

## Wilfred Jenks, 1909-1973

**W**ILFRED JENKS, Director-General of the ILO, died in Rome on 9 October 1973 at the age of 64. For 42 years he had devoted to the ILO his immense intellectual qualities, his dynamism, his extraordinary capacity for work and his unshakable faith in the objectives of the Organisation.

Born in Liverpool, England, on 7 March 1909, he was educated at elementary and secondary schools in the Liverpool area and subsequently at Cambridge University, where he was awarded the Cecil Prize for a study of international arbitration (1928), and at the Geneva School of International Studies. He entered the service of the ILO in 1931 as a legal officer and served successively as Legal Adviser, Assistant Director-General, Deputy Director-General and Principal Deputy Director-General. He was elected Director-General of the ILO in May 1970, the first Executive Head of an international organisation to have risen through the ranks and to have devoted his entire career to the service of the world community.

Wilfred Jenks had served under all five of the previous Directors or Directors-General of the Office before becoming Director-General himself, and had been intimately involved in the development of the various activities and policies of the Organisation during the past four decades. During the war and the immediate postwar period, he worked in close collaboration with Edward Phelan, who made him one of his principal advisers and who entrusted him with the responsibility of dealing with the fundamental problems facing the ILO at that time. In 1944, when plans were being drawn up for the institutional framework for postwar co-operation and the very future of the ILO was at stake, Wilfred Jenks, with Edward Phelan, contributed to the drafting of the Declaration of Philadelphia which set out in comprehensive and positive terms the aims and purposes of the ILO and proclaimed, in particular, the principles of freedom of association and non-discrimination. David Morse, who was elected Director-General in 1948, continued, throughout the 22 years of his term of office, to draw upon the experience and intellect of Wilfred Jenks in the development of many aspects of the ILO's programmes and in the expansion of its sphere of activities that characterised this period of the Organisation's history.

Wilfred Jenks was one of the ILO's earliest technical co-operation experts, having undertaken a mission to Venezuela in 1938. He also contributed, especially as a member of the ILO delegation to the United Nations Conference on International Organisations held at San Francisco in 1945, to the establishment and development of a close partnership among the organisations of the United Nations system, while safeguarding the distinctive identity of the ILO. Before becoming Director-General he had for many years had primary responsibility for the ILO's work in the field of international labour standards and human rights and he played a major role in devising the diversified machinery for ensuring compliance with these standards. This machinery, widely recognised as "a synthesis of boldness of conception with caution in execution". He took a personal and active part in the most difficult inquiries and fact-finding and conciliation procedures conducted by the ILO and greatly contributed to their success. He also played an active part in the development of the ILO's programmes of operational activities, of its regional activities in Latin America, Asia and Africa and of its Industrial Committees.

There is no aspect of the ILO's work that does not, in many important respects, bear the imprint of Wilfred Jenks. The philosophy and convictions underlying the whole of his activity are perhaps best embodied in the statement he made to the Governing Body on 20 May 1970 upon his election as Director-General:

I believe in the Declaration of Philadelphia. If you will permit me to say so, I believe in each and every part of it no less profoundly and no less passionately than when Edward Phelan and I wrote it together in Montreal a quarter of a century ago and the Conference put clearly on record, for the first time in an historic pronouncement by a world conference, the unequivocal principle of equality of opportunity for all in the freedom and dignity of all mankind.

The ILO is, and must always remain, a universal organisation. It belongs to all mankind and serves impartially the whole human race.

The ILO is, and must always remain, an integral part of something vastly greater than itself, the conscious determination of those who have known two world wars to build up, by an unremitting effort which will be neither daunted nor thwarted by constant setbacks and repeated failures, an organised world community of peace and freedom embracing all mankind. Of that determination the United Nations is the present embodiment. . . .

The ILO is, and must always remain, a tripartite organisation, a unique partnership in giving a realistic content to practical idealism, an organisation which owes its vitality, its invaluable sense of proportion, its high sense of responsibility, its climate of common sense and compromise, and not least its essentially businesslike habits, to the tripartite composition and structure without which it would lose the distinctive identity which gives it a quite special place in the whole of the United Nations system.

The ILO is, and must always remain, a bulwark of fundamental human rights, and in particular of the three central rights enshrined in the Constitution and embodied

in Conventions which have been ratified by from over 70 to over 100 States, freedom from forced labour, freedom of association, and freedom from discrimination by race, creed or sex. Without these personal freedoms, economic progress leaves man a slave.

The ILO is, and must always remain, a citadel of human freedom in the broader sense, and above all of the fullness of personal freedom without which professed devotion to the freedom and dignity of all mankind is idle words; personal freedom has its source and sustenance in the freedom of the human spirit; and the freedom of the human spirit has a contagious quality which knows no frontiers.

The ILO is, and must always remain, the advance guard of equality of opportunity for all mankind; it has been, and must always remain, a pioneer of policies of economic stability and growth, a pioneer of fullness of opportunity, a pioneer of a dynamic approach to the social consequences of scientific and technological progress, a pioneer of enlarging the concept of a common responsibility for the common welfare from the national to the world scale, a pioneer of the practical operational action to make these things a reality which has during the last quarter of a century given a new dimension to our work; its whole purpose is to provide, as a rational alternative to violence, an orderly discipline for the restlessness of change, a discipline which maintains the momentum of dynamic change, which indiscipline is always apt to disperse in a general confusion that may all too readily become chaos.

A man of profoundly felt ideals, Wilfred Jenks realised that to translate these ideals into reality required much patient negotiation. In one of his first official statements after taking office as Director-General, he said, when opening the proceedings of the Committee on Trade Union Rights at the 54th Session of the Conference in 1970, that "only by combining boldness and imagination with prudence and patience will it be possible to work out results acceptable to the Organisation as a whole". His whole career in the ILO was devoted to finding the right balance of dynamism and realism.

A man of great learning, Wilfred Jenks had an extremely broad range of interests. He read widely and had a phenomenal memory, often astounding people with his intimate knowledge of the customs, literature, legal and political systems of countries throughout the world. He took a particularly keen interest in the latest developments of science and technology, being deeply concerned with both the opportunities and the problems they created for human freedom and human welfare, and he wrote a pioneering work on the legal problems of outer space.

Wilfred Jenks was an international lawyer of world reputation. He was a Doctor of Laws of the University of Cambridge, Barrister-at-Law of Gray's Inn, and held honorary degrees from universities in many parts of the world. On four occasions he gave courses of lectures at the Hague Academy of International Law, the last occasion being in July 1973 when he lectured on "Economic and social change and the law of nations". He was also Vice-President of the Institute of International Law and a member of the International Academy of Comparative Law.

He had a wide and ambitious conception of law. He considered that "the law must protect the common peace, must promote the common welfare and must provide an orderly discipline for the relentlessness of change". The books he wrote included *The common law of mankind*, which won the annual award of the American Society of International Law for outstanding merit; *Law, freedom and welfare*; *A new world of law?*; *The world beyond the Charter*; *The prospects of international adjudication*; *Space law*; *Social justice in the law of nations*; *The international protection of trade union freedoms*; *Human rights and international labour standards*; and *Law in the world community*.

Wilfred Jenks was one of the principal architects of the concept of an international civil service, and played a leading role in drafting the language concerning the international character of the world public service contained in the Charter of the United Nations, which has since been incorporated in the Constitutions of all the specialised agencies. He firmly believed in, and constantly defended, the twin principles on which these provisions are based: that in the performance of their duties, international civil servants shall not seek or accept instructions from any government or any other authority external to the Organisation and shall refrain from any action which might reflect on their position as international officials; and that each member State shall respect the exclusively international character of the responsibilities of the staff and shall not seek to influence them in the discharge of these responsibilities.

Like Albert Thomas, the first Director of the ILO, whose example he followed in many respects, Wilfred Jenks was an indefatigable traveller. Both before and after his appointment as Director-General his journeys took him to the four corners of the earth—to participate in ILO regional meetings, to assist and advise missions of inquiry and conciliation, to meet Heads of State and representatives of governments, employers and workers, and to deliver numerous lectures and speeches to varied audiences in trade union congresses, meetings of employers' organisations, official gatherings, universities and others, for, like Albert Thomas, he believed that the role of the Director-General did not stop at dealing with ILO affairs from headquarters in Geneva, but demanded frequent, direct and personal contact with all sections of the ILO's large and varied membership and with public opinion in all member States.

His relations with his staff were characterised by a deep humanity. He set very exacting standards of performance and competence for the staff of the Office. But in his public statements no less than in his actions, he showed a great concern for their morale and their welfare, and vigorously defended their interests in many forums. Numerous staff members, even those who otherwise had little or no personal contact with him, will recall the expressions of condolence they received from him personally on the occasion of a bereavement, the kindness and encouragement

they received from him when they were sick, or the congratulations and good wishes they received from him on the occasion of a happy event in their family lives.

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The loss to the ILO caused by Wilfred Jenks's departure is immense. His exceptional intellectual abilities, his inexhaustible energy, his great experience derived from a lifetime of service to the Organisation, his unfailing courage, his extraordinary memory, his immense capacity for work, his breadth of vision, his ability to reconcile seemingly opposing views were all brought to bear on the major problems that have confronted the Organisation during the past four decades.

Wilfred Jenks was a man of courage, integrity and conviction. He never hesitated to speak out in defence of the principles on which he had based his whole career and which he firmly believed to be fundamental to the mission of the International Labour Organisation. Even in times of the greatest difficulty and crisis he never lost faith and his courage never faltered.

Inflexible on the principles to which he had devoted his life, he was prepared and able even in the most difficult situations to find the right compromise on the means of promoting and defending those principles. He guided the Office through the numerous and often acute difficulties which have faced it in recent years without ever losing his belief in the mission and the future of the ILO.

The Organisation and the Office will bear the mark of his work. There can be no doubt that the passage of time will reveal the true measure of his contribution to an organised international effort through the ILO to achieve peace through social justice.

In addressing the staff of the ILO on 24 April 1969 on "The continuing legacy of Albert Thomas", Wilfred Jenks said, "human history is a sorry tale of disillusionment and death, but the immortality of man lies in the constant resurrection of his spirit". In the ILO the spirit and the legacy of Wilfred Jenks will long continue to be felt.

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