

ARTICLE

The Development Dichotomy: Colonial India's Accession to the ILO's Governing Body (1919–22)

Thomas Gidney*

Geneva Graduate Institute and European University Institute
Email: thomas.gidney@graduateinstitute.ch

Abstract

At its founding in 1919, the International Labour Organization (ILO) selected its Governing Body from eight 'states of Chief Industrial Importance'. The ILO's attempt to define industrial importance was predicated on its seemingly expert-driven and statistical impartiality. As a technical organization, this standard was created to depoliticize the selection of its Governing Body. Yet, with its utilization of relative economic indicators, the standard ended up recreating a highly Eurocentric Governing Body. Resistance to these metrics by aggregately large but relatively underdeveloped economies, such as colonial India, reveals the inherently political nature of attempting to define industrial 'importance'. This article examines the little-known history of how the Indian delegation to the ILO challenged the ILO's Eurocentric metrics, constituting what it meant to be industrially important. In doing so, this article questions to what extent 'technical' international organizations can remain apolitical spaces and how our contemporary international institutions are responding to the increasing politicization of their function.

Keywords: Standard Setting; Technical Organizations; Impartiality; Eurocentrism; ILO; Colonial India

'Statistics? You can prove anything with statistics' – Sir Humphrey Appleby, *Yes Minister* (TV Series).

The establishment of international organizations in the wake of the First World War came hand in hand with the rise of new statistical, quantitative, or scientific forms of global governance. As important arbiters of international standards and regulations, international organizations derived legitimacy from their seeming neutrality and ability to mediate inter-state disputes with impartiality. Global statistics offered a critical tool through which international organizations could categorize member-states and shape international regulatory frameworks. In doing so, some organizations hoped to elevate their work over others by distinguishing themselves as 'technical' organizations over their more political counterparts.

Despite the hopes of what a new era of international statistical administration could offer, attempts to create metrics were heavily flawed, often reflecting European preconceptions of the model state. In this article, I present one of the earliest examples of such a clash over the definition of a state of 'Chief Industrial Importance' in the early years of the International Labour Organization (ILO) between 1919 and 1922, which would determine the composition

*This project has received funding from the Swiss National Science Foundation under the Project code P0GEP1_178369. Thank you to Arnulf Becker Lorca, Madeleine Chiam, Mitra Sharafi and Sumudu Atapattu, as well as the other members of the Institute for Global Law and Policy for offering their feedback on this paper.

© The Author(s), 2022. Published by Cambridge University Press. This is an Open Access article, distributed under the terms of the Creative Commons Attribution licence (<http://creativecommons.org/licenses/by/4.0/>), which permits unrestricted re-use, distribution and reproduction, provided the original article is properly cited.

of its Governing Body. In this clash, a non-European member-state, India, challenged the implicit Eurocentricity of these metrics in a bid for a seat of its own. It did so on the basis that industrial importance be determined through aggregate statistics that judged the size of a state's economy over its relative development.

The early twentieth-century Western international system used economic development as an important indicator of 'Civilizational' progress.¹ The development of a capitalist market economy, mechanized industrialization, and higher labour standards became significant demarcations of this advancement.² International organizations became new forums through which non-European states, traditionally deemed by European states as 'backwards', could challenge the inequalities imposed on them in the nineteenth century.³ However, rather than providing a global forum to challenge European hegemony, international organizations recreated many of what Vincent Pouliot calls 'Pecking Orders' in international society.⁴ Despite the incorporation of many non-European states into early international organizations, European states would continue to use their political power and, in the case of the ILO, their relative economic advancement to maintain a position of predominance within international organizations.

By confronting this status quo, the Indian delegation ignited a politics of statistical definition, as different states gerrymandered the definitions of these metrics and the data upon which they were built to find a favourable classification. However, India's dissent against the composition of the Governing Body was not directed by a delegation from an independent state but as a British colony attempting to secure another seat for the British Empire on the Governing Body. This aspect transforms what seems like a history of India, challenging the European world order into how Britain used India's unique economic aspects to expand its influence.

Due to its position within the British Empire, many documents outlining India's bid for a seat on the Governing Body are found in the archives of the India Office at the British Library in London and the National Archives of India in Delhi. There is little pre-existing literature on this historical episode; thus, this study relies heavily on archival documents. These largely cover the perspective of the Indian delegation, as well as documents from the archives of the ILO and League of Nations in Geneva to reconstruct this little-known history.

The significance of this study is that it delves into one of the earliest attempts of an international, technical organization attempting to create a statistical framework for its governance. It reveals many contemporary issues that international organizations continue to face today. Despite several decades of decolonization, binaries such as 'industrialized/ non-industrialized', to 'developed/ developing' continue to play a significant role in assigning significance at international organizations. Major international matters, from combatting climate change to determining

¹This topic is extensively covered by writers of the 'English School' of international relations, examining the sociological elements for interstate stratification, see: Gerrit W. Gong, *The Standard of 'Civilization' in International Society* (Oxford: Clarendon Press, 1984); Antony Anghie, *Imperialism, Sovereignty, and the Making of International Law*, 1st ed., Cambridge Studies in International and Comparative Law (Cambridge; New York: Cambridge University Press, 2007); Turan Kayaoglu, *Legal Imperialism: Sovereignty And Extraterritoriality in Japan, The Ottoman Empire, And China* (Cambridge: Cambridge University Press, 2014).

²Ntina Tzouvala, *Capitalism as Civilization: A History of International Law*, Cambridge Studies in International and Comparative Law (Cambridge: Cambridge University Press, 2020); Louise Amoore, Rorden Wilkinson, and Randall Germain, *Global Standards of Market Civilization*, ed. Brett Bowden and Leonard Seabrooke (London: Routledge, 2006).

³China and Siam's different strategies in challenging these inequalities can be found in the works of Alison Adcock Kaufman, 'In Pursuit of Equality and Respect: China's Diplomacy and the League of Nations', *Modern China* 40, no. 6 (2014): 605–38; Stefan Hell, *Siam and the League of Nations: Modernisation, Sovereignty and Multilateral Diplomacy, 1920-1940* (Bangkok: River Books, 2010); Phil C. W. Chan, *China, State Sovereignty and International Legal Order* (Leiden; Boston: Brill/ Nijhoff, 2015), 351.

⁴Vincent Pouliot, *International Pecking Orders: The Politics and Practice of Multilateral Diplomacy* (Cambridge: Cambridge University Press, 2016).

the implementation of international trade agreements, continue to use development status as a barometer.⁵

In an unusual role reversal, some states have used their ‘developing’ status as an advantage at international organizations. At a Press Conference at the World Economic Forum in Davos in 2019, then United States President Donald Trump thundered that: ‘China’s viewed as a developing nation, India’s viewed as a developing nation [. . .] as far as I’m concerned, we’re a developing nation too’.⁶ In this context, the United States attacked large developing economies that claim ‘special and differential treatment’ at the World Trade Organization, which offers developing states longer implementation times and more safeguards than other member-states.⁷ In its stead, the United States has proposed a new standard to measure developing status, replacing the ‘outdated dichotomy between developed and developing countries’.⁸ The United States’ desire to replace a self-declaratory model of developing status with a statistical measurement reveals the continued reliance on international organizations to provide neutral, statistically driven tools to settle international disputes. However, this article will show that any attempt to create such a standard will likely repeat the politicization of metrics as befell the ILO a century ago.

The rise of statistical international organizations

Founded in 1919, the League of Nations was not the first international organization, but it deeply expanded the scope of its activities from its forerunners. The League’s agencies, such as the Labour and Health Offices, later to become the International Labour Organization and World Health Organization, inaugurated a new epoch of global governance through ‘world economic statistics’.⁹ This involved collecting, centralizing and standardizing vast quantities of economic and sociological data that could be used to create better comparative standards and regulations between member-states.¹⁰

Similar attempts to utilize statistics in major inter-governmental congresses had occurred prior to the establishment of the League. From 1853 to 1876, several International Statistical Congresses were held, later being relaunched and regularized in 1885 as the International Statistical Institute.¹¹ The discussions held at these congresses aimed to push states towards better means

⁵Development status played a large role in determining the reduction of CO2 emissions and implementation time in both the 1997 Kyoto Protocol and the 2016 Paris Climate Accord. ‘Paris Climate Talks: Differentiation of Developed and Developing Stays, India Happy’, *The Indian Express*, December 13, 2015, <https://indianexpress.com/article/india/india-news-india/paris-climate-talks-differentiation-of-developed-and-developing-stays-india-happy/>; Harro van Asselt et al., ‘Putting the “Enhanced Transparency Framework” into Action: Priorities for a Key Pillar of the Paris Agreement’ (Stockholm Environment Institute, 2016), <https://www.jstor.org/stable/resrep02804>.

⁶Bloomberg [@business], ‘“China’s Viewed as a Developing Nation, India’s Viewed as a Developing Nation . . . as Far as I’m Concerned We’re a Developing Nation Too” —Donald Trump Says the WTO Has Been “Very Unfair” to the US, during a Press Conference in Davos: [#wef20](https://Trib.al/7qGMdDY) <https://T.Co/HQ7CKJT50D>’, Tweet, *Twitter*, (January 22, 2020), <https://twitter.com/business/status/1219949510375497729>.

⁷‘WTO | Development - Special and Differential Treatment Provisions’, accessed June 15, 2020, https://www.wto.org/english/tratop_e/devel_e/dev_special_differential_provisions_e.htm.

⁸‘Memorandum on Reforming Developing-Country Status in the World Trade Organization’, *The White House*, accessed June 15, 2020, <https://www.whitehouse.gov/presidential-actions/memorandum-reforming-developing-country-status-world-trade-organization/>.

⁹Martin Bemmman, ‘Comparing Economic Activities on a Global Level in the 1920’s and 1930’s’, in *The Force of Comparison: A New Perspective on Modern European History and the Contemporary World*, ed. Willibald Steinmetz, New German Historical Perspectives (New York: Berghahn Books, 2019), 243.

¹⁰Patricia P. Clavin, *Securing the World Economy: The Reinvention of the League of Nations, 1920-1946*, 1st edition (Oxford: Oxford University Press, 2013), 19; Bettina Heintz, ‘Numerische Differenz. Überlegungen zu einer Soziologie des (quantitativen) Vergleichs’, *Zeitschrift für Soziologie* 39, no. 3 (2010), <https://pub.uni-bielefeld.de/record/1901517>; Daniel Speich Chassé, ‘In Search of a Global Centre of Calculation’, in *The Force of Comparison*, 266–87.

¹¹Alain Desrosières, *The Politics of Large Numbers: A History of Statistical Reasoning*, trans. Camille Naish (Cambridge, MA: Harvard University Press, 2002), 154; Randraad also confronts the claims that the tension between statistical neutrality

of data collection and towards an increasingly statistical means of governing, from regularizing censuses to collecting data on the spending habits of the poor. Even in 1853, it became clear that a dichotomy was growing between topics that were considered more political, such as questions on the extent of the state's intervention in public life, and questions deemed as more technical and less contentious such as trade, poverty, and crime. Yet these topics also rapidly proved to be just as political and more difficult to resolve than initially anticipated.¹²

The growth of statistics in national administrations would also rapidly find its way into early technical organizations that predated the League or the ILO. The International Telegraph Union (ITU), established in 1865, and the Universal Postal Union (UPU), founded in 1874, played integral roles in regularizing the costs of international communication, requiring clear statistical data on questions such as the number of telegraph lines and the usage of postal services.¹³ The influence of this statistical approach became increasingly evident at major international conferences, including the second Hague Conference (1907), where similar economic statistical measures were presented to determine the number of judges representing each country.¹⁴ Before the advent of the League in 1919, statistics were a natural tool for international organizations, helping to arbitrate various issues from expenses to voting power.

The League dramatically expanded the scope of the work of an international organization, both in the depth of its mandate and in the width of its membership that encapsulated most of the world. To manage such a wide range of responsibilities, the League required a large corps of international functionaries to work at its Secretariat. The same applied to the League's agencies, such as the ILO. A significant role in the work of this international bureaucracy was data collection, where the League proved to be a crucial focal point of international data collection.¹⁵ The League was thus inculcated by the union of the drive for greater statistical governance with the Weberian ideal of a modern, 'rational' bureaucracy to carry out its global governance.¹⁶ In doing so, the League and its agencies would lay the cornerstones for the 'functionalist' theory in international relations, prizing scientific and technocratic global governance over the self-interest of states as argued by 'realists'.¹⁷

In some aspects, however, the League was more overtly political than earlier international organizations such as the ITU and UPU. The permanent membership of its executive body, the League of Nations Council, a precursor to the UN Security Council of today, was selected from the victors of the First World War rather than by any scientific standard. The 1919 Paris Peace Conference that established the League and drafted the Versailles Treaty had been dominated by the 'Big Five' that would secure their position in the League Council: the United States, Great Britain, France, Italy, and Japan.¹⁸ To redress this political imbalance,

and political motivations arose at these early conferences: Nico Randeraad, *States and Statistics in the Nineteenth Century: Europe by Numbers, States and Statistics in the Nineteenth Century* (Manchester: Manchester University Press, 2020).

¹²Randeraad, *States and Statistics in the Nineteenth Century*, 33.

¹³Jens Steffek, *International Organization as Technocratic Utopia* (Oxford: Oxford University Press, 2021), 45; James Donald Cotreau, *Historical Development of the Universal Postal Union and the Question of Membership* (Boston: n.p., 1975); Gabriele Balbi and Andreas Fickers, eds., *History of the International Telecommunication Union: Transnational Techno-Diplomacy from the Telegraph to the Internet* (Berlin; Boston: De Gruyter Oldenbourg, 2020). Siefert makes the case for the important linkages between the ITU and the statistical conferences, especially the 1872 Conference: Marsha Siefert, 'The Russian Empire and the International Telegraph Union, 1856–1875', in *History of the International Telecommunication Union*, 15–36.

¹⁴James Brown Scott, *The Proceedings of the Hague Peace Conferences: The Conference of 1907*, vol. 2 (Oxford: Oxford University Press, 1921).

¹⁵Chassé, 'In Search of a Global Centre of Calculation', 268.

¹⁶Steffek, *International Organization as Technocratic Utopia*, Ch. 1.

¹⁷The growth of the League's international governance and its replacement of the 'dogma of sovereignty' was extensively covered by David Mitrany over four lectures that were published in 1933 in David Mitrany, *The Progress of International Government* (New Haven: Yale University Press, 1933).

¹⁸Antony Alcock, *History of the International Labour Organisation* (Basingstoke: Palgrave Macmillan, 1971), 33. Of course, the United States failed to take its seat at the League, and Germany would later be admitted as a permanent member of the Council in 1926, followed by the Soviet Union in 1934.

the League Assembly voted for several rotating Council members every three years, all of which would have veto powers (unlike the UNSC of today). The League Assembly was once again an inherently political arena, where different states competed for the votes of other member-states to participate on the Council.¹⁹

As an agency of the League, the British representative on the Labour Committee of the Peace Conference wanted to see the ‘Big Five’ of the League Council gain a permanent foothold in the Governing Body of the ILO. This was resisted by Belgium’s representative, Emile Vandervelde, who did not believe that being a war victor was a qualifier for permanent membership of the Governing Body.²⁰ In its stead, permanent membership would be determined by states of ‘Chief Industrial Importance’. This term was not to be defined by diplomats at the Peace Conference but by a specialized committee of experts initially based in London. In doing so, the ILO and the League created a new dichotomy among international organizations, as the ILO attempted to present itself as a more ‘technical’ organization than the more overtly ‘political’ League.

By breaking with the League’s more overtly political means of determining its Governing Body, the ILO distinguished itself from its mother institution from the outset as more technical, expert-driven, and objective.²¹ By creating a limited number of eight permanent seats on the Governing Body, the ILO’s permanent membership was more dynamic than the League’s, as a state’s position on the Body could be threatened if another state’s economic metrics superseded it.²² This would depoliticize the process of appointing the Governing Body, which would reflect the economic progression of states in the future rather than calcifying the Body based on their political situation in 1919.

Despite the differences with the League Council in selecting its Governing Body, the desire to maintain a permanent body of economically advanced states in charge of the organization revealed a note of civilizational, if not developmental vanguardism in the institution. Assuming that the states of industrial significance would generally be leaders in the field of labour regulation, these states—geographically European besides the United States and Japan—could set the agenda and modernize labour relations in less industrially developed states. Arthur Fontaine, the newly appointed Chairman of the ILO’s Governing Body, defended the Governing Body’s composition. He argued that it was better to have permanent members close to Geneva who could easily convene every two to three months without travelling large distances and that the work was largely administrative.²³

Many member-states deemed Fontaine’s response as inadequate, but what the drafters of the metrics behind Chief Industrial Importance did not predict would be a widescale revolt of states which disagreed with the result of the statistical standard. Many of these came from competing European states who felt unfairly judged by the standard and newly formed European successor states forged out of the collapsed Russian and German Empires, such as Poland. What the drafters had counted on even less was that the principal objection to their standard would arise from a colonial polity from Asia, such as British India.²⁴

¹⁹Charles Howard-Ellis, *The Origin, Structure & Working of the League of Nations* (Boston: Houghton Mifflin, 1929), Ch. 6.

²⁰Moreover, it allowed the defeated central powers of Germany and Austria, who had been excluded from the League to join the ILO, Alcock, *History of the International Labour Organisation*, 33.

²¹This is well described as the phenomenon of ‘We don’t do politics’ in Marieke Louis and Lucile Maertens, *Why International Organizations Hate Politics: Depoliticizing the World* (London: Taylor & Francis, 2021).

²²This occurred twice: the first time with Germany’s admission to the League in 1926, followed by the admission in 1934.

²³This did not take into account the possibility of having permanent representatives, or the fact that American and Japanese delegates had to travel large distances: Alcock, *History of the International Labour Organisation*, 41.

²⁴Bemmann, ‘Comparing Economic Activities on a Global Level in the 1920’s and 1930’s’, 250–51.

India's 'anomalous' membership in the international system

The membership of Colonial India and the British Dominions (Australia, Canada, New Zealand, South Africa)—domestically self-governing colonies—to the ILO and the League of Nations was a particularly contentious point in the negotiations around the creation of the ILO. Most significantly, it raised concerns among other member-states about the extent to which Dominion membership was independent or directed by Britain.²⁵ But among these colonies, India posed a particular set of problems for the question of industrial importance. The Dominion economies, which showed relatively high economic indicators, were more sparsely populated and unlikely to threaten European states for a top role on the Governing Body.²⁶ India's economy, with its vast population and aggregate output, overshadowed all but the biggest world economies, yet its relative metrics were very low compared to European economies.²⁷

As British colonies, the accession of the Dominions and India to the League and the ILO seemed to many member-states anomalous – countering the notion of the equality of states and the political independence of states' actions at the organization. For British negotiators, however, the inclusion of several of their key colonies was seen as the natural balancing of the fact that sovereign equality did not represent the natural inequalities of the Great Powers in world politics.²⁸ The opposition to the voting equality of states at international organizations had been increasingly commonplace in British policy, from the 1907 Hague Conference to the Paris Peace Conference, which has often been seen as a form of imperial vote-stuffing.²⁹ However, throughout the Paris Peace Conference, much of the impetus for representation came from Dominion leaders, who sought to expand their autonomy and standing in the British Empire and world politics.³⁰ Ultimately, these colonies would gain membership through a craftily drafted loophole allowing automatic accession for the original signatories of the Treaty of Versailles.³¹

As signatories of the Treaty of Versailles, the membership of the Dominions and India to the ILO was all but confirmed. However, there was still robust resistance to the idea of the British Dominions and India gaining a seat on the ILO's Governing Body, considering that Britain was certain to become a state of Chief Industrial Importance once the London Committee had finalized its metrics. In the United States, there was resistance to joining an organization such as the League and the ILO, in which the British Empire commanded six votes.³² The American representative at the Labour Conference in Paris, Henry M. Robinson, proposed allowing the individual US States to become member-states, although this draft did not pass.³³

²⁵David Hunter Miller, the legal advisor to the American delegation at the League of Nations, called India's inclusion an 'anomaly among anomalies', a well-known quote with those familiar with the field of colonial representation at the League: David Hunter Miller, *The Drafting of the Covenant*, vol. 1 (London: G.P. Putnam's Sons, 1928), 493; Dina Nath Verma, *India and the League of Nations* (Patna: Bharati Bhawan, 1968), 20.

²⁶As we shall later see, Canada did indeed gain a seat due to the length of its railways, an aggregate metric.

²⁷See Table 1 for a breakdown of the rankings awarded in the selection of the Governing Body.

²⁸See the Phelan Memorandum in Alcock, *History of the International Labour Organisation*, 23.

²⁹Frederick Charles Hicks, 'The Equality of States and the Hague Conferences', *The American Journal of International Law* 2, no. 3 (1908): 543–8; The official British position published by Lord Phillimore reveals that the British did not think that the equality of votes adequately represented its power and size. However, many abroad, particularly Republicans in the United States saw Britain's actions as vote-stuffing: Thomas Gidney, ed., 'An Anomaly among Anomalies': *Colonial Membership of the League of Nations* (Geneva: Graduate Institute of International and Development Studies, 2021), 64–6.

³⁰Canadian Premier Robert Borden was particularly vigilant in ensuring that Dominion membership was equal to that of other members: J.T. Shotwell, *The Origins of the International Labor Organisation* (New York: Columbia University Press, 1934), 210.

³¹Charles Anthony Woodward Manning, *The Policies of the British Dominions in the League of Nations* (Geneva: Graduate Institute of International Studies, 1932), 30; Verma, *India and the League of Nations*, 16–17; Karl Joseph Schmidt, *India's Role in the League of Nations, 1919-1939* (Gainesville: Florida State University, 1994), 52.

³²Peter J. Yearwood, *Guarantee of Peace: The League of Nations in British Policy 1914-1925* (Oxford; New York: Oxford University Press, 2009), 112–24.

³³The discussion was over the drafting of Article 34 of the Labour Convention, that allowed the Dominions and India membership as separate entities to Great Britain: Shotwell, *The Origins of the International Labor Organisation*, 172.

The Secretary of State for India, Edwin Montagu, a member of the British Cabinet, appointed members of the Indian delegation to the League of Nations and the ILO. The delegation, selected for political loyalty to the British Raj and administrative experience, consisted primarily of British colonial officers, Indian administrators with former experience within the Government of India, and Indian princes.³⁴ This would also be the case for India's delegation to the ILO.³⁵ The effort to secure India's representation on the ILO's Governing Body was thus not carried out by elected Indian officials, but this amalgamation of Indian 'loyalists' led by British bureaucrats.³⁶

This umbilical connection between the Indian delegation and the British government played a crucial role in India's struggle for a seat on the Governing Body. The British government became increasingly concerned about the ILO's expense and the scope of its activity, warning that it could become a 'fourth International' bypassing governments and talking directly to trade unions. Yet some saw advantages in the ILO, believing that its modernization of global labour standards would make foreign powers less competitive and alleviate the 'dumping of goods produced abroad under sweated conditions'.³⁷ By having a separate membership to Britain at the ILO, India was no longer subject to Britain's Labour Conventions.³⁸ Therefore, the separate representation of British colonies at the ILO allowed the disaggregation of the Empire's international labour reforms through the ILO.

Nonetheless, the Indian delegation's obvious political connection to a British Cabinet member, the very different nature of India's economy and its politics to that of the Dominions and Britain, meant that the Secretary of State was reactive to domestic concerns. Throughout the drafting of the Covenant of the League at Paris in 1919, there had been widescale resistance to colonial rule and the maintenance of repressive wartime laws called the Rowlatt Acts that would culminate in the bloody backlash from British troops at Amritsar in April 1919. Moreover, the antebellum period saw the rapid rise of Indian trade unionism, with the foundation of the first registered trade union in Madras in 1918 and the first trade union federation in India, the 'All Indian Trade Union Congress' (AITUC), in 1920. The formation of the AITUC had aimed to represent Indian workers delegates to the ILO better, but its formation occurred nearly a year following the Indian delegation's attempt to challenge the composition of the Governing Body.³⁹

Although the India Office attempted to mitigate the effects of growing industrial disputes in India, combined with an exponentially more vocal 'Home-Rule' movement, there was also pressure from within India to maintain lower labour standards.⁴⁰ Business owners in India, both British and Indian, enjoyed an opt-out to some of the same labour standards due to India's lack of industrial development. Meanwhile, India's 500+ quasi-autonomous Princely states that covered around a third of the landmass of British India claimed to be outside India's jurisdiction and not subject to ILO resolutions adhered to by India.⁴¹ By not following ILO labour standards, Indian

³⁴For an explanation of India's 565 Princely States' relationship to the ILO and its resolutions, see Stephen Legg, 'An International Anomaly? Sovereignty, the League of Nations and India's Princely Geographies', *Journal of Historical Geography* 43 (1 January 2014): 96–110.

³⁵Although India would have greater liberty of action at the ILO than at the League, its government delegation was still appointed by the Secretary of State for India: Lanka Sundaram, 'India and the International Labour Organisation', in *India Analysed: International*, vol. 1, ed. Alfred Zimmern (London: Gollancz, 1933), 75–6.

³⁶The most prolific member of the Indian delegation in securing India's seat on the Governing Body was a British administrator called Louis Kershaw.

³⁷'Draft Conclusion of a Meeting of the Cabinet', 23 December 1920, IOR/L/E/7/1193, File 234, British Library, India Office Records. The exclusion of 'low-cost' Indian labour is also mentioned in Daniel Maul, *The International Labour Organization: 100 Years of Global Social Policy* (Berlin: Walter de Gruyter, 2019), 78.

³⁸That said, exceptions were created to mitigate the full impact of this decision: Alcock, *History of the International Labour Organisation*, 33.

³⁹Carolien Stolte, 'Bringing Asia to the World: Indian Trade Unionism and the Long Road towards the Asiatic Labour Congress, 1919–37', *Journal of Global History* 7, no. 2 (July 2012): 259–60.

⁴⁰Extract from His Excellency the Viceroy's Speech' (Gazette of India, 4 September 1920), IOR/L/E/7/1193, File 234, British Library, India Office Records.

⁴¹These 560 or so 'Princely States' made up around a third of Colonial India's territory: Legg, 'An International Anomaly?'

Princely states aimed to gain a competitive economic advantage over directly governed British territories, putting more pressure on the Government of India to loosen labour regulations.⁴²

The Secretary of State for India also saw India's membership of international organizations as part of a longer-term plan of constitutional devolution for India that had been promised during the First World War. India's entry into the League of Nations complemented ongoing plans for legislative reform in India by granting India an international personality at Geneva whilst still maintaining control over its delegation.⁴³ Similarly, through the ILO, Montagu wanted a symbolic gesture of India's progression towards better labour regulations whilst simultaneously seeking not to implement those standards by maintaining opt-outs due to India's lack of development.⁴⁴ He claimed that 'it is inevitable that the interests of Western and Eastern countries must clash' and that it was 'desirable for Eastern countries should be represented on a body which under the Treaty has been vested with important functions'.⁴⁵ For Montagu, it was important for India's representation to be formally distinct from Britain's, even if it did not dissent from its line of policy, to assure Indians that the particularities of India's vast but undeveloped economy were not misrepresented by the necessities of Britain's own economic goals.

India's bid for membership on the Governing Body from 1919 until 1921 was therefore not instigated by any elected Indian representative but by British and Indian officials appointed by a British Cabinet member. India's bid for a place on the Governing Body was thus highly ambiguous. The nature of India's colonial economy differentiated it from its European competitors. However, its bid for a seat was propelled by British civil servants to multiply its representation and satisfy calls for greater Indian autonomy within the Empire.⁴⁶

The Washington Labour Conference and the first metrics (1919-20)

The Committee assigned at the Paris Peace Conference to define 'Chief Industrial Importance' was under pressure to select the new Governing Body before the Washington Labour Conference.⁴⁷ This would allow the Governing Body to be complete by the start of the conference in Washington so that the ILO could begin to implement resolutions quickly.⁴⁸ The Committee met in London to establish the following criteria to assess industrial importance:

The four absolute criteria were:

- (1) Industrial population (including mines and transport).
- (2) Horsepower used in industry.
- (3) Length of railway track.
- (4) Size of Mercantile Marine.

The three relative criteria were:

⁴²Sundaram, 'India and the International Labour Organisation', 79.

⁴³Gidney, 'An Anomaly among Anomalies'.

⁴⁴India did not want to be subject to the same conventions on working hours as other states: Verma, *India and the League of Nations*, 148.

⁴⁵Montagu to Drummond', 7 October 1919, IOR/L/E/7/1193, File 234, British Library, India Office Records.

⁴⁶One analysis of India's position in the ILO states 'In effect, a dependency of the British Empire, and actually legally governed from Whitehall, though enjoying a rudimentary type of representative government, India, by achieving this unique position, demonstrated the fact that a new yeast is leavening the constitutional fabric of the British Commonwealth.' Sundaram, 'India and the International Labour Organisation', 68.

⁴⁷Appendix Iii. Note by Mr. Arthur Fontaine on the Work of the Committee Appointed to Determine the Characteristics of the Industrial Importance of a Country', 14 March 1922, 102, ILO Public Documents, <https://www.ilo.org/public/libdoc/ilo/P/09601/09601%281922-12%29.pdf>.

⁴⁸'International Labor Conference' (Washington Government Printing Office, 1920), 13, ILO, <https://www.ilo.org/legacy/english/lib/century/sources/sources1919.htm>.

- (5) Relation of the industrial population to the total population.
- (6) Relation of horsepower to the total population.
- (7) Relation of railway track to the state's total area.⁴⁹

The Committee assigned index numbers, awarding 100 points to the state with the highest value in that metric, whilst other states would be given an index based on its value relative to the highest-scoring state. They awarded double points to three of the four absolute criteria: industrial population, horsepower, and the size of the merchant marine but not to railway length. This meant that the aggregate metrics were still considered more important than relative ones to distinguish the larger economies of Britain and France from other European contenders. But the inclusion of three relative indicators would ensure that European economies usually scored higher than non-European ones. Moreover, if the Committee were faced with two states with equal aggregate productive capacity, they would select the state with the smaller industrial population, reflecting its economic development over the other.⁵⁰

Table 1 reveals a breakdown of the index scores conferred by the London Committee based on the statistics provided in Table 2.⁵¹ Despite this attempt to avoid automatically granting the 'Big Five' of the League Council a permanent position on the Governing Body, all five (the United States, Britain, France, Italy, and Japan) were selected, as well as Germany, Belgium, and Switzerland.⁵² Spain was also chosen as a possible replacement if Germany, deemed a pariah state by many after the First World War, was blocked from taking up membership in the ILO. Despite the double-weighted criteria being absolute values, the Committee had thus returned a highly European Governing Body, except for the United States and Japan.

The predominance of European states on the Governing Body was undoubtedly not lost on non-European members of the ILO. Europe had taken a position of preponderance in many international forums prior to the creation of the League and the ILO, marginalizing non-Western states as 'inferior' in a series of different areas from culture, law, race, and economic development. Relative economic metrics of industrialization were indicative of this form of 'Civilizational' progress and had generally been dismissive of non-Western economies as 'backwards'.⁵³

By the turn of the twentieth century, many non-European states hoped that states such as Japan had begun to disintegrate the binary distinction between Western civilization and Eastern 'barbarism' that had defined European international society in the nineteenth century. Japan had successfully repealed demarcating symbols of its perceived civilizational, economic, and legal 'inferiority' through its rapid modernization and conformity to Western legal and cultural norms. However, Britain and the United States rebuffed its attempts to introduce a racial equality clause in the Treaty of Versailles. Meanwhile, Japan's armed forces had humiliated a major European Power, Russia, in a conflict over the Korean peninsula whilst securing an alliance with Great Britain as a nominally sovereign equal.⁵⁴ Therefore, Japan's membership in the Governing

⁴⁹Bemmann, 'Comparing Economic Activities on a Global Level in the 1920's and 1930's', 249; 'Appendix Iii. Note by Mr. Arthur Fontaine on the Work of the Committee Appointed to Determine the Characteristics of the Industrial Importance of a Country.'

⁵⁰Arthur Fontaine, 'Report of the Committee Appointed to Consider the Criteria to Be Adopted in the Selection of the Eight States of Chief Industrial Importance', 31 May 1922, IOR/L/E/7/1193, File 234, British Library, India Office Records.

⁵¹The most detailed tables published by the ILO of the states of Chief Industrial Importance were produced in 1921 after the United States, which initially was awarded the first place, opted not to join the ILO until 1934 and was omitted from future tables and reports.

⁵²Alcock, *History of the International Labour Organisation*, 40.

⁵³Amoore, Wilkinson, and Germain, *Global Standards of Market Civilization*; Tzouvala, *Capitalism as Civilisation*.

⁵⁴Kayaoglu, *Legal Imperialism*; The refusal of Western states at the Paris Peace Conference to accept Japan's clause on racial equality however undermines the idea that Japan was viewed in a position of parity to the West however: Thomas W. Burkman, *Japan and the League of Nations: Empire and World Order, 1914–1938* (Honolulu: University of Hawaii Press, 2007).

Table 1. States Classified According to the Seven Characteristics of the London Committee through the use of index numbers (100 being awarded to the highest member-state).⁵⁵

Rank	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Characteristics	United Kingdom	Germany	France	Canada	Italy	Belgium	Japan	India	Switzerland	Norway	Czecho-Slovakia	Sweden	Netherlands	Denmark	Poland	Argentina	Spain	Brazil
A. Industrial Population ...	100	91.6	61.5	9.6	42	10.4	38.4	61.5	7.6	2.6	19.2	4.6	6.3	3.1	16.1	2.8	10	1.2
B. Length of railways ...	59.6	90.6	93.3	100	34.4	14.9	24.4	92.3	7.9	5	21.3	23.6	5.3	6.7	25.8	56.4	24.5	46.8
C. Horse-power ...	100	76.6	61.2	21.3	23.7	12.1	31.1	10.7	6.6	9.7	7.4	13	7.3	2.7	5.6	6.2	5.7	
D. Merchant Marine ...	100	3.6	17.7	5.3	13.7	2.3	16.3	1	0.4	13.3	1.1	5.9	9.8	4.4		0.8	5.4	2.7
Absolute Total	359.6	262.4	233.7	136.2	113.8	39.7	110.2	165.5	22.5	30.6	49	47.1	28.7	16.3	47.5	66.2	45.6	50.7
E. Relation of the Industrial population to total-population ...	100	72.4	73.9	51	51	65.9	31.8	9.05	92.7	47.8	66.2	36.9	43.1	44.9	28.9	15.5	22.1	2
F. Length of Railways per square kilometre ...	37.2	37.5	33.3	2.02	21.7	100	12.5	3.8	37.7	3.07	29.3	10.3	31	30.7	13	3.7	9.5	1.7
G. Horse-power per head ...	57.7	34.6	42.3	65.7	16.5	44	14.9	0.9	46	100	14.8	60	29.2	17.5	5.8	20	7.4	
Relative total ...	194.9	144.5	149.5	118.7	89.2	209.9	59.2	13.75	176.4	150.9	110.4	107.2	103.3	93.1	47.7	39.2	39	3.7
2(A+C+D)+(B+E+F+G)	854.5	578.7	523.6	291.1	282.4	274.4	254.2	252.45	213.5	207.1	187.1	177.8	155.4	119	116.9	115.2	106.7	57.7

⁵⁵Corrado Gini, 'Memorandum upon the Criteria to Be Adopted in the Selection of the Eight States of Industrial Importance'.

Table 2. Table of statistics of the states of ‘Chief Industrial Importance’

Rank	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Characteristics	United Kingdom	Germany	France	Canada	Italy	Belgium	Japan	India	Switzerland	Norway	Czecho-Slovakia	Sweden	Netherlands	Denmark	Poland	Argentina	Spain	Brazil
A. Industrial Population (in millions)	13	12	8	1.25	5.47	1.36	5	8	1	0.35	2.5	0.6	0.815	0.41	2.1	0.362	1.3	0.152
B. Length of railways (in thousand km)	38.2	58	59.7	64	22	9.6	15.6	59.1	5	3.25	13.6	15.1	3.4	4.3	16.5	36.1	15.7	30
C. Horse-power (in million HP)	10.75	8.26	6.6	2.3	2.55	1.3	3.35	1.15	0.713	1.05	0.8	1.4	0.795	0.23	0.61	0.678	0.618	
D. Merchant Marine (per million tonnes)	18.33	0.67	3.25	0.976	2.516	0.415	2.996	0.186	0.08	2.429	0.208	1.073	1.793	0.803		0.15	0.997	0.498
E. Relation of the Industrial population to total-population (%)	27.6	20	20.4	14.1	14.1	18.2	8.8	1.5	25.6	13.2	18.3	10.2	11.9	12.4	8	4.3	6.1	0.56
F. Length of Railways per square kilometre (total area/railway length)	0.121	0.12	0.11	0.007	0.071	0.325	0.0408	0.0126	0.123	0.01	0.0955	0.0337	0.101	0.1	0.0426	0.0123	0.0311	0.004
G. Horse-power per head (total pop/HP)	0.229	0.14	0.17	0.261	0.066	0.175	0.0593	0.0036	0.183	0.3971	0.0588	0.2384	0.116	0.07	0.0231	0.0789	0.0294	

Body was fully compatible with the perception that the Commission was replicating the European world order in its Governing Body.

Nonetheless, complaints about the composition of the Governing Body were not restricted to non-European states. Other European states that had not made the cut felt like the metrics had not reasonably considered their economic situation. Successor states to the former Russian and German Empires, such as Poland and Czechoslovakia, had been effectively excluded for lack of up-to-date statistical data, a rare luxury to acquire in the midst of building a new state in the wake of the First World War and the collapse of Empires.⁵⁶ These nascent states could not easily disaggregate their data from their former empires and had not been considered by the Committee. Similar misgivings were also made to omit China as a state of Chief Industrial Importance.⁵⁷ Other, more established European states, such as the Netherlands and Sweden, were dissatisfied with the Commission's decision to award seats to smaller European economies such as Switzerland and Belgium.⁵⁸

Whereas other European states challenged their counterparts on similar economic metrics, it was India that raised serious concerns about the definitions of specific metrics, particularly that of 'industrial population'. The Indian delegation, which had submitted its complaint against the new composition of the Governing Body days after it was selected at the Washington Conference, argued that the Governing Body should include a better reflection of aggregate metrics by having an expansive definition of 'industrial population'.⁵⁹ India's Secretary of State, Edwin Montagu, argued that determining the Body based on industrial efficiency would not be 'equitable' and that the Committee should select based on the number of workers that the ILO's industrial regulation would affect.⁶⁰ As the ILO's work covered the regulation of matters regarding agriculture and industry, the Indian delegation argued that the total industrial population should include agricultural workers. Moreover, the Committee's definition had excluded many artisanal producers, privileging the more modernized proletarian labour force working with mechanical means of production over smaller workshops and handicrafts that constituted a large but difficult-to-quantify section of India's working population.⁶¹

The Indian delegation also argued for a greater diversity of states within the ILO's European-dominated Governing Body by introducing India as another Asian state alongside Japan. Montagu asserted that India and other Eastern states stood to gain more from a permanent position on the Governing Body because their economies were 'backwards'. This called into question the overall necessity to have relative economic indicators as a basis for a place on the Body, undermining the belief that European states should act as a vanguard in modernizing labour standards.⁶² China backed India's complaint, with both states stating that they represented a third of the world's population. However, China chose not to pursue an official complaint or a seat on the Governing Body at this time.⁶³ Both India and China, supported by Siam and Persia, were angered at the lack of the Governing Body's diversity and refused to vote for the four elected and rotating government positions on the Body.⁶⁴

⁵⁶Verma, *India and the League of Nations*, 152.

⁵⁷Bemmann, 'Comparing Economic Activities on a Global Level in the 1920's and 1930's', 251–2.

⁵⁸Eric Drummond, 'Report of the Committee Appointed to Consider the Criteria to Be Adopted in the Selection of the Eight States of Chief Industrial Importance', 26 June 1922, IOR/L/E/7/1193, File 234, British Library, India Office Records.

⁵⁹Kershaw to Drummond', 6 October 1919, IOR/L/E/7/1193, File 234, British Library, India Office Records.

⁶⁰Montagu to Drummond'.

⁶¹Annex 2 "Statistics Relating to the States of Chief Industrial Importance" to the Report of the Committee Appointed to Consider the Criteria to Be Adopted in the Selection of the Eight States of Chief Industrial Importance', 31 May 1922, 2, IOR/L/E/7/1193, File 234, British Library, India Office Records.

⁶²Montagu to Drummond'.

⁶³M. Phelan, 'Draft Letter to the Chinese Delegation', 26 April 1920, D700/002/13, ILO archive. The reasons for China's decision not to pursue a seat are not clear from the position of the ILO and British Library archives, and deserves further research.

⁶⁴Resume of Facts Relating to the Indian Claim to Representation on the Governing Body of the International Labour Office', 30 August 1920, D700/002/33, ILO archive.

India's position began to gain momentum when the South African delegate, William Gemmill, and twenty Latin American states declared their 'disapproval' of the near European monopoly on the Body's composition.⁶⁵ Rather than propping up the European bloc of states, Britain joined the dissenters, a position it stood to benefit from as its position on the Body was not threatened and opened the possibility for more of its colonies to take a place alongside it.⁶⁶ However, the Committee made it clear that although it might be desirable for a diversity of states on the Body, it was incompatible with the statistical standard of industrial importance.⁶⁷

As the Indian delegation began to put increasing pressure on the Organising Committee to disclose how it had created its metric for industrial importance, it became increasingly clear that other political machinations were behind the selection of the Governing Body. The India Office's connection to the British government made it significantly easier to seek answers from the British representative on the Organising Committee, Malcolm Delevinge. Delevinge admitted that there was little statistical basis for selecting the states of industrial importance due to the difficulty in collecting data prior to the start of the conference in Washington. Instead, the Committee selected states 'popularly supposed to be of chief industrial importance'.⁶⁸ Under pressure to explain the basis for selection, the Committee responded that they had selected two very different economies, such as Belgium and Spain, based on their industrial development. The Committee chose Switzerland for its historic role in regulating labour issues.⁶⁹ Japan, which had a rapidly transitioning economy, was chosen for being 'one of the Great powers' and for its commercial position in East Asia.⁷⁰ The Committee had thus clearly deviated from its own metrics when assigning states but refused to be moved by complaints made after the selection.

The Committee had also faced immense political barriers in awarding seats to India and Canada. United States representative, Mr Robinson, opposed the inclusion of India or Canada on the Governing Body. American public opinion was turning against the notion of the United States adhering to an international system wherein the British Empire wielded six votes to their one.⁷¹ As the Conference in Washington was underway, the United States Senate refused to ratify the Versailles Treaty, blocking the United States' admission to the League. The British Ambassador to the United States, Viscount Grey, aimed to mediate the solution by considering the Lenroot Reservation, which would allow the United States to ignore any League decisions on which multiple parts of the British Empire had voted.⁷² Later calculations would show that India was far ahead of Switzerland in its metrics of industrial importance. Still, American suspicions of British hegemony in the international system would play a prominent role in excluding India from securing a position on the Governing Body.⁷³

With growing certainty that the United States would not join the League nor the ILO, the newly appointed Governing Body (rather than the Committee that had defined industrial importance) decided that Denmark would temporarily preside over the United States' seat. Rather than being

⁶⁵Louis Kershaw and Atul Chatterjee, 'Report of the Delegates of the Government of India to the International Labour Conference, Washington, 1919', 1 January 1920, 13.

⁶⁶G. Spiller, 'Note Sur l'Inde et La Composition Du Conseil d'Administration', 17 March 1920, D700/002/13, ILO archive.

⁶⁷Arthur Fontaine, 'Article 393 of the Treaty', 8 October 1919, IOR/L/E/7/1193, File 234, British Library, India Office Records.

⁶⁸Kershaw to Drummond'.

⁶⁹The Swiss Government had promoted the idea of an international organization to regulate labour since 1889: Alcock, *History of the International Labour Organisation*, 10.

⁷⁰Reform of the Constitution of the Governing Body of the International Labour Office. Annex E. II - The Case of India', 1921, IOR/L/E/7/1193, File 234, British Library, India Office Records.

⁷¹Alcock, *History of the International Labour Organisation*, 34; 'Fix Vote Equal to Britain's', *New York Times*, August 29, 1919, Proquest, <https://search.proquest.com/docview/100432610?accountid=9735>.

⁷²Yearwood, *Guarantee of Peace*, 143.

⁷³India scored a total of 252.45 in the indices to Switzerland's 213.5 'Annex 2 "Statistics Relating to the States of Chief Industrial Importance" to the Report of the Committee Appointed to Consider the Criteria to Be Adopted in the Selection of the Eight States of Chief Industrial Importance'.

chosen on a statistical basis, as several states outranked it, the Governing Body selected Denmark due to it almost being voted as a rotating member of the Governing Body and a desire to represent a northern European country.⁷⁴ But it was a perplexing choice for many, particularly the Indian delegation, which found the decision ‘patently unjustifiable’, with several states, including India, ranking higher than Denmark (see Table 1).⁷⁵

The Indian delegation complained that the selection of Denmark was a deviation from the statistical standard of industrial importance. Due to its population size, India was ranked as a ‘first-class’ state at the League, which determined its financial contributions. The Indian delegation thus threatened to reduce its contributions to the ILO if it did not abide by its own statistical standard to determine the Governing Body.⁷⁶ The Organising Committee responded by stating that there was insufficient statistical data to accurately calculate the metrics, especially as the war had warped the economic data in many countries. The Committee asked the Indian delegation to wait until 1922 when the new non-permanent Governing Body members would be selected.⁷⁷ Impatient, the Indian delegation attempted to gain Argentina’s rotating seat on the Governing Body, as Argentina had essentially withdrawn from the League and the ILO and refused to pay its membership fee. The League’s Secretary General rebuffed the idea, allowing Argentina to carry on its mandate in absentia.⁷⁸

Despite the ILO’s early attempts to distinguish its selection of the Governing Body as depoliticized compared to the League, it was still intricately tied to its mother organization through the League’s Covenant. Failing to gain the ILO’s support for membership of the Governing Body, the Indian delegation called upon the League Council to intervene, denouncing the ILO’s selection proceedings as ‘irregular and open to challenge’.⁷⁹ Under Article 393 of the Versailles Treaty, the Council of the League of Nations was to respond to any question over which member-states constituted states of Chief Industrial Importance. However, many of the ILO’s Governing Body’s permanent members also presided over the League Council. The Indian delegation needed to make an overwhelming case for the primacy of aggregate criteria over relative ones if it were to dislodge other states from the Governing Body.

At the meeting of the League Council at San Sebastian, the British delegate, Arthur Balfour, unsurprisingly sided with India gaining a seat, stating that its ‘peculiar’ position as a large but relatively undeveloped economy could be of service to European states.⁸⁰ India’s calculations for its industrial population alone would dwarf all its European competitors.⁸¹ Predictably, the European states on the League Council, Italy and France, did not share Balfour’s opinion that India’s membership would benefit them and urged that a better selection of metrics be selected to define Chief Industrial Importance. Deeming that a reconfiguration of the ILO’s Governing

⁷⁴International Labour Conference, First Annual Meeting, October 29th–November 29th 1919’ (Washington Government Printing Office, 1920), 131, [https://www.ilo.org/public/libdoc/ilo/P/09616/09616\(1919-1\).pdf](https://www.ilo.org/public/libdoc/ilo/P/09616/09616(1919-1).pdf).

⁷⁵Denmark only scored 119: ‘Annex 2 “Statistics Relating to the States of Chief Industrial Importance” to the Report of the Committee Appointed to Consider the Criteria to Be Adopted in the Selection of the Eight States of Chief Industrial Importance’. ‘Note by the Indian Delegation. Item No. 20 on the Assembly Agenda.’, November 1920, IOR/L/E/7/1193, File 234, British Library, India Office Records.

⁷⁶Walton to Kershaw’, 21 November 2020, IOR/L/E/7/1193, File 234, British Library, India Office Records.

⁷⁷Arthur Fontaine, ‘Article 393 of the Treaty’.

⁷⁸Claim of India and the Suggestion RE Her Replacement of the Argentine’, 1920, D700/002/33/1, ILO archive; ‘Letter to Eric Drummond Concerning Argentina’s Seat on the Governing Body of the ILO’, 7 January 1921, D700/002/33/1, ILO archive.

⁷⁹Louis Kershaw and Atul Chatterjee, ‘Report of the Delegates of the Government of India to the International Labour Conference, Washington, 1919’; Verma, *India and the League of Nations*, 154.

⁸⁰Procès Verbal of the Eighth Session of the Council of the League of Nations Held in San Sebastian, from July 30th to August 5th 1920’, n.d., Progs., Nos. 35–40, 1920, National Archives of India.

⁸¹India Office, ‘Memorandum on the Claim of India to Be Included among the Eight States of Chief Industrial Importance’, April 1920, IOR/L/E/7/1193, File 234, British Library, India Office Records.

Body during its first tenure would be ‘inexpedient’, the League Council ruled that new metrics should be drafted for the Governing Body’s next term in 1922.⁸²

Corrado Gini and the intervention of the ‘expert’ (1920–22)

The Committee and the League Council’s dismissal of states’ grievances towards the Governing Body’s definition of industrial importance undermined the ILO’s legitimacy as a scientific and expert-driven institution. The Indian delegation was convinced that its exclusion had been purely political and not based on any reflection of its economic output.⁸³ To increasingly discredit the selection procedure, the Indian delegation raised the issue at the League’s Assembly, which consisted of all member-states. It was not within the Assembly’s prerogative to adjudicate the decision, but the Indian delegation wanted to leverage the court of inter-state opinion to bear on the Council.⁸⁴ However, the Council deemed any unilateral attempt by a state to change the metrics risked rendering the Governing Body ‘unconstitutional’ and throwing ‘doubt upon all the work done by the Office to the present’.⁸⁵

The ILO was faced with a stark choice. Either to abandon the idea of using a statistical standard such as industrial importance, or to change the metrics. The ILO’s Committee in charge of constitutional reform seriously considered abandoning industrial importance but safeguarding permanent membership for six states: Britain, France, Germany, Italy, Japan, and, if it were to join in the future, the United States.⁸⁶ This would have made the ILO’s selection process no different than the League of Nations Council. Instead, the ILO’s Committee chose the latter and sought to pursue a seemingly more scientific set of metrics. To appeal to expert authority, the Committee appointed the economist Corrado Gini to begin drafting new metrics. Gini, later the author of the income inequality measuring coefficient that bears his name, was already a renowned statistician who had dedicated much of his recent statistical work towards the Italian reconstruction in the wake of the war.⁸⁷ Through the publication of his new journal, *Metron*, Gini became the standard-bearer for new forms of statistical, quantitative, and ‘scientific’ governance, which would later underpin the economic policy of Fascist Italy in the 1920s.⁸⁸

Gini requested data from five indices from its member-states: aggregate private wealth, the value of production, the value of the state’s properties, the state’s total public debt, and local government debts. These metrics were to be calculated for the years prior to the First World War, thus judging countries’ applicability on their pre-war economies, discounting either the damage or industrial development incurred during the war.⁸⁹ Yet, statistics before 1914 were difficult to collect. The Government of India had stats regarding its public debt but admitted it a virtual impossibility to accurately calculate India’s private wealth and production.⁹⁰

India was not the only state that had difficulty in supplying statistical data. When Gini’s commission finally released its report, it adopted a broader spectrum of metrics to reflect available data, leading to eight criteria over what had formerly been seven. The four absolute indices would be:

⁸²Report Presented by the Japanese Representative, M. Matsui and Adopted by the Council of the League of Nations Meeting at San Sebastian’, 5 August 1920, IOR/L/E/7/1193, File 234, British Library, India Office Records.

⁸³Louis Kershaw, 28 August 1920, IOR/L/E/7/1193, File 234, British Library, India Office Records.

⁸⁴Note by the Indian Delegation. Item No. 20 on the Assembly Agenda.’; Verma, *India and the League of Nations*, 155.

⁸⁵Walter Layton to Drummond’, 15 September 1920, IOR/L/E/7/1193, File 234, British Library, India Office Records.

⁸⁶Memoire Sur La Reforme de La Constitution Du Conseil d’Administration’, 29 April 1920, D700/008, ILO archive.

⁸⁷Giovanni Maria Giorgi, ‘Corrado Gini: The Man and the Scientist’, *METRON* 69, no. 1 (1 April 2011): 2.

⁸⁸Giovanni Favero, ‘A Reciprocal Legitimation: Corrado Gini and Statistics in Fascist Italy’, *Management & Organizational History* 12, no. 3 (3 July 2017): 261–84.

⁸⁹Drummond to Montagu’, 7 June 1921, IOR/L/E/7/1193, File 234, British Library, India Office Records.

⁹⁰Viceroy to Montagu’, 19 August 1921, IOR/L/E/7/1193, File 234, British Library, India Office Records Calculating India’s GDP remains a highly difficult task.

- (1) The number of workers in each State who require protection by international regulation of labour conditions;
- (2) The number of workers who emigrate from or immigrate into the State, a number which can in practice be taken to be the same as the total figures for immigration and emigration;
- (3) The value of the total net production – that is to say, the value of the income of the nationals of the State, deducting the income derived from external sources and adding the income of foreigners which is derived from the country itself;
- (4) The value of exports and imports — that is to say, of the special trade of the country, excluding transit trade.

The four relative indices were:

- (1) The ratio between the number of workers in each State and the total of the adult population, a coefficient proportional to the number and effectiveness of the regulations which protect him being applied to each worker;
- (2) The ratio between the number of workers who emigrate or immigrate and the total population;
- (3) The ratio between the total net production of the country and its adult population;
- (4) The ratio between the amount of special trade, and the value of the total net production.⁹¹

Rather than focus on various industrial categories, Gini's were considerably more anthropocentric by including immigration as a determinant of industrial importance. However, Gini's interpretation of whether the term 'industrial' covered agricultural producers was relatively narrow. Industrial activities were defined by their 'intensity' and 'specialisation', with the ILO's role being to regulate the relations between capital and labour. Therefore, only some agricultural roles, such as distillery workers, could be considered 'industrial agriculture', whilst small-scale handicraft manufacturing continued to be omitted.⁹² Moreover, Gini rejected the claims from member-states like India that the Governing Body should be geographically diverse, saying it ran against the spirit of the Versailles Treaty, and that the Commission was solely concerned with industrial development.⁹³

Ultimately, Gini's criteria were discarded. The ILO's Committee, established to investigate India's complaint, deemed that though Gini's metrics were superior to the original ones used in 1919 by the Committee in London, these statistics were still too difficult to collect accurately. Following Gini's letter in June 1921 to ask member-states for a new set of statistics, the League's Secretary-General Eric Drummond was obliged to follow up with states that had failed to procure them adequately.⁹⁴ India, in particular, had issues procuring statistics for Gini, especially for calculating India's aggregate wealth. Moreover, the Indian delegation wanted post-war statistics to be used over pre-war ones, considering India's economy had been less affected by the conflict than other states.⁹⁵ Therefore, the Committee decided to retain the original set of metrics provisionally until more accurate statistics could be provided for the future.⁹⁶

The Indian delegation welcomed the decision to remove Gini's criteria, but it was far from a decisive development. The Commission had proposed two possible ways to tally the criteria. The first was to retain the system of index numbers that both the London Committee and Gini had utilized. The other would be to rank states based on the different criteria, removing the more

⁹¹Corrado Gini, 'Memorandum upon the Criteria to Be Adopted in the Selection of the Eight States of Industrial Importance', 20 October 1921, IOR/L/E/7/1193, British Library, India Office Records.

⁹²*Ibid.*

⁹³*Ibid.*

⁹⁴Eric Drummond, 21 November 1921, IOR/L/E/7/1193, British Library, India Office Records.

⁹⁵'M.C Seton to Eric Drummond', 24 August 1921, IOR/L/E/7/1193, British Library, India Office Records.

⁹⁶Arthur Fontaine, 'Report of the Committee Appointed to Consider the Criteria to Be Adopted in the Selection of the Eight States of Chief Industrial Importance'.

precise use of index numbers altogether.⁹⁷ These two opposing forms of calculation significantly impacted India's chance of being in the top eight states of industrial importance. Using index numbers, India was placed eighth, effectively replacing Switzerland as a permanent member of the Governing Body. However, the ranked system produced a very different result: India was eleventh, behind Sweden, Czechoslovakia, and the Netherlands.⁹⁸ Both indices and ranking were weighted towards aggregate criteria, yet, some in the Indian delegation feared that other states could change the balance through 'a series of jugglery' with statistics that could give greater weight to relative criteria over absolute ones.⁹⁹

Another concern for the Indian delegation was to overturn Gini's limited definition of 'industrial labour', which excluded agricultural workers, maligning the Indian delegation's efforts for a seat on the Governing Body. The ILO insisted on omitting non-industrial agriculture from the first criteria of industrial population.¹⁰⁰ By omitting artisans and most forms of agricultural labour, the ILO drastically cut down India's claim of 20 million industrial workers to 8 million, putting India's industrial population in joint third position with France and behind Germany and Britain.¹⁰¹ The Indian delegation was furious with this definition. One delegate angrily noted that: 'one might almost believe that the statisticians had exhausted their ingenuity in devising tests that would be unfavourable to India'.¹⁰²

The gravitation of the debate towards what constituted industrial labour revealed that the statistics themselves could be drastically altered based on the definitions of the metrics. This was well exemplified when the newly inaugurated Permanent Court of International Justice intervened in what was a separate matter of whether the ILO regulated agricultural labour. However, the Court's decision, ruling that the ILO was competent in regulating for agricultural labourers, had a significant impact on the Indian delegation's decision to further press the claim of its industrial importance through its working population.¹⁰³

India's appeal to the League Council (1922)

The Court's decision gave India significantly stronger grounds to press home its case of industrial importance at the scheduled meeting of the League Council in August 1922. Moreover, unlike other claimants to the seat at the ILO's Governing Body, the Indian delegation had Britain's political support at the League Council. The League's Secretary, Eric Drummond, urged the Indian delegation to leverage its position within the British Empire to keep the meeting purely among League Council members and have the British representative Arthur Balfour make the case for India.¹⁰⁴ Balfour telegraphed back to claim that he could not represent India as the Council was a Court of Appeals in this matter. Instead, the former Viceroy, Lord Chelmsford would defend India's case.¹⁰⁵ Nonetheless, it did not mitigate that Balfour's presence at the Council meeting as the British representative would prove decisive.

⁹⁷*Ibid.* The state with the highest score in a metric would be given a rank for each metric, with the highest being given "1" point. The points would then be added together, with the states with the lowest tallies being considered the most industrially important.

⁹⁸Annex 2 "Statistics Relating to the States of Chief Industrial Importance" to the Report of the Committee Appointed to Consider the Criteria to Be Adopted in the Selection of the Eight States of Chief Industrial Importance'.

⁹⁹S.K. Sundaracharlu to Kershaw', 16 June 1922, IOR/L/E/7/1193, British Library, India Office Records.

¹⁰⁰Arthur Fontaine, 'Report of the Committee Appointed to Consider the Criteria to Be Adopted in the Selection of the Eight States of Chief Industrial Importance'.

¹⁰¹'Annex 2 "Statistics Relating to the States of Chief Industrial Importance" to the Report of the Committee Appointed to Consider the Criteria to Be Adopted in the Selection of the Eight States of Chief Industrial Importance'.

¹⁰²Kershaw to Winterton', 16 August 1922, IOR/L/E/7/1193, File 234, British Library, India Office Records.

¹⁰³M. Loder and A. Hammarskjöld, 'Permanent Court of International Justice. Advisory Opinion No.2', 12 August 1922, International Court of Justice, <https://www.icj-cij.org/en/pcij-series-c>.

¹⁰⁴Charles Tufon to Kershaw', 10 August 1922, IOR/L/E/7/1193, British Library, India Office Records.

¹⁰⁵Telegram from Balfour to Winterton', 26 August 1922, IOR/L/E/7/1231, British Library, India Office Records.

Britain's Labour Ministry, seeing an opportunity of gaining not just an Indian seat on the Governing Body if it pressed its claim but also a Canadian seat, began to argue more ardently for their inclusion. Arguing for both India and Canada on a statistical basis was difficult, as they seemingly represented the opposite side of the absolute/ relative spectrum of industrialisation. However, Canada was ranked first in terms of its railway length and performed well on relative indicators, whereas India only performed well on the total industrial population. Moreover, the British saw Canada's accession to the Governing Body as a means to satisfy calls for greater geographic diversity in its composition, with Canada replacing the United States as a North American board member.¹⁰⁶

The Indian delegation also wanted to rule out the ranked system of deciding states, which they deemed 'hopelessly unscientific' favouring index numbers, guaranteeing India the eighth seat on the Governing Body.¹⁰⁷ And finally, in a bid to fully ensure India's acceptance to the Governing Body, the Indian delegation attacked the use of relative criteria altogether as flawed:

The Committee's system of grading is such that it would easily be possible to construct, in the garden of the Palais des Nations, a model State [...] its railway system could barely be constructed there; its industrial population could easily be accommodated on one chair, and its total population on two; but it would be graded, under the system advocated by the Committee, as the fourth State of chief industrial importance in the world.¹⁰⁸

Armed with the Court's ruling on the ILO's competency over agricultural labour, the Indian delegation aimed to 'demolish' Gini's definition of industrial population.¹⁰⁹ Rather than accept the figure of 8 million that Gini had calculated, the Indian delegation argued that its industrial population consisted of 12 million industrial workers and an additional 25.8 million agricultural workers. They argued that industrial population constituted the most important criteria, constituting the 'human-element' in the six criteria in keeping with the spirit of the Treaty of Versailles.¹¹⁰ Similarly, rival states attacked the metrics that didn't suit them. For Poland, with its limited access to the sea through the Danzig corridor, the metric on the size of the merchant marine was particularly egregious, and wanted it ruled out altogether.¹¹¹

Despite the official appeals to reconsider the statistical basis for industrial importance, the Indian delegation had grown to learn that the process of acceding to the Governing Body would ultimately be a political one. Besides the attempts to justify India's industrial importance based on its large agricultural population, the Indian delegation reinforced their claims by threatening their budget allocation to the League of Nations.¹¹² However, this line of attack was carried out more privately by India's representative, Lord Chelmsford, in a statement to the Council rather than in the more widely available written memorandum distributed to other states.¹¹³ The Indian

¹⁰⁶Memorandum by the Ministry of Labour as to the Attitude to Be Adopted by the British Representative', 30 August 1922, LAB 2/773/IL153/2/1922, UK National Archives.

¹⁰⁷Note in Kershaw to Winterton', 16 August 1922, IOR/L/E/7/1193, British Library, India Office Records.

¹⁰⁸Lord Chelmsford, Ranjit Sinjhi Maharaja of Nawanager, and Sivaswamy Aiyer, 'Memorandum on the Subject of the Report of the Committee Appointed to Consider the Criteria to Be Adopted in the Selection of the Eight States of Chief Industrial Importance, and on India's Claim to Be Included as One of These States.', 5 September 1922, LAB 2/773/IL153/2/1922, UK National Archives.

¹⁰⁹Allen to Taylor', 14 September 1922, LAB 2/773/IL153/2/1922, UK National Archives.

¹¹⁰Lord Chelmsford, Ranjit Sinjhi Maharaja of Nawanager, and Sivaswamy Aiyer, 'Memorandum on the Subject of the Report of the Committee Appointed to Consider the Criteria to Be Adopted in the Selection of the Eight States of Chief Industrial Importance, and on India's Claim to Be Included as One of These States.'

¹¹¹Memorandum of the Polish Government upon the Right of Poland to Be Included among the Eight States of Industrial Importance', 7 August 1922, IOR/L/E/7/1193, British Library, India Office Records.

¹¹²J. Walton to Kershaw', 21 November 1920, IOR/L/E/7/1193, British Library, India Office Records.

¹¹³R.H Horton to Kershaw', 6 September 1922, IOR/L/E/7/1278, British Library, India Office Records.

delegation did not want to be seen openly deviating from the technical goal of reinterpreting 'industrial importance' by engaging in the more political matter of threatening budgetary allocations.

Other political factors still played a significant role. Chelmsford highlighted India's wartime contributions, which had played a decisive role when allocating seats at the League Council during the Paris Peace Conference in 1919.¹¹⁴ However, the Council was still indecisive on the matter. There was pressure within the ILO to oppose India's seat at the Governing Body, with the ILO's Director, Albert Thomas, stating the rudimentary nature of India's trade union movement made it unfit for permanent membership of the Governing Body.¹¹⁵

Sensing a turning of the tide, the Swiss representatives feared for their seat on the Governing Body. Swiss representative Giuseppe Motta argued against the Committee's statistical basis, but from the counter perspective to India, arguing that relative economic advancement was a better metric of industrial importance than total output. They argued that Switzerland's history and political importance in international labour legislation should be the key factor in Switzerland retaining its seat.¹¹⁶ Under pressure to conclude the new composition of the Governing Body before the Labour Conference began in October, the League Council met again in private on 22 September 1922. The Council did not take the case of other petitioners as seriously as India's, especially Poland's, which supplied new statistics that placed itself as the eighth state of industrial importance rather than India.¹¹⁷

France was concerned that the inclusion of India and Canada would lead to a preponderance of British imperial states on Governing Body. British representative Arthur Balfour swatted away these accusations stating that the discussion was not a political one 'in any sense', but rather an industrial one. He retorted that India and Canada regulated their own economic affairs and labour legislation, making them distinct from Britain. Balfour argued that India's position on the Governing Body was 'common sense' and could accelerate its adoption of western industrial standards.¹¹⁸ Perceptions, rather than statistics, ultimately won the day for India. French representative Monsieur Hanotaux conceded that 'if the man in the street were asked whether Sweden or India were the greatest industrial state, he would decide in favour of India'. The Council decided to appoint India and Canada to the Governing Body, at the expense of Denmark and Switzerland.¹¹⁹

The decision by the Council to appoint the members, rather than confer with the ILO, led to a clash between the ILO's Director Albert Thomas, and the League's Secretary General Eric Drummond. This row between the seemingly technical ILO and the overtly political League centred on the heart of the matter of industrial importance: whether it was an adequately scientific standard and whether the Council had the right to overrule the ILO on the matter. The Council's report, which was finally published on the 30th September, stated that despite trying to find a statistical definition of industrial importance, political considerations also had to be taken into

¹¹⁴Provisional Minutes of the Meeting of the Ninth Meeting (Public) Held at Geneva on Wednesday, September 13th 1922 at 3.30 P.M', n.d., IOR/L/E/7/1278, British Library, India Office Records; Schmidt, 'India's Role in the League of Nations, 1919-1939', 18-19; Gidney, 'An Anomaly among Anomalies', 56.

¹¹⁵Campbell to Kershaw', 13 September 1922, IOR/L/E/7/1278, British Library, India Office Records.

¹¹⁶'Twenty-First Session of the Council. 11th Meeting (Public)', 19 September 1922, LAB 2/773/IL153/2/1922, UK National Archives.

¹¹⁷Viscount Ishii, 'Question as to Which Are the Eight Members of the International Labour Organisation Chief Industrial Importance. Second Report and Resolution Adopted by the Council on September 30th 1922.', 3 October 1922, LAB 2/773/IL153/2/1922, UK National Archives.

¹¹⁸Verma, *India and the League of Nations*, 158; 'Thirteenth Meeting (Private) Held at Geneva on Friday 22nd September 1922 in Minutes of the Twenty-First Session of the Council' (League of Nations Official Journal, November 1922), League of Nations Archive.

¹¹⁹'Twenty-First Session of the Council. 15th Meeting (Private)', 22 September 1922, LAB 2/773/IL153/2/1922, UK National Archives.

account.¹²⁰ Drummond too, had stated that any statistical standard of industrial importance would be ‘violently attacked’ by one state or another as ‘unscientific’.¹²¹ This fear seemed confirmed when another contender for the Governing Body, Spain, complained that the Committee had not adequately calculated its industrial labour force or railway length, but the Council’s decision had already been set.¹²²

Albert Thomas was stunned by Drummond’s dismissal of the ILO’s right to choose its Governing Body, calling his position ‘inadmissible’.¹²³ Thomas believed there was a different interpretation of Article 393, the Article used for the League Council to resolve the matter, based on its French and English text in the Treaty of Versailles. Thomas, a Frenchman, believed that in French, the text allowed the Council the right to advise on the new Governing Body but not decide it.¹²⁴ Drummond, an Englishman, stated that ‘nobody is better aware of the extreme obscurity of Article 393’, but that his interpretation was correct.¹²⁵ This spat reveals how far the original hope of a statistical standard had deviated into not only a politics of definition but a politics of defining which institution had the authority in deciding who sat on the Governing Body.

Thomas feared that states would be dissatisfied by redrawing the Governing Body by simply reinterpreting the original metrics of the London Committee without either replacing them or introducing new metrics. This could lead to new disputes over the composition and further reliance on the League Council to resolve them.¹²⁶ In an attempt to mark the Organization’s autonomy and end the incessant bids for the Governing Body, the ILO’s Commission on Constitutional Reforms presented a significant amendment that limited the reserved seats of Chief Industrial Importance to six states instead of eight. The reasoning behind this proposal was that there had been consensus over the top six states of industrial significance. There remained considerable contention over the last two seats.¹²⁷ To counterbalance the effects of removing the status of Chief Industrial Importance to India and Canada, the Commission had also wanted to reserve 37.5% of the permanent government delegates and 25% of worker delegates to non-European states for rotating members on the Governing Body. The Indian delegate, Mr. Joshi resisted the Commission’s Report claiming that non-European states had neither asked for nor would approve of the Commission’s recommendations.¹²⁸ Canadian delegate Monsieur LaPointe warned francophone Belgium and French delegates that such a move would be a ‘radical alteration of the peace treaty’.¹²⁹ Meanwhile, Mr. Basu for India cautioned that removing India as a state of Chief Industrial Importance only a month after achieving this position would cause widespread indignation against the ‘West’ in India and the greater ‘East’.¹³⁰

Belgium’s delegate attacked India and Canada for acting in their national self-interest rather than attempting to ascertain a suitable composition for the Governing Body. He claimed that it was impossible to ascertain a true definition of ‘Chief Industrial Importance’ whilst arguing that Belgium should retain a seat on its proposed reduced permanent body of six Chief industrial states.¹³¹ Canada responded that it was fully prepared to remove the permanent positions altogether and have a fully elected body rather than accept Belgium’s proposals. The Indian and Canadian

¹²⁰Viscount Ishii, ‘Question as to Which Are the Eight Members of the International Labour Organisation Chief Industrial Importance. Second Report and Resolution Adopted by the Council on September 30th 1922.’

¹²¹Eric Drummond to Albert Thomas, 18 September 1922, D700/014, ILO archive.

¹²²‘The Question of the Eight States of Chief Industrial Importance Note’, *League of Nations Official Journal* 3, no. 12 (1922): 1510–12.

¹²³Albert Thomas, ‘Note Pour La Division Diplomatique’, 20 September 1922, D700/14, ILO archive.

¹²⁴Albert Thomas to Eric Drummond, 23 September 1922, D700/014, ILO archive.

¹²⁵Eric Drummond to Albert Thomas.

¹²⁶Albert Thomas to Eric Drummond, 15 September 1922, D700/014, ILO archive.

¹²⁷‘Fourth Session of the International Labour Conference’ (International Labour Office, 1922), 245–8.

¹²⁸*Ibid.*

¹²⁹*Ibid.*, 258.

¹³⁰*Ibid.*, 262–3.

¹³¹*Ibid.*, 278–81.

delegations urgently appealed to Britain for support against the Commission's proposals.¹³² The British intervention rapidly swung the debate, arguing that the Body risked alienating India and Canada if they were jettisoned from their recent promotions. The Conference voted 62 to 8 to retain eight states of Chief Industrial Importance.¹³³ India's position as a state of Chief Industrial Importance was secured, and it has remained as such to the present day.

Conclusion

The ILO's attempt to define 'industrial importance' is today an almost forgotten episode in the history of international organizations. However, many of the themes that arose during India's challenge of the definition of chief industrial importance, Eurocentricity, and the neutrality of international technical bodies remain challenges for contemporary international organizations.

International organizations such as the ILO changed how industrial importance was measured several times throughout the 1930s and 40s. Other metrics, including relative economic indicators, were finally replaced in 1983 by determining industrial importance on nominal Gross Domestic Product.¹³⁴ The aggregate economic indicators finally triumphed over relative ones at the ILO, despite new dissenting calls that GDP failed to adequately capture purchasing power and a host of other economic indicators.¹³⁵ Nonetheless, the ILO's Governing Body holds a greater diversity of states than it did when using relative economic indicators.

At other organizations, however, the dichotomy between large, less developed economies and relatively more developed economies in the West has become an increasing political sore in ostensibly apolitical organizations. At the turn of the century, scholars warned of the reimposition of a 'liberal, globalized civilization' through international organizations and NGO's. International law working through international institutions worked to harmonize the world with Western norms and markets 'on a scale that dwarfs the 19th and early 20th century' that constituted a new 'Standard of Civilization'.¹³⁶ Not unlike the expansion of the League and its ancillary agencies a century earlier, the expansion of international governance following the end of the Cold War was again to be administered through technical and scientific international bodies. Meanwhile, granting dispensations to developing economies such as 'Special and Differential Treatment' played an important role in absorbing formerly more protectionist economies such as China and India into organizations such as the WTO.¹³⁷

Nonetheless, many of these organizations have not been able to avoid the intrinsically political nature of their work. Over the last three decades, the vast economic growth of some developing economies, such as India and China, is steadily closing the 'Great Divergence' of wealth between the West and Asia.¹³⁸ As development status is becoming a more salient demarcator in allocating responsibility in global affairs, many Western states, most notably the United States, have sought

¹³²'Telegram 1584', 1922, LAB 2/773/IL153/2/1922, UK National Archives.

¹³³*Ibid.*, 283–9.

¹³⁴Committee on Legal Issues and International Labour Standards, 'Composition of the Governing Body Criteria for Geographical and Country Representation within the Governing Body' (International Labour Office, November 2007), GB.300/LILS/4.

¹³⁵Robert Costanza et al., 'Development: Time to Leave GDP Behind', *Nature* 505, no. 7483 (January 2014): 283–5.

¹³⁶David Fidler, 'The Return of the Standard of Civilization', *Chicago Journal of International Law* 2, no. 1 (1 April 2001): 139, 147, <https://chicagounbound.uchicago.edu/cjil/vol2/iss1/9>.

¹³⁷Developing and least developed countries (LDCs) played a minimal role in setting multilateral rules for the GATT or WTO until the Uruguay Round in the 90s: Rickard Bett, 'Discussing the Principle of Special and Differential Treatment and Its Contribution to Developing and Least Developing Countries Members of the WTO', SSRN Scholarly Paper (Rochester, NY, 13 February 2022); Bernard Hoekman, 'Developing Countries and the WTO Doha Round: Market Access, Rules and Differential Treatment', in *The WTO, Developing Countries and the Doha Development Agenda: Prospects and Challenges for Trade-Led Growth*, ed. Basudeb Guha-Khasnobis, Studies in Development Economics and Policy (London: Palgrave Macmillan UK, 2004), 11.

¹³⁸The inequality of GDP per capita remains relatively large, particularly in the case of India.

to end special and differential treatment for larger developing economies.¹³⁹ This has caused numerous problems for organizations such as the WTO, as new protectionist administrations politicize the work of technocratic organizations.¹⁴⁰ However, calls to shift from the current self-declaratory model of ‘developing’ status to a more statistical standard are unlikely to depoliticize the organization. Contrary to the case of India seeking the status of Chief Industrial Importance, the stigma attached to ‘developing’ status has changed and has effectively been utilized by developing states, many of which consider differential treatment a right.¹⁴¹

The continued rise of large economies with relatively lower GDP per capita will increasingly pressure ‘developed’ states to abolish differential treatment or to reframe developing status in a way that excludes large but relatively less developed economies. Although this reaction began under a particularly protectionist administration under Donald Trump, there is no sign that the dichotomy between developing and developed and its use as a tool to determine international obligations will end soon.¹⁴² Attempting to break this stalemate through a new statistical standard will likely be fraught with many of the same arguments and pitfalls witnessed in the ILO’s attempt to define industrial importance a century ago.

Competing interests. The author(s) declare none.

¹³⁹One need only read the recent report from the COP 26 climate conference in 2021 to see how developed countries have pledged to provide financial support for developing states to tackle climate change: <https://ukcop26.org/wp-content/uploads/2021/11/COP26-Presidency-Outcomes-The-Climate-Pact.pdf>

¹⁴⁰This has led to considerable paralysis, as the United States continues to block new appointments to the WTO’s highest court of Appeals, the Appellate Body.

¹⁴¹Recently India’s trade minister declared that special and differential treatment was a ‘non negotiable right for developing members’: ‘Statement by Shri Piyush Goyal at the WTO 12th Ministerial Conference in the Thematic Session on WTO Reform’, 15 June 2022, <https://pib.gov.in/pib.gov.in/Pressreleaseshare.aspx?PRID=1834314>.

¹⁴²‘Trump or No Trump, Battle for Special and Differential Treatment at WTO Isn’t Going Away’, *The Wire*, 29 December 2020, <https://thewire.in/economy/donald-trump-special-and-differential-treatment-wto>.