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THE
INTERNATIONAL LABOUR ORGANISATION
OF THE
LEAGUE OF NATIONS

BY
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The International Labour Organisation of the League of Nations.

The International Labour Organisation of the League of Nations is the outcome of reiterated demands on the part of the working classes of the chief industrial countries throughout the world. At International Congresses and Conferences of the organised workers the pressing need for an institution of this kind has been repeatedly urged, and resolutions calling for its establishment have been carried again and again. During the war the interest in the subject deepened, and its importance for the future welfare of the workers became still more widely recognised. The Inter-allied Trade Union Conference held at Leeds in 1916 demanded the creation of an International Labour Commission with the object of "controlling the application of legislation on social insurance, immigration and emigration, hours of labour, hygiene and protection against accidents." The same Conference insisted upon the necessity of the co-ordination and development of statistical studies and enquiries into the conditions of the workers by means of an International Labour Office. The Stockholm Conference of 1917 came to the same conclusions, and, in 1919, the Berne Conference urged the drafting of an International Charter of Labour to be applied by an International Labour Office. Thus it was in accordance with the emphatically expressed desires of the working classes that the statesmen and diplomats who drew up the Treaty of Peace included within it the provisions relating to Labour which form Part XIII. of the Treaty.

Labour and the Treaty of Peace.

To Part XIII. of the Treaty there is the following preamble:—

"Whereas the League of Nations has for its object the establishment of universal peace, and such a peace can be established only if it is based upon social justice;

"And whereas conditions of labour exist involving such injustice, hardship and privation to large numbers of people as to produce unrest so great that the peace and harmony of the world are imperilled; and an improvement of those conditions is urgently required: as, for example, by the regulation of the hours of work, including the establishment of a maximum working day and week, the regulation of the labour supply, the prevention of unemployment, the provision of an adequate living wage, the protection of the worker against sickness, disease and injury arising out of his employment, the protection of children, young persons and women, provisions for old age and injury, protection of the interests of workers when employed in countries other than their own, recognition of the principle of freedom of association, the organisation of vocational and technical education and other measures;"
"Whereas also the failure of any nation to adopt humane conditions of labour is an obstacle in the way of other nations which desire to improve the conditions in their own countries;

The High Contracting Parties, moved by sentiments of justice and humanity as well as by the desire to secure the permanent peace of the world, agree to the following": (here follow the articles establishing a permanent organisation for the promotion of the principles set out in the preamble) *

Statement of Principles.

Further, in Article 427, the Treaty lays down the following general principles with regard to the treatment of labour:—

1st. The guiding principle . . . that labour should not be regarded merely as a commodity or article of commerce.

2nd. The right of association for all lawful purposes by the employed as well as by the employers.

3rd. The payment to the employed of a wage adequate to maintain a reasonable standard of life as this is understood in their time and country.

4th. The adoption of an eight hours day or a forty-eight hours week as the standard to be aimed at where it has not already been attained.

5th. The adoption of a weekly rest of at least twenty-four hours, which should include Sunday wherever practicable.

6th. The abolition of child labour and the imposition of such limitations on the labour of young persons as shall permit the continuation of their education and assure their proper physical development.

7th. The principle that men and women should receive equal remuneration for work of equal value.

8th. The standard set by law in each country with respect to the conditions of labour should have due regard to the equitable economic treatment of all workers lawfully resident therein.

9th. Each State should make provision for a system of inspection in which women should take part, in order to ensure the enforcement of these laws and regulations for the protection of the employed.

This declaration of the principles which should "inspire the policy of the League of Nations" may be said to constitute a kind of Labour Charter such as was demanded by the International Trade Union Conference at Berne.

Principles and Practice.

But, in order to secure the well-being, physical, moral, and intellectual, of industrial wage-earners, which has been the aim of the workers' organisations, and is the declared intention of the signatories of the Treaty of Peace as embodied in the Labour clauses of the Treaty, it is necessary to have something more than declarations. The experience of the past justified the insistence of the workers upon the necessity for a Permanent International Organisation, whose duty it should be to see that the "Charter" was actually carried out in all countries which agreed to its provisions. There have been attempts, such as the Conferences at Berne of 1906 and 1913, to arrive at an international agreement with regard to certain branches of labour legislation. But in these instances action arose simply through the chance initiative of some State specially interested in the subject, which issued an invitation to other States (which they could accept on conditions or refuse altogether) to send officials to a Conference which, when dispersed, might never be called together again. Such spasmodic and unauthoritative consultations, valuable as they may have been as tentative experiments in international co-operation for industrial legislation, would have to be greatly improved upon if the principles of the "Charter" were ever to be put into universal practice.*

The Permanent International Labour Organisation.

(1) The International Labour Conference.

Realising this, the authors of the Treaty of Peace decided to set up a permanent International Labour Organisation as a part of the League of Nations, thus meeting the oft-repeated demand of the organised working classes. The Treaty provided that "the original members of the League of Nations shall be the original members of this Organisation, and hereafter membership of the League of Nations shall carry with it membership of the said Organisation."

The Permanent Organisation consists of (1) a General Conference of representatives of the members, and (2) an International Labour Office controlled by a Governing Body. The General Conference consists of representatives of each of the fifty States belonging to the Organisation. The only great States remaining outside it are the United States of America, which, up to the present, has not signed the Treaty, and Russia still in the throes of revolution.

* "The International Labour Organisation: a Comparison," issued by the International Labour Office (The London Office of the International Labour Office, 26 Buckingham Gate, S.W. 1), gives a short account of previous attempts to promote and co-ordinate labour legislation on international lines by means of the International Association for Labour Legislation.
All States, whether large or small, have equal rights at the Conference. Each is represented by two Government delegates, one Employers' delegate and one Workers' delegate. Each delegate votes individually; if they so desire the Workers can vote with the Workers, and the Employers with the Employers of all nationalities. The Employers' and Workers' delegates have to be "chosen in agreement with the industrial organisations, if such organisations exist, which are most representative of employers or workpeople," in each country. Thus the Workers' representative of Great Britain is selected in agreement with the Parliamentary Committee of the Trades Union Congress, the body having the greatest number of affiliated industrial workers' organisations. In addition to the delegates, technical advisers may be appointed to assist in the discussions of subjects on which their expert knowledge would be valuable.

The General Conference meets as occasion may require, and at least once in every year. Two meetings have already been held—one at Washington in November, 1919, and the other at Genoa in June, 1920, the latter being specially devoted to maritime questions. The results of these gatherings are given in detail later on. The third meeting of the Conference will take place at Geneva, October, 1921, and will deal mainly with questions concerning labour in agriculture.

The General Conference, which may justly be called an "International Social Parliament," cannot pass legislation. Each country remains jealous of parting with any portion of its sovereignty; but the Conference votes Draft Conventions, by which States agree to observe strictly certain regulations and recommendations which should be taken as guides in passing national legislation or in issuing administrative orders. These may, it is true, vary in different countries, but they have to conform to one and the same principle.

The Ratification of Conventions.

The Parliaments of the various States are not bound to adopt the Conventions agreed to by the Conference, but Governments and Parliaments are always subject to the influence of public opinion, which can bring pressure to bear upon them for the purpose of securing ratification. A large number of States have already drafted Bills dealing with the ratification of Conventions; some of them have already been ratified.* Once the Conventions have been ratified by a State and the Recommendations have been the subject of special legislation, those States are bound to respect them. Any violation brings the International Labour Office, its Commission of Enquiry, and the International Court of Justice into action, and these possess definite powers for obtaining proper enforcement. Here again economic penalties can be applied.

* Information relating to the progress in the process of ratification of Draft Conventions by the member-States is given in the Bulletin of the International Labour Office, which is issued at intervals of about one week. This publication also records the activities of the Office. The English edition of the Bulletin can be obtained from the London Office of the International Labour Office, 26 Buckingham Gate, S.W. 1.
The Permanent International Labour Organisation.

(2) The International Labour Office.

The International Labour Office is under the control of a Governing Body consisting of 24 persons, 12 of whom represent the Governments of the States which are members of the International Labour Organisation, six elected by the delegates to the General Conference representing the Employers, and six elected by the delegates to the General Conference representing the Workers. Of the 12 persons representing the Governments, eight are nominated by the States which are of the chief industrial importance, and four are nominated by the States selected for the purpose by the Government delegates to the General Conference, excluding the delegates of the eight States mentioned above. The period of office of the Governing Body is three years. The headquarters of the Office are at Geneva, the seat of the League of Nations.

The functions of the Office include the collection and distribution of information on all subjects relating to the international adjustment of industrial conditions of life and labour, and particularly the examination of subjects which it is proposed to bring before the General Conference with a view to the conclusion of international Conventions, and the conduct of such special investigations as may be ordered by the General Conference*. It is entrusted with the duty of receiving complaints with regard to violations of ratified Conventions, and the Governing Body can, if they think fit, apply to the League of Nations for the institution of a Commission of Enquiry to investigate any such complaint. If a complaint is found to be justified, further measures are provided in the Treaty for securing a remedy.

The preparation of the Agenda of the General Conference is also a duty of the Office.

International Labour Office and the Individual Citizen.

It will thus be seen that the International Labour Office can affect beneficially the conditions of life and labour of every worker in every country. Not only so, but, on the other hand, every worker can, if he so wills, help to influence and direct the activities of the Office. The subjects dealt with by the periodical meetings of the General Conference are drawn up by the Governing Body of the Office, upon which, as already stated, are representatives of the great national working class industrial organisations. These organisations can put forward proposals to be brought before the Conference. It is, therefore, quite possible for any individual member of a body affiliated to the Parliamentary Committee of the Trades Union Congress to

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* A considerable number of publications consisting of a monthly periodical, The International Labour Review, and studies and reports on questions vitally concerning labour have already been issued by the Office. A full list can be obtained from the London Office of the International Labour Office, 26 Buckingham Gate, S.W. 1.
request, through the usual channel of his local branch, that his organisation should ask the Parliamentary Committee to propose that a given question of international importance relating to labour should be placed upon the Agenda of the General Conference. Members of employers' organisations are given the same opportunity of having subjects which interest them discussed.

The First International Labour Conference.

The first meeting of the General Conference, held in Washington from the 29th October to the 29th November, 1919, proved to be a gathering of the greatest significance for the future of industry, and demonstrated the value of the new International Labour Organisation as an instrument for securing far-reaching reforms in the conditions of labour. The Conference was attended by the representatives of forty countries. The United States had no official delegate, as the Peace Treaty had not been ratified by the Senate, but the Conference was presided over by Mr. W. B. Wilson, the United States Secretary of Labour. Three important States were, unfortunately, not represented. The delegates of Germany and Austria were unable to be present owing to the difficulty of securing passages to America, and there was no representative from Russia. Apart from these exceptions, however, the Assembly was a fully representative international gathering. The delegations, in normal cases, included, as provided by the constitution of the General Conference, representatives of employers and workpeople as well as of Governments. Each delegate was free to cast his vote as he thought best on every occasion and irrespective of the fact that he belonged to a particular nation, or represented a particular class of interests. The fact that in a body of this character it was possible to secure agreement on detailed proposals for international action augured well for the success of the whole movement for international labour organisation.

The Representatives of the United Kingdom.

The United Kingdom was represented by the Rt. Hon. G. N. Barnes, M.P., and Sir Malcolm Delevingne, K.C.B., Assistant Under-Secretary for State for Home Affairs, on behalf of the Government; Mr. D. S. Majoribanks, C.B.E., Managing Director of Messrs. W. G. Armstrong, Whitworth & Co., Ltd., on behalf of the employers; and Mr. G. H. Stuart-Bunning (Postmen's Federation and ex-President of the Trades Union Congress) on behalf of the workers. Attached to the delegates were groups of technical advisers. Accompanying Mr. Stuart-Bunning in this capacity were the Rt. Hon. C. W. Bowerman, M.P. (Secretary of the Parliamentary Committee of the Trades Union Congress); Mr. A. Onions, M.P. (South Wales Miners' Federation); Mr. T. Shaw, M.P. (Weavers' Association); Mr. J. Sexton, C.B.E., M.P. (National Union of Dock Labourers and Riverside Workers); Miss Margaret Bondfield (National Federation of Women Workers); and the late Miss Mary Macarthur (National
Federation of Women Workers). Several of the advisers acted as representatives of the delegates on special commissions, and during the discussions in the full Conference of the questions on which they were expert.

**Women and the Conference.**

A feature of the Conference was the claim of the women for special representation. This was met under the constitution which, as already mentioned, allows technical advisers to replace delegates on occasions when questions in which they are specially competent arise. In accordance with this provision, Miss Bondfield represented the British Labour Delegate on the Commission on the employment of children and the late Miss Mary Macartthur represented him on the Commission on childbirth and maternity, while Miss Constance Smith (Senior Lady Inspector of Factories, Home Office) replaced Sir Malcolm Delevigne on the latter Commission. In the preparation of the Conventions, especially on these two subjects, women took a prominent part.

**The Results of the Conference.**

The Conference adopted six Draft Conventions and six Recommendations. The Draft Conventions dealt with:

1. The application of the principle of the eight hours day and the 48 hours week.
2. The prevention of or provision against unemployment.
3. The employment of women before and after childbirth.
4. The employment of women on night work.
5. The minimum age of employment of children in industry.
6. The employment of young persons on night work.

The Recommendations related to:

2. Reciprocity of treatment of foreign workers.
3. The prevention of anthrax.
4. The protection of women and children against lead poisoning.
5. The establishment of Government Health Services.
6. The application of the Berne Convention of 1906 on the prohibition of the use of white phosphorous in the manufacture of matches.

The various Conventions and Recommendation were prepared by the Commissions of the General Conference, and much useful discussion between experts on the particular subjects took place on these Commissions. Differences of national interest and difficulties between employers and workers' representatives had to be faced, and drafts arrived at which could be placed before the plenary meetings of the Conference. Conventions were so thoroughly discussed in the Commissions, and such a degree of agreement was arrived at, that with comparatively few alterations they were adopted by the General Conference.  

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The Convention on Hours of Labour.

The most important Convention is the one dealing with the hours of labour. It was naturally not easy to arrive at an agreement on this matter. Eventually, however, the representatives of the employers and the workers accepted the principle of the eight hours day, but with the conditions in regard to its application made fairly elastic. The Convention as finally passed involves an agreement of the countries concerned to introduce legislation for securing an eight hours day and a 48 hours week for all workers in industrial undertakings, including mining and quarrying, manufacturing, building and construction work. It was agreed that the provisions relative to transport by sea and on inland waterways should be determined by a special conference. Each country may adopt modifications within certain limits in the application of the principle of the eight hours day to their industries. But all Governments have to report to the International Labour Office the regulations which they adopt and the modifications they permit. The peculiar conditions prevailing in Oriental countries rendered it necessary to make special provisions with regard to India and Japan. In the former country the hours of labour are to be generally 57 in the week, in the raw silk industry 60 for adults, and for persons under fifteen and all miners, of whatever age, 48. In British India the hours of labour in factories, mines and railway works are to be limited to 60 in the week. These provisions represent for these two countries greater progress than the other provisions do for Western lands.

The Convention on Unemployment.

The Convention on unemployment involves an international scheme for securing information from all countries with regard to the problem, the establishment of free public employment agencies where not already in existence, and for mutual benefits for emigrants in regard to unemployment insurance. Further, the Conference recommended that every Government should prohibit new private employment agencies, and permit existing agencies to operate only under a licence; that the recruiting of foreign labour should be only by agreement between the countries concerned and after consultation with the employers and workers; that there should be in every State unemployment insurance; and that public work ought to be allocated to periods of unemployment, or to districts affected by it. It was also recommended that foreign workers should receive the protection and the rights of organisation possessed by the native workers, by mutual arrangements between the States concerned.

The Conventions on the Work of Women.

The Conventions on the work of women workers laid down that for six weeks after confinement women shall not be permitted to work in industry or commerce, and shall have the right to cease
work six weeks before confinement, being paid in both periods full benefits for maintenance. Further, a nursing mother shall have half an hour twice a day for nursing her child. Dismissal is not to take place during the two rest periods before and after childbirth. Night work for women in industry is prohibited, the night being defined as normally a period of eleven consecutive hours, including the period from 10 p.m to 5 a.m. In the case of India and Siam a special form of legislation is provided, and certain general exceptions are allowed.

The Conventions on the Work of Children and Young Persons.

The Conventions relating to the employment of children and young persons fix fourteen as the minimum age at which a child should enter industry. Exceptions were made in the cases of Japan and India, where the age is to be 12. Persons under the age of 18 are not to be employed during the night, although persons over 16 may be so employed in continuous process industries, as in the manufacture of iron and steel, glass, raw sugar, paper, and in the reduction of gold. Certain exceptions in particular industries and countries are permitted.

Diseases of Occupation.

Diseases of occupation were also the subject of discussion, and it was recommended that wool infected with anthrax spores should be disinfected; that women and children should be excluded from certain employments involving the risk of lead poisoning; and that certain other occupations should be permitted only if proper appliances were used certain and regulations observed. It was also recommended that health services, in addition to factory inspection, should be introduced by all Governments.

The Pioneer Work of the Conference.

The results of the Washington Conference are generally recognised as being of permanent importance. In reviewing the work accomplished, the great problems that had to be encountered should be borne in mind. It was the first Conference of its kind, and it had to meet and surmount all the difficulties which confront the pioneer. Language obstacles, well known to those acquainted with international gatherings for the transaction of business, were prominent. It is, therefore, remarkable that in the complicated negotiations inseparable from the drafting of Conventions and Recommendations language difficulties were overcome, and that complete agreement was reached on so many complex subjects. By some the Conventions may be considered moderate in their provisions, but it must be remembered that the degree of progress in reforms intended to be world-wide in extent is determined in some measure not by the most advanced country, but by the most backward; and that the great aim of the Conference was to make
provision for the gradual or, in some cases, rapid raising of the more backward countries to something approaching the level reached by the more advanced nations after many years of social effort.

British Labour and the Washington Conference.

In Great Britain the Washington Conventions are now known in Labour circles as the "International Labour Charter." The views of the Labour delegates, members of workers' organisations of Great Britain, are interesting as showing the importance they attach to the Conventions:

Whilst we should have liked to have seen stronger and more far-reaching Conventions and Recommendations, we feel sure that in the circumstances more was accomplished than we could have expected. At a first Conference of such a character, it would not have been surprising had it failed to do more than set up machinery with a view of working in the future, but not only were we able to do this, but to carry through the Conventions and Recommendations mentioned above.*

The Parliamentary Committee of the Trades Union Congress, in commenting upon the Report of the delegation, states:

The Washington Conference was not only unique from the international standpoint, but without parallel, and, as will be seen from the short statement of the Conference's work appearing in another portion of this Report, the results exceeded expectations. It was indeed remarkable that, with representatives of the most backward nations (from an industrial standpoint) brought into consultation for the first time with representatives of the most highly developed nations, questions affecting the industrial workers of the world should have been discussed with such keenness and with a genuine desire on the part of the former to bring their countries into line industrially with the more advanced and better organised countries. Common agreement was realised on many points, and it now remains for the various Governments to give legislative effect to Recommendations from the Conference.†

The Genoa Conference.

The second session of the General Conference was held at Genoa in June and July, 1920. The conditions of the work of seafarers was the sole subject of discussion; but it proved so complex and refractory that it was not possible to arrive at a definite conclusion on the chief question: that of the application of the eight hours working day to seamen. The Commission which considered the problem succeeded, after long and strenuous debates, in framing a Draft Convention. But this failed by a fraction of a vote to secure the necessary two-thirds majority when it came before the General Conference, and hence no decision on the subject was reached. Draft Conventions, however, were agreed to on the following questions:

(1) The minimum age for the admission of children to employment at sea.

† Ibid.
(2) Unemployment indemnity in case of loss or foundering of the ship.
(3) The establishment of facilities for finding employment for seamen.

Further Recommendations were passed dealing with:
(1) Limitation of hours of work in the fishing industry.
(2) Limitation of hours of work in inland navigation.
(3) The establishment of national seamen's codes.
(4) Unemployment insurance for seamen.

Further, a Joint Maritime Commission, consisting of representatives of shipowners and seamen, was elected to consider the drawing up of an International Seamen's Code and other questions affecting seafarers.*

**How the Work Can be Perfected.**

The results of the Washington and Genoa Conferences are, however, only the beginnings of a tremendous task, for the completion of which the International Labour Office is responsible. To carry out this responsibility successfully, the Office requires the steady and vigorous support of public opinion in every country, and especially that of far-seeing employers who realise the economic necessities of the times, and of the workers who have repeatedly demanded the establishment of international machinery for promoting systematic and universal industrial reforms. International labour legislation, even when Conventions and Recommendations have been secured, depends, like national legislation, entirely on the citizens of each country. By persistent and methodical action the industrial organisations of employers and employed can obtain from the Parliaments of their countries the ratification of Conventions already agreed upon and ensure that they are faithfully observed. Moreover, through the International Labour Office and the International Labour Conference they can achieve by further measures the fulfilment of the programme drawn up in the Treaty of Peace, which requires that the conditions of labour should be brought to an ever-increasing extent into conformity with justice.

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* Following the Session of the General Conference at Genoa the International Seafarers' Federation requested the Director of the International Labour Office to endeavour to bring about an unofficial conference between the shipowners and seafarers. Steps were taken by the Office to carry out this request, with the result that a Conference between the International Shipping Federation and the International Seafarers' Federation was held at Brussels on January 25 and 26, 1921, under the chairmanship of the Director of the Office. This Conference elected two Committees to discuss the whole problem of working hours in the seafaring industry, with the view of arriving at a practicable solution of the question. A further Conference is to meet to discuss the reports of the Committees.
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*(To be signed by all Members.)*

*(Adopted May 23rd, 1919.)*

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