

PHELAN, Edward Joseph, British civil servant of Irish descent and fourth Director of the International Labour Office 1941-1946 (acting) and first Director-General of the International Labour Organization 1941-1948 (retroactive appointment in 1946), was born 25 (officially 26) July 1888 in Summer Hill, Tramore, Ireland, and passed away 15 September 1967 in Genthod, Switzerland. He was the son of Thomas Phelan, master mariner, and Bridget Carroll. On 10 June 1940 he married Fernande Croutaz.



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Phelan was born into a prosperous, Catholic upper-class family in Waterford on the southeast coast of Ireland, where they lived until he was seven. His father, a merchant navy officer, was mostly absent during his formative years. As Phelan spent much time with his grandfather on his mother's side, who was a seaman as well, he developed a lifelong fascination with the sea and maritime navigation. Attempting to settle down to a more fixed schedule, his father found employment with a Liverpool shipping company and the family consequently moved to Liverpool, with Ireland becoming a holiday destination. Phelan continued his studies at the Jesuit Saint Francis Xavier's College in the Everton district. When his parents moved to Hamburg for professional reasons, Phelan stayed in the United Kingdom (UK). He lodged with Miss Ely, a woman of Irish Catholic descent, who was involved in one of the voluntary friendly societies that provided mutual assistance for the workers. Through her Phelan learned that the living conditions of the British working class were dreadful, which left a profound impression. He began studying mathematics at University College Liverpool in 1906 and proved to be a brilliant student. However, he failed his 1909 exams due to poor instruction and misjudgement of the curriculum. He then completed a *Diplome Supérieure* at the University of Rennes in France and in Liverpool a Bachelor of Science degree in physics (1910), a Bachelor of Arts in mathematics and French and a Master of Science degree (1911).

Phelan embarked on his career as a British civil servant in 1911. He became a researcher at the Board of Trade, compiling data for price indices and, therefore, travelling to the UK's remote corners, while living a bohemian life in London among its Irish community. Being an Irish Catholic in Anglican England, he participated in the public debate on the Irish question without becoming involved in political activities. He timidly professed his faith and deliberately fostered his sense of belonging to the Irish community, showing that his beliefs were fundamentally different from those of many of his professional colleagues. This offers a possible explanation as to why he felt a desire to travel abroad. He accepted a job offer from the tour operators Edward and George Lunn and became a travel guide. He enjoyed travelling

through Europe, especially to Switzerland, which made a profound impression on him. One year later he was appointed as chief investigator at the Board of Trade, conducting a new research project on housing. With the outbreak of world war in August 1914 the enquiry was suspended. Phelan wanted to serve in the army, but the British authorities refused his application on the grounds that collecting data about prices and wages was even more important in wartime than in peacetime. He continued his statistical work and arranged contracts for army supplies. In 1916 he was asked to co-organize the work at the Intelligence Department of the Ministry of Labour, newly created by David Lloyd George, where he had responsibility for collecting data from abroad. Shortly after the 1917 October Revolution in Russia he participated in a trade mission to Saint Petersburg (Petrograd) as a labour expert, in an attempt to conceal the mission's true aims. After three months Phelan was recalled to London, where his adventure did not go unnoticed in the upper echelons of government. At the Ministry he worked closely with Malcolm Delevingne, a key figure of the private International Association of Labour Legislation (founded in 1900), and Harold Butler, Assistant Secretary to the Minister since 1917. The voice of those calling for international labour laws was heard more loudly than ever before among government officials, scientists and representatives of the world of labour. The issue was put on the peace talks agenda at the end of the war, as it coincided with the Wilsonian vision of free trade and was raised by Socialists in Allied governments.

At the Versailles Peace Conference in 1919 Phelan performed secretarial duties for the Labour Section of the British delegation and served as Assistant Secretary to the Commission on Labour Legislation. He was involved in making preparations for the first International Labour Conference in Washington DC in October-November 1919, where he served as Chief Assistant Secretary. Frenchman Albert Thomas, the first Director of the newly established International Labour Organization (ILO), asked him to become Head of the Diplomatic Division in January 1920. Phelan accepted without hesitation and began to recruit staff. He worked closely together with Thomas and carried out important missions at his request. When national parliaments proved reluctant to ratify the first ILO conventions, particularly the one concerning the eight-hour working day adopted in 1919, Phelan attempted to encourage the UK government to be more receptive to this issue by suggesting legal and technical solutions. He did this together with Butler, who had been appointed ILO Deputy Director. Outside of some missions, Phelan spent most of his time at headquarters in Geneva, making elaborate preparations for the meetings of the Governing Body and the annual Conferences. He became a well-known society figure in Geneva, as he co-organized social events for officials of Geneva-based international organizations and diplomats in the newly set up International Club. The French and the British were willing to compromise on his chairmanship of the Club, despite the fact that 'he never hides his Sinn Fein principles' (Extract from May 1922 Report from Michael MacWhite in National Archives of Ireland, NAI DFA Box 8 file 55). The fact that he favoured an independent Ireland (and showed this) emerged from confidential correspondence in the early 1920s, which makes clear that Phelan was familiar with Irish domestic politics and unofficially advised leading politicians in Dublin on foreign relations and the League of Nations. These social and political connections contrasted with his image as a somewhat detached and unapproachable person within the ILO, where he worked unconventional hours, refusing to work at weekends and limiting his dealings with ILO employees to a few high-ranking officials. As head of the diplomatic service, he maintained close working relationships with the respective governments and made himself available for politicians, diplomats and international officials. He did not mix with low-level ILO officials and had a poor relationship with the Workers' Group, but he had a good working relationship with Hans Oersted, the representative of the Employers' Group.

After Thomas's unexpected death in May 1932 Butler was appointed as his successor, and worked to change the decision-making culture of the organization. While Thomas had shown a voluntarist approach to politics, with a presidential style of leadership and a clear vision, Butler, as a former civil servant, never questioned the idea that the Governing Body should be formulating policies. Phelan applied for the vacant position of Assistant Director, but was unsuccessful as the German government claimed the position and the Workers' Group wanted the candidate to be drawn from its ranks. The post remained vacant, as there was no unanimous support for a German Workers' candidate. In the meantime Butler appointed all former heads of division as Assistant Directors, including Phelan, who then repeatedly applied for the position of Deputy Director after Nazi Germany left the ILO in 1935. Phelan referred to his senior position and his daily duties, which included being acting Deputy Director during Butler's multiple and long periods of absence. Throughout his ILO career Phelan was obsessed with his status, but Butler refused to offer him another position, although Phelan was the only Assistant Director to be given a bonus in 1936. In 1938 Butler unexpectedly resigned as Director due to a political conflict about the next Director of the Paris Branch Office. American John J. Winant, who had served as an Assistant Director for a short time that year, following a prior period of service in 1935, was appointed as his successor. Phelan, who had also put himself forward as a candidate, became Deputy Director. Winant's move into the ILO proved to be a brief interlude in his career. As a former Republican New Hampshire governor, he was mainly interested in American politics, spending most of his days in the US and thus leaving Phelan in charge as before. In his private life, Phelan had embarked on a relationship with a French woman, Fernande Croutaz, in the early 1930s. Since she was divorced and the Catholic Church still had strict guidelines, remarriage was not allowed, but they lived together and had a normal social life in Geneva. They opted for civil marriage in June 1940, when they were planning to leave Geneva together.

When the Second World War broke out in 1939, the question was raised as to whether the ILO could continue to be based in neutral Switzerland. At Winant's instigation the ILO chose to move to North America after an aborted shift in location to Vichy, France. As the US government was neutral and thus reluctant to welcome the organization into its territory, the ILO accepted the offer from McGill University in Montreal, Canada to move to its premises. Winant had crucial ILO staff, including Phelan, transferred to Canada. Two months later, in February 1941, Winant announced his resignation to become US ambassador in London. Phelan automatically became acting Director as of 16 February. 'All I can do is to take over the Organization such as I find it and try to do everything in my power to keep it in being, which means keeping it financially sound and as active as possible', he wrote in a letter to Oersted (26 March 1941, Phelan Cabinet files, Z1/7/2/1). Efforts to keep the organization functioning were severely hampered by war conditions, poor communication and organizational constraints. Convening the Governing Body in accordance with statutory requirements had become almost impossible. This opened a window of opportunity for Phelan to secure support among the most influential governments (Canada, the UK, the US) for his candidacy as Director, claiming that only a fully-fledged Director could lead with legitimate authority: 'I do not think that it would be possible to envisage running the Office on an "Acting" basis through a period that may be prolonged' (Phelan to F.W. Legett, 30 August 1940, TNA FO 371). However, that was what happened as his lobbying to take up the post had the opposite effect, causing irritation, particularly with the British. Being Irish was not particularly helpful either, given Ireland's neutrality during the war. Given that no political heavyweights were competing for this position (although the names of British Minister of Labour, Ernest Bevin, and US Secretary of Labour, Frances Perkins, were mentioned), Phelan reluctantly continued to serve as acting Director.

The ILO was to be politically neutral and not in favour of one of the belligerent parties, but Phelan and all of the high-ranking officials identified with the Allied war aims and used their position to further these. In close collaboration with Perkins, the ILO organized a special session of the International Labour Conference in New York in November 1941, with the implicit but clear goal of swaying American public opinion in favour of joining the war. Phelan and his supporters felt that the conference was a success, including the fact that the final plenary session took place in the White House where President Franklin D. Roosevelt delivered the closing speech in a radio broadcast. Shortly afterwards several initiatives aimed at developing the ILO into a key institution for postwar economic and social reconstruction were launched in accordance with Article 5 of the 1941 Atlantic Charter. Aware that his initiative lacked political clout, Phelan wanted it to be monitored by a committee of high-profile politicians. This, however, was never established and the plans to broaden ILO competences never went beyond the start-up phase. The Japanese attack on Pearl Harbor in December 1941 and the subsequent US decision to join the war signalled a new period in which the ILO was sidelined for several reasons. American experts had doubts about the staff's competence on economics and the strained relations between the organization and the Soviet Union were a severe handicap (after its invasion of Finland in 1939 the Soviet Union was no longer considered an ILO member by virtue of its expulsion from membership of the League of Nations). As a result Phelan and his staff were not involved in the brainstorming sessions and preparatory talks for postwar international organizations. The British and the American governments nevertheless openly expressed their support for the ILO because of the organization's propaganda potential. National and international trade union federations were increasingly dissatisfied with what seemed to be the ILO's sheer inertia and started worrying about the organization's involvement in postwar reconstruction efforts. Although Phelan had no Socialist or trade union background, the Workers' Group supported his candidacy for the post of ILO Director due to fear of the unknown. This was a difficult time for Phelan, as he did not possess the proper authority to provide effective leadership and failed to muster sufficient great power support. He was singled out for criticism and was increasingly pictured as someone who was wavering and unable to take a firm stand. However, he was fully aware of the obstacles in his way and handled the problems accordingly. During the war the ILO focused its attention on Latin America, as the organization was cut off from Europe, and sent several advisory missions, dealing with social security issues, to Latin America. These missions are regarded as the beginning of the ILO's new technical assistance activities.

The ILO, with its tripartite constituents of governments, employers and workers, often struggled to achieve a complex equilibrium, since progress depended on the convergence of views, interests and aims of the various groups of actors. Redefining the ILO's role in the postwar world also required cooperation with the Soviet Union, but Moscow maintained strict silence. Phelan received US support for calling another session of the International Labour Conference, but had to accept that Roosevelt used this for re-election purposes. The venue too became an issue. The Americans suggested a minor location in the Midwest, causing the British to raise serious objections. The ILO staff developed a comprehensive programme, building on the conclusions of the 1941 special session of the International Labour Conference, and drew up a detailed list of actions and conventions. In May 1944 the 26th (regular) session of the International Labour Conference took place in Philadelphia, Pennsylvania and stirred up a controversy within national governments, particularly in the UK, which accused Phelan of meddling with too many issues. Eventually, the British delegation was given strict instructions from Bevin not to approve concrete measures, but to stick to general principles. Hence, the Declaration of Philadelphia, which restated ILO aims

and committed the ILO to postwar reconstruction, should also be understood as a reflection of the fact that several great powers at the time did not want the ILO prying into their affairs.

The Philadelphia conference left Phelan with an unpleasant aftertaste. The Soviet Union, utterly disinterested at first, had become openly hostile to the ILO, and thus threatened to become an even bigger hindrance in the pursuit of a new world organization. During the Dumbarton Oaks negotiations, which paved the way for the foundation of the United Nations (UN) beginning in summer 1944, the issue of the ILO's relation with the UN was avoided and the ILO was not even mentioned. Phelan then made a tremendous effort to receive an invitation to the United Nations Conference on International Organization in San Francisco in April 1945 in order to gain formal recognition of the ILO, but he failed to do so and the ILO had to be content with a small delegation that only had consultative status. Phelan, as a citizen of neutral Ireland, was declared 'persona non grata' by the Soviet Union. Although Phelan suffered the humiliation of being constantly criticized in public, he never came to the conclusion that he was not the right person for the job. The US approach vis-à-vis the ILO prior to the foundation of the UN in June 1945 was dictated solely by strategic considerations of coming to an agreement with the Soviet Union. This became clear once the UN had been formally established, as it did not take long before ILO and UN representatives started talks on the ILO's place in the UN system. In May 1946 they reached an agreement, which made the ILO the UN's first specialized agency and served as a model for subsequent agreements between the UN and other agencies. Phelan's efforts had finally been crowned with success and he was recognized for the services he had performed. On 16 September 1946 the Governing Body appointed him as Director-General, applied retroactively from 1941. However, the US State Department insisted on a temporary appointment and Phelan was therefore forced to retire at the age of sixty in 1948. In the meantime he managed to finalize an important issue, as ILO Convention number 87 on Freedom of Association and Protection of the Right to Organize was passed in 1948. This became one of the ILO's core conventions. David Morse, an American, succeeded Phelan on 1 September 1948.

Phelan retired to his estate on Lake Geneva, where he lived for another twenty years. Reflecting his lifelong fascination with water, developed in his youth, he enjoyed sailing. He wrote his memoirs, but these remained unfinished, and published several articles on the ILO history. In 2009 the ILO published *Edward Phelan and the ILO: The Life and Views of an International Social Actor* (available at www.ilo.org/wcmsp5/groups/public/@dgreports/@dcomm/@publ/documents/publication/wcms_104746.pdf). The book contains an edited selection of Phelan's memoirs and other publications and illuminates the problems that the ILO had faced, seen through the eyes of a key player. Phelan made his last public appearance in 1955, chairing a committee that was investigating possible accounting irregularities at the UN Educational, Scientific and Cultural Organization. Phelan was a member of the Mexican Academy of Social Legislation and received honorary doctorates from the National University of Ireland, Laval University and the University of Montreal. He was also awarded Brazilian and Mexican decorations and named *Commandeur de la Légion d'Honneur* in France. He died in 1967 and was buried along with his wife at the Genthod cemetery near Geneva. He and his wife bequeathed legacies to the International Institute for Labour Studies, established by the ILO, and to the National University of Ireland, which uses the funds for Phelan Fellowships in International Law and in 2013 also established the E.J. Phelan lecture series to honour his work.

ARCHIVES: The Winant and Phelan Cabinet files in the ILO Archives in Geneva share a continuous series of Cabinet files.

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