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'Decent Work'

The Shifting Role of the ILO and the Struggle for Global Social Justice

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ABSTRACT With the proliferation of supranational trade agreements and the deregulation of national labour markets, calls for representative international organizations and international mechanisms aimed at improving the conditions of workers are growing. One outcome of these developments is that international organizations, like the International Labour Organization (ILO), are rethinking their roles under globalization. This article examines the ILO's new platform of action known as *Decent Work*, exploring whether it represents a challenge to the hegemonic order characterizing the organization historically. It finds that *Decent Work* is emblematic of the evolving hegemonic order in the ILO yet struggles over the platform reveal counter-hegemonic forces at its margins. *Decent Work* thus represents an effort at mediating tensions inside the ILO between global capital, member states, trade unions and NGOs and its two leading initiatives reflect this role: the Social Declaration and the commitment to craft standards to improve the situation of marginalized workers.

KEYWORDS *contingent/precarious work, feminism, gender, international political economy, non-governmental organizations, organized labour, social clause*

With the proliferation of supranational trade agreements and the concomitant deregulation of national labour markets, trade unions, emerging labour organizations in the formal and informal sectors, women's organizations and other non-governmental organizations (NGOs) are calling for transparent, representative and democratically-accountable international organizations operating in the social field and, at the same time, international mechanisms aimed at improving workers' lives. Although the nature of these struggles for global social justice differ, as do

the ultimate goals of the actors moving them forward, they are collectively raising the profile of deteriorating labour rights and standards worldwide. One outcome of this development is that international organizations, like the International Labour Organization (ILO), are engaged in a process of rethinking their roles under globalization.¹ Indeed, the ILO is an important case to examine since the organization has been criticized widely for perpetuating the hegemony of American capitalism, especially during the Cold War, and for neglecting the situation of marginalized workers in the global economy (Cox, 1980; Prugl, 1999; Vosko, 2000; Whitworth, 1994).

Building on the insights of scholars writing on the ILO as well as those investigating whether existing international organizations have the capacity to play a market-controlling role under globalization, this article examines the ILO's new platform of action known as *Decent Work*. Specifically, it explores whether recent changes inside the ILO, as reflected in the *Decent Work* platform, represent a genuine challenge to the hegemonic order characterizing the organization until the end of the Cold War. It asks, does *Decent Work* create space for alternative politics within the ILO and/or at its margins and, if so, could trade unions and labour-oriented NGOs use this transnational space to pry open the organization and challenge its historic 'hegemony-reinforcing' practices? The argument advanced in the article is that *Decent Work* reflects the evolving hegemonic order in the ILO under globalization, which continues to be influenced by the corporate/state-centric version of corporatism characterizing it for decades. Still, various facets of this platform, and struggles flowing from it, reveal a growing counter-hegemonic presence inside the ILO and especially at its margins, where transnational coalitions between organized labour, emerging labour organizations in the informal sector and NGOs are growing.

Decent Work represents a skilful effort at mediating escalating tensions inside the ILO between global capital, backed by a majority of industrialized states, and an increasingly vocal group of member states, trade unions, women's organizations and other NGOs concerned with improving the lives of marginalized workers. Two sets of initiatives underpinning the platform highlight *Decent Work's* mediating role and give definition to the struggles underway inside the ILO and at its margins. The first is the *ILO Declaration on Fundamental Principles and Rights at Work and its Follow-Up* (ILO, 1998a) otherwise known as the Social Declaration – the ILO's recent and widely criticized attempt to compel member states to abide by core labour standards. The second is the commitment by the ILO to craft standard-setting instruments and use its extensive technical resources to contribute to improving working conditions and labour rights among marginalized groups of workers. The 'Convention Concerning Home Work' (ILO, 1996a) and the emerging standard on 'Workers in Situations Needing Protection' are among the first concrete measures flowing from this commitment.

A central pillar of the *Decent Work* platform, the ILO's new Social

Declaration responds largely to the demands of the USA and various segments of the international trade union movement while avoiding several of the pitfalls of social clauses identified by women's groups, trade unions and other NGOs. Still, the danger that the Social Declaration could reinforce conventional corporate/state power relationships within the ILO remains acute since it neglects to provide member states with the tools necessary to target global capital and, consequently, fails to prevent downward harmonization in labour standards. Conversely, the platform's second pillar, reflecting its broad emphasis on 'decent work' for all, including 'people on the periphery of formal systems of employment', responds more directly to the concerns of a number of national trade unions, including unions of informal workers, and the new priorities of International Confederation of Free Trade Unions (ICFTU) as well as women's organizations, emerging labour organizations in the informal sector and other NGOs working on behalf of the unorganized (ILO, 1999: 39). However, while new initiatives directed at marginalized workers represent a victory for those struggling to extend rights and protections to workers historically ignored by the ILO, they lack force. As a result, trade unions, emerging labour organizations in the informal sector, women's organizations and other NGOs confront considerable, although not necessarily insurmountable, challenges in their struggle to use *Decent Work* to move beyond 'labour and hegemony' (Cox, 1977), to simultaneously initiate greater controls on global capital and to cultivate meaningful supranational commitments aimed at improving the situation of marginalized workers worldwide.

In advancing this argument, the ensuing discussion unfolds in three parts. Part 1 sets the backdrop for the inquiry by revisiting how Robert Cox (1977) used the notion of 'labour and hegemony' in depicting the ILO's role after the Second World War and by probing the salience of Cox's conception in the present era of global capitalism, drawing on recent feminist scholarship in international political economy. It also describes the growing counter-hegemonic presence inside the ILO and at its margins to frame the analysis of *Decent Work*. Moving to the case study, Part 2 examines the contradictory tenor of *Decent Work* and two central initiatives of the platform. Finally, Part 3 considers whether trade unions, emerging labour organizations in the informal sector, women's groups and other NGOs could use *Decent Work* to move beyond 'labour and hegemony' as Cox conceived of it or if power relationships in the ILO, in which corporate/state objectives dominate, will continue to interfere with the creation of a meaningful structure for advancing the interests of marginalized workers. The article concludes by examining how the potentially negative effects of the Social Declaration could be minimized – through the construction of parallel instruments – and how strong standard-setting instruments directed at marginalized workers could be used to advance global social justice.

The purpose of this article is not to review debates over social clauses – neither debates taking place inside international organizations nor debates among trade unions, emerging labour organizations in the informal sector, women’s groups and other NGOs. Instead, it aims to critically evaluate events taking place inside the ILO parallel to developments in other international organizations, including the impasse in discussions at the World Trade Organization (WTO) which fuelled the adoption of the ILO’s Social Declaration, whose form resembles a social clause yet it is *not* attached to trade. Still, to be clear, I concur with analysts rejecting social clauses as a route to achieving global social justice. The problems flowing from tying labour rights and labour standards to market-generating agreements are far-reaching. Embedding social clauses in trade agreements inevitably means that violations of labour and social standards will *only* be assessed on the basis of whether they constitute unfair trade practices (Greenfield, 1998: 186; Tabb, 1999).² Other widely-acknowledged problems include the absence of democracy and transparency in the agencies responsible for crafting and monitoring social clauses and their use for protectionist purposes (Freeman, 1995; Langille, 1997; Lee, 1997). Moreover, the fact that social clauses target nation states, which increasingly act as ‘transmission belts’ (Cox, 1994: 31) for global capital rather than enabling governments to target capital, represents a fundamental limitation. Less discussed problems include the use of social clauses by wealthy countries as ‘window dressing’ – the notion that their existence makes it easier for governments to deregulate national labour markets, allowing corporations to escape control within national borders (Cohen, 1997). Social clauses are also limited in their scope and coverage; for example, they normally exclude workers producing goods for domestic consumption and workers in the informal economy from coverage and they routinely fail to address a sufficient range of workplace issues (Vancouver Status of Women, 1997; Women Working World Wide, 1997).³

‘Labour and Hegemony’ Revisited

It is only appropriate to begin a discussion of the shifting role of the ILO with a review of Robert Cox’s important scholarly work on the organization. In his formative essay, ‘Labor and Hegemony’ (1977), Cox analysed the relationship between the organization, the US state, and American trade unions. His aim was to use the case of the ILO to probe the hegemony of US capitalism on an international scale, on the one hand, and the larger bureaucratic problems plaguing international organizations, on the other.⁴

Taking the US withdrawal from the ILO on 5 November 1975 as his point of departure, Cox traced the operation of the organization from its inception. His main contention was that despite the ILO’s initial reformist spirit, the organization maintained hegemonic power relations through its programme and ideology after the Second World War. At the time of

writing in the late 1970s, he argued further that the ILO was poised to continue along this path even without the participation of the USA because of the institutionalization of a particular version of corporatism in the organization – taking expression in the ILO’s tripartite structure – and, by extension, its support for the corporative state. In advancing this position, Cox (1977) took corporatism to be ‘a form of productive relations, one based on an ideology of non-antagonistic relations and on bureaucratized structures of representation and control’, suggesting that it could exist at the state or the enterprise level. Yet, at the state level, he referred to the general category of the corporative state, which he argued took ‘two forms . . . societal and state corporatism’, and he linked tripartism to ‘the societal form, emerging in countries of advanced capitalism (out of what Schmitter describes as “the slow almost imperceptible decay of advanced pluralism”)’ (p. 389). Cox also considered the American Federation of Labour-Congress of Industrial Organizations’ (AFL-CIO) contribution to the construction of the corporative state in the USA, which he viewed to conform with the goals of both business and the CIA⁵ to be crucial to ‘labour and hegemony’ and illustrated how its tacit support for corporativism (i.e. in the sense of a corporate-dominated state) translated at the international level inside both the ICFTU and the ILO. From Cox’s perspective, the nature of the tripartite process of the ILO led it to play a functional role throughout the Cold War era, best exemplified in its technical assistance activities.

Cox (1977) argued further that the hegemonic power relations operating in the organization ‘prevented the ILO from confronting effectively the real social issues of employment creation, land reform, marginality and poverty in general’ (p. 385). They inhibited the emergence of a strong counter-hegemonic force in the post-war era – for example, in the developing world – and led organized labour (specifically, the ICFTU and other international designates of organized labour) to neglect the interests of marginalized workers in the formal and informal economies in the north and the south. For Cox, drawing from Gramsci, ‘labour and hegemony’ inside the ILO reflected hegemony in international *productive relations* characterized by organized labour’s participation in limited social reform rather than transformation and industrial relations under capitalism (Cox, 1977: 387). In this way, although ‘Labor and Hegemony’ appeared before ‘Corporatism, Parliamentarism and Social Democracy’ (Jessop, 1979), Cox’s view of the ILO’s structure is consistent with Bob Jessop’s assessment that corporatism is an effective political shell for capitalism.⁶ Notably, particularly in light of the ensuing discussion, one major consequence of the acceptance of the corporative state in the ILO was the international trade union movement’s abandonment of peripheral workers, echoing domestic tendencies in the USA (Cox, 1977: 390–1; Harrod, 1987).⁷

Since Cox’s incisive analysis of ‘labour and hegemony’ inside the ILO, dramatic changes have taken place in industrialized and industrializing

countries propelled, in part, by the globalization of production, the global feminization of employment and, most recently, the end of the Cold War. In turn, scholarship – especially feminist work on the ILO and scholarship probing the reconfiguration of the international trade union movement – now take Cox's work as a point of departure (O'Brien, 2000; Prugl, 1999; Whitworth, 1994).

The changing shape of productive relations is, at a minimum, altering the form of 'labour and hegemony' inside the ILO. While the connection that Cox made between 'labour and hegemony' and US capitalism in the ILO was certainly apt until the end of the Cold War, the current expression of both hegemony and counter-hegemony in global relations of production is in flux. Although US capitalism remains dominant, nation states are increasingly relinquishing their control over domestic capital, facilitating globalization. Correspondingly, in response to globalization, counter-hegemonic activity is becoming more visible inside international organizations and at their margins. In the ILO, some member states belonging to the G-77, especially democratizing states like South Africa, and key northern states are coordinating their efforts to stem informalization in the south and casualization in the north and the south. The ICFTU is also expressing a growing commitment to addressing the needs of marginalized workers and a willingness to work cooperatively with trade unions of informal workers, although its commitment to collaborate with emerging labour organizations in the informal sector and NGOs is tempered by its official position on the social clause and its frequent defence of tripartism in ILO forums (David, 1996; ICFTU, 1999). Outside the ILO and at its margins, challenges are also increasing from trade unions representing informal workers and emerging labour organizations of formal and informal workers, especially trade unions like India's Self-Employed Women's Association (SEWA) and the UK-based organization HomeNet that made their common agenda known in discussions on the Home Work Convention (1996).

Consequently, there is growing space for resistance inside the ILO and especially at its margins, a space that Cox found largely absent in the post-Second World War era yet identified as crucial to a transformation in global relations of production. Still, while it may be true that a 'tentative transformation' is taking place in the international labour movement (O'Brien, 2000), an analysis of *Decent Work* suggests restrained optimism with regard to the ILO. What is new inside the ILO is the emergence of a vigorous struggle at the edges of its sphere of influence. In contrast to the post-Second World War era, national unions, women's groups and a variety of NGOs are receiving a genuine hearing, particularly on issues related to marginalized workers, in the corridors International Labour Office and in the ILO's official platform, albeit alongside the still louder voices of dominant actors.

In his recent work on the crisis in world order, Cox (1994) suggests that international organizations have the capacity to be effective 'interlocutors' in the struggle for re-regulation and re-politicization on the global scale. Correspondingly, feminist international political economists argue that they represent important 'transnational spaces' for struggles for gender equality in the face of passive or active deregulation. For example, a growing number of feminist works demonstrate how NGOs can agitate in multilateral forums to create appropriate norms on violence against women and women's health (Meyer, 1999; Meyer and Prugl, 1999; Steinstra, 1994). Scholars writing about gender politics in the labour field also reveal how interventions by the global women's movement can impact the standard-setting of organizations like the ILO which, in turn, influences labour policy and practice at the national level (Lotherington and Flemmen, 1991; Whitworth, 1994).

In 'Labor and Hegemony', Cox's point was not that the ILO was inescapably bound by the hegemony of American capitalism; although his analysis implied that corporatism can operate as a highly effective political shell for capitalist relations of production (Jessop, 1979: 203) characterized not only by a high degree of polarization between workers and employers but also among workers.⁸ Nor was it that international organizations were inappropriate sites of struggle for so-called traditional segments of organized labour or women's organizations. Instead, as Cox has indicated more recently, the point is 'that institutional change is more likely to follow than proceed a new direction' (Cox, 1994: 112). The pressing question is thus how can forward-looking progressive segments of the international labour movement, including trade unions of formal and informal workers and emerging labour organizations in the informal sector, women's organizations and other NGOs, singly and in coalition, use the ILO to advance the cause of global social justice? Specifically, to what extent does *Decent Work*, and various initiatives underpinning the platform, offer potential to move this struggle forward given both the nature and operation of ILO structures and external factors?

The ILO's New Platform of Action: Decent Work

Initiated in 1999 by ILO Director-General Juan Somavia, the first Director-General from the south, *Decent Work* is the product of a major organizational review; whereby the ILO examined its role and determined how it would best respond to member states and its constituents from labour and business given the challenges posed by globalization. This platform is not simply a new strategic plan, however. Rather, it reflects the ILO's attempt to gain some measure of institutional autonomy; it symbolizes a broader effort on the part of the ILO to remake itself given the end of the Cold War, the unravelling social pact around which its activities were organized in the post-Second World War period and accelerating

globalization. The tenor of *Decent Work*, as well as the nature and scope of the programme of normative and standard-setting activities that it advances, also highlights the escalating struggle between various actors in the organization and at its margins and the ILO's attempt at mediation.

'DECENT WORK': LANGUAGE AND SUBSTANCE

The concept 'decent work' sets a paradoxical tone for the ILO's new platform. It is used by the organization as a metaphor in identifying the dire need to improve the conditions of all people, waged and unwaged, working in the formal or informal economy, through efforts at re-regulation and the expansion of social and labour protections. As the official platform notes, the *Decent Work* agenda is shifting the ILO's attention beyond a narrow group of workers:

Because of its origins, the ILO has paid most attention to the needs of waged workers – the majority of them men – in formal enterprises. But this is only part of its mandate, and only part of the world of work. Almost everyone works, but not everyone is employed. Moreover, the world is full of overworked and unemployed people. The ILO must be concerned with workers beyond the formal labour market – with unregulated wage workers, the self-employed, and homeworkers. (ILO, 1999: 3–4)

Yet the concept 'decent work' is not intended to be synonymous with what has come to be known as 'standard work' (which was a by-product of the social pact following the Second World War) and the labour and social protections and benefits flowing from it. Nor are the central features of 'decent work' equated with a standard employment relationship, which not only served as an emblem of the post-war period in industrialized countries but a normative model of employment for the ILO in its standard-setting and technical cooperation activities supported by the international trade union movement.⁹ Rather, the central dimensions of 'decent work' laid out in the platform are left vague; they are said to be culturally- and regionally-specific and based on people's experiences in their daily lives. However, given the central labour standards linked to the platform, such as those delineated in the Social Declaration, the protections surrounding 'decent work' are significantly inferior to those typically associated with a standard employment relationship (Vosko, 2000).

For ILO Director-General Somavia, the goal of securing 'decent work' for all people arose partly out of the conviction that it is inappropriate to interpret the social challenges of the global economy only through the 'prism of the market'. This perspective, according to Somavia (2000), 'only provide[s] half the answer' . . . 'the invisible hand of the market needs to be guided by a caring eye' (p. 2). At the same time, Somavia (2000) notes that:

Decent work is not defined in terms of any fixed standard or monetary level. It varies from country to country. But everybody, everywhere, has a sense of what

decent work means in terms of their own lives, in relation to their own society . . . The immediate objective is to put in place a social floor for the global economy. (pp. 2–3)

The relativist tone of Somavia's remarks thus reflect the ILO's effort to mediate the struggle between global capital and a vocal group of member states largely from the G-77, unions (especially unions of informal workers), emerging organizations of labour in the informal sector, and NGOs concerned with improving the living and working conditions of marginalized workers.

As important as Somavia's own stance, or even the tensions inherent in the concept 'decent work', is the play of the struggle between the forces of global capital and actors concerned with marginalized workers in initiatives associated with the platform. Under *Decent Work*, the International Labour Office is now organized on the basis of four strategic areas: the promotion of fundamental principles and rights at work; employment, enterprise creation and human resource development; social protection; and social dialogue.¹⁰ The struggle underway inside the ILO is especially clear in two initiatives underpinning the platform that reflecting these strategic areas – the Social Declaration and measures to improve conditions for marginalized workers or, in the language of the platform, 'people on the periphery of formal systems of employment' (ILO, 1999: 39).

THE SOCIAL DECLARATION

The ILO crafted a new Social Declaration following developments in its Working Party on the Social Dimensions of the Liberalization of International Trade in 1994, the World Summit for Social Development in 1995, the WTO's Singapore Ministerial Conference in 1996, which recognized the ILO as the competent body for devising and promoting international labour standards, and a decisive report of the ILO Director General on 'The ILO, Standard-Setting and Globalization' (ILO, 1997). Designed to set a floor of international labour rights and adopted on 18 June 1998, this declaration was the ILO's response to the impasse in the debate over the appropriate relationship between international trade and labour standards, and particularly to the lack of consensus inside the WTO over whether it should address labour issues. Since the adoption of the Social Declaration, there have been several attempts to reintroduce discussion of a social clause-type mechanism inside the WTO, most notably the Green Room discussions in Seattle in 2000, but these attempts have resulted in entrenching divisions. Thus, with the exception of social clause type mechanisms in various regional trade agreements (or commodity agreements), the Social Declaration is the closest that states have come to setting a floor of fundamental international labour rights with a formal monitoring mechanism attached. In the words of Francis Maupain (1999),

special advisor to the Director-General of the International Labour Office, 'without directly referring to international trade . . . [the Social Declaration] encapsulates the special significance of these rights in the context of the global economy' (p. 7).

The Social Declaration is the product of formal negotiations internal to the ILO, informed by the legal expertise of officials like Maupain, between member states, trade unions and employers. Still, failed attempts to introduce a social clause into WTO agreements have also influenced its shape, blunting the force of the instrument. The declaration advances no new obligations to member states. Nor does it give the ILO or individual member states the power to introduce trade sanctions, even where a country has failed to ratify a core convention.¹¹ Responding to the concerns of countries from the G-77 about the threat of protectionism through sanctions, the Social Declaration also states explicitly that:

Labour standards should not be used for protectionist trade purposes, and that nothing in this Declaration and its follow-up shall be invoked or otherwise used for such purposes; in addition, the comparative advantage of any country should in no way be called into question by this Declaration and its follow-up. (ILO, 1998a: 8, S. 5)

Rather than introducing sanctions, the Social Declaration uses moral persuasion to encourage member states to fulfil their Constitutional obligation to advancing fundamental principles and rights at work. The explicit objective of the Social Declaration is to promote adherence to conventions in the following areas (ILO, 1998a):

- freedom of association and the effective recognition of the right to collective bargaining;
- the elimination of all forms of forced or compulsory labour;
- the effective abolition of child labour;
- the elimination of discrimination in respect of employment and occupation.

While the ILO's existing supervisory machinery already provides the means for ensuring that member states that have ratified certain conventions fulfil their obligations, the Social Declaration offers the ILO a new tool for promoting the ratification and enforcement of core conventions. Targeting nations that have not ratified core conventions, it establishes that they still have an obligation to respect the fundamental rights that are the subject of these conventions. Thus, the Social Declaration applies to all member states, all countries that have formally accepted the ILO Constitution.

To monitor progress towards the respect of fundamental rights and to promote ratification, the Social Declaration introduces a 'follow-up' mechanism. Through this follow-up, the ILO uses its constitutional procedure (Article 12) to require states that have not ratified core conventions to submit reports to allow the ILO to monitor progress made

towards implementing the principles enshrined in these conventions (ILO, 1998b). To encourage ratification and implementation, the declaration requires that the ILO publish annually a major report providing 'a dynamic global picture' on one category of fundamental principles and rights (ILO, 1998a). Reflecting its tripartite structure, official observations by organized labour (normally the ICFTU) and organized business also appear in each Global Report, where they are submitted. The first Global Report on the subject of freedom of association and the effective recognition of the right to bargain collectively was released in June 2000. Canada and the USA were among the approximately 40 non-ratifying countries. To take Canada as an example, this report found that Canada was unlikely to ratify the core Convention on Freedom of Association (No. 88) since the legislation of several provinces/territories was incompatible with it and since these jurisdictions have no intention of amending their laws (ILO, 2000b: 29). It also listed a range of areas in which the federal, provincial and municipal governments interfere in the free collective bargaining process.¹² Despite these noted violations, the Canadian government routinely claims to support freedom of association and the right to organize and bargain collectively at ILO forums, implying that the Social Declaration distinguishes between the formal ratification of core conventions and a country's commitment to upholding these fundamental rights.

The shape of the Social Declaration is a reflection of the tensions inherent in the concept 'decent work' and the prevailing struggle in the ILO, where this instrument is interpreted differently by various parties (Lee, 1997). It would be inaccurate to characterize the Social Declaration simply as an expression of support for unfettered global capitalism since it has not been in existence long enough to be tested and since early debates over both its form and content were highly complex. The G-77 and groups concerned with organized and unorganized labour also left their oppositional stamp on its design by challenging the position of the USA, which argued for more explicit links between trade and labour standards and continues to use the International Labour Office as a monitor in several of its bilateral agreements (e.g. The US-Cambodia Agreement on Textile and Apparel). However, given the scope of the Social Declaration and its targets for action, the constraints on global capital are limited. Indeed, two dimensions of the declaration, in particular, indicate that it is unlikely to alter fundamentally the corporate/state-centric power relations characterizing the ILO historically.

First, the Social Declaration's scope is limited. Despite the existence of nearly 200 International Labour Conventions, not to mention recommendations, the declaration targets the ratification of core labour standards in only four limited areas. It is clearly important that countries promote fundamental labour rights and while the ILO made an innovative move by using its Constitution to compel member states to abide by these

rights, the Social Declaration sets aside the many important international labour standards adopted since the Second World War. Ironically, especially given *Decent Work's* renewed commitment to address the needs of marginalized workers, the core conventions largely leave this important and indeed expanding area of standard-setting untouched.

Second, the Social Declaration targets nation states for adherence to core labour standards yet fails to enable states to challenge global capital collectively. In this way, it does not address the issue at the heart of the labour standards-international trade debate – the erosion of basic labour rights and the weak enforcement of labour standards, leading to a race to the bottom in wages and working conditions, propelled by the practices of capital of global capital. Instead, it reflects an attempt by the ILO to balance the demands of global capital with a set of its vocal opponents. There is no question that states remain powerful actors in the international system but, to be effective and endow states with more control, any supranational measure designed to improve labour standards and labour rights must initiate market-controlling measures targeting global capital.

The profound tensions surrounding the Social Declaration are predictable given ongoing debates about the central purpose(s) of the instrument. Paradoxically, however, the debate over the declaration generated a situation in which actors with divergent (even opposing) views and objectives often landed on the same side.¹³ Supporters of the Social Declaration take three distinct positions. First, the strongest supporters of its scope view it as, at best, a third-rate alternative to a social clause targeting states failing to comply with labour standards. However, they are hopeful that it could ultimately lead to this type of mechanism. Member states like the USA, some western NGOs and the still western-dominated ICFTU are on record as preferring an instrument that is more binding on governments yet they support a number of procedural and substantive dimensions of the Social Declaration (Grace, 2000; ICFTU, 1999). Their posture, as evidenced by the USA's reinvestment in the ILO under the Clinton administration, shaped partly by the Democratic party's favourable position on a social clause, is based partly on the view that the Social Declaration's use of the ILO's Constitution does not rule out sanctions and partly on their support for moral suasion as a tool (Weisband, 2000). The escalating actions taken by the ILO against Myanmar, through the use of Article 19 of its Constitution reinforces this position (ILO, 2000c).

A second group of more conditional supporters of the Social Declaration holds dramatically different views. Many countries tepidly accept this instrument for the very reasons that the USA, the ICFTU and other groups are displeased with it. The majority of countries belonging to the G-77, for example, applaud the Social Declaration for its form, specifically its clear rejection of protectionism and its promotional focus. These countries left their mark on the final text of the Social Declaration – and in other

international forums like the WTO Singapore Ministerial Meeting and Copenhagen +5 – by opposing a more binding mechanism and the use of this instrument for protectionist purposes. For them, the Social Declaration is a trade-off, characteristic of the uneasy mediation achieved under *Decent Work*. Eddy Lee's (1997) reflections on the initial decision by the WTO to leave international labour standards to the ILO, which led to the creation of the Social Declaration, communicate the tenor of the G-77 position:

The WTO declaration was seen by developing countries as a successful heading-off of further moves towards a social clause by confining discussions of labour standards within the ILO. But this carried the expectation, even if not an explicit commitment, that other non-trade related means for strengthening the observance of basic labour standards would be seriously pursued in the ILO. (pp. 178–9)

Hence, the G-77's lukewarm support for the Social Declaration reflects an oppositional stance that aims to protect developing countries from western domination.

A third group of supporters, especially many women's groups and development NGOs, take a more critical stance. They argue that the type of position offered by the G-77 should be rejected because a weak endorsement of the Social Declaration is not the same as support for international measures directed at controlling capital. They thus call for reforming this and other instruments, in tandem with struggling for labour rights and enforceable standards at the national level, with the aim of creating market-controlling mechanisms.

Similar divisions exist between those groups opposing the Social Declaration. There are ILO member states and NGOs, influenced initially by the USA when establishing a link between labour standards and trade at the WTO seemed likely, who consider it insufficient because it is not a social clause and thus non-binding. Adherents to this view are most closely allied to the position adopted by the USA prior to the Singapore WTO Ministerial Meeting but altered thereafter, which named the ILO as the competent body for dealing with international labour standards. Conversely, there are trade union organizations and NGOs and women's organizations that reject social clauses, arguing that they will not extend sufficient protection to workers and, therefore, reject the Social Declaration because it is offered as a resolution to the trade and labour standards debate and deteriorating international labour standards more broadly. The activism of both groups of opponents takes different forms than those working for change through the declaration. Those advocating a social clause continue to focus almost exclusively on lobbying inside the WTO and those seeking to challenge globalization outside existing international institutions – and, hence, vehemently rejecting a social clause – tend to use meetings of world leaders (i.e. APEC, the WTO or the FTAA) as sites of protest.

The positions of various actors on the Social Declaration, particularly the bifurcated views of *both* its supporters and its opponents, highlight the tensions that underpin it. They demonstrate that the interpretation and implementation of the declaration is itself subject to a complex struggle. In the context of the shifting role of the ILO, however, by targeting states yet failing to enable them to contribute to increased controls over global capital, and constructing an instrument of limited scope, the organization's use of the Social Declaration reflects an artful attempt at mediation. If they manage to link it to extending social and labour rights and protections to marginalized workers and to increasing states' collective power over global capital, trade unions, emerging labour organizations in the informal sector, women's organizations and other NGOs could leverage the Social Declaration effectively. However, without this type of intervention, the Social Declaration is poised to reinforce conventional corporate/state power relationships in the ILO.

EXTENDING PROTECTION TO MARGINALIZED WORKERS: THE HOME WORK CONVENTION AND THE EVOLVING INSTRUMENT ON WORKERS IN SITUATIONS NEEDING PROTECTION

The identification of another priority group of workers in *Decent Work* – i.e. people on the periphery of formal systems of employment – also reflects prevailing tensions in the ILO. In aiming for 'decent work' for all, the platform makes it clear that the ILO is not attempting to encourage countries to extend the same level of statutory entitlements, protections and benefits accorded to standard workers to all workers in need of protection. While acknowledging the rise and spread of contingent employment internationally, therefore, this gesture does not threaten global capital's demand for a 'flexible' workforce. Yet recent ILO initiatives to extend protections to marginalized workers call on governments to craft national legislation to prevent the use of contingent workers primarily as a means of escaping regulation. These initiatives are the product of longstanding efforts of officials in the International Labour Office aiming to 'mainstream gender', take seriously the conditions of workers in the informal economy, and address the proliferation of non-standard employment. They also address some of the concerns of trade unions, emerging labour organizations in the informal sector, NGOs and some members of the G-77 as well as member states in western Europe determined to stem informalization in the south and casualization in both the north and the south. *Decent Work's* focus on marginalized workers is thus a display of the ILO's new commitment to bring workers once deemed to be outside of its constituency into its standard- and norm-setting activities. More than the preceding pillar of the platform, therefore, the substantive initiatives behind this pillar signal the growing presence of groups struggling on behalf of marginalized workers inside the organization and at its margins.

The new ILO 'Convention Concerning Home Work', No. 177 (ILO, 1996a) and current discussions on creating an instrument on Workers in Situations Needing Protection (ILO, 2000d) are cases in point. While the Home Work Convention has limitations and while discussions on extending protections to marginalized workers are proceeding tediously slowly, these developments suggest that the ILO potentially offers a space – indeed a transnational space – for greater coordination between women's groups, other NGOs, emerging labour organizations in the informal sector and the international trade union movement.

The ILO Convention Concerning Home Work, No. 177 (1996). The Convention Concerning Home Work (ILO, 1996a), which arose before the ILO introduced *Decent Work* but whose promotion is central to it, is an important new international instrument. It is the product of the collective efforts of the ILO division on women (FEMME) and ILO Program on Rural Women, UNIFEM, vocal trade unions and emerging labour organizations of informal workers as well as Women in Development (WID) researchers, to address the conditions of workers in the informal economy and the gendered character of precarious employment worldwide. Since its adoption, this convention has been taken as a model by trade unions of informal workers like SEWA and groups like UK-based HomeNet, representing the interests of emerging labour organizations of workers in the formal and informal sectors, UNIFEM and mainstream trade unions lobbying for improving the conditions of marginalized workers in the global economy. For example, in arguing that it is critical for women's organizations around the world to pressure governments at forums like the recent Copenhagen +5 Summit, UNIFEM recently congratulated the ILO for advancing women's economic progress through its work on behalf of homeworkers. It also applauded the Convention Concerning Home Work specifically for its affirmation that many ILO conventions do indeed apply to workers in the informal sector (Elson et al., 2000). Thus, the passage of the Home Work Convention represents, at a minimum, a symbolic victory for marginalized workers.

Given the ILO's longstanding neglect of workers falling outside standard employment relationships, the terms of the Home Work Convention are also relatively positive, although 'detailed guidelines as to how the situation of homeworkers should be improved' are relegated to the non-binding recommendation (ILO, 1996b). The preamble of the Convention is especially monumental as it recalls that 'many international labour Conventions and Recommendations laying down standards of general application are applicable to homeworkers' (ILO, 1996a: Preamble). Beyond this gesture, which makes it clear that the International Labour Code now applies to homeworkers, three other dimensions of the convention are worthy of emphasis. Article 1 defines an employer as a person who either parcels out homework directly or through an intermediary, making it

difficult for employers in ratifying countries to escape regulation by defining homeworkers as independent contractors. Article 3, however, is the strongest dimension of the instrument as it requires ratifying countries to adopt, implement and periodically review a national policy on homework aimed at improving the situation of homeworkers. This provision also requires governments to work in consultation with the 'most representative' organizations of workers and employers and, where they exist, those organizations (not necessarily trade unions) concerned with homeworkers specifically, a pivotal opening for groups moving towards trade union status like SEWA. Building on Article 3, Article 4 also requires national governments to promote equal treatment between homeworkers and other wage earners, taking into account the special characteristics of homework, a theme that runs through the newest Convention on Part-Time Work, No. 175 (adopted in 1994) and broader discussions on workers in situations in need of protection.

Owing largely to the Employers' Group rejection of any binding instrument on homework and to standard-setting more broadly, the 'Recommendation Concerning Home Work', No. 184 (ILO, 1996b) lays out much more comprehensive provisions. While space does not permit a detailed elaboration of its contents, this instrument is a strong template for countries committed to introducing legislation and regulations. Regarding supervision, it proposes the introduction of a registry of employers using homeworkers and a parallel registry of workers, designed to enable association building or trade union formation and eventually collective bargaining (ILO, 1996b: Article 6). The recommendation also addresses questions of minimum age, collective representation, minimum wages, comparable treatment in remuneration, benefits and statutory entitlements and protections for homeworkers and regular waged workers as well as compensation for equipment and time for maintaining machinery. Additionally, in a very significant move, the committee drafting the final recommendation proposed that nations establish joint and several liability between intermediaries and employers for the payment of remuneration to homeworkers (ILO, 1996b: Article 7). Moreover, the recommendation contains detailed provisions on social security, hours of work, weekly rest and sick leave and maternity protection as well as calling on governments to create special programmes to facilitate freedom of association and collective bargaining (ILO, 1996b: Articles 9, 10, 11 and 12). In combination with the Convention, therefore, the 'Recommendation Concerning Home Work' is a powerful tool in the struggle of trade unions (especially unions of informal workers), emerging labour organizations in the informal sector, women's groups and NGOs working to extend protections to marginalized workers.

The unique dimensions of the new Convention Concerning Home Work were the product of an unprecedented coalition between progressive unions of formal workers, unions of informal workers, emerging labour

organizations in the informal sector, women's groups and other NGOs, an alliance absent in the creation and promotion of the Social Declaration. This coalition first took shape through the ILO's Program on Rural Women and crystallized on the floor of the International Labour Conference after successful deliberations on part-time employment and in the wake of the growing concern among member states and representatives of organized labour over the spread of contingent employment. Homework was first discussed formally at the International Labour Conference in 1995 and, in response to this discussion, the ILO drafted an instrument that was modified and adopted on the floor of the ILO in 1996. Elisabeth Prugl (1999) argues in her book, *The Global Construction of Gender: Home-Based Work in the Political Economy of the 20th Century*, that the Convention Concerning Home Work (ILO, 1996b) represents a pivotal victory for both the global feminist movement and progressive segments of the international labour movement. For Prugl, its introduction signals a positive transformation away from 'fordist gender rules' inside the ILO, even despite the low level of immediate ratification among member states. ILO records and the accounts of trade unionists and feminist organizers suggest that the convention survived because of the nature of the coalition backing it – between HomeNet, trade unions of informal workers, emerging labour organizations in the informal sector, women's organizations and the ICFTU – and its effective lobbying efforts directed at governments.¹⁴ They also illustrate that the convention survived in spite of the negotiating tactics of the Employers' Group. In formal deliberations over the question of homework, the Employers' Group refused to participate in discussions on a binding legal instrument, a first in ILO history, taking the neoliberal view that standard-setting in this area hinders development. But, because of the tactics of HomeNet – acting as an umbrella organization representing trade unions of informal workers and emerging labour organizations in the informal sector and receiving observer status at the ILO – and the ICFTU, and the support of the Commission of the EU, member states still negotiated a convention with labour in the absence of the Employers' Group. Eventually, employers rejoined discussions over the recommendation. However, although it supported a recommendation in principal due to its non-binding character, the Employers' Group abstained in the final vote to protest the comprehensive character of the entire instrument.

In their internal debates over both the convention and recommendation, emerging labour organizations in the informal sector, feminist NGOs and trade unions often articulated different viewpoints, with mainstream unions taking the stand that homeworkers (largely women) need protection and SEWA and HomeNet and feminist NGOs, highlighting the agency of women homeworkers (Prugl, 1999). In contrast to the case of the Social Declaration, however, where differences between feminist NGOs, trade unions of informal workers and emerging labour organizations in the

informal sector, on the one hand, and the ICFTU, on the other, have led to polarized positions despite their presumably common goal of targeting global capital, a coalition came together effectively here. Even though they had different perceptions of homework and homeworkers, mainstream and progressive trade unions, emerging labour organizations in the informal sector, women's organizations and other NGOs supported state regulation and objected vehemently to the free market views advanced by employers.¹⁵ It was this opposition, combined with the support of many EU governments, as well as governments like South Africa, that contributed to the successful adoption of the convention.

The emergence of the Home Work Convention is thus cause for moderate optimism. It reveals that there is space, albeit limited, for alternative positions in the ILO, and highlights the struggle taking place at the margins of the organization, which scholars studying the shifting role of the organization should take heed of. Moreover, as Prugl (1999) incisively notes, 'in the end, the Convention [Concerning Home Work] may have been significant, not so much for the legal changes it may have occasioned in ILO member states, but for having initiated a global debate about regulating flexible labour' (p. 11). The experience of the Home Work Convention also underscores the growing significance of emerging labour organizations in the informal sector and trade unions of informal workers as global actors – and, in particular, as potential allies of the mainstream trade union movement.

From Discussions on a Convention on Contract Labour to the Evolving Instrument on 'Workers in Situations Needing Protection'. The product of mounting pressures within the ILO to address the proliferation of contingent employment and, more specifically, of a backroom deal between employers and workers in the early 1990s, the evolving instrument on 'Workers in Situations Needing Protection' also reflects prevailing struggles inside the ILO. However, while these discussions concretize a central sentiment in the *Decent Work* platform, they are proceeding slowly due partly to the contentious outcome of discussions on homework. In the early 1990s, there was a call for a new instrument on private employment agencies from employers to respond to the growth of the temporary help industry and, at the same time, an instrument designed to encourage states to regulate contract labour, principally supported by organized labour. Since both issues reflected priority areas of standard-setting identified by the ILO, the Workers' Group and the Employers' Group made a backroom deal: the Workers' Group agreed to submit to a revision of the Convention on Private Employment Agencies, 1949 (No. 97) in exchange for the Employers' Group agreement to discuss a convention on Contract Labour.

Elsewhere I have demonstrated that the reopening of the Convention on Private Employment Agencies was a defeat for workers since it led to the adoption of a new Convention on Private Employment Agencies (No. 181)

that legitimizes triangular employment relationships – involving an agency, a worker and an employer – connected to the rise of precarious employment (Vosko, 1997, 2000: 200–29). Groups opposing the terms of this instrument, mainly trade unions, were unable to convince governments of the importance of retaining restrictions on the activities of private employment agencies. They were also ineffective in convincing the other social partners of the growing need to regulate employment relationships where responsibility does not rest squarely with one entity. As a result, the ILO adopted a convention focused on a particular set of labour market institutions (i.e. private employment agencies) that undermines the aim of achieving parity between workers in standard and non-standard employment relationships overlooked in *Decent Work*.

The other side of the deal is still a matter under contestation. In 1997, the International Labour Conference held a preliminary discussion on Contract Labour, where the Workers' Group lobbied for a strong instrument. However, in the aftermath of the passage of the Home Work Convention, tensions were high between workers and employers and conceptual and political problems impeded progress. Moreover, there were few observer organizations present at the discussion and, as a result, virtually no attention was paid to the concerns of unions and other organizations representing workers engaged in contract labour. In the face of these obstacles, the Committee decided to abandon the term 'contract labour'. Yet, since it affirmed in principle the importance of investigating contract labour and related phenomena, ILO officials solicited 29 country studies on workers needing protection and initiated six regional meetings of experts (ILO, 2000d). The overarching goal of these studies was to identify workers in situations needing protection. To avoid confusion over terminology, researchers were directed to focus on workers in four categories – dependent employment, self-employment, triangular employment relationships and self-employment in conditions of dependency – and asked to consider the case of truck drivers in transport enterprises, construction workers and salespeople. In particular, they were asked to explore the grey area between formal and informal sectors and to highlight the situation of women workers.

Based on these studies and consultations with experts, the International Labour Office released a technical report entitled 'Meeting of Experts on Workers in Situations Needing Protections' in May 2000. This report is the newest development in discussions on devising an instrument for improving the conditions of workers needing protection. The most significant feature of the report is its finding, concluded on the basis of the 29 country studies as well as deliberations with experts, that (ILO, 2000d):

There is a category of workers who appear to be excluded from the protection provided by the employment relationship, but who in fact carry out their work

within the framework of concealed or disguised employment relationships. At the same time, there are objectively ambiguous situations, which are on the increase, which merit protection, since the workers involved are placed in situations of dependency, but in respect of which the scope of legislation may be too narrow, in that it does not allow an identification of the employer of the persons who should assume responsibility vis-a-vis the worker. (p. 66)

The report advances three alternatives in the face of this development. It suggests that the ILO could put standard-setting activities on hold until more information is available, acknowledging that this option would likely exacerbate prevailing trends. Alternatively, it suggests that the ILO could draft a detailed standard but the diversity in national situations and differing views of workers and employers would remain obstacles. The third strategy, and the preferred option of the drafters of the report, is to construct a promotional standard of the order of the Home Work Recommendation, directing states to formulate and implement national policies (ILO, 2000d: 61–3).

This report was filed and discussed at the ILO's Governing Body in November 2000 and discussed again in March 2001. However, this issue is only set to reach the floor of the International Labour Conference in June 2003. Moreover, due to the lack of agreement on a common definition of contract labour and the elusive character of the phenomena under consideration, obstacles to the adoption of a convention on 'unprotected workers' also remain profound. In the case of homework, despite employers' protestations, drafters as well as member states, trade unions and employers had a clear idea of who the convention was designed to serve and a coalition of supporters evolved on this basis. In this case, with the shift away from 'contract labour' towards 'unprotected workers', emerging labour organizations in the informal sector, unions of informal workers, women's organizations and other NGOs, on the one hand, and mainstream trade unions, on the other, currently lack a unifying focus, inhibiting their lobbying efforts. Prevailing discussions on unprotected workers reveal that the extension of protections to these workers are unlikely to materialize without a clearer focus, enabling renewed alliances between these groups.

Beyond 'Labour and Hegemony'?: 'Decent Work' and the Struggle for Global Social Justice

The two central pillars underpinning *Decent Work* reflect the prevailing struggle inside the ILO. The shape of the Social Declaration and particularly the platform's new emphasis on extending protections to workers on the periphery of formal systems of employment indicate that trade unions of informal workers, emerging labour organizations in the informal sector, women's groups and other NGOs are receiving a greater hearing inside the ILO – not to mention in the broader international labour

movement – than they have in the past. They are thus better positioned to resist hegemonic forces in the ILO than during the Cold War. Still, it would be an exaggeration to suggest that either pillar of *Decent Work* amounts to a significant challenge to the longstanding power relationships within the ILO or the corporate/state-centric version of corporatism characterizing it for decades and, hence, to unfettered global capital. The Social Declaration is a relatively blunt instrument and although organized labour, emerging labour organizations in the informal sector, women's groups and NGOs are gradually forging alliances in lobbying for the extension of international labour standards to the unorganized, and to workers in the informal sector, emerging instruments are weak, especially in their capacity to generate lasting improvements for workers at the national level. *Decent Work*, therefore, represents an effort at mediating the demands of global capital with those of an increasingly vocal group of member states, trade unions, emerging labour organizations in the informal sector, women's groups and other NGOs struggling to transform the ILO's agenda.

However, recent developments in the ILO afford trade unions, emerging labour organizations in the informal sector, women's groups, other NGOs and states struggling to halt casualization in the north and in the south an opportunity to advance the cause of global social justice at a number of levels. At a macro-level, taking advantage of this opportunity involves a two-fold strategy. As Greenfield (1998, 1999) argues, it involves first challenging the lack of democracy and transparency in international organizations – in the ILO's case, this also involves highlighting problems flowing from its tripartite structure and the corporate/state power relationships historically characterizing the organization – and seeking strategic exclusions from specific standards that threaten to lower the bottom of the labour market. A second strategy – yet one that may be pursued simultaneously – involves lobbying for stronger and more meaningful international labour standards as well as international and supranational instruments effective in monitoring and regulating the activities of global capital. If applied to the Social Declaration, this secondary strategy could assist ILO member states in enforcing improved labour standards in ways that enable workers to exercise their labour rights individually and collectively through their representative organizations.

At a meso-level, realizing this opportunity involves strengthening alliances between women's groups, labour-NGOs and trade unions of formal and informal workers, emerging labour organizations in the informal sector, women's groups, and other NGOs – a project crucial to moving marginalized workers' issues to the centre of the ILO's agenda, to increasing pressure on its member states and to reshaping the international trade union movement so that the debate over global social movement unionism goes beyond 'how unions should adapt to include unprotected workers'. Thus far, coalition-based strategies have been effective in making challenges at the

margins of the ILO's traditional area of standard-setting activity and their very fluidity has revealed the limits of the hegemony-serving industrial unionism of the past. The debate over the hard-won Home Work Convention is a case in point. Given that the Social Declaration is already in force, coalitions inside the ILO could press to give this instrument a more meaningful role and, in so doing, pry open corporatist structures in the ILO and challenge its state-centric hegemony-reinforcing practices. To complement activities inside the ILO, women's organizations, emerging labour organizations in the informal sector, trade unions of informal and formal workers and the ICFTU could also work collectively to develop a parallel report to the ILO's Global Report attached to the Social Declaration to assess the official observations of nation states and business, and to supplement the official observations of national labour organizations. This shadow report could then be submitted formally to the ILO but also circulated widely at the international, national and local levels to fuel activities aimed at improving the conditions of marginalized workers. A report of this sort could address both progress and setbacks in areas of common concern and follow models developed by progressive trade unions, emerging labour organizations in the informal sector, women's organizations, other NGOs and the ICFTU. UNIFEM's *Biennial Report on The Progress of the World's Women* and alternative budget exercises undertaken in various countries offer potential templates (Bakker, 1999; Elson and Catagay, 2000).

Engagement with workers at the micro-level – through public forums as well as through detailed field observations – in devising this type of report is essential to developing finely-grained assessments of the situation in a given country or region and to improving ties between trade unions of informal and formal workers, emerging labour organizations in the informal sector, women's groups and other NGOs. It is also crucial for building momentum for the struggle underway inside the ILO.

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NOTES

1. The activities of the ILO's Working Party on Globalization, formerly the Working Party on the Social Dimensions of the Liberalization of International Trade, have been central to this process since 1994, when the relationship between the rules governing international trade and 'the social field' became a central agenda item (ILO, 1994).
2. Some critics thus characterize social clauses as by-products of 'globalization from above', that is, the standards that they embed are not only selected and devised without consultations with workers and their unions or associations, they are 'externally determined yardsticks . . . used to exclude the products of particular countries from other markets' (Tabb, 1999: 4). This 'globalization from above' contrasts sharply with 'globalization from below', whereby workers struggle for labour rights and standards and demand that governments and employers respect workers and their organizations.
3. Notably, based on these types of criticisms, a growing number of trade unionists oppose the strategy *for* inclusion adopted by the ICFTU (i.e. including organized labour in the design and implementation of social clauses), favouring a strategy *of* exclusion instead. This position is noteworthy here since the voices of trade unionists opposing the introduction of a social clause in the WTO in the mid-1990s (alluded to below) were muted by the official position of the ICFTU. Gerard Greenfield (1998, 1999) provides a clear summary of the strategy of exclusion, suggesting that it necessitates a twofold approach to resisting global capital. This strategy involves first mobilizing against the institutions of globalization themselves and then negotiating exclusions, a process whereby unions, women's organizations and other NGOs seek exemptions from agreements and demand immunity for workers when states are charged with unfair trading practices. The thrust of Greenfield's (1998) argument is that while social clauses may include labour at the table, 'the form of representation chosen and its disarticulation from local struggles leave it no bargaining power at all' (p. 187). Greenfield also views the ILO's Social Declaration, as well as the ICFTU's endorsement of this instrument, with scepticism given the failure of the ILO (and its tripartite structure) to enforce existing conventions, while recognizing that it is certainly preferable to a social clause since it is not tied to trade.
4. Cox set the groundwork for the latter objective earlier in 'ILO: Limited Monarchy' (1974), a contribution to *The Anatomy of Influence: Decision Making in International Organization*, which he co-authored with Harold Jacobson. 'Limited Monarchy' is thus a more thorough examination of the bureaucratic operation of the organization.
5. Soon after 'Labor and Hegemony' appeared, Cox was subject to criticisms for his depiction of the AFL-CIO and its relationship to the CIA, criticisms to which he carefully replied (Cox, 1980; Douglas and Godson, 1980).
6. According to Jessop (1979), 'corporatism cannot eliminate the social bases of class antagonism, it can only work effectively when the "social partners" accept the overall legitimacy of the capitalist order' (p. 203). For further reading on the relationship between corporatism and social democracy, see McBride, 1983 and Panitch, 1979. See also Schmitter and Lehmbruch (1979) for a comprehensive review of the literature on corporatist intermediation at the time.
7. Reflecting on the implications of the AFL-CIO's acceptance of the corporative state for a significant segment of the American population, which he linked to

the process of modernization, Cox observed (1977): 'The economy does much less well by the remaining half of the labor force. Largely non-union, heavily representative of women and minority people, whose employment is unstable and who have little or no career opportunities, this lower half is a human buffer softening the blow of an economic downturn for the more privileged upper half. Acceptance of the corporative state by the leaders of organized labour means that unions have largely abandoned this lower half, or made only token efforts at unionization amongst it' (pp. 390–1).

8. I am grateful to Stephen McBride for pointing out this link between Robert Cox's understanding of the operation of corporatist structures at the international level and Bob Jessop's insights on corporatism and social democracy at the national level.
9. The standard employment relationship is best characterized as a continuous full-time employment relationship where the worker has one employer and normally works on the employer's premises or under his or her supervision and has access to a range of benefits that complete the social wage (Vosko, 2000: 14–44).
10. To strengthen these strategic areas, building on the ILO Constitution and directed by member states, the office is initiating a range of standard-setting instruments through *Decent Work* and advancing a threefold policy emphasis on development, gender and enterprise promotion, employment and incomes as well as a sector on social dialogue.
11. However, while it has not been tested, the follow-up to the Social Declaration could result in such measures in the long term (i.e. after many rounds of a country's failure to abide by core labour standards).
12. Notably, various parts of the trade union movement in Canada used this first Global Report, as well as the North American Accord on Labour Cooperation, to lobby for a bilateral forum on addressing exclusions from the right to organize and bargain collectively in Canada and the USA. At this meeting, the cases of temporary workers, agricultural workers, independent contractors (specifically the case of rural route postal carriers excluded from collective bargaining rights by the Postal Services Continuation Act, 1997) and supervisors in the public service were addressed. For a record of the proceedings of this session, please see: <http://www.laboris.uqam.ca>
13. Others have also characterized the Social Declaration, as well as the response to it from member states, employers, trade unions (representing formal and informal workers), emerging labour organizations in the informal sector and NGOs, as 'paradoxical'. Indeed, Lee (1997) has argued that, on the one hand, the Social Declaration calls into question the role of the ILO because, without enforcement powers, it is relatively ineffective. But, on the other hand, the declaration calls on the ILO to pursue more actively its role in strengthening the observance of basic labour standards.
14. Fieldnotes, 19–30 July 2000.
15. They also rejected the employers' characterization of homeworkers into four groups – namely, industrial workers, teleworkers, mobile professionals and pre-industrial workers.

REFERENCES

- Bakker, Isabella (1999) 'Neoliberal Governance and the New Gender Order', *Working Papers* 1(1): 49–59.

- Cohen, Marjorie Griffin (1997) *What To Do About Globalization*. Ottawa: Canadian Centre for Policy Alternatives.
- Cox, Robert (1974) 'Limited Monarchy', in R. Cox and H. Jacobsen (eds) *Anatomy of Influence: Decision Making in International Organization* (pp. 102–38). New Haven, CT: Yale University.
- Cox, Robert (1977) 'Labor and Hegemony', *International Organization* 31(1): 385–424.
- Cox, Robert (1980) 'Labor and Hegemony: A Reply', *International Organization* 34(1): 159–76.
- Cox, Robert (1994) 'The Crisis in World Order and the Challenge to International Organization', *Cooperation and Conflict* 29(2): 99–113.
- David, Natacha (1996) *Worlds Apart: Women and the Global Economy*. Geneva: ICFTU.
- Douglas, William A. and Godson, Roy S. (1980) 'Labor and Hegemony: A Critique', *International Organization* 34(1): 149–58.
- Elson, Diane et al. (2000) *Progress of the World's Women, 2000: UNIFEM Biennial Report*. New York: UNIFEM.
- Elson, Diane and Catagay, Nilufer (2000) 'The Social Content of Macroeconomic Policies', *World Development* 28(7): 1347–64.
- Freeman, Richard B. (1995) 'Are Your Wages Set in Beijing?', *Journal of Economic Perspectives* 9(3): 15–32.
- Grace, Brewster (2000) 'Briefing Paper on U.S. Initiatives in the WTO on Trade and Labor Standards', in *Focus: WTO and Labour Standards*, URL (consulted July 2000): <http://www.quaker.org/quano>
- Greenfield, Gerard (1998) 'The ICFTU and the Politics of Compromise', in Ellen Meinkins Wood, Peter Meinkins and Michael Yeats (eds) *Rising From the Ashes? Labour in the Age of 'Global' Capitalism* (pp. 180–9). New York: Monthly Review Press.
- Greenfield, Gerard (1999) 'Union Responses to Negotiations on the WTO Agreement on Agriculture: A Strategy of Exclusion', *Discussion Paper*. Canadian Autoworkers' Union, Toronto, Canada, May 7.
- Harrod, Jeffrey (1987) *Power, Production and the Unprotected Worker*. New York: Columbia.
- ICFTU (1999) *Building Workers' Human Rights into the Global Trading System*. Geneva: ICFTU.
- ILO (1994) *Record of Proceedings: Working Party on the Social Dimensions of the Liberalization of International Trade*. Geneva: International Labour Office, November.
- ILO (1996a) 'Convention Concerning Home Work', No. 177. Geneva: International Labour Office.
- ILO (1996b) 'Recommendation Concerning Home Work', No. 184. Geneva: International Labour Office.
- ILO (1997) 'The ILO, Standard-Setting and Globalization', Report of the Director-General, International Labour Conference, 85th Session. Geneva: International Labour Office.
- ILO (1998a) *ILO Declaration on Fundamental Principles and Rights at Work and its Follow-Up*. Geneva: International Labour Office.
- ILO (1998b) *Constitution of the International Labour Organizations and Standing Orders of the International Labour Conference*. Geneva: International Labour Office.
- ILO (1999) *Decent Work: Report of the Director General, International Labour Conference, 87th Session*. Geneva: International Labour Office.

- ILO (2000a) *Your Voice at Work: Global Report under the Follow-Up to the ILO Declaration on Fundamental Principles and Rights at Work*. Geneva: International Labour Office.
- ILO (2000b) *Review of Annual Reports Under the Follow-Up to the ILO Declaration on Fundamental Principles and Rights at Work*. Geneva: International Labour Office.
- ILO (2000c) 'Measures Recommended by Governing Body under Article 33 of the Constitution – Implementation of recommendations contained in the report of the Commission of Inquiry entitled Forced Labour in Myanmar (BURMA)', International Labour Conference (June), *Provisional Record*. Geneva: International Labour Office.
- ILO (2000d) 'Meeting of Experts on Workers in Situations Needing Protection (The Employment Relationship: Scope)', *Basic Technical Document*. Geneva: International Labour Office.
- Jessop, Bob (1979) 'Corporatism, Parliamentarism and Social Democracy', in Philippe Schmitter and Gerhard Lehbruch (eds) *Trends Towards Corporatist Intermediation* (pp. 186–211). Thousand Oaks, CA: Sage.
- Langille, Brian (1997) 'Eight Ways to Think About Labour Standards and Globalization', *Journal of World Trade* 31(4): 27–54.
- Lee, Eddy (1997) 'Globalization and Labour Standards: A Review of Issues', *International Labour Review* 136(3): 173–89.
- Lotherington, Ann Therese and Flemmen, Anne Britt (1991) 'Negotiating Gender: The Case of the ILO', in Kristi Anne Stolen and Mariken Vaa (eds) *Gender and Change in Developing Countries* (pp. 273–308). Norway: Norwegian University Press.
- McBride, Stephen (1983) 'Public Policy as a Determinant of Interest Group Behaviour: The Canadian Labour Congress' Corporatist Initiative, 1976–78', *Canadian Journal of Political Science* 16(3): 501–17.
- Maupain, Francis (1999) 'Workers Rights and Multilateral Trade Before and After Seattle', paper presented to the Vienna Symposium on 'The WTO after the Seattle Ministerial Conference' held by the Research Institute for European Affairs, Vienna, and the Federal Economic Chamber of Austria, February.
- Meyer, Mary K. (1999) 'Negotiating International Norms: The Inter-American Commission of Women and the Convention on Violence against Women', in Mary K. Meyer and Elisabeth Prugl (eds) *Gender Politics in Global Governance* (pp. 58–71). Oxford: Rowman and Littlefield.
- Meyer, Mary K. and Prugl, Elisabeth (eds) (1999) *Gender Politics in Global Governance*. Oxford: Rowman and Littlefield.
- O'Brien, Robert (2000) 'Workers and World Order: The Tentative Transformation of the International Union Movement', *Review of International Studies* 26: 533–55.
- Panitch, Leo (1979) 'Corporatism in Canada', *Studies in Political Economy* 1: 43–92.
- Prugl, Elisabeth (1999) *The Global Construction of Gender: Home-Based Work in the Political Economy of the 20th Century*. New York: Columbia University Press.
- Schmitter, Philippe and Lehbruch, Gerhard (eds) (1979) *Trends Towards Corporatist Intermediation*. Thousand Oaks, CA: Sage.
- Somavia, Juan (2000) 'Decent Work in the Global Economy', speech delivered in Vigyan Bhavan, New Delhi, 18 February, URL (consulted July 2000): <http://www.ilo.mirror/public/english/bure.../speecheds/Somavia/2000/delhi.htm>.
- Steinstra, Deborah (1994) *Women's Movements and International Organization*. New York: St Martin's Press.
- Tabb, William (1999) 'Progressive Globalism: Challenging the Audacity of Capital', *Monthly Review* 50(9): 1–10.

- Vancouver Status of Women (1997) 'The World Bank, IMF, GATT, WTO, NAFTA, MAI: Capitalism's Soldiers', *Kinesis* (October): 9–12.
- Vosko, Leah F. (1997) 'Legitimizing the Triangular Employment Relationship: Emerging International Labour Standards from a Comparative Perspective', *Comparative Labor Law and Policy Journal* (Fall): 43–77.
- Vosko, Leah F. (2000) *Temporary Work: The Gendered Rise of a Precarious Employment Relationship*. Toronto: University of Toronto Press.
- Waterman, Peter (2000) 'Trade Union Internationalism in the Age of Seattle', Global Solidarity Website, URL (consulted February 2001): <http://www.antenna.nl/~waterman/ageseattle.html>
- Weisband, Edward (2000) 'Discursive Multilateralism: Global Benchmarks, Shame, and Learning in the ILO Labor Standards Monitoring Regime', *International Studies Quarterly* 44(4): 643–66.
- Whitworth, Sandra (1994) *Feminism and International Relations*. New York: St. Martin's Press.
- Women Working World Wide (1997) 'Trade Liberalization and the Rights of Women Workers: Are Social Clauses the Answer?', Centre for Employment Research, Manchester, URL (consulted January 2001): <http://www.poptel.org.uk/women-ww>

RÉSUMÉ

'Travail Décént': *Évolution du Rôle de l'OIT et Lutte pour la Justice Sociale dans le Monde*

Face à la prolifération des accords commerciaux supranationaux et à la déréglementation des marchés du travail nationaux, les appels à la création d'organisations internationales représentatives et à la mise en place de mécanismes internationaux visant à améliorer les conditions de travail se multiplient. Compte tenu de ces Évolutions, les organisations internationales telles que l'OIT réexaminent leur rôle dans un contexte de mondialisation. L'article examine le nouveau programme d'action de l'OIT baptisé *Travail décent*, tout en posant la question de savoir si cette nouvelle plate-forme constitue un défi pour l'ordre hégémonique qui a marqué l'histoire de l'organisation. Pour l'auteur de l'article, l'objectif du programme *Travail décent* révèle de manière emblématique l'évolution de l'ordre hégémonique prévalant au sein de l'OIT, même si les débats autour de la plate-forme montrent l'existence de forces anti-hégémoniques qui opèrent en marge. *Travail décent* représente un effort visant à réconcilier les tensions au sein de l'organisation entre les forces du capital mondial, les États membres, les syndicats et les ONG. A preuve aussi les deux principales initiatives de l'OIT qui viennent étayer ce rôle: L'adoption de la Déclaration sociale et l'engagement de créer des normes pour améliorer la situation des travailleurs marginalisés.

RESUMEN

‘Trabajo Decente’: *El Cambiante Rol de la Organización Internacional del Trabajo en la Lucha por la Justicia Social a nivel Global*

La proliferación de acuerdos supranacionales de comercio así como la flexibilización de los mercados nacionales de mano de obra ha multiplicado los llamados para que las organizaciones representativas y los mecanismos internacionales existentes contribuyan a mejorar las condiciones de los trabajadores. Uno de los resultados de dichos acontecimientos es que los organismos internacionales como la Organización Internacional del Trabajo (OIT) están replanteando su papel dentro del proceso de globalización. En este artículo se examina la nueva plataforma de acción de la OIT, denominada *Trabajo Decente*, y se explora el reto que tal plataforma podría representar ante el orden hegemónico establecido que ha caracterizado a dicha organización durante toda su historia. Se llega a la conclusión de que *Trabajo Decente* es un símbolo de la evolución del orden hegemónico establecido dentro de la OIT, aunque las luchas al interior de la plataforma revelan que existen fuerzas anti-hegemónicas que operan desde las orillas. Por dicha razón, *Trabajo Decente* constituye un esfuerzo de mediación entre las tensiones al interior de la OIT entre el capital global, los países miembro, los sindicatos y las Organizaciones No Gubernamentales, siendo así que las dos principales iniciativas contenidas en dicha plataforma reflejan dicho rol, como sucede con la Declaración Social y el compromiso para elaborar un conjunto de especificaciones que permitan mejorar la condición de los trabajadores marginalizados.

BIOGRAPHICAL NOTE

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