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The International Labour Organization

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AFRICA AND THE ILO'S FOUNDATIONAL YEARS

The relationship between the International Labour Organization and Africa during the first decades after the Organization's founding in Versailles in 1919 was, first and foremost, shaped by the ILO's strong European bias. The ILO built on the European labour experience in more than one aspect: its roots lay in the demands of late nineteenth-century European social reformers and proponents of international labour law, and it had grown out of the immediate effects of the First World War in Europe. The integration of the reformist part of the European labour movement into the war effort in many countries, and the Russian October Revolution of 1917, had created the political environment in which the ILO was founded. Its establishment was in a sense both a reward for European workers' contributions to the war effort and a safety valve to calm the revolutionary potential of the working class. In the same sense, the ILO's tripartite structure, in which workers' and employers' delegates took part next to government representatives in the

decision-making process, built on the practical experiences and institutions created by some European countries during the war, which were for the first time institutionalized at the international level by the ILO.¹

While the ILO's mandate was not restricted to any world region or political and social environment, a tension between the universalistic claims of the ILO's Constitution and a definite bias towards European industrial labour permeated the work of the Organization from the start. Initially, the ILO catered primarily to the needs of industrial wage labourers (including seafarers) in the industrialized countries of the West. Both the standard-setting activities and the technical work in which the ILO engaged during the interwar period reflected this bias.² From 1919 onwards, the annual sessions of the International Labour Conference (ILC) adopted international labour standards in the form of Conventions and Recommendations (the latter being instruments that are not binding under international law), dealing with a broad range of issues, from protection of children and women workers in industry through labour inspection to social insurance and employment policies. The common denominator of these activities was that the great majority of these standards dealt with problems specific to the industrialized world. Non-industrial labour, including agricultural labour – although within the competence of the ILO – was given much less attention.³ Seen from this perspective, the ILO initially was poorly equipped to deal with the problems of the great majority of working people on the African continent. The 'industrial bias' by and large also permeated all other areas of the ILO's work, from research and the production of statistics to the early technical assistance

¹ For an account of the period leading up to the establishment of the ILO and the early days of the Organization, see Anthony E. Alcock, *History of the International Labour Organisation* (London: Macmillan, 1970), 1–49; Bob Reinalda, *Routledge History of International Organizations: From 1815 to the Present Day* (London: Routledge, 2009), 137–77, 221–8; Olga Hidalgo-Weber, 'Social and Political Networks and the Creation of the ILO: The Role of British Actors', in *Globalizing Social Rights: The International Labour Organization and Beyond*, ed. Sandrine Kott and Joëlle Droux (Basingstoke and Geneva: Palgrave Macmillan and ILO, 2013), 17–31.

² While the standards adopted in the early years were intended predominantly to protect workers in the physical performance of their work, as early as the 1930s the ILO began to extend its standard setting to a wider field of social policy, covering areas ranging from systems of social security to employment policy. In the period after the Second World War, human rights issues such as freedom of association and protection from discrimination at work increasingly became the subject of the ILO's normative activities.

³ Amalia Ribi Forclaz, 'A New Target for International Social Reform: The International Labour Organization and Working and Living Conditions in Agriculture in the Inter-War Years', *Contemporary European History*, 20.3 (2011), 307–29.

projects that the ILO started to implement during the 1930s. This bias was reflected clearly in the lack of resources committed to the study of African labour issues at the level of the International Labour Office, the ILO's secretariat in Geneva, itself. During the interwar years, a tiny Native Labour Section (consisting of only one to three people) accounted for all the ILO's work not only on Africa, but the entire colonial world.

Another fundamental problem, which affected the relationship between the ILO and Africa during these early years, was rooted in the poor representation of African countries and their interests within the Organization. Apart from the South African Union,⁴ which, due to its status as a 'white' British Dominion, occupied a peculiar position, only two sub-Saharan African countries, Liberia and Ethiopia, were members of the Organization before the Second World War. Whatever influence they might have exerted, it was effectively constrained by the fact that they were hardly ever in a position to send full delegations to the ILC.⁵

The single most important obstacle to the ILO's engagement with African labour and social affairs clearly was to be found in the political status of vast parts of the continent, which were still under the formal colonial rule of European powers. During the ILO's first two decades of existence, the colonial powers' claim to sovereignty over African affairs was essentially never disputed within the bodies of the Organization, an acquiescence in which its predominantly European character at this point played an important part.⁶ All colonial powers, except for Portugal, held permanent seats on the ILO's Governing Body. The initial absence of the two major powers that were critical of colonialism, the United States and the Soviet Union, further contributed to an environment in which the colonial powers met very little

⁴ Jeremy Seekings, 'The ILO and Welfare Reform in South Africa, Latin America and the Caribbean, 1919–1950', in *ILO Histories: Essays on the International Labour Organization and Its Impact on the World During the Twentieth Century*, ed. Jasmien van Daele, Magaly Rodríguez García, Geert van Goethem and Marcel van der Linden (Bern: Peter Lang, 2010), 145–72.

⁵ Susan Zimmermann, "'Special Circumstances' in Geneva: The ILO and the World of Non-Metropolitan Labour in the Interwar Years', in *ILO Histories: Essays on the International Labour Organization and Its Impact on the World During the Twentieth Century*, ed. Jasmien van Daele, Magaly Rodríguez García, Geert van Goethem and Marcel van der Linden (Bern: Peter Lang, 2010), 221–50.

⁶ *Ibid.*

resistance in their attempts to keep their territorial possessions out of the international spotlight.⁷

One of the most important decisions regarding the ILO's constitutional treatment of the colonies was taken at the Second Session of the ILC in 1920. The issue under debate was whether and how the provisions of international labour standards could be applied to overseas territories as stipulated in Article 35 of the ILO's Constitution. This article, known as the 'colonial clause' gave the colonial powers freedom to exempt their colonies from certain international labour standards, without these territories automatically falling outside the scope of ILO standards in general. In practice, the 'colonial clause' provided the colonial powers with an effective means to ensure, up to the Second World War, that all initiatives aimed at achieving more rapid social progress in the colonies, or securing the larger-scale implementation of ILO standards, would come to nothing.

The exclusion of colonial issues from the ILO's proceedings was further highlighted by the absence of direct representation from the colonies in the Organization's meeting rooms. India, which became a full member of the Organization as early as 1919, was the only exception to this rule.⁸ In no other case before 1939 did metropolitan governments ever include a representative of a colonial territory as a direct participant in their delegations, although prominent figures from the colonies were very sporadically called upon in an advisory capacity to help with the ILO's standard-setting work.⁹ In the absence of direct representation from the colonies during the annual session of the ILC, it fell mainly to the workers' group to put colonial issues on the agenda.¹⁰

Paradoxically, when the Organization first took steps to broaden its outlook towards the non-European world during the 1930s, the marginal position that Africa occupied within the ILO became even more pronounced. Against the

⁷ The United States did not join the ILO until 1934, under the presidency of Franklin D. Roosevelt. The membership of the Soviet Union, which established relations with the ILO that same year, was exclusively the result of its accession to the League of Nations. The Soviet Union had no involvement in the Organization's work, nor did it send delegations to the ILC. Harold K. Jacobson, 'The USSR and ILO', *International Organization*, 14.3 (1960), 402–28.

⁸ India was represented from the start, although up to 1929 its delegations were effectively dictated to by the British delegation, though afterwards they became more independent. On India's early role, see G. Rodgers, 'India, the ILO and the Quest for Social Justice', *Economic and Political Weekly*, 46.10 (2011), 45–52.

⁹ See International Labour Office, *Social Policy in Dependent Territories* (Geneva: ILO, 1944), 56ff., nn. 2, 3.

¹⁰ Zimmermann, "Special Circumstances" in Geneva'.

background of fundamental political, economic and social crises, the ILO attempted to widen its portfolio and move beyond standard-setting into the field of socio-economic planning and technical assistance. As part of this new direction, the ILO developed a growing awareness of the needs of the less industrialized parts of the world, followed by the first practical steps to regionalize its work.¹¹ While Latin America (a first ILO Regional Conference – for Latin America – took place in Santiago de Chile in 1936), and to a certain degree also Asia,¹² now became target areas of ILO activities, Africa remained widely untouched by these new endeavours. Instead, the ILO's overall approach to Africa remained for most of the time a merely humanitarian one. The focus of these efforts was less on matters of labour and social policy in the broader sense, but instead concentrated, first and foremost, on the worst abuses of 'native labour' in the colonies. In other words, when ILO discussions touched upon African labour and social issues during the interwar period, they stayed clear of one particular problem: forced labour.¹³

The systematic use of forced labour in many parts of colonial Africa during the interwar years was the result of a complex interplay between the colonial powers' aim of making their colonies more profitable (*mise en valeur*) and their parallel unwillingness to commit resources for a social infrastructure capable of ameliorating the damaging effects of this policy. The reluctance to get involved in social development was not based on financial considerations alone. According to the prevailing colonial doctrines of the time, it would have been a mistake, for example, to promote a policy which provided the indigenous population with an incentive to leave rural areas and move permanently into 'European' working conditions. Wherever the need for labour arose, short-term, migratory forms were favoured, and the social costs were left to be shouldered by the indigenous workers' 'natural environment' – that is, the rural areas and the 'tribal' structures from which they came and to which they were expected to return when their labour was no longer required.¹⁴

¹¹ Véronique Plata-Stenger, "‘To Raise Awareness of Difficulties and to Assert their Opinion’: The International Labour Office and the Regionalization of International Cooperation in the 1930s", in *Beyond Geopolitics: New Histories of Latin America at the League of Nations*, ed. Alan McPherson and Yannick Wehrli (Albuquerque, NM: University of New Mexico Press, 2015), 97–114.

¹² A first Asian Regional Conference would eventually take place in Delhi in 1947.

¹³ J. P. Daughton, 'ILO Expertise and Colonial Violence in the Inter-War Years', in *Globalizing Social Rights: The International Labour Organization and Beyond*, ed. Sandrine Kott and Joëlle Droux (Basingstoke and Geneva: Palgrave Macmillan and ILO, 2013), 85–97.

¹⁴ See M. Mamdani, *Citizen and Subject: Contemporary Africa and the Legacy of Late Colonialism* (Princeton, NJ: Princeton University Press, 1996).

Until the Second World War, it was general policy, at least in the British Empire, to avoid, as far as possible, ‘stabilization’ at the place of work and permanent migration to the cities. Labour shortages were often bridged by coercive measures, and private and public interest often went hand in hand in order to meet demand in the labour force. The brutality of the recruitment methods and working conditions, and the socially disruptive effects that the mass recruitment of men of employable age inflicted on the indigenous communities, repeatedly caught the attention of the public in Europe and North America. As a result, the topic of forced labour systems pervaded all aspects of contemporary debate on colonial policy. From the early 1920s onwards, the International Labour Office and its first Director, Albert Thomas, acted as part of an ‘international colonial issue network’ opposing forced labour in the colonies.¹⁵

When the League of Nations began preparations for a convention against slavery in 1924, the International Labour Office, which was also represented on the League’s Permanent Mandate Commission, seized the chance to use this as a lever for its own campaigns. In the wake of the League’s debates on the Slavery Convention, which was passed in 1926, the ILO was given the task of conducting a study into possible steps ‘to prevent compulsory labour or forced labour from developing into conditions analogous to slavery’.¹⁶ Its mandate was constrained, however, by the colonial powers’ unwillingness to expose their ruling practices to any significant degree of international scrutiny, and the ILO went a long way to accommodate them. The installation of a non-tripartite Committee of Experts on Native Labour underpinned the patronizing character of this work. It consisted mainly of colonial administrators and colonial economic interests, among them Sir Frederick (later Lord) Lugard, British colonial administrator and Governor General of Nigeria (1914–19), Albrecht Gohr from the Belgian Ministry of Colonies, Martial Marlin, former governor of various French colonies, and Albrecht Freiherr von Rechenberg, former governor of German East Africa.¹⁷

¹⁵ Daughton, ‘ILO Expertise and Colonial Violence’; Luis Rodríguez-Piñero, *Indigenous Peoples, Postcolonialism, and International Law: The ILO Regime (1919–1989)* (Oxford: Oxford University Press, 2005). For a summary of the debate, see Daniel Roger Maul, ‘The International Labour Organization and the Struggle against Forced Labour from 1919 to the Present’, *Labour History*, 48.4 (2007), 477–500.

¹⁶ Susan Pedersen, *The Guardians: The League of Nations and the Crisis of Empire* (New York: Oxford University Press, 2015).

¹⁷ Daughton, ‘ILO Expertise and Colonial Violence’.

The four conventions and a whole series of recommendations which the ILO passed between 1930 and 1939 as a result of this work revolved around the problem of forced labour. In the end, the ILO defined colonial labour as a special form of labour, referred to as ‘native labour’, to which separate norms applied. It drafted a special Native Labour Code (NLC), distinct from the International Labour Code which comprised all ILO conventions.¹⁸ The discourse which culminated in the development of the NLC underpinned this distinction; it rested on the widely shared assumption that colonial policies had a duty to ‘educate’ the native population. The main area of controversy was the question of whether the abolition of forced labour and related phenomena helped or hindered the performance of this educational duty. Thomas, who was arguing for far-reaching measures to abolish forced labour, saw the ILO’s role as ‘lift[ing] the chains that still bind the native so as to prepare him for the next educative step’,¹⁹ a position that was widely supported by the workers’ group within the ILO. Among the colonial powers, however, only Great Britain supported the immediate abolition of forced labour for private purposes. In contrast, the French, Belgian, Dutch, Portuguese and South African delegations were critical of the distinction between forced labour for public purposes and forced labour for private interests, which both seemed acceptable to them, at least for a transitional period.²⁰

The Forced Labour Convention of 1930 called for the abolition of forced labour ‘in all its forms’ and only permitted transitional periods with regard to work performed for ‘public purposes’.²¹ However, provisions that laid down what was *not* to be deemed forced or compulsory labour (among them military service and forced labour as a consequence of a court conviction) provided loopholes for the colonial signatories. The conventions also exempted any work or service forming part of the ‘normal civic obligations of citizens’, as well as ‘minor communal services’. This offered further opportunities to make exceptions for certain coercive practices widely

¹⁸ In addition to the 1930 Forced Labour Convention, ILO instruments dealing with recruitment practices (Recruiting of Indigenous Workers’ Convention, 1936 (No. 50)) and working contracts (Contracts of Employment (Indigenous Workers) Convention, 1939 (No. 64)) tackled the problem of long-term contracts, the latter mostly aiming at widespread systems of indentured labour.

¹⁹ Quoted in Daniel Roger Maul, *Human Rights, Development and Decolonization: The International Labour Organization, 1940–70* (Basingstoke and Geneva: Palgrave Macmillan and ILO, 2012), 24.

²⁰ For a summary of this discussion, see Maul, ‘The ILO and the Struggle against Forced Labour’, 480–5; see also Alcock, *History of the ILO*, 81–93.

²¹ Forced Labour Convention, 1930 (No. 29).

used in colonial Africa.²² Notwithstanding their indisputable humanitarian achievements, the ILO conventions of the 1930s dealing with forced labour underlined that Africa and other parts of the colonial world were still deemed an area where a set of rules applied that was different from the realm of regular international labour standards.

Parallel to this normative effort to tackle forced labour, the world economic crisis and the social and political turmoil it had caused triggered an opening for new, more comprehensive ways of thinking about social problems in the colonial territories, in the ILO as well as in the official colonial mind. In particular, those parts of the colonial world that had – under the premises of *mise en valeur* – expanded their export-oriented sectors after the First World War faced social turbulence in the latter part of the 1930s. A series of strikes affecting strategically important functions of the colonial economy broke out, not only in the British Caribbean but also, for example, in Northern Rhodesia in 1935, in the ports of Mombasa (Kenya) and Dar es Salaam (Tanganyika), and among railway workers in the Gold Coast (Ghana) in 1939. Taken together, they became the impetus for the British Colonial Development and Welfare Act (CDWA) of 1940, which first embraced an active colonial development policy and an unprecedented admission of financial responsibility for the welfare of the people of the Empire.²³ This new course of action relied on a series of official reports that had related the social and political instability in the colonies to the lack of colonial social policy (and restrictions on the right to organize in trade unions).²⁴ Furthermore, the development of trade unions in the colonies now became a goal of British colonial policy, in the hope of ‘taming’ the colonial workforce by creating a predictable and thus controllable negotiating power. Signs that a new perspective on social issues was beginning to open up, and above all indications of the willingness to commit financial resources to the colonies, were also visible in the policies of other colonial powers. The French Popular Front Government (1936–38) broke with the utilitarian policy of *mise en valeur* and espoused instead the altruistic development of the colonies by the French state, although a lack of time and insurmountable

²² Despite the far-reaching concessions that all parts of the NLC made to the wishes of the colonial powers, very few, apart from Britain, were prepared to ratify the documents until the early 1950s. See K. K. Norsky, *The Influence of the International Labour Organization on Principles of Social Policy in Non-Metropolitan Territories* (Oxford: Oxford University Press, 1951), 88–103.

²³ See Frederick Cooper, *Decolonization and African Society: The Labor Question in French and British Africa* (Cambridge, MA: Harvard University Press, 1996), 58–65.

²⁴ For example, Malcolm W. (Lord) Hailey, *An African Survey* (London: Oxford University Press, 1938).

institutional resistance within the colonies prevented this policy from ever getting far beyond the drawing board.²⁵

The ILO's Native Labour Section tried for most of the 1930s to sustain this official change of mind with its own activities. While its initial task was mainly to support the struggle against forced labour, it increasingly collected data and produced surveys on African social affairs in order to support the reform of colonial social policy. Taken together, and although modest in scale and thoroughly paternalistic in outlook, these initiatives would prove to be a platform which enabled the ILO soon afterwards to become a driving force behind a change of attitude and action vis-à-vis the social problems of colonial territories in Africa and elsewhere.²⁶

A PEOPLE'S PEACE FOR THE COLONIES: THE ILO AND AFRICA DURING THE SECOND WORLD WAR

The Second World War worked as a catalyst for this new thinking. In its hallmark Declaration of Philadelphia (1944), the ILO, on the side of the Allied powers, claimed a comprehensive role in social and economic post-war planning based on the idea of universal social rights. Parallel to the Declaration of Philadelphia, the ILO promoted a programme of colonial reform under the programmatic title of 'social policy in dependent territories'. This programme became the basis for a series of recommendations and conventions to be adopted between 1944 and 1948, which committed the colonial powers to developing their territories in line with a broad social objective. These instruments, adopted by International Labour Conferences in the immediate post-war period, reflected the growing influence of colonial reformist development thinking on the official mind. The majority of the colonial powers also saw the propaganda value such a commitment would have, both vis-à-vis their critical American allies and the colonial populations.

From its exile in Montreal, where the Organization had moved its headquarters after the German invasion of France in May 1940, the ILO had done its part to moderate discussions and synthesize colonial reform initiatives. The provisional head of the Native Labour Section, Wilfrid Benson, had spent the first years of the war in London, where he had entertained close relationships with British colonial reformers as well as with the colonial governments-in-exile of Belgium, the Netherlands

²⁵ Cooper, *Decolonization and African Society*, 73–107.

²⁶ International Labour Office, *Social Policy in Dependent Territories*, 32–42.

and the Free French. Towards the end of the war, when an Allied victory seemed imminent, he came up with a blueprint for a post-war social reform programme for the colonial territories.

Benson's considerations culminated in the publication of a programmatic article entitled 'A People's Peace in the Colonies', published in the *International Labour Review* in February 1943.²⁷ The article had significant diplomatic motives. Benson's programme was firmly connected to colonial reform initiatives that rested on the dual experience of the colonial powers' wide-scale defeat in South-East Asia by the Japanese and the parallel mobilization of colonial resources for the war effort, in particular in Africa. But it was also not by coincidence that Benson connected his considerations on colonial social policies to the general promise by the British Minister of Labour, Ernest Bevin, of a 'people's peace' that would be the necessary outcome of a 'people's war' being fought on a global scale and that would bring greater welfare and a more just post-war order for all. Benson built on the universalistic discourse established by the Atlantic Charter and Roosevelt's Four Freedoms speech.²⁸ From the perspective of the ILO, the colonial reform programme was part of a wider 'parallel operation' in which the colonial world would become part of an overall global programme of social reform based on the idea of universal social rights. Benson's suggestions for a 'people's peace in the colonies' rested on the idea of a future order built on four programmatic pillars: 1) the subordination of all colonial policy to a superordinate social objective; 2) a move away from the laissez-faire of the pre-war period to a commitment on the part of the colonial state to active economic and social development; 3) the safeguarding of the indigenous populations' participation, first and foremost through the promotion of trade unions, as a contribution to social development 'from the ground up'; and 4) the increased 'internationalization' of colonial social policy, with a mandate for the ILO for the development of a global social policy. Benson argued that justice and worldwide economic and military security could only be achieved if the war brought a 'people's peace' also for people under colonial rule.

According to 'A People's Peace in the Colonies', all future policy would have to be subordinated to an overriding social objective. The colonial state needed to become 'the most active agency for promoting social welfare'.²⁹

²⁷ Wilfrid Benson, 'A People's Peace in the Colonies', *International Labour Review*, 47.2 (1943), 141–68.

²⁸ Townsend Hoopes and Douglas Brinkley, *FDR and the Creation of the U.N.* (New Haven, CT: Yale University Press, 1997).

²⁹ *Ibid.*, 155.

There were humanitarian and economic justifications for such policies, since they would help to improve the livelihoods of colonial people by raising their living standards and thus ultimately the productivity of their work. Emphasis, however, was put once again on the positive effect that social policy measures would have on the maintenance of order and control in the colonies.³⁰ In the same context, Benson's article once more suggested promoting trade unions and other forms of democratic representation of interests and integrating more indigenous representatives into the institutions of reconstruction.³¹

A good part of this programme eventually ended up in the guidelines for a new colonial social policy enshrined in the programmatic Recommendation on Social Policy in Dependent Territories adopted by the International Labour Conference in Philadelphia in 1944.³² Its adoption against the background of the famous Declaration of Philadelphia, by which the ILO claimed to assume a leading part in the construction of the new global post-war order, gave additional weight to the document. It linked the debate on colonial reforms to the more general debate on the coordination of economic and social policy, the use of socio-economic planning and the increased interventionist role of the state in general.³³

While the ILO thus drew the colonial world closely into a discourse about social rights, the concrete programme of colonial reform never became fully integrated in the overall programme of the Declaration of Philadelphia. At a closer look, it rather reflected ideas of a gradual and qualified universalism. The colonial powers, for instance, successfully resisted the full application of the International Labour Code in the colonies. They did so mainly for two reasons: first, applying schemes of social security wholesale to the colonies – in other words, building the colonial welfare state in parallel with European post-war reforms – was regarded as far too costly; secondly, there were political reasons, which became evident in the area of trade union freedoms. Here, the attitude of the colonial powers was particularly ambivalent.³⁴ Although trade unions were encouraged, both the colonial bureaucracies and the officials on the ground did their utmost to limit union activities to such an extent that they could not grow into a political threat. As a result, even after

³⁰ *Ibid.*, 167.

³¹ *Ibid.*, 161.

³² Social Policy in Dependent Territories Recommendation, 1944 (No. 70).

³³ Benson, 'A People's Peace'.

³⁴ See the chapter by Scully and Jawad in this volume.

the Second World War, the remaining colonies continued to represent a world apart, or, in other words, a sphere to which less stringent rules applied.³⁵

THE BUMPY ROAD TO LAGOS, 1945–60

From the early post-war period onwards the ILO's centre of gravity began to shift away from Europe to those regions of the globe that were increasingly labelled as 'underdeveloped' or 'developing'. From 1948 onwards, under a new Director-General, the American David A. Morse, the ILO, which had joined the United Nations in 1946, reinvented itself as one of the UN's agencies to provide technical assistance programmes to underdeveloped countries.³⁶ In the first decade under Morse, technical assistance attained the role of a second pillar of the Organization, next to the ILO's classic standard-setting activities. However, while the ILO began vigorously to reach out to Asia, Latin America and the Middle East with its vocational training and other programmes, sub-Saharan Africa remained somewhat beneath the radar of its technical services (and standard-setting activities) for almost another decade.³⁷

In fact, nowhere did the ILO face more barriers to entering the scene than in Africa. The main reason could once again be found in the colonial powers' dedication to heading off any further 'internationalization' of colonial policy and the increased accountability they feared it would bring – especially in light of the growing strength of independence movements in the colonies. The forum which the United Nations offered at the same time to critics of colonialism, such as the newly independent India, only served to reinforce the colonial powers' sensitivity to 'interference' by international organizations.³⁸

Not that the colonial powers were opposed to developing their possessions socially and economically. Colonial economic and social policy in post-1945 Africa started partly with ambitious schemes designed to make the colonial territories more productive and ultimately enable them to play a significant part in the reconstruction of war-torn European economies and

³⁵ Maul, *Human Rights, Development and Decolonization*, 59–118.

³⁶ Sunil Amrith and Glenda Sluga, 'New Histories of the United Nations', *Journal of World History*, 19.3 (2008), 251–74.

³⁷ Daniel Roger Maul, 'The ILO, Asia and the Beginnings of Technical Assistance', in *The ILO from Geneva to the Pacific Rim: West Meets East*, ed. Jill M. Jensen and Nelson Lichtenstein (Basingstoke and Geneva: Palgrave Macmillan and ILO, 2015), 110–33.

³⁸ Roland Burke, *Decolonization and the Evolution of International Human Rights* (Philadelphia, PA: University of Pennsylvania Press, 2010).

the construction of the welfare state at home. Such was the rationale behind the often-cited ‘second colonial occupation’ of Africa after 1945.³⁹ However, French and British colonial politicians, who had started with ambitious schemes of social and economic development after 1945, came around very quickly to more sober calculations in the face of failed expectations, political unrest and growing demands by fledgling trade unions and nationalist leaders. Welfare colonialism soon reached its limits.⁴⁰ The more Africans, against this background, began to turn the language of human rights and social reform – provided by the Declaration of Philadelphia and the ILO’s colonial conventions – into social and political claims, the more hesitant the colonial powers grew to tolerate any international organization’s ‘meddling’.⁴¹ Instead, they started to build up alternative bodies of inter-colonial cooperation among themselves, such as the Commission for Technical Co-operation in Africa South of the Sahara (CCTA), to prevent the ‘internationalization’ of colonial social policy. As a result, the ILO found itself banging on closed doors for the major part of the 1950s.

THE DEBATE ABOUT AN ILO AFRICAN FIELD OFFICE

The degree of resistance was illustrated particularly well by the long history of the ILO’s attempts to establish a field office in sub-Saharan Africa. As early as 1951 the ILO had started to promote the idea of setting up a field office which, like those already existing in Asia, Latin America and the Middle East, would be used mainly to coordinate technical assistance programmes on the African continent. The idea was not met with much enthusiasm from the colonial powers. The British Colonial Office asked the ILO to proceed ‘very carefully’.⁴² While Britain pleaded for a firm but diplomatic approach, the other CCTA powers were more categorical in their rejection of the ILO’s

³⁹ On the theory of the ‘second colonial occupation of Africa’, see J. Hargreaves, ‘Toward the Transfer of Power in British West Africa’, in *The Transfer of Power in Africa: Decolonization 1940–1960*, ed. Prosser Gifford and W. Roger Louis (New Haven, CT: Yale University Press, 1982), 131ff.

⁴⁰ See the chapter by Scully and Jawad in this volume.

⁴¹ Cooper, *Decolonization and African Society*; Andreas Eckert, ‘Exportschlager Wohlfahrtsstaat? Europäische Sozialstaatlichkeit und Kolonialismus in Afrika nach dem Zweiten Weltkrieg’, *Geschichte und Gesellschaft*, 32.4 (2006), 467–88.

⁴² Watson (MOL) to Gavin, 19 January 1952, in Archives of the International Labour Organization, Geneva (ILOA), ILOA-NL 1002: Second Session of the Committee of Experts on Social Policy in Non-Metropolitan Territories 1951.

plans.⁴³ The hostility towards ‘interference’ by the ILO was so strong that it led on occasion to serious tensions among the colonial powers themselves.⁴⁴ In 1953, for instance, the British were reproached bitterly by the French for permitting an ILO mission to West Africa to investigate, among other things, industrial relations and union freedoms.⁴⁵ When the ILO took first stock at the end of 1953, it found that ‘in no case has there been the slightest indication that any of them [Britain, France, Belgium] would give any support to the idea of establishing an ILO field office in Africa’.⁴⁶

This first setback was met with a new set of diplomatic activities. The ILO tried, for example, to use the imminent accession of the Soviet Union to membership in the Organization (due in 1954), and thus the prospect of another strong anti-colonial voice among its members, as an argument to convince the colonial powers to make concessions.⁴⁷ In the end, it was the workers’ group within the ILO’s Governing Body that opened the discussion again. At a meeting on colonial policy which the ILO organized in Lisbon at the end of 1953, the representatives of the Western-oriented International Confederation of Free Trade Unions (ICFTU) caused a stir by lodging an open protest against the ILO’s lack of involvement on the African continent.⁴⁸ To prevent the ILO from being put in an embarrassing position again, Wilfred Jenks, the Assistant Director-General of the ILO, travelled to London, Paris and Brussels to campaign among colonial politicians for an agreement concerning the ILO’s future policy on Africa. Cautiously, in these

⁴³ While the French reacted sceptically, the Belgians, Portuguese, Rhodesians and, above all, the South African government simply would not hear of any direct involvement in Africa by international organizations in general. Lee (Dept. of Labour, South Africa) to Martin, Colonial Office, UK (CO), 21 March 1952, in Public Record Office, National Archives, London (PRO), PRO-CO 859/364: Activities of the ILO Committee of Experts on Minimum Standards of Social Policy in Non-Metropolitan Territories 1952.

⁴⁴ Watson to Tennant, Ministry of Labour, UK (MOL), 25 February 1953, in PRO-CO 859/367: International Labour Organization, Committee of Experts on Social Policy in Non-Metropolitan Territories, 3rd Session, Lisbon 4–19 December 1953.

⁴⁵ *Ibid.*

⁴⁶ Gavin to David A. Morse, 21 November 1952, in Archives of the International Labour Organization, Geneva, Morse Files (ILOA-MF) Z 11: Africa General.

⁴⁷ When, for instance, Wilfred Jenks, the ILO Assistant Director-General, met the Portuguese dictator António Salazar on the fringes of the meeting on Colonial Social Policy in Lisbon at the end of 1953, he tried to convince Salazar of the benefits of a ‘positive policy of international action’. In practical terms, the results of this and other initiatives remained meagre. Jenks to Morse, 23 December 1953, in: ILOA-MF Z 1/1/1/13: Mr. Jenks – Africa.

⁴⁸ *Ibid.*

talks Jenks tried to make clear that an agreement of this nature, which he argued would be in the colonial powers' own best interests with a view to avoiding future conflicts, could not be reached 'unless the metropolitan powers felt able to make a substantial contribution towards securing it by offering a positive programme'.⁴⁹

The next year, 1955, marked a change in the ILO's Africa policy. In the run-up to another expert meeting on colonial social policy, which took place at the end of the year in Dakar (then in French West Africa), the ICFTU, which represented most of the members of the ILO's workers' group, took the initiative. It demanded that the Committee of Experts on Social Policy in Non-Metropolitan Territories (COESP), the main ILO body dealing with colonial social policy since the immediate post-Second World-War period, be transformed into a representative African equivalent of the tripartite Asian Advisory Committee (AAC) that had been set up at the beginning of the 1950s.⁵⁰ This was an ingenious proposal, as such an African Advisory Committee would incorporate under the same auspices both the African colonial territories and the independent states of the region, and thus, in a roundabout way, effectively integrate the colonies formally into the Organization. The second demand brought the idea of an African field office back on to the agenda.⁵¹ The ILO leadership was uneasy about these initiatives, and Morse complained on more than one occasion about the lack of understanding shown by the critics of the Organization's apparently soft approach to colonialism. 'The ILO', he stated, 'cannot deal with African issues like a pressure group. It cannot overreach the realities of the political situation.'⁵² On the other hand, the ILO did try to capitalize on the accusations against it and the prospects of its workers' group becoming 'increasingly restless and liable at any time to suggest far-reaching proposals'.

⁴⁹ Jenks to Morse, 24 January 1954, in *ibid.*

⁵⁰ Among the factors behind this demand were the disputes within the ICFTU regarding its position on colonial issues in Africa. The American trade union federation, the AFL-CIO, believed that the ICFTU, and the British Trades Union Congress in particular, were not doing enough to actively counter the presumably growing influence of the Soviet Union in Africa. Anthony Carew, 'Conflict within the ICFTU: Anti-Colonialism and Anti-Communism in the 1950', *International Review of Social History*, 41.2 (1996), 147–81. For a more in-depth treatment, written mostly from the American perspective, see the biography of the Afro-American trade unionist and civil rights activist Maida Springer: Yvette Richards, *Maida Springer: Pan-Africanist and International Labor Leader* (Pittsburgh, PA: University of Pittsburgh Press, 2000).

⁵¹ Governing Body (GB) 131 (1956), 41.

⁵² Cabinet meeting 12 January 1956, in ILOA-MF Z8/1/32: Meetings of the Director-General, Notes, Minutes, 1951–1957.

If the colonial powers wanted to avoid Africa turning into the ‘sport of political forces’, Wilfred Jenks admonished them, they would have to take on a more conciliatory position.⁵³

The increased pressure from the international trade union movement was not the only factor behind this change. More significant was the fact that, in the early years of the decade, the very foundations of colonial rule had started to crumble in Africa. Against the backdrop of conflict and outright war, the French North African protectorates of Morocco and Tunisia attained independence around the middle of the decade. At about the same time, the British grudgingly initiated a transfer of power in sub-Saharan Africa, where Ghana would become the first country to gain independence, with Nigeria following soon after.⁵⁴

These developments not only provided further inspiration for nationalist movements in the remaining colonies, they also opened up opportunities for the newly independent African and Asian states in international fora. The Bandung Conference of African and Asian States in 1955 was only one among many occasions on which this new voice could be heard. With independence looming across the continent, the Pan-African movement intensified its anti-colonial agitation, and countries such as India and Egypt were ready to lend their voices in international fora to those who had still no representation. As the Afro-Asian bloc grew in numbers, so did the demand it raised within the ILO and all the other parts of the UN system for an outright end to colonial rule. The new strength of this group of states, and the ammunition they got from ongoing colonial conflicts in Kenya and Algeria, inevitably affected the colonial powers’ approach to colonial questions.⁵⁵

In parallel, the debates that surrounded the adoption of some of the ILO’s human rights standards during the 1950s offered yet another chance for the Afro-Asian countries to put the colonial powers in the dock. The Abolition of Penal Sanctions (Indigenous Workers) Convention, 1955

⁵³ The minutes of the meetings of 19 June 1956 and 26 June 1956 are recorded by the Office in ILOA-MF Z 11: Africa General, and in Public Record Office, Ministry of Labor, UK (PRO-LAB) 13/984: ILO and Africa 1955–1957.

⁵⁴ On the complex interplay of metropolitan, colonial and international factors, which accelerated the political decolonization process in the mid-1950s, see W. David McIntyre, *British Decolonization, 1946–1997: When, Why and How Did the British Empire Fall?* (Basingstoke: Palgrave Macmillan, 1998), 79–101; Raymond F. Betts, *France and Decolonisation, 1900–1960* (Basingstoke: Palgrave Macmillan, 1991), 78–114.

⁵⁵ The thought-provoking view on the alliances within the postcolonial world under the banner of Afro-Asian or ‘Third World’ solidarity is taken from Vijay Prashad, *The Darker Nations: A People’s History of the Third World* (New York: The New Press, 2007).

(No. 104), was a case in point, since it shed some light on the survival, in some places, of ‘old-style’ colonial labour regimes that distinguished between different spheres of law for Europeans and indigenous labourers by selectively using penal sanctions for breach of labour contracts against the latter. In this case, but even more so with regard to the Abolition of Forced Labour Convention, 1957 (No. 105), and the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), the debates gained additional momentum precisely because Cold War and anti-colonial discourses became inseparably intertwined. While the Soviet Union and the United States saw themselves under attack in the debates surrounding the conventions on forced labour and racial discrimination, respectively, the Afro-Asian countries seized the opportunity to shed light on the continued abuses of colonial labour in both fields.⁵⁶

At the International Labour Conference in 1956, this background music blended in with the ongoing debates on the ILO’s position in Africa. What was most worrying for the colonial powers was the fact that US government representatives joined the ranks of those who asked them to stop obstructing plans for an ILO African field office.⁵⁷ The debates made the ILO realize that it would now have to give up its previous caution, as any further delay could do severe damage to the ILO and its future position in Africa. A meeting of the ICFTU in the Ghanaian capital Accra in January 1957, marked again by harsh anti-colonial criticism, provided further impetus for the ILO to take action. The ICFTU condemned the CCTA in no uncertain terms and demanded that the colonial powers in Africa open up to international organizations. It renewed calls for the establishment of an ILO field office in Africa as soon as possible and asked for speedy preparations for a Regional Conference.⁵⁸ Shortly thereafter, a British Colonial Office memorandum spoke in entirely new tones of the ILO, lauded its technical work as ‘first-rate’ and proposed no longer to ‘insulate our dependent territories from the Organization’.⁵⁹

Similar developments were observed with regard to the creation of a tripartite African Advisory Committee (AFAC) on the model of the one already in place in Asia. After having fought such an idea for many years, the

⁵⁶ For a broader UN context, see Daniel Roger Maul, ‘International Organizations and Globalization of Human Rights’, in *Human Rights in the Twentieth Century: A Critical History*, ed. Stefan-Ludwig Hoffmann (New York: Cambridge University Press, 2011), 301–20.

⁵⁷ ILC 40 (1957), Record of Proceedings (RoP), 235–6.

⁵⁸ Carew, ‘Conflict within the ICFTU’, 162.

⁵⁹ Memorandum from the CO (anon.), ‘The ILO and Africa’, 22 January 1957, in PRO-LAB 13/984: ILO and Africa 1954–1957.

British now came around to the opinion that such a committee could well serve as a ‘safety valve for the expression of African hopes and aspirations’.⁶⁰ In the course of 1957, most of the other CCTA powers also changed their attitude and aligned their positions accordingly. The increasing interest in African issues which the Soviet Union was displaying in international fora might have been a decisive factor for this change of mind. The colonial powers saw the danger that, if they remained inflexible, the communist-dominated World Federation of Trade Unions (WFTU) might get a hold on the fledgling trade union movement in Africa. Eventually, the question of an African field office came up again. Something resembling a contest broke out among the colonial powers over where this office should be located. Both the British and the French made it clear to Morse that they would like to see it situated in one of their territories. Even Brussels declared its desire to play host in the Belgian Congo.⁶¹ The Portuguese had no particular intentions in this respect but were by no means dismissive either, and even issued an invitation for the first meeting of the AFAC to be held on Portuguese territory in Africa.⁶²

Morse’s final choice of location for the field office was Lagos, Nigeria, where it took up its work in January 1959.⁶³ This choice was motivated by the fact that Nigeria was shortly to become independent and its leaders, unlike those of the alternative location, Ghana, displayed no ambitions to spearhead the anti-colonial movement. Establishing the office in Ghana may, in this light, have led to a re-politicizing of the issue of the ILO’s involvement in Africa, which was the last thing it wanted.⁶⁴

⁶⁰ *Ibid.*

⁶¹ Jenks’s notes on the meeting about Morse’s trip to Brussels with the ministers Troclet Fafchamps, Auguste Buisseret (colonies), 14 January 1958 (Note 16/1), in *ibid.*

⁶² Jef Rens’s notes on the meeting with the Portuguese foreign minister Paula Cunha and the colonial minister Ventura, 5 February 1958 (trip 1–4.2.), in *ibid.*

⁶³ Morse’s note to George Tobias informing the US government about the Office’s African plans, 21 August 1958, in National Archives, Washington, DC (NA) – RG 174.5 (Bureau of International Labor Affairs), B 20: General Correspondence, 1953–1967.

⁶⁴ It should be noted that ILO officials had engaged nationalists in colonial Gold Coast and Nigeria before their independence in 1957 and 1960, respectively. Undoubtedly, it successfully persuaded most labour leaders to eschew a leftist ideology for the Western model tagged ‘sound industrial relations’. See Hakeem Ibikunle Tijani, ‘McCarthyism in Colonial Nigeria: The Ban on the Employment of Communists’, in *The Foundations of Nigeria: Essays in Honor of Toyin Falola*, ed. Adebayo Oyeboade (Trenton, NJ: Africa World Press, 2003), 647–68; Hakeem Ibikunle Tijani, ‘Building

In August 1958 Morse announced his decision on the office's location to the governments. The same year that the ILO opened its office, the AFAC held its first meeting in the Angolan capital, Luanda, and preparations began for the first African Regional Conference, to be held as soon as logistically possible. On a long trip to Africa in 1959, Wilfred Jenks noted with satisfaction that the ILO's expansion into Africa now had the wide support of all the main powers represented on the continent.⁶⁵

FROM THE COESP TO THE AFRICAN ADVISORY COMMITTEE

While the ILO struggled hard on the diplomatic level to get a foothold in Africa during the 1950s, there were constant claims for the ILO's competence in social affairs on the continent, mostly through the so-called Committee of Experts on Social Policy in Non-Metropolitan Territories (COESP). Founded in 1947, its mandate included all remaining colonial ('non-metropolitan' in the UN nomenclature) territories, most of which happened to be located in Africa. The COESP met four times between 1951 and 1957. Until the new African Advisory Committee eventually took up its work in 1959, these gatherings – along with the meetings of the Governing Body which discussed the COESP's reports – were the only regular occasions at which late colonial social policy was addressed at all within the ILO. During this period, the COESP remained the lone 'colonial voice' of the ILO. This gave its findings a particular significance. The COESP looked into a broad variety of subjects, ranging from the regulation of migratory labour to the introduction of initial schemes of social security in the colonial territories, and it issued recommendations for the colonial powers which served as a guideline for their policies.⁶⁶

The composition of the COESP was – very much like the opening of the African field office – a highly politicized question and the result of a hard-fought battle between the various political forces in the Governing Body, which had a final say on the nominations. In order to secure the colonial powers' commitment to the work of the ILO, its members had to be appointed in close collaboration with these powers themselves. As a result,

“Sound” Industrial Relations in Nigeria: The British and Organised Labour, 1940s to 1960’, *Lagos Historical Review*, 11 (2011), 21–36.

⁶⁵ Report by Jenks, 29 April 1959, in ILOA-MF – Z 1/1/1/13: Report on Mr Jenks Mission to Africa, Dec. 1958–Feb. 1959.

⁶⁶ The first preliminary and the first official meetings took place in 1947 and 1951, respectively, in Geneva, followed by Lisbon in 1953, Dakar in 1955 and Geneva again in 1957.

in many ways the face of the Committee strikingly resembled its predecessor from the interwar years. It was predominantly white, and the great majority of its members came from the metropolitan/administrative side.⁶⁷ Against the background of a growing anti-colonial mood, heated discussions on the composition of the Committee took place, and the colonial powers resisted repeated demands by India and other non-European countries on the Governing Body for more 'colonial' African and Asian experts to be appointed. As early as 1947, when the composition of the COESP was first discussed, the workers' group on the Governing Body joined the ranks of those who criticized its colonial bias.⁶⁸

The ILO, in the meantime, did its best to shift the focus of the COESP's work to the treatment of specifically African problems. The colonial powers were reluctant to change the orientation of the Committee, precisely because they wanted to prevent the COESP from functioning as a substitute for the lack of regional ILO structures in Africa. The colonial work of the Office itself had been almost exclusively directed at Africa since the beginning of the 1950s. Via the topics selected for discussion and the formulation of the problems to be solved, the ILO attempted to insert this internal focus in the proceedings of the COESP. By 1955, when it met in Dakar, the Committee's transformation into a body concerned more with African problems than with colonial problems in general was complete. At this point, almost all the resources of the Non-Metropolitan Territories Division, which had assumed the work of the Native Labour Section after the war, were being taken up by a large-scale 'African Labour Survey'. The COESP's task in its last session was, in fact, simply to evaluate this (900-page) report, which looked at every

⁶⁷ Of the twelve members of the COESP in 1951, nine were colonial administrators and three were academics. In Lisbon, in 1953, eight of ten members were administrators. In 1955, in Dakar, the Committee was again dominated by administrative figures, apart from the employers' and workers' representatives appointed specifically for the purpose. Of the twelve members present, nine were involved in colonial administration. GB 118 (1952), RoP, App. III: Report of the Second Session of the Committee of Experts on Social Policy in Non-Metropolitan Territories, 71; GB 124 (1954), RoP, App. V: Report of the Third Session of the Committee of Experts on Social Policy in Non-Metropolitan Territories, 77; GB 131 (1956), RoP, App. XIV: Report of the Fourth Session of the Committee of Experts on Social Policy in Non-Metropolitan Territories, 147; GB 138 (1958), RoP, App. III: Report of the Fifth Session of the Committee of Experts on Social Policy in Non-Metropolitan Territories, 70.

⁶⁸ The political considerations that came into play are summarized in a letter from Robert Gavin to Wilfred Jenks, 18 December 1950, in ILO-NL 1001 – Committee of Experts on Social Policy in Dependent Territories, 1944–1954.

aspect of labour and social policy in Africa.⁶⁹ The presentation of this survey in 1957 reinforced the ILO's interest in the African continent at a time when it still found itself confronted with closed doors on the ground.

What was striking about the majority of the Committee's findings on colonial (i.e. African) social policy was the universalistic consensus they expressed. Evidently, the framework which the ILO had laid down in this respect in its colonial reform opus of the mid-1940s had been accepted and now served as a guideline for evaluating colonial social policy. More than anything, this meant that no one – apart from outsiders such as South Africa – now argued in terms of the otherness of colonial populations or of 'native' labour. It was a generally recognized premise of colonial social policy that, with the right set of measures in place, colonial populations were able to become universal workers who could be fully integrated into the development process. The break with the particularism of the pre-war period was visible in a whole series of COESP recommendations, and nowhere more so than in the revision of the migrant labour issue.⁷⁰ It had a great symbolic value and significance, since it separated those who defended systems of migrant labour along a racial or culturalist rationale and those in favour of a stabilization of the labour force in the workplace, a position that came with ideas of basic social security, trade union rights and family wages. The Committee on more than one occasion came out, with South Africa as the sole dissenting voice, in favour of stabilization.⁷¹ Accordingly, the COESP's findings also embraced the concept of the family wage. A passage on wage policy in the report of the Dakar meeting in 1955 found that workers in the colonies needed to earn wages that were 'sufficient to support stabilised family life without the need for assistance from outside sources away from the place of employment, such as distant land holdings'.⁷² This was a clear sign that, in the view of the experts, the solution to the social problems of colonial Africa or elsewhere was no longer to be sought in the conservation of the colonial populations' 'traditional' ways of life and work.

The universalistic tenor of the COESP's findings was not entirely free from overtones of doubt, however. The majority of the experts were sceptical, for example, about whether methods to increase productivity, which had proved their worth in the developed world, would always be

⁶⁹ International Labour Office, *African Labour Survey* (Geneva: ILO, 1958).

⁷⁰ See the chapter by Pérez Niño in this volume.

⁷¹ GB 118 (1952), RoP, App. III: Report of the Second Session of the Committee of Experts on Social Policy in Non-Metropolitan Territories, 69 *et seq.*

⁷² GB 131 (1956), RoP, App. XIV: Report of the Fourth Session of the Committee of Experts on Social Policy in Non-Metropolitan Territories, 145.

suitable for Africa. They believed there were 'special factors affecting productivity in Africa, due perhaps to climate, human traditions or attitudes, which might tend to limit the successful application of new methods to Africa'.⁷³ There were also disagreements within the Committee on whether forcibly promoting an industrial, urban way of life was always the best way forward.⁷⁴ In the discussions surrounding the wage issue, for example, some of the experts warned of the undesirable results of a wage policy that made influx into industrial centres too attractive. They argued that this in turn could have devastating effects on the economic structures in the colonies. In territories where most of the inhabitants lived in subsistence-economic conditions and worked mainly in agriculture, a mass departure to the modern sectors of the economy would probably destroy rural areas. Equally, a wage policy that promoted urbanization would contribute to 'detrimentalization', which would necessarily be accompanied by the 'disintegration of the family and the social structure'.⁷⁵ 'Particular conditions' in Africa repeatedly invoked were the backwardness of the continent and the 'magnitude of the problems to be treated'.⁷⁶

In the view of the experts, the stage of development Africa had reached, or not reached, also called for restrictions of the universalistic model on issues such as trade union freedoms.⁷⁷ When the debate turned to industrial relations in 1955, the majority of the Committee's members were convinced that the level of development in Africa and the embryonic stage of most of the African trade unions would, at best, permit only a gradual application of ILO standards. The COESP was therefore willing to tolerate extensive interference by the colonial powers in union freedoms, as long as this served the long-term goal of creating independent organizations and institutionalizing structures of collective bargaining.⁷⁸

ILO officials tended, through their reactions to the discussions of the COESP, to cement the qualified universalism of the Committee's findings. The main concern of ILO officials was to gain legitimacy for the Organization's colonial activities through the Committee's work. They

⁷³ GB 124 (1954), RoP, App. V: Report of the Third Session of the Committee of Experts on Social Policy in Non-Metropolitan Territories, 81.

⁷⁴ On labour in industry, see the chapter by Neveling in this volume.

⁷⁵ GB 131 (1956), RoP, App. XIV: Report of the Fourth Session of the Committee of Experts on Social Policy in Non-Metropolitan Territories, 152.

⁷⁶ *Ibid.*

⁷⁷ See the chapter by Freund in this volume.

⁷⁸ GB 131 (1956), RoP, App. XIV: Report of the Fourth Session of the Committee of Experts on Social Policy in Non-Metropolitan Territories, 151f.

accordingly tried to smooth out existing tensions in the Committee and uphold an image of unity. This could mean, as a UN observer noted in Lisbon in 1953, that ILO officials tried frantically behind the scenes to shield the South African representative from attacks launched by the Committee itself and by observers who had been sent by the trade union movement.⁷⁹ It also meant that politically explosive issues, such as racial discrimination or workers' rights, which the members of the COESP argued about heatedly while discussing more technical problems such as vocational training, workers' housing and productivity, were not mentioned in the summaries of the COESP's results. The Office tried, in these summaries, to cover up the controversial points and to mask differences of opinion inside the Committee by using vague formulations that could be viewed as a compromise. The fear of losing what little influence on the future of colonial social policy it had made the ILO very cautious in this respect.⁸⁰

In essence, then, the ILO's colonial work in the 1950s was fully compatible with the two main objectives that the majority of colonial social policymakers were pursuing with regard to the international public. These objectives were to present colonial social policy at all times as being consistent with the international modernization discourse and, at the same time, to justify the continuation of colonial rule and the inevitable compromises with ILO principles that this implied. The findings of the COESP were conducive to both these aims. The colonial powers were able to claim that the basic consensus between the experts of the COESP was more or less identical with the dominant official thinking on colonial social policy. Not only were identical issues debated under the same universalistic premises at the meetings of the CCTA, with regard to matters of stabilization, family wages and housing, but the CCTA even came to the same conclusions as the COESP. Furthermore, Britain and France now supported the creation of trade unions in their territories and openly endorsed the ideal of good industrial relations as the basis of social progress. The emphatically anti-universalistic position of the South African representatives isolated them on virtually all issues, in the COESP and the CCTA alike.⁸¹

The findings of the COESP experts also legitimized the actions of the colonial powers when it came to the application of labour standards.

⁷⁹ Report Wilfrid Benson (UN) on the third meeting of the COESP, 6/1/1954, in UN Archives, New York – Registry Archive Group (RAG) 5/3.1 Department of Political Affairs, Trusteeship and Decolonization: ILO Committee on Social Policy – Lisbon 1953.

⁸⁰ See *ibid.*

⁸¹ See Cooper, *Decolonization and African Society*, 362–9.

None of the colonial powers was prepared to bear the cost of establishing welfare systems in their territories to the extent demanded by ILO standards. Furthermore, their willingness to support trade union movements ended as soon as these movements threatened to become organizations capable of challenging the colonial administrations politically. This was just one of the points on which the universalistic rhetoric employed by the colonial powers rang particularly hollow. The vexatious experience of colonial social policymakers – that political and social movements in the colonies and critics of colonialism in international fora never missed an opportunity to demand the redemption of colonial promises and to point out the contradictions inherent in colonial rule – made them all too aware of the fundamental dilemma they faced. The same universalistic discourse that the colonial powers had subscribed to after the war in order to maintain control was now threatening to undermine, socially and politically, the foundations of colonial rule. The findings of the COESP came in particularly handy for bridging the continuing gulf between universalistic language and the dilution of this universalism that was necessary if the colonial powers wanted to maintain control.

INDEPENDENT AFRICA AND THE ILO

The gradual decolonization of African territories opened up new opportunities for the ILO to uphold its position within the emerging network of international organizations. To some extent, decolonization restored the Organization's original mandate as envisaged by Clemenceau, Wilson and Lloyd George at the Paris Peace Conference in 1919: improving working conditions throughout the world to counter the revolutionary challenge and the alternative development models offered by the Soviet-led socialist bloc to recently independent African states.⁸² In this respect, the ILO assumed the same position as other UN agencies: it was supposed to become part of a growing non-coercive international political realm 'linking governments and citizens throughout the liberal world economy'.⁸³ Decolonization also authorized the Organization to diversify its scope of action, which would gradually move from focusing exclusively on international standard setting to the provision of advisory services to new African members. In the 1960s

⁸² Guy Ryder, 'The International Labour Organization: The Next 100 Years', *Journal of Industrial Relations*, 57.5 (2015), 749.

⁸³ Craig N. Murphy and Enrico Augelli, 'International Institutions, Decolonization, and Development', *International Political Science Review*, 14.1 (1993), 80.

the ILO would appear more and more as a typical development agency committed to spreading all over the world the values enshrined in the 1964 Employment Policy Convention.⁸⁴

At the beginning, the Organization found in Africa a new audience eager to obtain technical assistance from abroad to speed up the process of institution building and economic growth. Indeed, at its inception, UN technical assistance was welcomed by countries in the developing world as a fair and non-colonial way of development that promised enduring links between North and South on the basis of cooperation rather than exploitation.⁸⁵ In this respect, the ILO's formal detachment from the rivalries of Cold War politics made it an ideal partner for African rulers: they could rely on the advice of international experts in the preparation of national development plans and the organization of manpower through the ILO's Vocational Training and Management Development programmes, whatever the international affiliation or domestic macro-economic orientation of the country looking for advice. The ILO's technical assistance in the field of institution building and manpower training did fit well with the technocratic ethos embedded in the dominant development paradigms of the 1960s, which framed the path towards modernization as the outcome of the acritical reproduction of abstract models that could be exported all over the world, irrespective of the social and political characteristics of the country of destination.⁸⁶ Key ILO themes such as the fight against unemployment were not yet on the Organization's agenda, since there was widespread consensus that large-scale investment and capital accumulation in the so-called modern sector would gradually lead to the 'take-off' of national economies, thereby absorbing human manpower displaced from the 'traditional' sector.⁸⁷

In spite of the end of formal colonial linkages, however, the relationship between the ILO and sub-Saharan Africa was characterized by several elements of continuity. The double standard continued to shape the Organization's attitude towards the continent, with the only difference that its advocates were no longer metropolitan governments in Europe

⁸⁴ Guy Standing, 'The International Labour Organization', *New Political Economy*, 15.2 (2010), 307–18.

⁸⁵ David Webster, 'Development Advisors in a Time of Cold War and Decolonization: The United Nations Technical Assistance Administration, 1950–1959', *Journal of Global History*, 6.2 (2011), 249–72.

⁸⁶ David C. Engerman and Corinna R. Unger, 'Introduction: Towards a Global History of Modernization', *Diplomatic History*, 33.3 (2009), 375–85.

⁸⁷ W. Arthur Lewis, 'Economic Development with Unlimited Supply of Labour', *The Manchester School*, 22.2 (1954), 139–91; W. W. Rostow, *The Stages of Economic Growth: A Non-Communist Manifesto* (Cambridge: Cambridge University Press, 1990).

but the new African rulers who had inherited colonial structures of control and remained heavily dependent on the consent of the former colonial powers for major domestic policy decisions. A case in point was the debate surrounding the application of the Abolition of Forced Labour Convention, adopted in 1957: a topic that resurfaced again at the height of the ILO's agenda in correspondence with the restructuring of power relations within the ILO's Governing Body in favour of recently independent Asian and African countries. As a consequence, the issue of economic development and labour conditions in the 'Third World' became one of the main concerns of the Organization, which found itself trapped in the debate between those who advocated economic growth as a pre-condition for the improvement of working conditions and those who accorded priority to the protection of basic human rights. The Abolition of Forced Labour Convention was immediately ratified by the great majority of African countries, which framed forced labour as one of the most blatant examples of colonial crime. However, while local governments enthusiastically embraced the ILO's human rights regulations in the realm of free labour, they were much more reticent when it came to turning these conventions into domestic law.⁸⁸ This reticence could be explained in light of the civilizing mission that postcolonial regimes felt entrusted to implement in their attempt to address the injustices of colonialism. African leaders framed this discourse in exceptional terms, as if the fight against poverty was comparable to a state of war that authorized them to suspend ordinary laws in order to overcome the burden of underdevelopment. The underlying argument was that the liberation struggle was not over: the *locus* of conflict had simply moved from the national arena to the international stage, where African countries faced trading conditions aimed at reproducing political subordination in a more subtle but enduring form.⁸⁹ ILO officials were not of the same opinion, however, since they argued that adherence to fundamental human rights norms was an essential prerequisite on the path towards authentic long-term development.⁹⁰

The 1962 annual report of the Committee of Experts on the Application of Conventions and Recommendations (COE) provides a clear illustration of the clash of perspectives between the ILO and African governments. The COE argued that forced labour had not disappeared, in spite of the ratification of the Abolition of Forced Labour Convention, but was

⁸⁸ Maul, 'The ILO and the Struggle against Forced Labour', 488.

⁸⁹ Immanuel Wallerstein, *The Politics of the World Economy: The States, the Movements, and the Civilizations* (Cambridge: Cambridge University Press, 1984); Colin Leys, *The Rise and Fall of Development Theory* (London: James Currey, 1996).

⁹⁰ Maul, 'The ILO and the Struggle against Forced Labour'.

resurfacing in new forms under the guise of compulsory labour. This statement was particularly true for West Africa, where various regimes were establishing specific programmes aimed at conscripting African youth into public development projects with the objective of pushing economic growth and creating a sense of national belonging. Many African governments reacted vehemently to this statement, arguing that their young citizens should be prepared for the extreme sacrifice of defending their nation, which not only consisted of the protection of the national territory but also of safeguarding their country's economic independence.⁹¹ This early debate highlights how the ILO largely looked at the continent without an in-depth contextualization of the political and social struggles that were affecting newly independent African countries. To a certain degree, the COE's observations reflected the dominant understanding of Africa as an empty space that could be remodelled through the infusion of Western technologies and organizational norms. In the case of the ILO, these norms took the form of universal principles and sets of assumptions about what it considered to be ideal labour relations. The dispute about the applicability of the Abolition of Forced Labour Convention also underscores how the Organization was not universally perceived as an apolitical entity. Indeed, the ILO's idea of equalizing working conditions around the world was implicitly perceived in several circles as an attempt to freeze the existing division of labour to the advantage of industrialized countries, since it restrained African rulers' freedom to exploit the only factor of production where Africa had a comparative advantage: manpower.⁹²

THE ILO AND THE RIGHT PATH TO DEVELOPMENT

The ILO's specific attention to the world of work rapidly turned it into a clearing house between the supporters of liberal macro-economic theory and Marxist critics who considered contemporary development models as attempts to reproduce Africa's economic subordination to the industrialized world. Indeed, the crisis of modernization theory that started to emerge at the end of the first 'Development Decade' authorized the ILO to assume a leadership role within the network of development agencies, with Africa at the centre stage. The Organization devoted renewed attention to the issue of rural development in sub-Saharan Africa, which had so far been marginalized

⁹¹ *Ibid.*, 490.

⁹² Guy Standing, 'The ILO: An Agency for Globalization?', *Development and Change*, 39.3 (2008), 357.

in official policy discourses: in 1968, two years after the World Conference on Land Reform held by the ILO in collaboration with the Food and Agriculture Organization of the United Nations, the International Labour Conference adopted a Recommendation that called on member states to improve the well-being of tenants and sharecroppers. The 1968 Recommendation was in line with the overall philosophy of the Organization, since it proposed the reproduction of the ILO's tripartite model through the establishment of ad hoc organizations with representatives of local governments, agricultural workers and landowners.⁹³

Another programme that played a central role in the ILO's quest to influence the elaboration of overall development policies for sub-Saharan Africa was the World Employment Programme (WEP). The WEP was launched in 1969 by Director-General Morse, with the ambition of promoting full employment on the global stage; however, at the same time, it sanctioned a net departure from earlier assumptions on the positive link between economic development, capital-intensive projects and the presence of an unlimited supply of labour in the African countryside. Although weakened by the budgetary crisis provoked by the decision of the United States to leave the ILO in 1977, the programme was a response to the growing criticism surrounding mainstream development thinking in sub-Saharan Africa: according to its first Director, Louis Emmerij, the WEP stemmed from the consciousness that economic growth *per se* was not conducive to full employment and better working conditions, and he proposed a shift from capital to labour as the central component of the development effort.⁹⁴

From its inception, the WEP focused on developing research programmes on employment issues and providing advice to African countries such as Chad, Burundi, Malawi, Sierra Leone and Somalia, just to cite a few. Nevertheless, it was in East Africa that the ILO largely focused its attention on finding a solution to the skyrocketing level of unemployment among the youth. The most renowned WEP mission in East Africa was without doubt the 1972 Comprehensive Mission to Kenya, because it introduced for the first time the concept of the 'informal sector' into the intellectual debate on development. Kenya was a perfect case study for the WEP, since it exemplified the contradictions of a country that had achieved rapid economic growth but also showed high levels of inequality across the population.

⁹³ Tenants and Share-croppers Recommendation, 1968 (No. 132).

⁹⁴ Ashwani Saith, 'Reflections: Louis Emmerij', *Development and Change*, 36.6 (2005), 1163–76; Paul E. Bangasser, 'The ILO and the Informal Sector: An Institutional History', International Labour Office, Employment Paper 2000/9, Geneva, 2000.

The mission did not abandon the binary map that featured in dominant understandings of the African economic landscape, but reframed it in a new fashion through the substitution of the modern/traditional dichotomy with the formal/informal one. According to its report, poverty in Kenya was the outcome of the exclusion of the large majority of the population from the modern sector of the economy, in this case refashioned as the formal sector. Another innovation lay in the fact that the ILO mission did not cast the informal sector exclusively in pejorative terms, but also highlighted how informal activities, albeit ignored and not supported by the government, were one of the main providers of employment and potentially a source of Kenya's future wealth. At the same time, however, the report reproduced conventional wisdom about development as a teleological process: informality was just a temporary step that would disappear with the creation of links between the formal and informal sector, so as to 'ensure a dynamic growth of this large segment of the Kenyan economy'.⁹⁵

Another relative weakness of the Kenya report was that it looked at the informal sector largely as an urban phenomenon, without paying attention to the problem of unemployment and poverty alleviation in the countryside. The Ethiopian mission of 1972/73, in this respect, was another milestone in the process of the ILO's engagement with African development, since it repositioned the agricultural sector and the issue of land reform at the centre stage of macro-economic analysis. Land reform and rural development were topics that ranked first on the political agenda of imperial Ethiopia at that time.⁹⁶ For this reason, in 1970, Addis Ababa sent a request for an ILO technical assistance mission from the Jobs and Skills Programme in Africa. This demand produced some perplexity among the middle ranks in the Organization, who deemed the Ethiopian economy to be structurally different from those of its neighbours and not suitable as a basis for further WEP action on the African continent. The second request in 1972, however, found a ready audience in Wilfred Jenks, by then ILO Director-General, who was eager to maintain a close relationship with one of the most important diplomatic powers in sub-Saharan Africa.⁹⁷

⁹⁵ International Labour Office, *Employment, Incomes and Equality: A Strategy for Increasing Productive Employment in Kenya* (Geneva: ILO, 1972), 7.

⁹⁶ Temesgen Gebeyehu, 'Land Tenure, Land Reform and the *Qalad* System in Ethiopia, 1941–1974', *Journal of Asian and African Studies*, 46.6 (2011), 567–77.

⁹⁷ Nick Bernards, 'Actors and Entanglements in Global Governance: The ILO in sub-Saharan Africa', PhD dissertation, McMaster University, Hamilton, Ontario, 2016, 124.

The conclusions of the mission showed very clearly how ILO experts were somewhat disenchanted by conventional wisdom on development as a linear path of expansion and absorption of surplus labour by the modern sector of the economy in urban centres. According to the Ethiopian mission:

In the 1950s and 1960s it was common to view the existence of rural underemployment in LDCs as a potential reservoir for economic growth ... the older view has in fact been rendered obsolete both by the rapid growth of the population in LDCs in recent years and by the labour displacing character of growth in the modern sector ... The question is no longer that of drawing labour out of agriculture but rather that of finding a way to keep it in agriculture ... The new interest in agricultural development as the key to economic growth is thus seen as a reaction to the disappointing employment record of import substitution growth policies.⁹⁸

Contrary to their colleagues in Nairobi, the ILO experts in Ethiopia did not advocate the launch of a Comprehensive Employment Strategy Mission on the ground, since they were of the opinion that such a mission would merely replicate the work of the Ethiopian Planning Commission. The Ethiopian report was nonetheless interesting insofar as it revived the basic assumptions made by the ILO Kenya mission one year earlier:⁹⁹ the idea that the problem of unemployment was the result of the artificial ‘modern’ versus ‘traditional’ dichotomy that informed much of modernization theory.¹⁰⁰ The recommendations of the Ethiopian mission focused on the introduction of land reform and additional land taxes to finance public investments in labour-intensive sectors of the economy, moving away from the dogma of capital-intensive development projects and exchange parity with international currencies.¹⁰¹

⁹⁸ Food and Agriculture Organization Library, Report of the Exploratory Employment Policy Mission organized by the International Labour Organization and Financed by the United Nations Development Program, Employment and Unemployment in Ethiopia, Geneva, 1974, 1; for a summary of the report, see Mark Blaug, ‘Employment and Unemployment in Ethiopia’, *International Labour Review*, 110.2 (1974), 117–43.

⁹⁹ See Nick Bernards, ‘The Global Governance of Informal Economies: The International Labour Organization in East Africa’, *Third World Quarterly*, 38.8 (2017), 1831–46.

¹⁰⁰ S. N. Eisenstadt, ‘Studies of Modernization and Sociological Theory’, *History and Theory*, 13.3 (1974), 225–52; Colin Leys, ‘African Economic Development in Theory and Practice’, *Daedalus*, 11.2 (1982), 99–124.

¹⁰¹ Bernards, ‘The Global Governance of Informal Economies’, 1833–4.

The relevance of the two East African missions in shaping the global debate on development became apparent in 1976, when the World Employment Conference officially introduced the ‘basic needs approach’ and the idea that development should pass first through the satisfaction of basic needs in terms of food, housing and education. Satisfaction of basic needs, redistribution with growth and full employment became fundamental tenets of the new development agenda, finding an enthusiastic audience at the World Bank. One of the experts who had worked on the Kenya mission in 1972, Frances Stewart, was engaged by World Bank President Robert McNamara in 1977 to elaborate a new basic needs strategy for the organization – a proof of the global relevance of the two East African missions in shaping the intellectual debate on the right way to development.¹⁰²

THE ENTANGLEMENT BETWEEN INTERNATIONAL AND INTERNAL POLITICS

In spite of the apparent apolitical nature of the ILO’s advisory role in sub-Saharan Africa, the Organization’s attempt to promote abstract policy ideas and turn them into domestic regulations was often thwarted by hidden struggles within the political arena of African countries. In this respect, the relationship between the African continent and the ILO was not so different from the relationship between Africa and other bilateral donors or international organizations such as the World Bank and the International Monetary Fund: it was a history of extraversion, marked by continuous attempts on the part of local actors to turn the ILO’s technical assistance into a powerful tool in the quest for state territorialization, political centralization and marginalization of local competitors.¹⁰³

The Kenyan mission, in this regard, is a case in point of how the introduction of abstract policy ideas backed by the seal of international donors could be appropriated by local rulers to legitimize specific forms of statehood and state–society relations.¹⁰⁴ The Kenyan government readily appropriated the conclusions of the 1972 ILO report to legitimize itself as the guardian of the interests of informal workers: in this way, the

¹⁰² Howard Stein, *Beyond the World Bank Agenda: An Institutional Approach to Development* (Chicago: University of Chicago Press, 2008), 22.

¹⁰³ Jean-Francois Bayart, ‘Africa in the World: A History of Extraversion’, *African Affairs*, 99 (2000), 217–67.

¹⁰⁴ On the relationship between labour and state, see the chapter by Britwum and Dakhli in this volume.

government in Nairobi not only presented itself as a political force that stood on the side of the poorest among the poor, but also prevented the emergence of alternative trade unions or grassroots organizations that could challenge the authority of the Kenyan state through the mobilization of marginalized urban masses. In fact, Nairobi selectively appropriated several measures advocated by the ILO and rejected others that threatened the government's grip on power, while also making use of diplomacy to discipline the ILO's officers who tried to reveal this paradox.¹⁰⁵ In 1975, for instance, a junior ILO research officer wrote a working paper that accused Nairobi of resisting the suggestions of the mission in order to protect the vested interests of the dominant classes in Kenyan society. In response, the Kenyan Ministry of Labour wrote a letter of complaint and obtained an official apology from the Director-General's office, which prevented the paper from being distributed further outside of the Organization's circles.¹⁰⁶

Opposition to recommendations of technical assistance missions that challenged conventional wisdom or advocated reform of the status quo did not stem only from Africa, however, but could also emerge from interest groups within the ILO's tripartite structure in Geneva. This was the case with the 1973 Ethiopian mission report in the section where the ILO consultants suggested the reduction of urban wages and salaries for public servants in order to discourage in-migration from the countryside.¹⁰⁷ These observations were vehemently contested by the head of the Workers' Relations Department in Geneva, who was also giving voice to the concerns of the Confederation of Ethiopian Labour Unions about a draft version of the mission report that threatened the economic and social benefits achieved by Ethiopian workers in the past fifteen years.¹⁰⁸ In the case of both Kenya and Ethiopia, the ILO could not act as if it was a mere pressure group but had to take into account the political situation on the ground.

¹⁰⁵ Bernards, 'The Global Governance of Informal Economies', 1838.

¹⁰⁶ Bernards, 'Actors and Entanglements', 132–3.

¹⁰⁷ According to ILO consultants, 'A wage policy which reduces differentials between urban and rural income ... has the advantage of reducing the attractiveness of urban residence for potential migrants.' See Food and Agriculture Organization Library, Report of the Exploratory Employment Policy Mission organized by the International Labour Organization and Financed by the United Nations Development Program, Employment and Unemployment in Ethiopia, Geneva, 1974, 28.

¹⁰⁸ Bernards, 'Actors and Entanglements', 124.

THE ILO AND AFRICA AT THE TURN OF THE CENTURY

The status of the ILO in sub-Saharan Africa suffered a setback in the 1980s in correspondence with the emergence of the Washington Consensus and the launch of structural adjustment programmes (SAPs) by the World Bank and the IMF. The weakness of the ILO largely lay in the fact that its historical objectives – such as the improvement of labour rights, standard setting and collective bargaining – were increasingly perceived as detrimental to economic growth, since they were believed to hinder the flexibility of the labour market called for by the new political economy of neoliberal wisdom.¹⁰⁹ This clash of perspectives persisted throughout most of the 1990s and emerged clearly from the conclusions of the World Bank's 1995 *World Development Report* and the ILO's 1995 *World Employment* publication.¹¹⁰ The former rejected the conditional link between international trade agreements and enforcement of core workers' rights, recommending a labour relations regime characterized by decentralized negotiation to thwart the bargaining leverage of trade unions. In fact, the *World Development Report* supported the idea that growing unemployment was a by-product of inflexible labour markets and excessive workers' rights, which in turn increased labour costs for employers.¹¹¹ The *World Employment* report, on the other hand, rejected the idea of a causal relationship between labour market rigidities and labour market performance, arguing that the deterioration of the latter was also provoked by such external factors as shifts in technology, trade and investment between different regions of the world.¹¹²

The argument put forward by the ILO in the *World Employment* report gave voice to the concerns of many African countries that were also beneficiaries of SAPs. This clearly emerges from the conclusions of a symposium held by the ILO in Arusha in February 1993, with the participation of several African scholars, labour ministers and trade union representatives. Experts from African countries such as Kenya, Uganda, Lesotho, Nigeria and Zimbabwe argued that SAPs had often been introduced without the consultation or input of trade unions and employers'

¹⁰⁹ Leys, *Rise and Fall of Development Theory*.

¹¹⁰ The World Bank, *World Development Report 1995: Workers in an Integrating World* (New York: Oxford University Press, 1995); International Labour Office, *World Employment 1995 – The ILO Report* (Geneva: ILO, 1995).

¹¹¹ On capitalists and employers, see the chapters by Austin, by Pilosof and by Berry in this volume.

¹¹² Jerome I. Levinson, 'A Missed Opportunity: The World Bank's World Development Report 1995: Workers in an Integrating World', International Labor Rights Fund, 1995, <https://goo.gl/x88vv5> (accessed 17 October 2017).

organizations, stressing the need for tripartite bargaining to make the policy prescriptions of the Washington Consensus more effective. Most importantly, they maintained that SAPs should be country-specific and take into account the level of development of the beneficiary, thereby challenging the orthodox approach of the World Bank and its attempt to apply given prescriptions to all countries without any differentiation.¹¹³

This debate also highlights how the ILO gradually detached itself from the early approach adopted in the 1960s, when the Organization looked at sub-Saharan Africa without an in-depth contextualization of the political and social struggles that were affecting the continent and supported the idea of remodelling labour relations according to abstract principles that could be potentially applied everywhere. The idea that policy recommendations should take into account the particular situation of African countries and that social forces should be involved in the process of implementation was successfully advanced by the ILO in the debate over pension reform in sub-Saharan Africa, which became a fierce site of ideological conflict with the World Bank in the 1990s. The restructuring of African pension systems was strongly advocated by the Bretton Woods organization because it deemed the prevailing systems to be unsustainable in the long term under the pressure of intergenerational conflict, while the ILO rejected these neo-Malthusian arguments and emphasized that ‘pay-as-you-go’ programmes were more suited to the needs of African societies.¹¹⁴ To contain the spread of the World Bank-supported defined contribution schemes in sub-Saharan Africa, the ILO adopted three strategies: first, it cited SAPs as the driving force behind the breakdown of pension income while attacking the supposed efficiency of privately managed schemes; secondly, it exploited its long-term connection with African policymakers and trade unions, involving different stakeholders in line with the spirit of tripartite bargaining; finally, it highlighted how its pension reform programme was more suited to the specific features of sub-Saharan Africa, whereas the alternative proposed by the World Bank was built on universal assumptions and without any attention

¹¹³ International Labour Office, *Political Transformation, Structural Adjustment and Industrial Relations in Africa: English-speaking Countries: Proceedings of, and Documents Submitted to, a Symposium (Arusha, 1–4 February 1993)*, Labour Management Relations Series No. 78 (Geneva: ILO, 1994), 230.

¹¹⁴ Kurt Weyland, ‘External Pressures and International Norms in Latin American Pension Reform’, Kellogg Institute for International Studies, Working Paper No. 323, 2006, <https://goo.gl/3uJaQA> (accessed 20 October 2017); M. Cichon and P. Karuna, ‘Financing Social Protection’, in *Reflections on Reform Strategies for Social Protection in English-speaking African Countries* (Geneva: ILO, 2000).

to African ‘exceptionality’.¹¹⁵ This strategy proved to be successful: in the 1990s, countries such as Ghana, Uganda and Nigeria gradually turned from the pension system advocated by the World Bank to ILO-sponsored social insurance schemes.¹¹⁶ The underlying reason for this shift was twofold: it reflected growing dissatisfaction with the macro-economic policies of the Washington Consensus, but it was also a natural response to the attempt of new African democracies to appease trade unions and popular electoral support before national elections.¹¹⁷

Success in the struggle for reform of the African pension system did not prevent the ILO from reforming itself during the mandates of Directors-General Michel Hansenne (1989–99) and, since 1999, Juan Somavia. Hansenne, and later Somavia, repositioned the ILO at the centre of the economic and social debate on globalization, pushing for the definition of core labour conventions that would be gradually recognized as universal human rights.¹¹⁸ The 1997 International Labour Conference, the 1998 Declaration of Fundamental Principles and Rights at Work, the 2008 Declaration on Social Justice for a Fair Globalization and the 2009 Global Jobs Pact introduced new distinctions between rights and general principles, with the former giving rise to precise legal obligations and the latter consisting of more general expectations that member states would conform to international regulations.¹¹⁹ This move was welcomed by African countries, which were eager to attract direct investment from abroad and unwilling to improve working conditions for fear of being less attractive to foreign capital. While critics argued that the voluntary approach to labour regulation worked to the benefit of the neoliberal development paradigm, Hansenne justified this shift with the argument that the adoption of soft law would guarantee a minimum of fundamental rights everywhere, even if it did not entail the

¹¹⁵ Michael Kpessa and Daniel Béland, ‘Transnational Actors and the Politics of Pension Reform in Sub-Saharan Africa’, *Review of International Political Economy*, 19.2 (2011), 267–91.

¹¹⁶ *Ibid.*, 282.

¹¹⁷ *Ibid.*, 285.

¹¹⁸ Steve Hughes and Nigel Haworth, ‘Decent Work and Poverty Reduction Strategies’, *Relations industrielles / Industrial Relations*, 66.1 (2011), 38.

¹¹⁹ Steve Hughes and Nigel Haworth, *The International Labour Organization (ILO): Coming in from the Cold* (London: Routledge, 2010); Lucio Baccaro and Valentina Mele, ‘Pathology of Path Dependency? The ILO and the Challenge of New Governance’, *ILR Review*, 65.2 (2012), 195–224.

equalization of social conditions among countries at different levels of development.¹²⁰

A landmark of the ILO's new trajectory was the elaboration of the 'decent work' concept in 1999 and the subsequent launch of the Decent Work Agenda (DWA) for sub-Saharan Africa, whose main target so far has been the improvement of workers' rights in the informal sector. The term 'informal economy' as elaborated by the 2002 International Labour Conference refers to 'all economic activities by workers and economic units that are – in law or in practice – not covered or insufficiently covered by formal arrangements. Their activities are not included in the law, which means that they are operating outside of the formal reach of the law.'¹²¹ Attention to the informal has stemmed from the fact that, in spite of the steady economic growth experienced by the African continent over the past fifteen years, progress towards poverty reduction targets enshrined in the Millennium Development Goals has not been satisfactory enough, while 90 per cent of the African labour force still depend on the informal economy for their livelihood.¹²² The DWA is an attempt to strengthen the social dimension of globalization and contain its 'adverse impact on conditions of employment ... [that], at their extreme, can lead to forced labour'.¹²³

The connection between the DWA and the improvement of working conditions in the informal economy was reiterated again by the 2008 Declaration on Social Justice for a Fair Globalization,¹²⁴ which reaffirmed the commitment of the ILO and its member states to achieve the four strategic goals embedded in the concept of 'decent work'.¹²⁵ The adoption of Recommendation 204, Transition from the Informal to the Formal

¹²⁰ Baccaro and Mele, 'Pathology of Path Dependency?', 202; Felix Hauf, 'The Paradoxes of Decent Work in Context: A Cultural Political Economy Perspective', *Global Labour Journal*, 6.2 (2015), 138–55.

¹²¹ International Labour Office, 'Resolution Concerning Decent Work and the Informal Economy', report of the Committee on the Informal Economy, Geneva, 2002, 53.

¹²² International Labour Office, 'The Informal Economy in Africa: Promoting Transition to Formality: Challenges and Strategies', Geneva, 2009, 6.

¹²³ International Labour Organization, 'A Global Alliance against Forced Labour: Report of the Director-General', International Labour Conference, 93rd Session, Geneva, 2005, 63, <https://goo.gl/99GwYM> (accessed 15 October 2017).

¹²⁴ International Labour Organization, 'ILO Declaration on Social Justice for a Fair Globalization', adopted by the International Labour Conference at its 97th Session, Geneva, 2008, <https://goo.gl/sF7QCK> (accessed 25 October 2017).

¹²⁵ ILO, 'The Informal Economy in Africa', 17.

Economy,¹²⁶ at the 2015 International Labour Conference was another milestone in the historical trajectory of the ILO's efforts to extend labour rights to informal workers and enterprises. The core of the recommendation consists of the idea that problems associated with the informal economy can be tackled by facilitating the transition of workers and economic units from the informal to the formal economy, while promoting the creation of decent jobs in the formal economy and preventing the informalization of already existing formal jobs. The attempt to improve workers' conditions through incorporation of the informal into the formal economy does not always take into account the root causes of informality, however, such as the fact that formality bears a cost or that the continuum between the formal and informal economy is often underpinned by specific power relations within the society.¹²⁷

The new approach advocated by the ILO towards the world of informality nonetheless sanctions a radical change from the original understanding of the informal economy elaborated by the Kenya report in 1972. While ILO experts in Kenya looked at the informal world as an economic arena defined by creativity and resilience, over the years the concept of informality has gradually become a synonym for poverty, thereby reproducing in a new form the old bias against that which falls beyond the immediate reach of the African state.¹²⁸ In this respect, the ILO's emphasis on the informal world is a blueprint for the Organization's ability to reposition itself within the framework of the post-Washington Consensus: the lack of social protection and workers' rights in the informal sector has turned the fight against poverty into a fight against informality, which in turn has increasingly overlapped with the attempt to improve African governance by bringing the state back into the equation after the neoliberal turn of the 1980s and 1990s.¹²⁹

¹²⁶ R204 – Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204), <https://goo.gl/47yqkm> (accessed 20 January 2018).

¹²⁷ Donald L. Sparks and Stephen T. Barnett, 'The Informal Sector in Sub-Saharan Africa: Out of the Shadows to Foster Sustainable Employment and Equity?', *International Business & Economics Research Journal*, 9.5 (2010), 1–11; Supriya Routh and Vando Borghi, eds, *Workers and the Global Informal Economy: Interdisciplinary Perspectives* (New York: Routledge, 2016); Nick Bernards, 'The International Labour Organization and the Ambivalent Politics of Financial Inclusion in West Africa', *New Political Economy*, 21.6 (2016), 606–20.

¹²⁸ Bangasser, 'The ILO and the Informal Sector', 16.

¹²⁹ John Harold Sande Lie, *Developmentality: An Ethnography of the World Bank-Uganda Partnership* (Oxford: Berghahn Books, 2015).

DECENT WORK, GLOBALIZATION AND AFRICAN DEVELOPMENT

The implementation process of the DWA in sub-Saharan Africa highlights how the ILO cannot be regarded merely as a decision-making arena for member states but rather ‘as an international organization for the conceptualization, diffusion, and transmission of ideas and policies on labour issues in a broader transnational network of diverse actors ... and interest groups acting beyond the nation state’.¹³⁰ In this respect, the DWA offered a new opportunity to expand the ILO’s influence in the elaboration of a development agenda for sub-Saharan Africa and to encourage stronger institutional links with other international organizations – such as the World Bank, the IMF or the World Health Organization – thanks also to the parallel ‘Delivering as One’ initiative promoted in the 2000s by the UN secretary general in an effort to prevent the fragmentation of UN agencies.¹³¹

A sign of the ILO’s effectiveness in shaping the debate on economic development lies in the integration of the DWA into the Poverty Reduction Strategy Papers (PRSPs) promoted by the Bretton Woods organizations in sub-Saharan Africa as a substitute for SAPs since the late 1990s. This led to the incorporation of full employment as a strategic objective of the PRSPs.¹³² Another area of confrontation with the World Bank and the International Finance Corporation (IFC) concerned the content of the *Doing Business* report, an annual publication launched by the IFC in 2004 to rank countries according to a composite index describing business regulations and their enforcement. The debate surrounding the *Doing Business* report recreated in a refashioned form the clash of perspectives between the World Bank’s *World Development Report* and the ILO’s *World Employment* publication in 1995: the original version of the *Doing Business* report largely repeated the idea that labour market regulations were detrimental to economic growth, assigning higher scores to countries with minimal labour law and implicitly promoting labour deregulation. This contradiction was highlighted by a study of the ILO’s Economic and Labour Market Analysis Department in 2007, which argued that the

index clearly does not encourage countries to abide by many of the International Labour Conventions of the International Labour Organization

¹³⁰ Jasmien van Daele, ‘The International Labour Organization in Past and Present Research’, *International Review of Social History*, 53.3 (2008), 506.

¹³¹ Erica Di Ruggiero, Joanna E. Cohen and Donald C. Cole, ‘The Politics of Agenda Setting at the Global Level: Key Informant Interviews Regarding the International Labour Organization Decent Work Agenda’, *Globalization and Health*, 10.56 (2014).

¹³² Hughes and Haworth, ‘Decent Work and Poverty Reduction Strategies’.

(ILO). In many instances, countries score worse if their national labour legislation reflects the provisions set forth in the ILO conventions ... even though these are international treaties ratified and adopted by many countries.¹³³

By challenging the idea that legal systems were only a burden to efficient business, as well as the methodological choices that underpinned such a conclusion, the study called for a revision of the index that would take into account the positive externalities produced by labour rights and tripartite bargaining. Indeed, one year later, in the midst of the 2008 global economic crisis, the World Bank announced changes to the indicators of its *Doing Business* publication, aligning the methodology in order to assign higher scores to those countries that had adopted regulations in compliance with the most relevant ILO conventions.¹³⁴ Further changes were introduced in 2011, following two years of work by the consultative group convened by the World Bank and composed of experts from the ILO, the Organization for Economic Co-operation and Development and civil society and employer organizations.¹³⁵ The consultative process added modifications to the methodology for employing workers indicators in line with relevant ILO conventions – for example, the Weekly Rest (Industry) Convention, 1921 (No. 14) – affecting, in particular, minimum wage, paid annual leave and the maximum number of working days per week.¹³⁶

Another arena in which the ILO has attempted to advance its own social policy ideas in sub-Saharan Africa in recent years is the rural sector, which has received renewed attention from international experts and development practitioners after a widespread decline of interest in the 1990s. The Organization has shown interest in the rural sector since the early 2000s, with the resumption of standard-setting activities particularly relevant to the rural context, such as the Safety and Health in Agriculture Convention, 2001 (No. 184), the Promotion of Cooperatives Recommendation, 2002 (No. 193),

¹³³ Janine Berg and Sandrine Cazes, 'The Doing Business Indicators: Measurement Issues and Political Implications', Economic and Labour Market Paper 2007/6, International Labour Office, Geneva, 2007, 3, <https://goo.gl/tsof8f> (accessed 19 October 2017).

¹³⁴ Hughes and Haworth, 'Decent Work and Poverty Reduction Strategies'; see also World Bank, 'Doing Business: Changes to the Methodology, 2005–2017', <https://goo.gl/nmThPA> (accessed 15 October 2017).

¹³⁵ 'Doing Business Employing Workers Consultative Group, Final Report, April 25, 2011', <https://goo.gl/dZMGhX> (accessed 10 October 2017).

¹³⁶ World Bank, *Doing Business 2011: Making a Difference for Entrepreneurs* (Washington, DC: International Bank for Reconstruction and Development, 2010), 93–5.

and the Work in Fishing Convention (No. 188) and Recommendation (No. 199) in 2007.¹³⁷ The necessity of focusing on rural employment for the purpose of poverty reduction was then clearly articulated at the 2007 ILO African Regional Meeting in Addis Ababa and reiterated at the 97th Session of the International Labour Conference in 2008.¹³⁸ The approach proposed by the ILO occupies a middle ground between the neoliberal agenda advocated by the World Bank and the critical position of several NGOs and radical thinkers that have dismissed the World Bank's recent initiatives in the rural sector, such as the *Benchmarking the Business of Agriculture* initiative, as tools to advance the interests of large agribusinesses and the dispossession of smallholders and other marginalized groups in the developing world.¹³⁹

The 2007 report of the Director-General underlined that decent jobs in the rural sector could be created only in a context of improved agricultural productivity, advocating the integration of smallholder farmers into international markets through global value chains.¹⁴⁰ The idea that commercial farming and integration into global value chains could be a pathway out of poverty fitted perfectly with the new agenda for agricultural development proposed by the World Bank in its 2008 *World Development Report*, but the ILO position differed in certain key aspects.¹⁴¹ In fact, the DWA provided an integrated framework for promoting institutional change in order to address the adverse effects of globalization on the poorest sectors of African societies, thereby combining the goal of increased productivity and better information exchange prescribed by the dominant consensus on market primacy with the concerns of those critics who argued that poverty

¹³⁷ For these Conventions and Recommendations, see <https://www.ilo.org/normlex>.

¹³⁸ International Labour Office, *Unleashing Rural Development through Productive Employment and Decent Work: Building on 40 Years of ILO Work in Rural Areas*, Committee on Employment and Social Policy, Governing Body, 310th Session (GB.310/ESP/1), Geneva, 2011, <https://goo.gl/GrdXPZ> (accessed 19 October 2017).

¹³⁹ Henry Veltmeyer, 'The World Bank on "Agriculture for Development": A Failure of Imagination or the Power of Ideology?', *Journal of Peasant Studies*, 36.2 (2009), 393–410; Alice Martin-Prével and Frédéric Mousseau, *New Name, Same Game: World Bank's Enabling the Business of Agriculture* (Oakland, CA: The Oakland Institute, 2014).

¹⁴⁰ International Labour Organization, 'The Decent Work Agenda in Africa: 2007–2015, Eleventh African Regional Meeting, Report of the Director-General', Addis Ababa, April 2017, 37, <https://goo.gl/ux5Nr3> (accessed 20 October 2017).

¹⁴¹ World Bank, *World Development Report 2008: Agriculture for Development* (Washington, DC: The International Bank for Reconstruction and Development/World Bank, 2007), 91, <https://goo.gl/worTFi> (accessed 22 October 2017).

alleviation and improvement of working conditions should be at the centre of any development initiative.¹⁴²

The UN Secretary General's 'Delivering as One' initiative for a more cohesive UN approach towards Africa offered another opportunity 'to integrate the priorities of Decent Work Country Programmes into other development frameworks and agendas at country level'.¹⁴³ An example of this integration is the ILO's involvement in the Social Protection Floor (SPF) initiative in Africa in partnership with the World Health Organization, created in 2009 out of the consciousness that economic growth alone could not address economic insecurity and promote decent work.¹⁴⁴ The SPF initiative was motivated by the attempt to contain the most adverse effects of globalization on marginalized groups in the developing world by ensuring access to basic social services and the realization of minimum essential levels of rights embodied in human rights treaties to every sector of the population.¹⁴⁵

CONCLUSION

In summary, the ILO's position on colonial social policy during the 1950s essentially remained the one it had taken during the reform phase of the war and the immediate post-war period. Its success in having integrated the colonial territories into a generally universalistic discourse was countered by its long-term failure to vanquish the double standard which the colonial powers continued to apply within their domains. After the First World War the double standard had been on display in the adoption of specifically colonial conventions on 'native labour', while now it was reflected in the very existence of a separate committee concerned with social policy in dependent territories. The double standard continued to manifest itself in the 'gradual universalism' which characterized the findings of the committee, and in the ILO's inability to overcome the colonial powers' resistance to its

¹⁴² Murat Arsel and Anirban Dasgupta, 'Critique, Rediscovery and Revival in Development Studies', *Development and Change*, 46.4 (2015), 644–65; ILO, 'Decent Work Agenda in Africa: 2007–2015', 14–16.

¹⁴³ ILO, 'Decent Work Agenda in Africa: 2007–2015', 21.

¹⁴⁴ International Labour Office, *Efficient Growth, Employment and Decent Work in Africa: Time for a New Vision* (Geneva: ILO, 2011) 44–5, <https://goo.gl/5SzaNp> (accessed 23 October 2017).

¹⁴⁵ International Labour Office and World Health Organization, 'The Social Protection Floor', Geneva, October 2009, 4, <https://goo.gl/P1zfEV> (accessed 25 October 2017).

involvement in Africa. Almost until the very end of their rule in Africa, the colonial powers thus managed to uphold their contention that, under colonial conditions, a different set of rules applied from those the ILO claimed to be of a universal nature. In addition, until the eve of African independence, the ILO remained a forum in which African actors hardly had a say about their own affairs.

The ILO's stance on the extension of labour rights to sub-Saharan Africa after decolonization was marked by the same contradictions that had featured the immediate post-war period. The ILO's success in providing technical assistance to independent African countries and shaping the global debate on development was countered by its failure to reverse the double standard of which new African rulers continued to make use in the name of the struggle against economic underdevelopment and neocolonialism. Following the establishment of the Washington Consensus, the ILO resorted again to the double standard to contain the ongoing attack on labour rights by the Bretton Woods organizations and its gradual loss of influence within the international aid arena. Whereas the World Bank and the IMF supported the reproduction of abstract economic models aimed at deregulating African economies, thereby serving the 'bureaucratic need to simplify and universalize local social systems'¹⁴⁶ according to the rules of the market, the ILO argued that African problems should be tackled by taking into account the specific features of African societies and their unequal insertion into the international economic system. By doing so and giving voice to African concerns, the ILO regained a central role in the global debate on economic development and labour policies in the African continent of the twenty-first century.

¹⁴⁶ David Mosse, 'Colonial and Contemporary Ideologies of "Community Management": The Case of Tank Irrigation Development in South India', *Modern Asian Studies*, 33.2 (1999), 304.