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## THE HISTORY OF THE DEVELOPMENT OF INTERNATIONAL LABOR LAW

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### ABSTRACT

The article examines the history and development of international labor law. In addition, this article describes the specific methods of international regulation of labor relations, history, the system of international legal norms, international organizations operating in the field of international labor regulation. In addition, various approaches to determining the legal nature of the branch of international labor law are analyzed.

### KEYWORDS

International labor law, labor law, history of labor law, labor standards, implementation, international organizations.

### INTRODUCTION

International labor law is a branch of international law whose norms define the rights and obligations of States in the field of regulating working conditions. The content of the subject of international labor law consists of labor and other directly related relations. The International Labor Organization (ILO) and the World Trade Organization (WTO) are considered the main bodies involved in the implementation of labor markets.

International labor standards, guidelines in the international legal regulation of labor relations, expressed in international treaties, agreements, acts of a recommendatory nature and aimed at improving the

system of internal national labor law. The main purpose of such stereotypes is to maintain the least degree of protection from inhumane labor practices throughout society by adopting and implementing proven measures.

From the point of view of theory, for ethical reasons, it is argued that there are specific special human rights that are considered universal for humanity. Thus, ensuring such rights in the workplace as protection from aggression in the workplace, bullying, gender inequality and discrimination, and on the other hand, for diversity in work, empowerment, and democracy in

the workplace become the main goal of international labor standards.

The existence of international labor standards does not imply implementation or enforcement; in real-world cases, formal agreements and contracts emanating from international institutions have been used.

Currently, labor law is a branch of law that regulates the complex of social relations arising in the process of employing hired labor. The main objectives of labor law are to create the necessary legal conditions to achieve optimal coordination of the interests of the parties to labor relations, the interests of the state, legal regulation of labor and other directly related relations [1].

The development of international labor standards and laws can be dated to the late 19th and early 20th centuries, when trade unions and labor movements began to gain political influence. At that time, workers had to put up with unpleasant working conditions, long hours, low pay and virtually no legal protection. The First International was founded in 1864 as a federation of trade union organizations from different countries. Despite its brevity, it contributed to the development of the concept of global labor solidarity and cooperation. To promote global labor standards, the International Labor Law Association was founded in 1900. It was the first global organization created for this purpose. The Association sponsored international conferences on labor issues and successfully lobbied for the adoption of a global convention prohibiting women from working at night in 1906 [2].

Labor law began as a result of the Industrial Revolution. After the advent of cars, the percentage of unemployed increased, and with it the number of trade unions. In this case, the governing bodies did not

interfere with the work, they became spectators and intervened only when on demand.

With the creation of the ILO, labor law was established. It was around after the First World War, when the ILO had a specific goal to take care of improving working conditions in the world. The ILO is responsible for creating and promoting global labor standards, such as forced labor, child labor, discrimination and the right to collective bargaining and organization. The main bodies of Governments, employers and employees can participate in a three-way process to designate these standards.

The ILO helps all its member States in improving their labor law and its practice. At the same time, technical assistance is offered to all States that become members. This includes advice on the implementation of international standards in domestic legislation, assistance in the development of labor inspection regulations and assistance in creating relationships between enterprises, employees and Governments.

In order to enhance equity and improve working conditions in the field of employment, the ILO encourages the relationship between organizations, employees and employers. Members of these three groups participate in a process of negotiation and consultation called "social dialogue". The ILO helps its members to develop a framework for social dialogue. To do this, he offers them technical expertise and recommendations. Globally, the ILO is the main advocate of social justice and labor rights. One of the ILO's goals is to raise public awareness of labor and employment-related issues in order to promote policies and programs that promote social justice and decent work.

The ILO operates in three main areas: the development of labor conventions and recommendations; the

provision of technical assistance to developing countries in Asia, Africa and Latin America; and training and education on issues within the scope of ILO activities. The development of labor conventions and recommendations is the most important form of ILO activity. To date, 190 conventions and 207 recommendations have been adopted. The international labor standards contained in them, covering a wide variety of areas of labor relations, are aimed, among other things, at prohibiting forced labor, discrimination of workers, protection of maternity and youth labor, ensuring trade union freedom, equal pay for men and women, and wage guarantees.

The Treaty of Versailles, which ended World War I, provided for the creation of the International Labor Organization (ILO). Her goal was to promote social justice and improve working conditions around the world. In 1946, the ILO was established as the first specialized agency of the United Nations. The Convention on Working Hours (in Industry), the first ILO convention, established the maximum weekly number of hours that workers can work. The Philadelphia Declaration, which outlines concepts of social justice such as the right to work, the right to social security and the right to freedom of association, was approved by the ILO in 1944. The Declaration was recognized as a watershed event in the evolution of global labor standards. The United Nations adopted the Universal Declaration of Human Rights in 1948. The right to work, the right to fair and favourable working conditions and the right to form and participate in trade unions are all covered by these provisions. In 1966, the United Nations approved the International Covenant on Economic, Social and Cultural Rights. The right to work, the right to fair and favourable working conditions, and the right to form and participate in trade unions are all covered by these provisions [3].

The Sustainable Development Goals, which the UN set in 2015, place special emphasis on decent work and economic growth. In the first two years of the ILO's existence, 22 international labor conventions were adopted. Some of the topics addressed in the first conventions were "working hours in industry, unemployment, maternity protection, night work for women, minimum age and night work for young people in industry." In 1930, the ILO adopted the first fundamental convention of the future: the Forced Labor Convention (No. 29), which prohibited all forms of forced labor unless they were exempted by certain conditions. With the onset of the Great Depression, the United States joined the ILO in 1934, noting that complex labor issues would require an international response. Throughout the history of the League of Nations, the ILO has been the only organization affiliated with the League that the United States has joined[3].

Labor law has passed through several stages in its development [1]:

1st stage: mid-19th – early 20th centuries. In the early stages of the development of capitalism, the regulation of the employment of free workers was carried out by a contract of employment of services borrowed from Roman civil law. By the middle of the 19th century, factory legislation had been formed in England, France, Italy, Germany, etc. In most countries, laws have been adopted regulating occupational safety and health, occupational safety of women and children, working hours and rest periods, wages, an employment contract, the position of trade unions, strikes, and the procedure for resolving collective labor disputes.

Stage 2: The 10-30s of the 20th century: the development of the theory of labor law, its formation as an independent branch, the creation of the ILO in

1919, the adoption of the first Labor Codes in the Russian Federation in 1918, in France in 1927. At the turn of the 19th and 20th centuries, there was a revolutionary shift in the development of the theory of labor law. In scientific research, F.Lotmar, V. Endeman (Germany), M. Planiol (France), L.Barassi (Italy), L.S. Tal (Russia), justified the existence of a special qualitative specificity of a personal employment contract, the content of which is the work of hired dependent workers.

Stage 3: the period after the end of World War II (40-70s of the 20th century) is characterized by rapid development of the branch of labor law in all countries; a significant increase in the level of legal guarantees, the spread of the concept of the welfare state, the adoption of social constitutions in a number of countries, the development of international legal regulation of labor. This period is called the "golden age" of labor law.

Stage 4: since the 90s of the 20th century, the modern stage is characterized by the convergence of various legal systems, the unification and standardization of international norms, and the wider dissemination of international standards in the field of labor, related, in particular, to the globalization of the economy. In the second half of the XVIII century, more changes were made in industry than ever before or after [4].

The basis for the development of labor legislation in these countries is the unified norms characteristic of the socialist social system. Significant modernization of labor legislation, taking into account the specifics, peculiarities of the economic and political situation, and national traditions of various countries.

At the same time, a significant number of norms characteristic of the socialist past, supported by trade

unions and popular among workers, remain in labor legislation.

The labor legislation is mostly codified. Collective bargaining regulation, designed to promote more flexible labor regulation, is under development. Strengthening the importance of local regulations, which in many countries are declared sources of labor law. Trade unions retain the monopoly right to represent the interests of employees. The functions of state supervision over compliance with labor legislation, which were previously carried out by trade unions, were transferred to the state labor Inspectorate [1].

The views of world legal scholars such as Heraclitus of Ephesus (about 535-475 BC) believed that the universal logos (reason), the primary source of human justice and law, was at the heart of all world events. The human way of thinking does not have intelligence, but the divine does. The divine (rational, cosmic) law is the source of all human laws, it gives a reasonable scale and measure to human laws. Epicurus (341-270 BC) developed ideas about the state and law as a contract that is generally useful for ensuring individual freedom and mutual security of people [5]. From the point of view of Epicurus, since the laws were sent by the deity and in his opinion all current state and other laws are based on him.

Johnnozzo Menotti described the superiority of man over other living beings in his treatise, thus justifying the dignity of human nature. A new value concept of the dignity of the individual is presented in Giovanni Pico's treatise of the Mirandolla case "Speech on human dignity", a huge contribution to the development of the question of human dignity is made by the philosopher in this way [6].



In 1776, Adam Smith, in his book *The Wealth of Nations*, glorified the doctrine of economic freedom. European industrialization entailed proletarianization, which assimilated former free workers into mass production. This process required uniformity of the exchange regime, money became a universal measure of labor and thus, according to Marxist analysis, turned it into a commodity. To standardize the exchange of labor for money, the Liberals introduced labor laws and contracts, both of which assumed that all parties in economic relations were equal. The process of legitimization, as it was called, excluded all ties of solidarity that existed between "master and servant", as the employer and employee were called, before industrialization [3]. D.T. Myers, an American philosopher, expresses the idea that such human rights as the right to life and freedom, proper treatment and satisfaction of natural needs is inalienable, because otherwise society as a moral society would not be able to exist [7].

In 1878, German researchers I. Baron and T. Lehmann proposed to determine the length of the working day at the international level in order to create equal conditions in labor relations. Finally, the International Socialist Congress, held in Paris in 1889, proposed limiting the working day to 8 hours, prohibiting night work and the work of children under 14 years of age, and introducing continuous weekly rest for at least 36 hours [8].

Some authors limit the subject of international labor law to interstate public relations. Thus, Supiot considers that the ILO motto "Labor is not a commodity" and the goal of labor legislation aimed at humanizing the market are as relevant today as ever in the past [9].

Today, although this area is regulated by several legal and by-laws, there are many issues that have not yet

been resolved. According to Supiot, it can be said that labor legislation exists in order to use human dignity and social justice.

Cases of exclusion of women from protective legislation were numerous. One example was domestic help. In the mid-1930s, it was not surprising that servants under the age of ten worked more than 12 hours a day, often without pay from employers who sometimes subjected them to physical or sexual abuse. The victims were mainly young girls who left their villages to find work in large urban centers. In addition, a significant proportion (65%) of women who engaged in prostitution in the 1930s were former domestic workers [10].

A careful study of the protective legislation adopted in the early 1910s and 1920s reveals two special points. Firstly, exceptions were made to please employers. In fact, the abundance of exceptions, combined with insufficient state supervision of the proper enforcement of protective laws, in most cases made it difficult to comply with the legislation [11]. Over time, the effects of the global economic crisis that reached Greece in the early 1930s affected the situation of female employees, as rising unemployment began to force them to work more and earn less. At the same time, the absence of the State Department of Social Security aggravated the situation [12], since workers did not have access to any help in finding work or to financial support during periods of unemployment and economic difficulties.

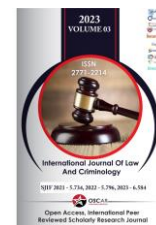
Secondly, it is noteworthy that the legislation does not distinguish between measures related to maternity leave and measures that create restrictions on women's employment. It can be argued that in the context of the deplorable working conditions of women [13], these two problems were inextricably

linked. Having children was considered the most important female task.

Thus, in our opinion, each national system of labor law is a product of the historical development of a particular country and reflects the peculiarities of its history, economy, political system, structure of the national economy, development of the labor and trade union movement, cultural and everyday traditions, climatic and natural conditions, stereotypes of mass consciousness of the population. All this in many cases creates serious obstacles to the transplantation of norms and institutions of labor law from one country to another.

## REFERENCES

1. Аминова Э.М. Краснов Ю.К. Трудовое право: учебно-методич. пособие / Э.М.Аминова. Ю.К.Краснов; Московский государственный институт международных отношений (университет) МИД России, Междунар. ин-т управления, каф правового обеспечения управленческой деятельности - М.:МГИМО-Университет, 2017.
2. International Labour Law And The Standards Author :Priya Prajapati, April 25, 2023 <https://taxguru.in/corporate-law/international-labour-law-standards.html>
3. Carlos Carrion-Crespo. When Labour Law Went Global: The Road to the International labour Organization, 1871-1919. The Journal of Agriculture of the University of Puerto Rico 37(1):129. December 2002.
4. BOUTELLE ELLSWORTH LOWE, THE INTERNATIONAL PROTECTION OF LABOR 7. (The MacMillan Co., 1935)
5. Энциклопедия мудрости. — Росса, 2007. — С. 39, 64.
6. Гулиев В.Е., Рудинский Ф.М. Демократия и достоинство личности. М.: Наука, 1983. С. 41.
7. Грудцына Л. Права человека: история и современность // Адвокат. – 2002. - № 6. – С. 47.
8. Кравченко Н. Н. Идея международно-правовой регламентации фабричного труда в ее историческом развитии до Берлинской конференции 1890 г. Томск, 1913. С. 83, 116—117; Шенланк Б. Пролетариат и его стремления. Одесса, 1905. С. 40-44.
9. Labour law in the 100 years of the International Labour Review [Дневник] / авт. Ruth DUKES, Judy FUDGE, Guy MUNDLAK. - [б.м.] : Centenary Collection, 2021 г.. - №5 : T. International Labour Law.
10. Aristotelis Koutsoumaris, 'I zoi kai i ekmetallevsis ton mikron ypiretrion. Ti metra prostasias ton prepei na lifthoun', Ellinis, Vol. 14, No. 10 (1934), 195–203.
11. Antonis Liakos, 'Apo to 'kratos fylax' eis to 'kratos proneias'. Oi parametroi tis ergatikis politikis sto mesopolemo', O Politis, No. 78 (1987), 38–41.
12. Gaitanou-Gianniou, 'I Ellinida os epiheirimatias', op. cit., 32–5.
13. Liakos , 'Oi parametroi tis ergatikis politikis', op. cit., 37–8.
14. Abdullaeva D. PROBLEMATIC ASPECTS OF WORKING TIME IN FOREIGN COUNTRIES //Academic research in modern science. – 2022. – T. 1. – №. 10. – С. 150-154.
15. Zarinakhon P., Burkhanova L. M. FEATURES OF LEGAL REGULATION OF SURROGACY: INTERNATIONAL AND NATIONAL ASPECTS //International Conference on Management, Economics & Social Science. – 2023. – T. 1. – №. 2. – С. 9-13.
16. Abdullaeva D. BASES OF WORKING TIME IN FOREIGN COUNTRIES //Proceedings of



International Educators Conference. – 2022. – Т. 1.  
– №. 1. – С. 134-138.

17. Рахимова Муаттара Абдусаттаровна  
ПЕРСПЕКТИВЫ РЕГИОНАЛЬНОГО  
ЭКОНОМИЧЕСКОГО СОТРУДНИЧЕСТВА В  
ЦЕНТРАЛЬНОЙ АЗИИ // Вестник экономической  
безопасности. 2021. №1. URL:  
<https://cyberleninka.ru/article/n/perspektivy-regionalnogo-ekonomicheskogo-sotrudnichestva-v-tsentralnoy-azii> (дата обращения: 30.01.2024).



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