 plenary meeting of the Central Committee of the Communist Party of the U.S.S.R. were of special significance, being later developed in a series of laws and ordinances dealing with the improvement of living conditions. An ordinance of the Central Committee of the Party and the Council of Ministers, and decrees issued by the Presidium of the USSR Supreme Soviet provide for increased minimum wage and salary rates, reduction of taxes, the introduction of supplementary pay and advantages for those working in certain parts of the country, and an improved pensions system.

In social matters, it is government policy to bring about a general improvement in the standard of living of all working people, with special reference to conditions in the key industries and key areas of the country. The minimum wage has again been raised, with the result that the ratio between the minimum and the average wage improved from 1:2.9 in 1958 to 1:1.8 in 1968.<sup>12</sup> Scheduled wage rates for machine operators in the metal and engineering industries were increased by 15 percent, while wage increases have also been granted in those branches of the textile industry in which work processes have been intensified. Special action has been taken to make geographical mobility of labor more effective and to make life easier for workers moving to new areas (e.g. by increasing the wage differential for persons working in the Far North and Far East).

Lenin considered the health of the nation as an index of the growth of the national wealth. This concern for the health of the nation is still very much alive today, as is eloquently shown by the basic principles for health legislation adopted by the Seventh Session of the Supreme Soviet in December 1969. This new law lays down the following principle in article 1: "Soviet legislation regulates social relations in the field of health protection for the population with a view to ensuring the harmonious development of physical and mental powers, good health, a high level of fitness for work and a long active working life for citizens; the prevention of disease and lowering of morbidity, further reduction of invalidity and a lowering of mortality rates; elimination of factors and conditions which harmfully affect the health of the citizens."<sup>13</sup> Provision is made for a comprehensive system of standards regulating the organization and responsibilities of health bodies, medical and pharmaceutical activities, public health measures, and so forth.

Lenin used to say that the position of women in a society was the clearest indication of its social progress. In this spirit the leaders of the country are taking action to ease working and living conditions for women. The principle of equal pay for equal work is in operation, and heavy jobs on which women must not be employed have been officially listed. Maternity leave with pay has been increased to 112 days (56 before and 56 after childbirth). Part V of the law on basic principles for health legislation is entirely devoted to the protection which the State extends to mothers and children.

A third congress of collective farmers in Moscow toward the end of November 1969 adopted resolutions that represent a new step forward in improving remuneration, working conditions, leisure time and social security for tens of millions of people. The Model Statutes for Collective Farms, adopted by the congress, lay down that the cash proceeds from the sale of produce or from other sources

<sup>10</sup> Narodnoe khozyaistvo SSSR v 1968 g. Statistichesky ezhegodnik (Moscow, 1969), pp. 43-44.

<sup>11</sup> Narodnoe khozyaistvo SSSR v 1968 g., op. cit., p. 557.

<sup>12</sup> Problemy trudovogo prava (Moscow, 1968), p. 17.

<sup>13</sup> Pravda, Dec. 20, 1969.

are to be used by the farm "first and foremost, for paying the collective farmers for their work . . ." (article 38).<sup>14</sup>

Part VIII of these statutes provides for a nation wide social security system for collective farmers. Article 39 reads: "In accordance with the legislation in force, members of collective farms shall receive old-age, invalidity and survivors' pensions, while women shall in addition be eligible for pregnancy and confinement grants—the cost to be borne by a centralised Union Collective Farmers' Social Security Fund." Article 40 further lays down that this centralised fund, constituted by contributions from all agricultural co operatives, shall provide allowances for members during temporary incapacity, free passes for sanatoria and rest homes, and other services.<sup>14</sup>

If it be acknowledged that social policy must be designed first and foremost for the benefit of the worker and for the satisfaction of his needs, then a point at which enough will have been done can never be reached, since needs (of all kinds, and not for material things alone), once satisfied, give rise to fresh, more complex and varied requirements. But at any particular time further progress up the ladder will be brought to a stop by the resources available, themselves the fruit of the economic development the country has managed to achieve. The national income is the only source from which money for the above aims can be derived. Hence the need to speed up the rate of increase of the national income by developing the material and technical resources of society.

The truth of this thesis that increased expenditure on social needs depends on the growth of national income can be seen from the figures of total "personal consumption of the population of the U.S.S.R." (i.e. total of personal incomes) and of advantages for the working people provided from the resources available for "social consumption" (free medical care, free education and training for improving qualifications, allowances, pensions, study grants, paid regular leave, free passes or reduced rates for sanatoria and rest homes, and so on).

TOTAL PERSONAL CONSUMPTION AND TOTAL SOCIAL BENEFITS IN THE U.S.S.R., 1960 AND 1965-68

[In thousand million rubles]

Item	1960	1965	1966	1967	1968
Personal consumption (total).....	93.9	124.9	133.2	144.0	155.1
Social payments and services (total).....	27.3	41.9	45.5	49.4	55.1
Per head of population (rubles).....	127.0	182.0	195.0	209.0	232.0

Source: Narodnoe khozyaistvo SSSR v 1968 g. Statistichesky ezhegodnik (Moscow, 1969), pp. 571-572.

The rapid increase that has taken place since 1960 in the amounts for social benefits is striking. The chairman of the Gosplan observed at the seventh session of the Soviet parliament that the total figure had risen to 59,000 million rubles in 1969, and would exceed 63,000 million rubles in 1970.<sup>15</sup>

In Lenin's view the prospects of growth in the national wealth, gross product, and national income mainly depend on a steady increase in productivity. The whole subsequent development of the Soviet economy shows how true this is. Soviet economists have calculated that the national income rose from 4,170 million rubles in 1917 to 238,000 million in 1967, of which 227,600 million was attributable to growth in productivity.<sup>16</sup> All in all, there has been an annual growth in productivity over the last 50 years of at least 6-7 percent.<sup>17</sup>

But how is this high rate to be maintained or even increased? Lenin considered that the key to this problem was to be found in the application of technical and scientific innovations to the production process and in improving the workers' education and skills. Experience has proved his forecast correct. The well-known Soviet labor economist, Strumilin, has calculated that of the overall growth of productivity of social labor (227,600 million rubles from 1917 to 1967), 43,400 million rubles came from investments in new techniques, and 184,200 million were attributable to achievements in science and education.

It is thus no accident that the Government spends a large proportion of its resources in the field of education. In so doing, it is acting in accordance with the law discovered by Marx, namely that priority must be given to developing the

<sup>14</sup> Ibid., Nov. 30, 1969.

<sup>15</sup> Pravda, Dec. 17, 1969.

<sup>16</sup> Voprosy ekonomiki, 1969, No. 11, p. 71.

<sup>17</sup> Voprosy ekonomiki, 1969, No. 11, p. 72.

means of production, a law which (unexpectedly for some Marxists) imperiously demands concentration of effort on those areas of the national economy which form the worker's personality. Here the principal aim of economic policy is at one with the basic aim of social policy: to develop a new kind of wage or salary earner, with a comprehensive grounding in modern scientific knowledge, as a means of stimulating increased productivity, rendering working conditions more humane, and furthering human social and cultural development.

Lenin's social program can be summed up by saying that the worker is at once the artisan and the criterion of progress.

#### SOUNDING BOARD FOR SOVIET PROPAGANDA

Mr. MEANY. This annual conference is used as a sounding board for Soviet propaganda against the United States, as I say. The Resolutions Committee is now, and for some years has been, engaged in political discussions which are completely outside the competence of the ILO. In fact, the ILO rapidly is becoming a political organization, and I don't think that we need another political organization. We have a political organization worldwide, the United Nations, in which our country holds membership.

The Soviet group is demanding that the whole structure be changed. When this organization was set up there was automatic membership on the governing body to the top industrial countries of the world on the theory that these were the countries which would have to make a contribution if we were to improve the standards of life in the so-called backward countries of the world.

The Soviets want to eliminate that. They want to eliminate the selection of ILO officials by the governing body where this automatic membership prevails, and they want to throw them into the general assembly of the ILO on the basis of one nation—one vote, which means that the United States of America would be on a par with Kenya, Togo, and any of these newly emerging nations. This, of course, is further evidence of the Soviet desire to gain control of the ILO completely. They certainly have tremendous influence.

The United States of America today is in a minority position in the ILO. The Soviets' propaganda has been quite effective with some of the newly emerging nations. To give you an indication of the double standard, under the ILO procedure, when any national member of the ILO feels that he should have representation on the staff by putting employees in, the rule has always been that they submit a list of candidates for any particular spot with their qualifications. Then they are looked over and the ILO office makes the decision.

The Russians never have accepted that. They have the special privilege of submitting one candidate for any position to which they aspire, and there is no right of the Office to question the capability of that particular candidate.

#### SOVIET REPRESENTATIVE IN KEY POSITION

In this instance, Mr. Jenks, who just has been elected as the Director General of the ILO, announced that he was going to appoint a Russian representative. He made it quite clear that he was going to follow the usual procedure of getting only one candidate, and that candidate would be appointed.

At the same time he offered, in order to sort of balance off this

appointment of a Soviet representative in this key position, to put an American at the same level as an Assistant Director General, but he made it quite clear—and I am sure George Hildebrand can tell you more about this than I can—he made it quite clear, however, that he would expect the Americans to submit a list for his perusal and his decision, and he also made it clear that if he did not like the list that he himself would pick an American without regard to whom our Government wanted.

Mr. ROONEY. He must think he personally inherited this Organization.

Mr. MEANY. I will tell you the basis of Mr. Jenks' strategy or approach. It is that if the ILO wants the Soviet Union to remain in membership we have got to accept them on the basis they represent themselves and the ILO has nothing to say about it. If the United States of America objects, then he raises the question—does the United States of America want the U.S.S.R. to maintain membership, to continue its membership in the ILO, and if we do want them to continue their membership in the ILO then we must accept them the way they want to be accepted, on the basis of this double standard.

They have been making quite a bit of progress in these committees. They vote as a bloc. When you get to the Resolutions Committee and they get a political resolution you have to listen to 11 speeches from every one of these countries—Rumania, Poland, Czechoslovakia, Bulgaria, and so on. You have to listen to 11 speeches denouncing the United States of America on every issue, filling up the record with all sorts of anti-American propaganda, portraying us as imperialists who are trying to take over the entire world.

However, this proposal, or this decision, to appoint a Soviet representative to the top structure of the ILO is about the last straw because whatever assignment this man gets departmentalwise in the ILO he will have hundreds of employees directly under his supervision.

#### ILO PERSONNEL IN GENEVA

I think the ILO has in Geneva somewhere between 1,700 to 1,800 people. This man would be assigned—

Mr. ROONEY. How many people, Mr. DePalma? We want this for the record.

Mr. DE PALMA. Let me look it up.

Mr. ROONEY. Please insert the exact number at this point in the record.

(Information requested follows:)

As of June 30, 1970, the ILO professional staff subject to international recruitment totaled 607, of whom 60 were Americans. The nonprofessional staff totaled 1,377, of whom 21 were Americans. All other staff, including technical assistance personnel in the field, totaled 1,088, of whom 62 were Americans.

#### SOVIET REPRESENTATIVE IN KEY POSITION

Mr. MEANY. It would mean that a certain percentage, at least several hundreds of these employees, would be under the direct supervision and domination of this man, and I can tell you from long experience that he will use that position to make each and every

employee a Communist agent whether he wants to be or not. They do not fool around. They don't acquire power that they put on the back burner. They use it. To us this would mean it would be a disaster for the ILO, and if this happens it presents to us the clear question of whether or not we want to pay the price that is exacted from us to maintain the ILO with the Soviet Union having these special privileges as a member of the organization.

That, of course, Mr. Chairman, puts the matter right squarely in the hands of the Congress and this committee—whether we are so anxious to keep the Soviet Union in the ILO that we are willing to pay this price of accepting the double standard in which they have a preferential membership and which Mr. Jenks indicates he is going to continue.

Mr. ROONEY. Mr. Jenks must be made to realize that he would be better off to lose the 10 percent, the Soviet Union contribution than the 25 percent contribution of the United States of America.

Mr. MEANY. Except that he just doesn't believe the United States will act.

Mr. ROONEY. Well, let's show him. The regular bill is still over in the other body and has not yet been acted on. I think if we go over there we can perhaps achieve some success in this regard.

Mr. MEANY. Anyway, Mr. Chairman, I could go on at length. I have been going to ILO meetings for many years. I attended my first ILO governing body conference as a substitute for William Green, who was the official member, back in November of 1936. I have been going to ILO conferences ever since. I don't know how many I have missed, but I would say in the last 30 years, beginning in 1940, that I have attended at least two out of ever three conferences over the years, those held in various parts of the world. One was held in 1941 at Columbia University in New York City and one was held in 1944 at Temple University in Philadelphia.

I was at the conference in San Francisco in 1948 where Mr. Morse was promoted to the top job in the ILO. I have known practically every prominent figure in this organization for many, many years. We in the American Trade Union Movement believe in the ILO and its purposes. We see its purposes being twisted and turned to where, if there is not a stop, the ILO will be useless in so far as its original purpose is concerned, and it will exist only as an international propaganda organization dedicated to the Communist way of life, and certainly it will be an organization that can make no contribution to the welfare and the interest of our country.

As I say, it has now gotten to the point where at practically every session we have to sit and listen to tirades, the usual Communist propaganda tearing this country down, portraying us as the opponets of human freedom and imperialism, and so on and so forth. Unless this is stopped I would say the ILO will be useless insofar as the American Labor Movement is concerned and as far as our Government is concerned. This latest move in my book is the last straw when they are ready to put a Russian into this key spot, at the top of the structure in Geneva where he can certainly within a very short time do a great deal of damage to the interest of the United States of America.

Mr. Chairman, as I say, I could go on at length regarding this but

I think I have stated our position. We feel this committee should certainly take a good look at the whole ILO question and certainly should hear from the employers, the American employer who has attended these meetings for many years, and from the Labor Department, and from the State Department which also attend the annual conferences and who are represented on the governing body of the ILO.

Mr. ROONEY. Thank you, Mr. Meany.

Mr. SIKES?

Mr. SIKES. Thank you, Mr. Chairman.

#### NEED TO HALT SOVIET PROPAGANDA EFFORTS

I feel that this is a very useful meeting and one which is very important to the Labor Movement worldwide, and to the interest of the working man worldwide. I want to commend you for arranging this meeting so that this matter could be brought forcefully to the attention of the committee. I am also glad that Mr. Meany's valuable counsel can be available to the committee.

It is unfortunate but true that the United States fails in so many instances to use its power, its prestige, and its position to advance its own best interest as effectively as it might in world affairs. It appears this is one of those cases.

I think that we in the Congress should take positive steps, Mr. Chairman, to attempt to correct this picture. I certainly do not want to see the International Labor Organization, which has filled a very important function through the years, degenerate into a propaganda program for the Russians.

As Mr. Meany has well pointed out, this could very well be in progress. I am prepared to join my colleagues on this committee in whatever steps are required to protect the integrity of the organization.

Mr. ROONEY. Mr. Slack?

Mr. SLACK. Thank you, Mr. Chairman. I, too, wish to commend Mr. Meany, for a very detailed and comprehensive statement with regard to this subject matter.

Mr. Chairman, as I understand it, the total contribution to the ILO by this country has been \$70,280,000?

Mr. ROONEY. Including the pending 1971 request.

Mr. SLACK. How much was appropriated by this committee, with the approval of Congress, in the last fiscal year?

Mr. ROONEY. \$6,653,184.

Mr. SLACK. And the request for 1971 is \$7,458,875?

Mr. ROONEY. Yes.

Mr. MEANY. Plus two supplements, one under an article of the constitution regarding financial regulations, and the other as a supplemental budget to provide a subsidy for the Turin Vocational Center in Italy. According to this, and this is the ILO budget, the contributions that will be due from member states in 1971, if this budget is approved, the total contribution of the United States will be \$7,816,337. That is the original assessment of \$7,458,000 plus these other two items which bring it up to \$7,816,000.

Mr. SLACK. This performance by the Soviets is another attempt by them to undermine our way of life and to shackle the free world. I am ready to take the necessary steps to bring this action to an immediate halt.

Mr. ROONEY. Mr. Bow?

Mr. Bow. Mr. Chairman, I, too, appreciate Mr. Meany's bringing this to our attention. This is a very serious problem.

#### UNCOLLECTED CONTRIBUTIONS

In our hearings of last year we had inserted in the record the uncollected contributions of all nations. I do not find that in the record this year.

Do we have a list of the nations which are delinquent now in their payments to the ILO?

Mr. DE PALMA. It was submitted for the other hearing and we can submit it again.

(Information requested follows:)

#### INTERNATIONAL LABOR ORGANIZATION

CONTRIBUTIONS STATEMENT AS OF DECEMBER 31, 1969 FOR THE CALENDAR YEARS  
1965-69<sup>1</sup>

#### SUMMARY

Calendar year	Total due	Amount received	Percent received	Balance due
1965	\$18,684,347	\$18,429,662	98.64	\$254,685
1966	20,337,871	20,134,772	99.01	203,099
1967	22,472,938	22,145,605	98.54	327,333
1968	24,836,091	23,936,727	96.38	899,364
1969	26,612,739	22,800,066	85.67	3,813,673

<sup>1</sup> Total due for years prior to calendar year 1965: Albania, \$14,667; Bolivia, \$33,695; China, \$243,463; Haiti, \$40,403; Paraguay, \$244,293, and South Africa, \$126,193 or a total of \$702,714.

## UNCOLLECTED CONTRIBUTIONS

Country	Calendar year—					Total
	1965	1966	1967	1968	1969	
Afghanistan					\$1,382	\$1,382
Albania <sup>1</sup>			\$15,731			62,557
Bolivia	\$22,421	\$24,405	26,428			125,902
Burundi	22,421	23,120		\$27,320	26,613	70,248
Cambodia			16,315	27,320	26,613	22,676
Chad				72	26,613	26,685
Chile					87,822	87,822
China				386,324	694,592	1,080,916
Colombia					21,290	21,290
Congo (Brazil)					2,962	2,962
Costa Rica	9,117	24,405	26,967	27,320	26,613	114,422
Cuba			60,300	72,024	77,177	209,501
Dahomey			26,574	27,320	26,613	80,507
Dominican Republic		23,301	26,967	27,320	26,613	104,201
Ecuador			12,005	27,320	26,613	65,938
El Salvador				27,320	26,613	53,933
Guinea			8,178	27,320	26,613	62,111
Haiti	22,421	24,405	26,967	27,320	26,613	127,726
Hungary				83,215	111,773	194,988
Laos					26,613	26,613
Lebanon					19,471	19,471
Lesotho		4,146	26,967	27,320	26,613	85,046
Libya					26,613	26,613
Malagasy Republic					115	115
Mali				7	26,613	26,620
Mauritius					19,811	19,811
Nepal					26,613	26,613
Nicaragua				2,562	26,613	29,175
Paraguay	22,421	24,405	26,967	27,320	26,613	127,726
Peru					4,062	4,062
Senegal					454	454
Sierra Leone					254	254
South Africa <sup>2</sup>	142,001	30,507				172,508
Southern Yemen					19,103	19,103
Spain					276,772	276,772
Sudan				27,320	26,613	53,933
Syria					26,613	26,613
United States					1,750,000	<sup>3</sup> 1,750,000
Upper Volta					380	380
Uruguay					37,254	37,254
Venezuela					133,063	133,063
Yemen	13,883	24,405	26,967	27,320	26,613	119,188
<b>Total</b>	<b>254,685</b>	<b>203,099</b>	<b>327,333</b>	<b>899,364</b>	<b>3,812,673</b>	<b>5,497,154</b>

<sup>1</sup> Ceased membership May 8, 1967.

<sup>2</sup> Ceased membership Nov. 3, 1966.

<sup>3</sup> Payments totaling \$1,665,588.00 were consummated in January and July.

Mr. Bow. I believe that is all I have at this time, Mr. Chairman.  
Mr. ROONEY. Mr. Cederberg?

## NEED TO HALT SOVIET PROPAGANDA EFFORTS

Mr. CEDERBERG. Mr. Chairman, I was congressional delegate or observer at the ILO in the early sixties. Certainly everything that Mr. Meany said this morning is correct, even back that far. We would go to these committee meetings and listen to the people from the Iron Curtain countries. It was a rather disturbing and distressing experience to see this take place. Evidently the situation has just deteriorated.

I, personally, as a member of this subcommittee am willing to take any action that we can take to correct it. I agree fully that if this matter gets out of hand we will be financing a propaganda machine which is designed to destroy what we are all for, and that is a free labor movement, free employers in cooperation with government.

If we get ourselves into that position where we are financing a "Fifth Column" within the ILO then we do it, after this hearing, with our eyes wide open.

I think it has been very important that Mr. Meany come here and bring this to our attention. I hope in some way we can get this out to the public so that the people understand it. I would be open to any suggestions that Mr. Meany might have as to any actions that he thinks we ought to take.

I am a firm believer in the ILO. I think it is an organization which can make a great contribution. However, if it is going to deteriorate we may need to take some drastic fiscal steps to bring them to their senses. I am willing to be helpful.

That is all I have, Mr. Chairman.

Mr. ROONEY. Mr. Andrews?

Mr. ANDREWS. I would like to join the other members of the committee in commending you, Mr. Meany, for bringing this not only to the attention of the committee but more important by putting it on the record bringing it to the attention of the people in our country and other countries who believe in a free labor movement. It takes a lot of courage, it takes a lot of conviction to come up and suggest that an agency which you believed in and participated in since its inception is now going off the deep end. I think the tragic thing is that if we stay in it, and it is being used as a propaganda tool, we lend credence to their propaganda. I think this is why they think it is particularly useful to them.

We have a lot of other international organizations which distress us. We contribute 30 to 35 percent of the cost and we have only 11 to 12 percent of American nationals in the staffing of these organizations—the World Health Organization, for example, and many others. However, they are not used as outright propaganda vehicles against the principles for which they are supposed to stand.

It is your feeling and the feeling of the labor movement in this country that you think it advisable that we serve notice that we are cutting off the American contribution to this organization?

Mr. MEANY. I think that is a decision which will have to be made a little farther down the road. The mere fact you are holding this meeting is, I think, very, very important. I am sure this will not be lost on the people who are in the office of the ILO.

Our country never has tried to pack this organization any more than we tried to pack the United Nations. We give 25 percent of the contribution and we have four and a half percent of the employees who are American nationals, so we cannot be accused of trying to pack this organization.

Frankly, I think you put your finger on it. This is an organization in which we believe. We believed in it. I personally have had a long association with it. I think it has done a lot of good, but I think its useful days are rapidly coming to an end because of this development.

We expect the United Nations to be used as a political propaganda sounding board for anyone who wants to use it. It is that sort of an organization. It is political in nature, although it does have certain humanitarian activities which are important and which are not too

well known. However, to go to the ILO year after year, in the Resolutions Committee and in the plenary sessions, and have speaker after speaker denouncing the United States of America, this not only is an insult to our Nation but even perhaps more important it practically nullifies the purposes of the ILO itself.

If we get to the point where we feel that there is no way to cure this within the ILO I am certain you will not have to ask me the question twice as to what we think our future relations should or should not be.

Mr. ANDREWS. From the comments around this table in response to the strong statement and the facts that you brought to us I think that not only ILO but everyone else who is interested in this matter can see that we are 100 percent behind you in whatever action you think we should take to clean up this situation.

Again I want to commend you for taking the time to come and bring this story before us.

That is all, Mr. Chairman.

(Discussion held off the record.)

#### STATEMENT OF MR. ED NEILAN, EMPLOYER DELEGATE TO THE ILO

Mr. ROONEY. The next witness has to catch a plane. He is Mr. Ed Neilan, who has been Management Delegate to the ILO over a number of years.

We are grateful to him for coming here on very short notice from Wilmington, Del., this morning.

Mr. Neilan, if you would start with a brief biography of yourself and then please express your views with regard to what we have been discussing here this morning, we would be obliged.

Mr. NEILAN. I don't want to put any extensive biography on the record particularly. I was President of the United States Chamber of Commerce in 1963-64. At the end of my active term, Dick Wagner invited me to be an adviser to the ILO and I inherited the job too quickly, I suspect.

Currently I am chairman of the board of the Bank of Delaware and also the second U.S. citizen ever to be president of the International Organization of Employers, which is headquartered in Geneva and which serves as the employer secretariat for all free employers organizations throughout the world in its relationships with the ILO.

I have been a member of the governing body of the ILO, formally elected first in 1966 and re-elected in 1969. I served on many of the committees, and in the last year particularly on the Committee on Structure.

My comments, I think, would probably come out of my experience largely in the ILO.

#### DETERIORATION OF THE ILO

I would certainly like to support Mr. Meany's statements relative to the degeneration, if you can call it that, in the ILO. I would like to propose, if you would permit me, some perspective if I may because I have tried to make friends with employers throughout the world. We need their support. I think I would concentrate my remarks not

only on this Russian Assistant Director General which Mr. Jenks proposes to announce tomorrow if the Russians agree—and they submitted only one name, a gentleman named Astapenko, who we in the employers group feel has no sympathy whatever with tripartism. He is a totalitarian from the word “go.”

I would like to frame these remarks on a pragmatic basis. You already indicated the way I might approach this. I will fill in one or two items Mr. Meany has outlined for you. He has correctly stated the history of the ILO.

I will only recall that when the Russians seized Latvia, Lithuania, and Esthonia the League of Nations fell apart, and normally all its organizations would. The workers and the employers felt the ILO was doing a good job, however, in setting better standards for workingmen throughout the world in attacking the problems of poverty. They insisted to their governments that this organization continue, in being, independently.

As a result of this the ILO was an independent organization from the failure of the League of Nations until it reaffiliated with the U.N. in 1948 and became a specialized organ of that agency.

I would point out, also, the Russians made the application, as Mr. Meany suggested, and then in 1954 came in and agreed to accept the constitution of the ILO which provides for the autonomy of the workers group and the employers group in the selection of their representatives to serve on the governing body.

And they immediately went on the attack to destroy this autonomy.

They were first successful with the assistance of the present Director General, who was then a Deputy Director General, and with a gentleman by the name of Ago who represents the Government of Italy, a professor at the University of Rome, to devise a stratagem known as the Appeals Board, that any nation that felt they had not gotten the right representation in the workers' or employers' group could appeal to this Appeals Board and they would appoint two members from that nation to the various committees or other structures. It did not concern the governing body because this was not a committee. The membership of the governing body was expressly stated in the constitution how they would be elected and who would elect them.

In any event, we protested that vigorously and even went to the extent—and Bill van Meter who is here with me today was technical advisor at that time—actually had a draft prepared to appeal to the International Court of Justice that the Appeals Board was nonconstitutional as far as the ILO was concerned. Because of various circumstances, this appeal was never promoted.

But this was the first wedge by which the Russians intervened in trying to place government people on the employers' and workers' bench, because they are government people, without any doubt. They do exactly as their government instructs them to do. We have had a constant fight ever since I have been in the ILO, not only in the propaganda, but because the 100, 120, 150 people the Russians send are bilingual or trilingual and they are in the halls all the time, trying to influence the representatives of developing nations in Asia, Africa, and Latin America and they are very clever about it.

This, Mr. De Palma, is the reason for the diminution of our influence. We have not done that. We have never had any funds to do it. The State Department has never made any effort to get us the funds to do it, in my opinion.

So that I felt very lonesome at times over there.

Rudy and I have tried to come to the attack to refute what the Russians say, and until George Hildebrand came, we had very limited success in getting our government representatives to reply to those particular attacks. Now this was not the fault of Government, in my opinion. But the individual who occupied the chief of the delegation position, who is a very intelligent man but who was ambitious to become the next Director General and was not really willing to antagonize anybody, if this meant he might not have a chance. I cannot fault him for his ambition, please understand me.

But I would say that our big problem is that the Russians used the purse. They walk into the Director General's office, or this Assistant Director General, or any other thing, and they say, "OK, unless we get this, we are not going to give our full 10 percent contribution."

Mr. MEANY. That is right.

Mr. NEILAN. Because they are a monolithic government, they know they can make it stick, whereas our representatives are not at all sure we can make it stick if we even made such a threat, so we never made such a threat. The nearest we came was when we suggested we strongly would ask our Congress to put some strings on the money that would go to the ILO and get some attention to the principles of private enterprise and free trade unions and the other things for the ILO stance.

Mr. ROONEY. Of course we have never had such a request before this committee.

Mr. NEILAN. You are having it today.

Mr. ROONEY. We welcome it today. After what we have heard this morning, we certainly welcome it.

Mr. NEILAN. If I could be so bold as to suggest, one of the major problems is our new Director General. He was elected by one vote over a Frenchman backed by the Russians as well as the French Government.

Mr. HILDEBRAND. Two votes.

Mr. NEILAN. One majority, two votes, correct.

Mr. HILDEBRAND. Twenty-three to twenty-five.

Mr. NEILAN. But this did not dissuade him, even though he knows the Russians voted against him. He knows he got the majority of the labor support vote for him and he knows he got all three of the U.S. votes for him. But he is imbued as an internationalist with the thought that universality is far more important than tripartitism. He is willing to throw that out of the window as a realistic thing if he can get universality.

I think he does not want to destroy the ILO. He realizes without our 25 percent contribution it would be destroyed.

I am like Mr. Meany. I think initially what we ought to do, if it can be done, is to have the Congress authorize in the appropriation bill a string on the ILO appropriation so that the State Department, which, if I understand him correctly, are reluctant to withhold any-

thing without specific authority from this particular committee—with this I generally agree.

Mr. ROONEY. The State Department has never indicated to us that they were in sympathy with any such restriction as that, insofar as not only ILO, but insofar as U.N. and all the U.N. agencies.

Mr. NEILAN. I would hope, sir, you might look at the UNDP, UNESCO, UNIDO, because they are using a lot of their funds to promote Communist doctrine via the ILO as the executing agency because the ILO gets \$16 to \$20 million a year from these agencies for special projects, a great number of which are held within the Soviet Union or satellite bloc and to which no one is invited except developing countries, to allow them to pursue this propaganda at home.

I think this ought to be looked at, and looked at very seriously in addition to these constant attacks and constant efforts to get rid of tripartitism. I served 6 years on the Committee on Program and Structure which was requested by the Russians and their satellites and put into effect. It has been a most frustrating experience. We have tried to accomplish reasonable results and have been frustrated at every turn, so much so that a Russian would block us and then a Russian in the governing body would say, "Well, this is a lousy committee, they get nothing accomplished."

It was his own man that was forcing us to that lack of accomplishment. This has been a very distasteful experience. But if I could be so bold as to suggest, I would hope perhaps that the Appropriations Committee might put a string on the appropriations, particularly for the ILO at the current moment because I think it is the only thing that will enhance our bargaining posture versus the Russians. They have sold the ILO staff and they have sold many developing countries that the United States will continue to give them all the money that is necessary and never raise any questions about how it is used or whether they have any control over it.

Unfortunately, we have not been in a position to go against this doctrine they have been espousing so that many of the developing nations now have accepted this more or less as a fact, that Uncle Sam is just foolish enough to let us have all the money, we can do pretty much as we please. This has been particularly evident this last year when they persuaded the Arabs and Africans to lead in a fight, and they got the South Americans in on it, to take away from the 10 states of chief industrial importance their rights with respect to amendments to the ILO Constitution. And this effort has been concerted. They have also proposed to the office that when this item comes up next June that the committee to consider it should be an open committee, that is, stacked by the Russians and their friends, all of whom will apply for membership on it.

There are many nations which will not apply because they do not have the personnel or the manpower or really the great interest in the committee. We have got to fight that one and fight it hard in the governing body in November.

There are other areas that are very difficult. Industrial committees, the make-up of industrial committees in November will be decided again, and again there will be, and I think Rudy and Mr. Meany will

back me up and probably Mr. Hildebrand and Delaney, that there will be a strong effort on the part of the Russians to stack these committees with people who are responsive to their philosophy.

So that we have to, as I see it, have this string tied and how you tie it is something that I perhaps would be presumptuous to suggest. I would strongly urge that if you could suggest perhaps that if the delegates, workers and employers, if the two of them approached you and said, "Hold up on an appropriation," that your committee could then say to the State Department, "We think you ought to hold up until we have settled this problem."

#### FUNDS AND PERSONNEL FOR ILO DELEGATIONS

The other thing I think is if we are going to spend \$7.5 or \$8 million in the ILO every year, and another \$16 or \$20 million through UNDP, UNIDO, or UNESCO, I think we ought to have adequate staff in Geneva of intelligent, informed, hardworking people to get the job done and see the funds are not dissipated. I think this is penny-wise and pound-foolish.

Mr. ROONEY. Are you saying we have too few people in the State Department?

Mr. NEILAN. No, they have too few people attached to the ILO delegations. I had four assistants and it was seven committees I tried to cover. I had six authorized, but two who, unfortunately, due to illness or to labor negotiations did not get there. So we struggled along with five men trying to cover six committees plus the Committee on Resolutions.

Mr. MEANY. We are asked to nominate to these conferences. But we are told how many we can nominate. In other words, you got your delegate, and the procedure for years was that if you had seven committees you would nominate your delegate and seven advisers, one for each committee. Now we have maybe six or seven committees and only four advisers or five advisers.

Mr. NEILAN. That is right.

Mr. MEANY. This leaves us short-handed.

Mr. NEILAN. It is most difficult to cover your responsibilities when you do not have people to sit in during the committee meetings and observe first-hand or be in a position to answer some of these allegations that come from the eastern bloc.

Mr. De Palma's predecessor was always too busy to come to see what was actually going on. He never came, during the time that I have been on there, to Geneva to check in; although he was in Geneva several times during ILO meetings, he never made an appearance, never contacted any of us.

What I am saying to you, sir, is that if we are using this kind of money and it is being misused, it seems to me we ought to have a little bit better chance to offset the amassed power of the Russians if we are going to stay over there. But basically, my posture is that the only way we are going to get this Director General to listen to the American attitude is to give him the fear that he is not going to get the dollars he asked for.

Mr. ROONEY. I would go much further than giving him a fear, I would just go ahead and cut him off, because we are not sure of the

mentality of Mr. Jenks at this point. Maybe if we had him here we might—

Mr. NEILAN. He is a very clever international lawyer.

Mr. ROONEY. We might gain an insight. But Mr. Jenks needs to be rocked. I know of only one way to rock him, cut off his water.

Mr. NEILAN. I agree with you, sir.

Mr. SIKES. Mr. Chairman, are we not almost confronted with an accomplished fact? If this action is imminent, we are going to have to move now even today.

Should there not be representation from the State Department—that is the responsible U.S. agency—that our Government is not pleased with this development and that we think that it should be deferred pending further study?

Mr. NEILAN. I agree.

Mr. ROONEY. I think that is up to the State Department, which is represented here by a substantial delegation headed by Mr. De Palma.

Mr. DE PALMA. Mr. Chairman, may I—

Mr. ROONEY. I assume there has been some communications back and forth with Geneva?

Mr. DE PALMA. There certainly have, Mr. Chairman.

Mr. ROONEY. In the last 24 to 48 hours?

Mr. DE PALMA. There certainly have. You will hear from Mr. Hildebrand the part he played in trying to apprise the Director General of our feeling. I can tell you that Ambassador Rimestad has been instructed twice within the last 10 days. Just last Wednesday, he went in again and told Mr. Jenks very straight-forwardly what we thought about all this, only to have Mr. Jenks tell us that he had made his decision on the 24th, had announced it to the governments on the 25th and that all that remained was for the official announcement to come out August 1st, which is what he intends to do.

Mr. MEANY. You mean to say that even though he is aware of our strong feelings on this, that he is going to go right ahead anyway?

Mr. DE PALMA. That is my very clear impression; yes, sir.

Mr. HILDEBRAND. One of his representatives told me yesterday that the announcement would be made tomorrow.

Mr. ROONEY. I think we need something further than a rider or a restriction on the appropriation. I think we need no appropriation of funds at all.

Mr. NEILAN. It would be a very interesting experiment.

Mr. ROONEY. We should try it.

Mr. SIKES. As one member of this subcommittee, I would be prepared to vote today to deny that appropriation insofar as this subcommittee is able to do so.

Mr. ROONEY. Of course, the bill is now over in the other body.

Mr. SIKES. It has been approved by the House Committee on Appropriations and by the House of Representatives, itself. It becomes incumbent upon us, and I think we will be unanimous on it, to express ourselves forcibly and to urge the Senate Committee headed by Senator McClellan of Arkansas to follow a like procedure. That Committee can shut off funds and we can then concur in conference. I think we can be successful in this. I think, Mr. Chairman, it is in order to let it be known today that we intend to do that.

Mr. CEDERBERG. What is wrong with us being delinquent once?

Mr. SIKES. It produces results.

Mr. CEDERBERG. We look in this subcommittee at all the delinquencies of all the countries, including the Soviet Union, to the U.N. and all the agencies. We are never delinquent. We reach the point when they are so delinquent that we raise the money by selling bonds to bail them out. Now a little delinquency would not hurt. So if we are delinquent, if they want to get well, we will pay our bill.

Mr. MEANY. You see, the United Nations development program got from us last year \$86 million. This is what we pledged. The ILO shares in this, they share in this appropriation, along with the World Health Organizations.

Mr. ROONEY. That is handled in another appropriations bill. That is in the foreign aid bill.

Mr. MEANY. Yes.

Mr. NEILAN. Could I speak just to the point that has been raised here, because the delinquency is not going to accomplish the purpose unless it is accompanied by a clear statement of the reason for it and the intent that is is not going to be there because of the problem—

Mr. ROONEY. I think Mr. Jenks should have a copy of this record air mailed to him as soon as it is printed. It will not take too long to do that. Maybe it will help him.

Mr. HILDERBRAND. Mr. Chairman, would you like to have me at this point tell of my role in this, in dealing with Mr. Jenks? Is it relevant to your inquiry?

Mr. ROONEY. We certainly do, Mr. Under Secretary. You are the next witness on my list here.

Mr. HILDERBRAND. I will wait then.

Mr. NEILAN. I will gladly defer to Mr. Hildebrand.

Mr. ROONEY. Very good.

Thank you very much, Mr. Neilan, for a very interesting and informative statement.

#### STATEMENT OF DEPUTY UNDER SECRETARY OF LABOR FOR INTERNATIONAL AFFAIRS

We also have with us the Deputy Under Secretary of Labor for International Affairs, Mr. George H. Hildebrand, who is quite intimate with the details we have been discussing this morning. We should like to hear from you, Mr. Secretary.

Mr. HILDEBRAND. Thank you, Mr. Chairman.

#### DETERIORATION OF THE ILO

I will try to be very brief, but maybe I can answer some questions. Let me begin by saying that I concur in the judgments that Mr. Meany and Mr. Neilan have already made about the deterioration of ILO. I think it covers not only the work of the office, which faces a real problem with the accession of Mr. Astapenko, but it also involves the work of the conference and its committees and the work of the governing body and its committees.

The problem is basically the determination of the U.S.S.R. to expand its influence by using political propoganda against us in every possible direction that it can do so.

Now we have already heard the problem. I will go on to say that when Mr. Morse announced his resignation as Director General in

February of this year, on very short notice, to take effect on May 31 of the same year, we had very little time to prepare any way to obtain candidates acceptable to us for this post. We jointly decided within the government group that the best solution at this time was to support Mr. Jenks, who is a long-time member of the ILO staff and was the second man.

As part of that, I was instructed to see Mr. Jenks in Caracas at an ILO regional meeting in April to tell him our views about the next Director General.

Among the points that I made, one had to do with our opposition as a government and the opposition of our worker and employer delegations to the appointment of a Russian to the top directorate of ILO.

I pointed this out very clearly to Mr. Jenks and I urged to him that we were not concerned simply with any one state that is a large contributor having representation in the directorate. That was not our problem. Our problem was that the U.S.S.R. is not like other states. It has a particular kind of society which does not share in the tripartite character that we have in the United States, or that ILO's constitution is based upon.

I told him it was that concern that was our real reason for opposing this appointment, that it would contribute to the very deterioration of the office work that Mr. Meany referred to in his own statement. I also told him it would cause great difficulties for the U.S. Government if this appointment were made, precisely because our employer and worker groups in this country were sensitive on this point and rightfully so.

Mr. Jenks made no commitment to anything I had to say because he took the quite proper position that as an international civil servant he could not do so and he was making no commitments to anyone as a candidate for Director General. But he was thoroughly aware of our position.

In the ensuing period, he was elected in May to the Director General's post, and I saw him on three different occasions in that time until the end of the conference on June 26 of this year. On two of those occasions Mr. Jenks talked at length about the desire to have an American on the top directorate and I, of course, shared this interest. He mentioned possibilities of types of jobs that could be occupied by this candidate and at no time did he discuss in the first two of these conversations his idea of appointing a Russian.

In my third conversation he again discussed the question of an American for the directorate, he engaged me for a considerable period of time in talking about the type of man and the type of job, and then suddenly and quite casually said, "And by the way, I should tell you that as a result of administrative actions taken before I assumed this office, I am appointing a Russian to become Assistant Director-General."

I ventured again a few points on our side, but the point to be made here, I think, is that this was a decision, this was not a consultation. I would say that it is as objectionable that he did not do us the courtesy as a major country, and the largest contributor, of consulting with us before making this decision; instead of that, he announced a fait accompli. This is, I think, as objectionable as the fact of the appointment, itself.

Indeed, another angle to the affair is the speed, the precipitate way which he took this decision in June and presumably at the very point of taking office.

If he had no commitment to the Russians, I do not understand the need for such speed.

So much then for that.

Mr. Jenks was well aware of our position. After he told us this we, of course, consulted within the government, after my return to Washington, and we also consulted as a tripartite group in Mr. Meany's office this week.

As part of our Government discussion we, as Mr. De Palma has already pointed out, asked Ambassador Rimestad in Geneva to see Mr. Jenks and tell him once more our opposition, in the hopes that perhaps the decision could be withdrawn. This was done.

We have all had visitations from various local representatives of the ILO, and have conveyed informally to them as strongly as we could that this is a serious matter and that it was not merely a question of the appointment alone, but, as Mr. Meany has put it, it is the appointment as a last straw in the whole context of things. We have not time here, but I have had to sit in that plenary session, I have had to listen to those abusive speeches without any attempt on the part of the president of the conference to keep the subject within the framework and to keep the speaker within the framework of the subject.

There are no rules of order that I can detect in the meeting. Not only was the United States repeatedly abused, called an imperialist, a colonial power, also a warmaking power, but in addition Israel was also given a very difficult time in that session,

None of our colleague countries in the Western World spoke up for us at all.

Now, again I say this is an example of the kind of thing that is poisoning the atmosphere of ILO, turning it away from an important, indeed even noble work, which is its constitutional purpose and, instead, making it into a propaganda machine for abusing one of the major powers, a democracy, in the group.

So much for that. I think that probably covers the situation as far as I can report, but I would be glad to answer any questions that are pertinent to my role as head of the delegation.

Mr. ROONEY. Have you had any written communications with Mr. Jenks on this subject within the past month, say?

Mr. HILDEBRAND. No; no communications directly with him at all.

Mr. ROONEY. Are there any further questions, gentlemen?

Mr. BOW. I wonder if you have heard anything from Ambassador Rimestad?

Mr. HILDEBRAND. Secretary De Palma can answer that. We have received messages.

Mr. BOW. Thank you, that is all.

#### STATEMENT OF MR. SAMUEL DE PALMA, ASSISTANT SECRETARY OF STATE

Mr. ROONEY. The next witness is the Assistant Secretary of State for International Organizations, Mr. Samuel De Palma.

Mr. De Palma, you now have the floor.

Mr. DE PALMA. Thank you, Mr. Chairman.

Let me say that I welcome this hearing and I am in substantial agreement with almost everything I have heard said so far.

Mr. ROONEY. Why did you not tell us these things when you were here on your regular appropriation which this committee has already approved? Why, if we knew that this situation which we have heard described this morning was existing, we certainly would never have appropriated 15 cents for Jenks or ILO.

#### U.S. PARTICIPATION IN THE ILO

Mr. DE PALMA. Mr. Chairman, this is a situation which has been developing in the ILO for some years now, as the discussion has made clear. This appointment is sort of a culmination of something that has been going on ever since the Soviet Union rejoined.

We have, I think, got to look at the situation in terms of the politics of an international organization. What I find particularly disturbing in this situation is that the membership of the organization, the tripartite membership, and again Mr. Neilan, I will make an exception for the employers' groups, I accept your statement on that, but the membership has, by and large, acquiesced in this trend of events. It has not done so with our approval. We have, I think, consistently opposed these trends; certainly from the government's side I am aware that we have.

The problem is that many governments and many—and Mr. Meany is the expert here on the international labor movement and I would defer to him—but many governments and many of the labor organizations find themselves in a mood of seeking detente or rapprochement with the Soviet Union. They are most reluctant obviously, and this is what you find in the ILO, to press these matters in that body. So that the Soviet Union has been able to do there what in fact they do in every U.N. organization, but it is perhaps more flagrant here because their actions, their behavior, their very presence is really in contradiction of the basic principles of the organization.

So that one has to take into account the general politics of the ILO and, from the standpoint of its members, whether it is desirable or not at a particular moment in history to tangle with the Soviet Union on these matters.

Here you have a situation where there is a government participating in an organization while it is obviously not living up to the precepts and principles of the organization. Now, what this suggests to me, sir, is that we have to pull up our socks and get organized to concert with other like-minded people who participate in this organization in order to get the support we obviously need to try to reverse this trend.

It is not something, quite obviously—and experience proves it—that we can do by ourselves in the State Department.

Now when it comes to that, sir, I think we might as well be quite frank. We have been severely handicapped. Mr. Neilan would probably be surprised to hear me agree with what he said on one point, although I do not know what some of his unspecified allegations might have been. I might not agree with those. We are handicapped in the general conference. We do not have a strong enough delegation. We are

handicapped in our day-in, day-out monitoring of this organization. We do not have enough people.

I have one full-time member in my Bureau who can follow the ILO. I am not sure about the Labor Department, I think you must have about two.

Mr. HILDEBRAND. Two and myself.

Mr. DE PALMA. I say one full time plus myself. This is what we have to work with.

Mr. Chairman, you know the situation on conference funds. When we sent a delegation of 28 members, it was not because we thought that 28 was all we needed in the ILO; it was because that is all the money we had to go around. It is obviously inadequate. I think it is not just a question of money or people, however, let me hastily add. I think we have to concert, to work on a tripartite basis, to tackle this problem at its roots. We have to turn around the membership in this organization.

I am quite willing to focus on the Office of the ILO and the people who direct the organization but they, in a sense, are also in the hands of the membership. There is where the work has to be done. I think from now on we had better look at this organization as an arena for politics.

The Soviets are making it such. It is not our intention; we have tried very hard to keep it focused on its real work. But if they intend to use it as a propaganda organization, we have to look to ourselves. We can only do it by working with other governments, other labor and employer groups. There is no other way to do this.

#### CUTTING OFF OF U.S. FUNDS TO ILO

Now, as for the contribution, sir, this is an old story. We continuously face the problem that some may desire to punish these organizations if things are not going well by withholding a contribution. I think we ought to consider this carefully.

Mr. ROONEY. We have never done so in the history of the United States of America, have we?

Mr. DE PALMA. Not that I am aware.

Mr. ROONEY. This would be the first time, would it not?

Mr. DE PALMA. It would be.

Mr. ROONEY. To now do so might cause a salutary effect on everybody, including the U.N.

Mr. DE PALMA. It might.

Mr. ROONEY. Which also is costing us entirely too much money.

Mr. DE PALMA. It might also serve to wreck the organization. I am asking whether we would do that lightly. I think we want to think very carefully about it.

Mr. ROONEY. I say this to you, I do not see it would cause much harm if this organization were put out of business or wrecked after what we heard here this morning.

#### OPPOSITION TO PRESENT TREND IN THE ILO

Mr. DE PALMA. Mr. Chairman, all I am saying is that I would like to see us make an attempt to reverse this trend before we abandon

the field to these people. I think it would be a mistake to admit that they have, with a very minority representation—

Mr. ROONEY. What would you do, just sit by and let this Communist get this important job?

Mr. DE PALMA. No, sir; but I do not know what we can do about this Russian now.

Mr. MEANY. There is one flagrant flaw in your whole approach, Mr. De Palma. You say we should go in and do battle. With a neutral office, yes, but do battle with the chairman having the gavel and all the rights, with Mr. Jenks playing on the other side?

Mr. DE PALMA. Mr. Meany, I am not as expert in parliamentary politics as you are.

Mr. MEANY. It is quite obvious that the office in Geneva is, and has been for some time, in the Russians' corner.

Mr. DEPALMA. All I am saying is, it is not possible for an office to behave that way without the acquiescence of the membership. What I am saying is, we have to work with other participants to see to it that this is stopped.

Mr. NEILAN. What other participants?

Mr. MEANY. Yes. France?

Mr. NEILAN. Great Britain, Japan?

Mr. DEPALMA. We have to work with all of them, wherever we can find some support.

Mr. NEILAN. You will not find it there.

Mr. MEANY. You will not find any support.

Mr. DE PALMA. Then you are describing a much larger problem. I wonder if you are focusing on the right target.

Mr. NEILAN. I think our focus, with all due regard to you, is the only thing any organization understands is that it must have funds to continue. The only way you ever focus attention on the way they are handling themselves is at least temporarily to deny them the funds.

Mr. DE PALMA. Let me make it very clear that I am quite prepared, and I am sure—I am not going to speak for Mr. Hildebrand—I am prepared to sit down with you gentlemen and consider just that.

I am only raising the point that perhaps we ought to think of the other things we should be doing. I cannot believe that we would simply admit defeat and say that we cannot turn this organization around, that the only thing we can do is to withhold our funds. It may be that that is what we will have to do.

Mr. NEILAN. That is the initial step.

Mr. DE PALMA. But we ought to consider the other things we have to do in order to get support to change the situation.

Mr. CEDERBERG. Are we not at this point? We all recognize the importance of the ILO, no one wants to destroy the ILO, but we find out now that the ILO is no longer, under the kind of leadership existing there, able to accomplish the objectives that we want for it and that were originally intended.

#### CUTTING OFF FUNDS TO THE ILO

Now if you cannot do that, if we deny the funds and it destroys the ILO, what have you lost?

Mr. HILDEBRAND. Congressman, I would have to agree with Secretary De Palma to this extent: That we have not really tried for many years, because this situation has been slow in crystalizing and we have, in effect, been taken for granted.

I think without denying the organization funds, but merely having a provision that we may withhold the funds if the Department of State, in its judgment, thinks this is a desirable step, that you would have a total turn around in that office mentality over there, that we would have some bargaining power which we have not had.

Mr. MEANY. George, the mere fact that we are upset has been conveyed to Mr. Jenks by the Ambassador. He surely knows of this meeting. He has not recognized this as any indication of good bargaining power on our part.

I am really shocked when you tell me that Jenks is going to go right ahead, despite our feeling, despite the unanimous feeling of employer, worker, and Government people concerned with this, that he is going to go right ahead. If he does, we are going to be pretty well handicapped in trying to operate within this organization. After all, the delegations that come from the smaller countries of the world recognize the importance of the office.

The office is the one that can help them, that can dole out money to them in this thing here, where you have the United Nations Development Program, where we find that on the contributions side, in 1969, we are committed to about \$70 million. The Russians are committed to \$3 million. But the bloc countries, Russia, Bulgaria, and them, get \$28 million in benefits. So this is not an equality of approach as far as our Government is concerned.

Frankly, just as an American, entirely apart from the trade union end of it, this to me is an insult that we should be treated in this cavalier fashion by these international civil servants—and this includes our friend in New York—who base their whole plans on the idea, “Well, the Americans will never act, the will never withdraw, they will never get out of the organization.”

Now, somebody says, do we want to destroy this organization? No, I do not want to destroy the ILO. But if ILO is going the way I see it going, and it continues to go there, then I have no further interest in the ILO and I do not think our Government should have any further interest, because we have a political organization in New York, where we can meet the Soviets on the political front. Why should we have an organization that on the face of it is dedicated to building standards for workers all over the world, an economic and social organization, why should we have that converted into another political organization and we pay the price for it?

No, I cannot see that at all.

Mr. ROONEY. I feel I can confidently say that you are expressing the thoughts of every member of this subcommittee, and I am going to take the liberty, feeling that way, to ask Mr. De Palma to telephone to Ambassador Rimestad and tell him to hotfoot it over to Mr. Jenks and tell him before nightfall that there will be no money for ILO as far as this subcommittee is concerned, and I think we can do it.

Do you doubt that we can do this?

Mr. DE PALMA. I have no doubt, Mr. Chairman. I would be very glad to put in the telephone call.

Mr. CEDERBERG. I think the action is going to have to be a congressional action, because you in your shop over there have to get involved with other international political developments that the State Department gets involved in. So if we are going to wait for a decision from the State Department that you are going to cut off the funds, it will never happen, because, as I say, there are other political international considerations that get involved. The place to do it is right here.

Mr. MEANY. I have been around here a long time and I do not want to criticize the State Department, but my experience has been that every place I go in the State Department, whether it is the Far East desk or this country desk or that country desk, the attitude of the professional bureaucrat there is that that particular country is his client, that I am not his client, I am an American, I am out, but this other guy is his client. And you will never get the State Department desk people to agree to break relations with any of their clients, no matter how much their clients abuse this country.

Mr. ANDREWS. You put your finger on it, Mr. Meany. The big thing is that the marshmallow attitude of the State Department has concerned this committee for some time.

Mr. MEANY. Irrespective of the State Department or any other department, this Congress has the decision in its lap.

Mr. CEDERBERG. I am willing to recognize the State Department has many complex problems that cross all kinds of lines and that is why you cannot—

(Discussion off the record.)

Mr. CEDERBERG. The place to do it is right here.

Mr. HILDEBRAND. Just one point, Mr. Chairman, of fact.

Mr. Jenks told me when I first broached this, which was on the 25th of June, that he had already made the decision, the only thing that was being delayed was the announcement. If that is correct, then he is already committed. We can do nothing there.

Mr. SIKES. We can do something here and we should.

Mr. ANDREWS. He might change his mind before he makes the announcement.

Mr. ROONEY. He might change his mind. I will lay odds that he eventually will.

Mr. MEANY. When he says the decision was made, who was it made by? It was not made by the governing body? It must mean it was made by him. It could not have been made by Dave Morse because he would not have gone out of his office without announcing a decision he had made. It had to be made by Mr. Jenks.

Mr. HILDEBRAND. I agree.

Mr. MEANY. If Mr. Jenks made it, Mr. Jenks can change it.

Mr. DE PALMA. We will put in the telephone call.

Mr. ROONEY. Have there been any written communications on this subject within the past month?

Mr. DE PALMA. Yes, sir; I have a cable that came in the other day.

Mr. ROONEY. May we look at it?

Mr. DE PALMA. It is a confidential cable, I would be glad to show it to you.

Mr. ROONEY. It is not confidential from us, eh what?

Mr. DE PALMA. You know, just keep it——

Mr. ROONEY. Suppose you read this in language which will not disclose what we should'nt. That is a very interesting paragraph, that first one. Why, this is all fait accompli.

Mr. DE PALMA. In essence, Mr. Jenks repeated what he said earlier to Mr. Hildebrand.

Mr. ROONEY. But it is so much more forceful when it is written out.

Mr. MEANY. If this is the way he treats his number one affiliate let's say, then I do not see any hope for your plan of doing anything in the future, because you have the umpire on the other side.

It is based on the idea that when the Russians say they will cut their contribution, he believes them. If we say we are thinking about it, he does not believe us.

Mr. DE PALMA. Mr. Chairman, may I just add a point?

#### OPPOSITION TO PRESENT TREND IN THE ILO

I think the record will show, sir, that in the last few years the government, the State Department working in close consultation with the Labor Department, has taken positions in opposition to this trend. We have found ourselves, however, at the conference confronted with decisions of the membership, including, as Mr. Meany knows, the worker groups, acquiescing in these decisions.

Mr. ROONEY. Mr. De Palma, if you had only given us even the slightest intimation of what was going on, you could have blamed us. We would gladly have handled it for you. Then we would be the scapegoats, if any.

Mr. DE PALMA. Mr. Chairman, I still feel that the thing to do is to stay with these things and work on these problems. I do not think the answer is just to run away. The time may come, Mr. Meany, and you are absolutely right, if it cannot be done through the regular procedures, then we have to consider whether our participation is worth it.

Mr. MEANY. Well, if the appropriation was held up while you were working on it, that would not cramp your style, would it?

Mr. DE PALMA. I would have to defer to the Congress on that.

Mr. SIKES. We do not seem to be getting anywhere without cutting off the appropriation. We had better cut it off and see if that produces results. I think it will.

#### SOVIET REPRESENTATIVE IN KEY POSITION

Mr. ROONEY. Sure, because when Ambassador Rimestad informed Mr. Jenks of this hearing here today, Mr. Jenks advised him that the appointment of the Russian was already made on June 23, and that the interested governments were notified on June 24. Now why did you not notify us back on June 24?

Mr. MEANY. Was there a meeting of the governing body subsequent to June 23, George?

Mr. HILDEBRAND. Yes, there was.

Mr. MEANY. Did Jenks announce this to the governing body?

Mr. HILDEBRAND. To my knowledge, no. No, he did not.

Mr. MEANY. So there was a meeting of the governing body. If the decision was made on June 23, why would he not announce it? I cannot understand that.

Mr. HILDEBRAND. Good question.

Mr. ROONEY. Well, this message sure gives an insight into the mentality of Mr. Jenks. He wants to know whether we recognize the fact that the Soviet Union is the second largest industrial power in the world?

Mr. MEANY. So what?

Mr. ROONEY. And if we admit that that is so, then we would be in the same position to be asked to accept the humiliation of not having a national appointed to a senior ILO position, isn't that terrible?

Mr. MEANY. So he is avoiding humiliating the Soviet Union. Is that not nice?

I have been humiliated over there for quite a few years now as an American.

Mr. HILDEBRAND. So have I.

Mr. ROONEY. I gather that if this becomes a public issue, Mr. Meany, and he (Mr. Jenks) is called upon for a statement, he intends to reserve any comment he has to make for the governing body of ILO. Now isn't that something?

Mr. MEANY. He did not announce this to the governing body, this appointment?

Mr. ROONEY. As I said previously this bird Jenks thinks he has inherited the ILO, lock, stock, and barrel. There is about as much democracy under him in ILO as there is in the Soviet Union.

In conclusion, we thank you, Mr. Meany and Mr. Neilan, Under Secretary Hildebrand and Assistant Secretary of State De Palma, for your testimony here today. This was a very interesting and highly informative session and one which requires prompt action on the part of the Congress.

Mr. MEANY. Thank you, Mr. Chairman.

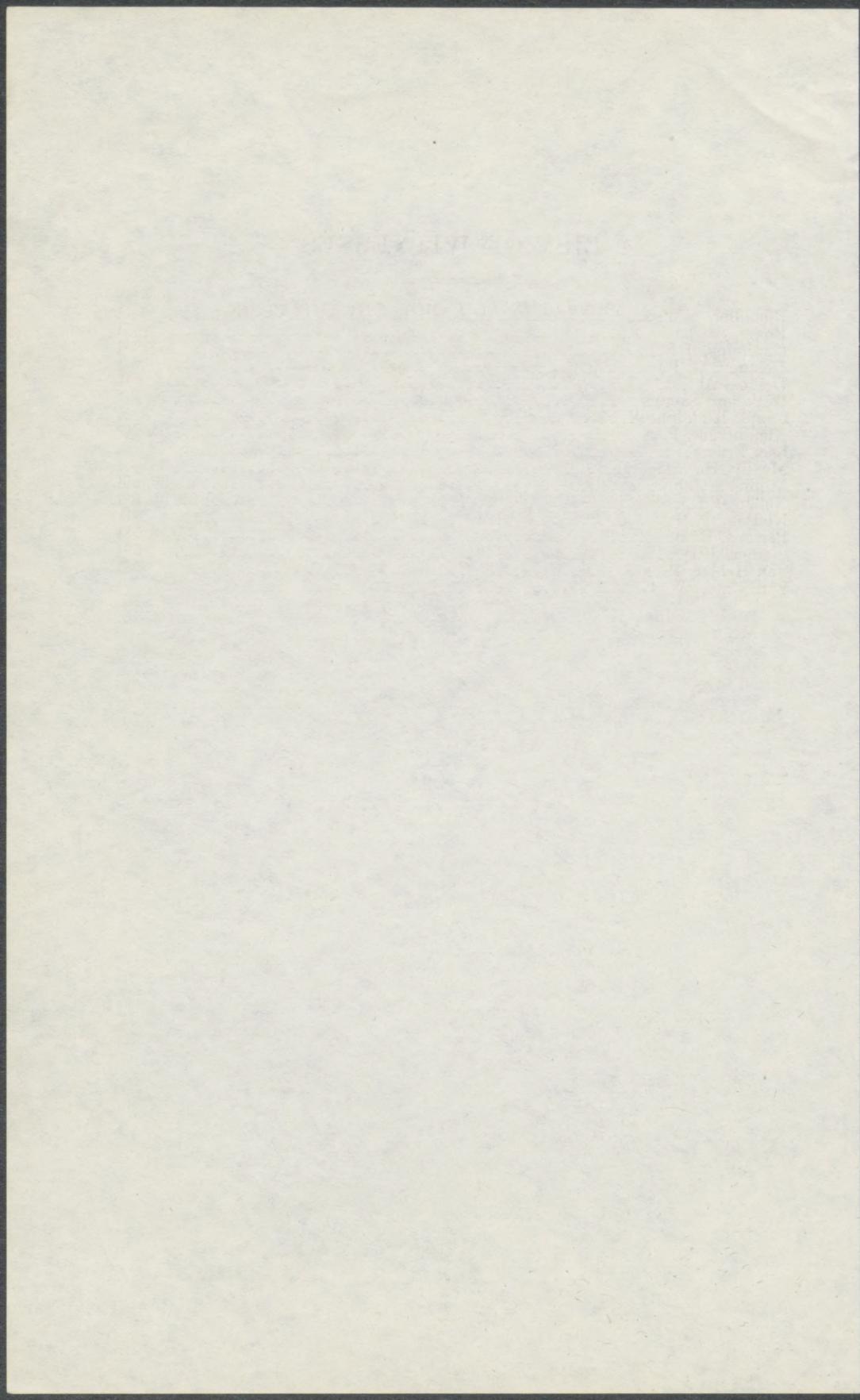
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