I.

The Emergence of Full Employment as an Objective of National and International Policy.

The general acceptance by governments of a recognised responsibility for promoting and maintaining full employment represents the most far-reaching change in economic policy and thinking which has occurred since the eighteenth century. During the decade from 1945 to 1955 the general acceptance of this responsibility has been increasingly reflected in the formulation of solemn declarations of international policy on the subject and the acceptance of formal international obligations in regard to it. The Charter of the United Nations, the Constitution of the International Labour Organisation, the Articles of Agreement of the International Monetary Fund and the International Bank for Reconstruction and Development, and the General Agreement on Tariffs and Trade, all of which are in force for numbers of States varying from 50 to 80, contain important provisions on the subject. There are complementary provisions in important regional instruments, including the Convention on European Economic Co-operation which is in force for 17 States and the Charter of the Organization of American States which is in force for 21 States. The Universal Declaration of Human Rights, and other international and regional instruments of a similar character, contain further provisions of a declaratory character on the subject. Matters have now reached a stage at which some consideration can usefully be given to the impact of this newly-accepted responsibility of governments, and this increasingly important body of international instruments, on international law.

Constitutional Provisions concerning Full Employment

It should perhaps be emphasised at the outset that governmental responsibility for the promotion and maintenance of full employment has been accepted, though naturally in varying forms, by
States of every shade of economic outlook and structure and that the numerous international pronouncements and treaty obligations on the subject have been a reflection of, as well as a stimulus to, corresponding national action in States with widely varying political and economic traditions and conditions. In an increasing number of cases national policy on the matter is expressed in a constitutional provision or declaration. As illustrations of this approach may be mentioned States with political and economic traditions and conditions as various as Argentina, Brazil, Burma, China, Cuba, Czechoslovakia, Denmark, France, Germany, Guatemala, India, Israel, Italy, Japan, Jordan, Laos, Libya, Nepal, Pakistan, Panama, the Philippines, Spain, Switzerland, Syria, Uruguay, the U S S R , Venezuela and Yugoslavia The Constitution of the Argentine Republic of 16 March 1949 provides that »the right to work must be protected by society, considering it with the dignity which it merits and providing occupation for those who need it«. The Brazilian Constitution of 24 September 1946 provides that »Everyone is assured work that enables a dignified existence. Work is a social obligation«. The Constitution of the Union of Burma of 24 September 1947 provides that »the State shall direct its policy towards securing for each citizen the right to work«. The Constitution of the Republic of China of 25 December 1946 specifies that »the State shall provide opportunity of employment to people who are capable of work«; the Constitution of the People's Republic of China of 20 September 1954 provides that »work is a matter of honour for every citizen who is able to work«, that the State »encourages initiative and creative activity of citizens in their work«, that »citizens of the People's Republic of China have the right to work«, and that »to guarantee enjoyment of this right the State, by planned development of the national economy, gradually creates more employment, and better working conditions and wages«. The Cuban Constitution of 5 July 1940 provides that »the nation shall employ the resources within its reach to furnish employment to everyone who lacks it and shall ensure to every manual or intellectual worker the economic conditions necessary to a fitting existence«. The Czechoslovak Constitution of 9 June 1948 provides that »all citizens shall have the right to work« and that »this right shall be secured especially by the organisation of work directed by the State in pursuance of the planned economy«. The Danish Constitution, as amended in 1953, provides that »in order to advance the public weal, efforts should be made to afford work to every able-bodied citizen on terms that will secure his existence«. The Preamble to the Constitution