

# Decent Work

Principles, policies and programmes of the International Labour  
Organisation

**Hugo Stokke**



Dissertation for the degree philosophiae doctor (PhD)  
at the University of Bergen

2015

Dissertation date: June 19<sup>th</sup>



## Table of contents

Tables of contents	iii
List of figures	vii
List of tables	vii
Preface and acknowledgements	ix
1. Introduction	1
2. International organisations as international	19
2.1 Introduction	19
2.2 Phases in the study of international organisation	20
2.3 Multilateralism and international governance	25
2.4 International regimes: problems of conceptualisation	28
2.5 Cognitive and normative convergences	33
2.6 Drawing the threads together	41
3. International organisation as organisations	46
3.1 Introduction	46
3.2 Organisational features	54
3.3 The open systems perspective	58
3.4 Institutional and technical environments	66
3.5 Drawing the threads together again	74
4. Methodology and data sources	78
4.1 Rationalism versus constructivism	78
4.2 Case study methodology	85
5. The Emergence of the International Labour Organisation	92
5.1 Introduction	92
5.2 Theoretical positions on the emergence of international norms	93
5.3 Antecedents and precursors	97
5.3.1 The first half of the 19th Century	97
5.3.2 The second half of the 19th century	101
5.3.3 The establishment of the International Labour Organisation	108
5.4 Conclusions	115
6. Continuity or change? A time line of the ILO	118
6.1 Introduction	118
6.2 Three models of change	120
6.3 Baseline period: 1919 -1944	128

6.4.	Post-war diversification: incremental growth 1944 – 69	136
6.5.	Turbulent non-growth 1969 - 1994	145
6.6.	Retrenchment and non-turbulent non-growth - 1994 to the present	153
6.7.	Conclusions	164
7.	The Institutional Environment of the International Labour Organisation: Programming and Budgeting	168
7.1.	Introduction	168
7.2.	Institutional and Technical Environments	169
7.3.	The arenas of the institutional and technical environments	172
7.4.	From line-budgeting to strategic budgeting	178
8.	The technical environment: Extra-budgetary resources and technical cooperation	203
8.1.	Introduction	203
8.2.	The first years	205
8.3.	The post-war environment	208
8.4.	Trends and patterns in ILO technical assistance from the 1950s to the 1980s	212
8.5.	The shift towards multi-bilateral donors	226
8.6.	Post-millennium changes - the shift towards decent work programmes	232
8.7.	Summing up	248
9.	Standard-setting in the field of child labour	249
9.1	Introduction	249
9.2	Negotiating a new convention on child labour	250
10.	Technical Cooperation on the field of child labour - implementing the International Programme to Eliminate Child Labour (IPEC)	263
10.1	Introduction	263
10.2	Evaluation and measurement criteria	265
10.3	The extent of child labour - current figures	271
10.4	Child labour in the export garment sector in Bangladesh	273
10.5	Addressing child labour in Nepal	277
10.6	Multi-purpose interventions in Anglophone Africa	289
10.7	Summing up	299

11. Conclusions and the road ahead	302
Bibliography	318
Appendix: Worst Forms of Child Labour Convention	340



## List of figures

2.1	The ontology of weak cognitivism	44
2.2	The ontology of strong cognitivism	45
5.1	The Norm Cycle	96
7.1	The Strategic Framework 2010-15	180
8.1	Distribution of the ILO Programme in 1954	217
8.2	Expenditure on ILO technical co-operation by region, 1977 and 1986	223
8.3	Expenditure on ILO Technical Co-operation from all sources 1977-86	224
8.4	Expenditure on ILO technical co-operation by major fields of activity 1977-1986	225
8.5	Extra-budgetary technical cooperation expenditure and approvals, 2000-12	233
8.6	Extra-budgetary technical cooperation approvals by funding source, 2000-12	235
8.7	Extra-budgetary technical cooperation expenditure by strategic objective, 2000-12	236

## List of tables

1.1	The structure of the thesis by level and substantial area	10
3.1	Theoretical Models and Levels of Analysis within the Open Systems Perspective	62
3.2	Institutional pillars and features	68
3.3	Institutional pillars and carriers	69
3.4	Characteristics of environments	75
3.5	Organisational responses to environmental changes	76
4.1.	Positions of the rationalist and reflective approaches on key points of theory and methodology	81
4.2	Theoretical traditions in empirical social science	83
4.3	The epistemological/methodological continuum of the social sciences	84
5.1	Stages of norms	97
7.1.	ILO budget by main programme 1980-99	177
7.2	Strategic budget: Expenditure by appropriation line (2000-2014)	197

8.1	Summary of ILO Technical Co-operation Activities 1950 - 65	221
8.2	Multilateral assistance 1980-98. Region by main category	227
8.3	Multilateral assistance 1980-98. Donor by region	229
8.4	Multilateral assistance 1980-98. Donor by main category	230
8.5	Approvals by top five donors and the strategic framework 2006	237
8.6	Distribution of ILO technical cooperation expenditure (XBTC and RBTC by strategic objective 2006-08	241
8.7	ILO technical expenditure (XBTC) by region and strategic framework 2006	243
8.8	ILO Expenditure by outcome	246
10.1	Programme and budget 1998-99 for the South Asian region	278



## Preface and acknowledgements

The original impetus for this work came from three years as a Junior Professional Officer at the ILO Regional Office for Asia and the Pacific in Bangkok, Thailand in the 1989-92 period. The assignment was partly Programming Officer and partly assistant to the Regional Advisor on International Labour Standards so the linkage between the two was central to the job assignment. Working in the field implied intimate knowledge of technical cooperation, but also a degree of distance from HQ politics which was for field officers something that happened far away and of little concern to operational work.

The Multilateral Aid Programme of the Research Council of Norway provided initial funding for this work in the mid-90s and it is fair to say that it has taken longer than originally envisaged. For years it has been a task put aside and taken up again in between other work assignments. If it has not been a hot potato, then at least several attempts have been made to keep it lukewarm. Realising that some drastic steps had to be taken to complete it, I went on extended leave in 2014 to concentrate fully on the remaining work. From irregular bouts of “grappling with the beast,” a concerted effort was made to see it to its fruition.

Thanks are extended to Professor Ulf Lindström which supervised the first half of this journey and to participants at several seminars under the Multilateral Aid Programme. Professor Per Selle took over supervisory duties in the second part of this journey and thanks are due for comments and suggestions along the way and for gentle reminders about the status and progress on the ‘lefsø’. The Ph.D seminars at Solstrand spurred me to draft new chapters and to present revisions of earlier drafts. Thanks to the participants who made constructive comments on successive drafts. Thanks also to Professors Per Selle, Lars Svåsand, Kristin Strømsnes and Stein Kuhnle at the Department of Comparative Politics who read the entire manuscript and whose suggestions led to the final round of revisions, hopefully for the better. Finally, thanks to the other family members who had to suffer an absent-minded husband and father over long stretches of time. Whatever faults and omissions remain are entirely my responsibility.

Bergen, January 2015



## 1. Introduction

What is an international organisation? According to one definition; “international *organization* is a process; international *organizations* are representative aspects of that process at a given time.”<sup>1</sup> This definition is strongly influenced by a normative theory about the progress towards global institutionalisation. On the other hand, international organisations (as different from organisation) are “formal intergovernmental bureaucracies” with “legal standing, physical headquarters, executive head, staff, and substantive focus of operations.”<sup>2</sup> In addition there are also international institutions and international regimes. According to a new textbook on the subject, the former can be “both formal and informal instances of regularized interstate behavior” while the latter are “the range of activities that are, in part, created by the behavior-shaping effects of international organizations and institutions.”<sup>3</sup> These entities, whatever they may be called, are conceived as independent variables explaining global governance which is “different from international organization and related work on international institutions and regimes and refers to “the totality of the ways, formal and informal, in which the world is governed.”<sup>4</sup> Other titles speak of transnational governance.<sup>5</sup> Confused?

Definitions will only take us so far, so perhaps a more fruitful approach is to look at what these entities are set out to do. According to Craig Murphy, “one of the best ways to explore global governance, what world government we actually have had, is to consider the history of world organizations, those intergovernmental and quasi-governmental global agencies that have (nominally)

---

<sup>1</sup> Inis Claude Jr., *Swords into Plowshares*. 3<sup>rd</sup> edition (New York: Random House, 1964), 4.

<sup>2</sup> See Thomas G. Weiss and Rorden Wilkinson, “International Organization and Global Governance. What matters and why,” in *International Organization and Global Governance*, ed. Thomas G. Weiss and Rorden Wilkinson (London and New York: Routledge, 2014), 7.

<sup>3</sup> Weiss, *International Organization*, 8-9.

<sup>4</sup> Weiss, *International Organization*, 9.

<sup>5</sup> See Marie-Laure Djelic and Kerstin Sahlin-Andersson (eds.), *Transnational Governance. Institutional Dynamics of Regulation* (Cambridge: Cambridge University Press, 2006). Curiously, there is no reference to it in the above textbook, though it speaks to the same subject.

been open to any independent state (even though all states may not have joined).”<sup>6</sup> Listing a number of such world organizations, which includes the International Labour Organization, Murphy argues that these organisations “have helped create international markets in industrial goods by linking *communication and transportation infrastructure*, protecting *intellectual property*, and reducing legal barriers to *trade*.”<sup>7</sup> The argument is that international organisations emerge as responses to change in technology. In 1865 it was the International Telegraph Union (ITU), in 1905 the Radiotelegraph Union and in 1965 Intelsat. The Universal Postal Union came into being before 1890, the European Rail Union in 1890 and the International Civil Aviation Union in 1943. The League of Nations was in response to World War 1 and the United Nations in response to World War II, but the World Bank and the International Monetary Fund were also part of the post-war reconstruction order (as can be seen from the real name of the Bank). All of these organisations aim at creating the right infrastructure for the further development of industrial capitalism, while recognising that war is an impediment to prosperity.

Murphy notes that “while world organizations may have acted as part of the “superstructure” of the capitalist world economy, they have by no means been institutions ‘functional’ to capitalism that somehow were ‘inevitable’ results of the workings of capitalism itself.”<sup>8</sup> In fact, the opposite may be argued; regulation of infrastructure and standardisation of communication were functional to capitalism as were finding workable solutions to the social conflicts that would erupt in eras of rapid industrial change. Perhaps no wonder that the ILO won the Nobel Peace Prize in 1969, thus acknowledging that peace is more than the absence of war.

In the following chapters, Murphy shows the breadth of organisations established after 1865 which happened in a period of prolonged peace. Organisations were established to foster industry by infrastructure, industrial standards and trade,

---

<sup>6</sup> See Craig N. Murphy, *International Organization and Industrial Change. Global Governance since 1850* (Cambridge: Polity Press, 1994), 1.

<sup>7</sup> Murphy, *International Organization*, 2.

<sup>8</sup> Murphy, *International Organization*, 4

manage social conflict with regard to labour and agriculture, strengthen states and the state system with regard to public order and interstate conflicts, but also strengthen society with regard to human rights (slavery), relief and welfare, health and education and research.<sup>9</sup>

This was done through an elaborate system of conferences, covering all of the above subjects, but obviously with an emphasis on interstate conflicts.<sup>10</sup> These conferences included a curious blend of old dignitaries, aristocrats and even monarchs mixed with new expertise, drawing on applied natural scientists, medical professionals and statisticians or rather, statisticians, epitomising what has in recent literature been called epistemic communities. It would be beyond the scope of this work to go into detail about the work of these Public International Unions and we will track in detail the emergence of the ILO in chapter 5, but some conclusions can be drawn at this point. Murphy finds that the Unions were most successful in areas of international communication and transport networks, industrial standards, rules for intellectual property and public health. Managing interstate conflicts, establishing the same conditions for industrial work around the world and adjusting to a free market in agricultural goods were altogether more difficult.

In sum we may say that there are three processes at work here. Societies and markets are rarely natural orders. In particular, markets are rarely allowed to operate without some sort of public oversight and control. In most instances, laws are promulgated to guarantee the rule of law and protection of property rights and contracts. This is done to secure a predictable and safe environment for enterprise and exchange. In other instances, the social consequences of unfettered market forces lead reformers to propose and lobby for legislative interventions that remove the most undesirable effects of so-called free market forces. Freedom of contract has to be weighed against the social effects on individuals and communities locally, regionally and nationally, even internationally. In other words, there is a demand for *regulation*, legally and administratively.

---

<sup>9</sup> Murphy, *International Organization*, 47-8.

<sup>10</sup> Murphy, *International Organization*, 57-9.

For laws and directives to be applied uniformly and without biases of any sort, there is a drive towards *standardisation*. Standards may be sought not only for coordination and collaboration, but also to prevent unfair advantage. They may be objects of aspiration, but also coordinates of action. They have to be applied at fairly high levels, nationally or internationally, because their point is to avoid too much variability in local and regional settings.

Thirdly, when standardisation reaches across borders, states have to coordinate among themselves to facilitate contacts and exchange. Coordination may be achieved through bilateral agreements, but experience and expedience has taught that regulation and standardisation very often require *multilateralisation*. Agreements have to be concluded, agencies set up and monitoring systems put in place to make sure that states followed and abide by such agreements. As we saw, the first international organisations were coordinating agencies dealing with postal services, telecommunications, rules for transport by land, sea and air, but not transport by motor vehicle. There is no international rule about which side of the road to drive, but no country can do without national rules.

The organisation that is the subject of this thesis combines all three features. It believes in regulation within its field of competence, it has adopted standards within this field and it came about through a process that recognised the need for and established an international agency to set standards and monitor their application in individual countries, initially in Europe and later throughout the world. Work, income and living standards are crucial for the well-being of individuals, families and groups everywhere. This organisation was specifically mandated to deal with the world of work at large. It came about in the long period analysed by Karl Polanyi in his major work *The Great Transformation*.<sup>11</sup> This was a period of rapid industrialisation, rapid growth of trade and communication and worldwide empires reaching from the European motherlands far into the world beyond, in the east and in the south. From the outset, it was

---

<sup>11</sup> Karl Polanyi, *The Great Transformation* (Boston: Beacon Press, 1944/1957).

obvious that the agency's regulatory efforts would have to go far beyond Europe. Multilateralism was the answer to regulation and standardisation.

This is a dissertation about a particular international organisation. The International Labour Organisation is one of the four major specialised agencies of the United Nations. The three others are the Food and Agriculture Organisation (FAO), World Health Organisation and the United Nations Educational Scientific and Cultural Organisation (UNESCO). The concept of specialised indicates a division of labour within functional fields; viz. agriculture, education, health and labour. Other parts of the UN have a focus on specific target groups, such as women (UNIFEM) or children (UNICEF). Yet other parts cut across fields and target groups and are primarily tasked with the administration of programmes and projects (UNDP).

However, the ILO is different from the others in two specific senses. First, it predates the United Nations. The ILO was established with the League of Nations in 1919 as part of the Versailles Peace Conference. While the UN was a "creation" of World War II, the ILO was a creation of WWI. Secondly, while the other agencies are inter-governmental organisations with only states as members, the ILO has a unique governance structure in that employers' and workers' organisations are represented on its Governing Body alongside states' representatives. This makes it into something of a hybrid. It is neither purely intergovernmental nor non-governmental, but a mix of both. It makes it unique as a topic for a case study. Its tripartite governance structure has not been replicated by any other UN agency.

This dissertation aims to study this organisation in its totality, from a variety of perspectives. The purpose is to study it not only as a single unit, but also as a composite of departments and units within. The idea is both to provide a *diachronic* overview of its origins and its development and changes over the course of many decades, but also to enquire in detail about its distinctive methods of work, opening up for a more *synchronic* approach. Organisations are often treated as single units, or as single-minded actors in interaction with other equally

minded actors. In international relations research the tendency to view states and organisations as unitary actors is widespread. While it might make sense in terms of simplifying the study of international cooperation and contestation, it obscures the possibility that what is the official position on an issue is merely the negotiated or hegemonic viewpoint of a dominant coalition of actors within the organisation. It also tends to presume that the environment is similarly uniform, with mind sets that are structured in similar ways. It is a basic argument of this dissertation that one cannot conceive of a uniform environment. Different environments are linked to different units within the organisation, thus casting doubt on the unitary character of the organisation. This has implications for both theory and practical operations.

These linkages are derived from organisational functions, i.e. what the organisation is set up to do. Conversely, different organisational functions are linked to different organisational environments. When an organisation is set up to do different things, it connects to different environments and the expectations of these environments will consequently differ.

We aim to study the organisation at three levels. First, we seek to find how and why it emerged and how it has developed from the time of establishment and up to the present day. This is the overall *policy* level. Secondly, we aim to study how its resources are being deployed, both the regular budget and the so-called extra-budgetary resources. This is the *programme* level where we dip inside the organisation and gain access to the discussion on budgets and resource distributions. Thirdly and finally, we want to know in more detail how these resources are being used. For that, we will have access to documents at the *project* level. More specifically, we look at child labour, which in recent years has become one of the major fields of operation for the organisation.

The first set of research questions is posited at the *policy* level. The first set of research questions is then as follows: How and why did the organisation emerge? What was it originally set up to do? Was there a unitary or single rationale behind its establishment or did ideas differ among its founders? This set of questions is of



importance in documenting original intent. It is the baseline against which to assess organisational change and continuity.

Once that has been explained, then questions of continuity and change come up. How close has the organisation stuck to its original purpose? Have there been departures and how have these been justified? Has the organisation significantly changed or have there been counter-forces making sure that the organisation stays true to its original purpose and mandate? In answering these questions I shall treat the organisation as a totality, keeping in mind that its official position will always reflect the shifting weight of stakeholders within the organisation and its environment.

However, we presume the organisational environment not to be uniform. As long as we are treating the organisation as a single unit, we cannot get fully to grips with the different environments it deals with. We have to descend to a lower level to study the mechanics of these relationships. As long as we remain on the overall level of mandate, purpose and policy, we miss the finer details. We have to get to the meat of the organisation and that is its *programme, budget and resources*. We are no longer talking about the constitution of the organisation, but its work plan and the resources needed to get through with it.

What it can do (or cannot do) is not reducible to a single budget or a single work plan. Things are actually more complicated than that. The organisation relies on a *regular* budget funded from membership contributions. These resources provide the backbone for a biannual work plan which lays out its work programme in great detail. The regular budget is discussed and adopted by the Governing Body of the organisation which, as noted above, is tripartite, comprising states as well as non-state members. However, the regular budget is not the only financial resource of the organisation. In addition to the regular budget are the *extra-budgetary* resources. These come from advisory and technical services provided by the organisation and are coming from some of the member states, but not all. Some member states may be donors and sources of funding while others may be recipients of the services of the organisation for which funding has been made

available from other members.

The second set of research questions concerns the degree of *coherence* of the organisation's work plan from these two sources of funding. The biannual programme and budget set out one course for the organisation, funded from the contributions and negotiations among the members. The advisory and technical services set out another course of action from the sub-group of donors among the members. The questions are then as follows: What are the priorities as determined by the regular budget? What are the priorities as determined by the extra-budgetary resources? Thirdly, do these priorities cohere or overlap to any significant degree? Here it has to be kept in mind that the regular budget is negotiated among the members while the contributions from donors are provided without any sense of coordination, at least not formally. In this regard, the organisation is faced with two distinct environments.

This set of questions links up with the former two, as studying what the organisation actually does is a check on whether it does what it should do as per its mandate. It is also an indication of whether the definition of organisational functions differs among the two environments mentioned in the last paragraph. As donors, members are presumably more concerned with their own priorities than with those of the organisation of which they are members.

Resources are indeed the fuel of the organisation, but fuel needs to be turned into energy. A dissertation cannot aspire to look at everything that an organisation does, but has to be selective. The criterion for selection is an area of work that cuts across several of the main organisational functions. As we shall see, the ILO was from the beginning set up to regulate working life by the adoption of so-called labour standards. Further, we have already noted that the organisation provides advisory and technical services. The organisation also serves as a meeting place or forum for discussion of topics within its mandate, it is a deposit of information on its main areas of work by compilation of statistical and other types of systematised information and it also had its own research institute, deepening

and widening the knowledge base of topics within its general mandate.

We would argue that child labour is a topic that cuts across these different organisational functions, in particular as it is subject both for legal regulation and the provision of advisory and technical services. The concern with child labour has been with the organisation right from the beginning when it was still a problem in the industrialised world and it is still with the organisation today, even though the problem has shifted to the developing part of the world, outside the European and North American regions.

The third set of questions is then to study how child labour can be reduced or even better, eliminated, and by what means. Is there a standard way of doing that? Does it require a direct approach, by targeting child labourers directly, or an indirect approach, by changing the institutions that have the authority and capacity to reduce and eliminate child labour? Which of these approaches are most effective and why? To which extent does legal regulation help towards solving the problem?

This can be modelled as follows in Table 1.1 as a continuous descent from the macro level to the micro level. The logical sequence would be that first an organisation has to have a mandate in order to know what to do. Secondly, the organisation has to have resources in order to do what it wants to do and thirdly, it has to report what it has done with the resources it has received. At the upper level, we enquire into its mandate and what explains organisational emergence and change, if any. At the middle level, we enquire into whether the resources provide the organisation with a coherent work programme or a clear sense of direction. At the bottom level, we enquire how results can be evaluated by examining its operational ways of working.

Table 1.1 The structure of the thesis by level and substantial area

Level	Substantial area	Explanatory variables	Dependent variable
Macro	Policy	Constitutional provisions and governance decisions on the relative weight of regulatory and developmental activities	Mandate
Meso	Programme	Negotiations and decisions on programming/budgeting, based on considerations of core mandate and comparative advantage	Coherence
Micro	Project	Relative importance of indirect, upstream activities and direct, downstream activities	Results

These sets of questions require a theoretical framework that is broad enough to cover all four sets. We go about it by enquiring about organisational functions and organisational environments. We see the main functions as being normative or regulative by the setting of international labour standards on the one hand and by providing advisory and technical services on the other. These are two quite different activities which may or not be tightly linked. Standard-setting requires legal expertise while technical services require specific competence within the

subject area, and practical experience.

We see the main organisational environments as being institutional and technical. The institutional environment is the environment of the members and the technical environment is the environment of the clients, the users of the services the organisation provides.

Combining these, normative or regulative functions are coupled with the institutional environment in concern with what the organisation should do; what is its mandate; what is its core; what is its overall purpose? Technical functions are joined with the technical environment in concern about how well the organisation is doing whatever it is doing, irrespective of whether it is in close conformity with its mandate or not. In the technical environment, results matter more while in the institutional environment rules and procedures are of higher importance.

The main thesis is that an organisation with different functions and interacting with divergent and potentially conflicting expectations from its environments cannot be *rational* in the usual sense of the term. Rationality requires fitting the best ways to reach preconceived goals. In an environment with multiple goals and multiple means, there is not necessarily any best way of reaching them. One way may come at the expense of another.

The criterion for selecting the best ways and means may come from a calculation about what counts in the environment than what in isolation may be the most effective and efficient means of reaching a preset goal. The rationality of an organisation would rather reside in its adapting to the expectations of the environments to ensure its continued survival. Such adaptation might be accomplished in one or two ways; by (a) changing its operational codes and practices or (b) changing the statutes and objectives of the organisation so as better to reflect the expectations or The first alternative would be chosen by an organisation for which the technical environment counts the most. The second alternative would be chosen by organisation for which the institutional

environment counts the most.

The reasoning behind the first alternative is straight-forward: For an organisation to be relevant, it will have to be flexible to adjust to changing circumstances and be willing to modify its objectives and methods so as to maintain relevance. This will be typical of service-based organisations. What ultimately counts for the bottom line is the satisfactions of its clients and customers and the rationale of the organisation is to make the users of its products and services as satisfied as can be.

The reasoning behind the second alternative is slightly more complex. In order to maintain relevance, it may have to change its operational modes, but argue that it does not have a significant impact on its overall rationale. It will still have to maintain that its general mandate and purpose is as relevant as ever, even though changes have been made to make it more aligned with current circumstances. Changes of this sort do not result in organisational learning. For organisational learning to take place, statutes and objectives would similarly have to be changed so as better to reflect environmental expectations. Organisations with strong normative functions and a strong institutional environment are less likely to change in the face of changing expectations than technical organisations with similarly strong technical environments. It is submitted that the ILO fits the first type rather than the second.

The dissertation starts with a survey of the literature on international organisations as *international*. The survey finds that the literature has shifted from an initial focus on contemporary organisations and their formal rules of governance and operations to a focus on more generic forms of international cooperation. Research has either been of the basic type concerned with generic multilateralism on the one hand and applied research concerned with the actual operations of multilateral organisations on the other. The survey concludes with a plea for a return to the old organisational focus, but finds little with which to engage in recent international relations literature. The literature on international regimes is a partial opening in the right direction but suffers from a functionalist

bias and pays relatively little attention to the objectives and operational modes of actual organisations, preferring to speak of rules and procedures of regimes of which such organisations may be a part. However, recent literature on regulative, normative and cognitive approaches deserves further exploration. There has been a shift in the literature from seeing international organisations primarily as servants of states to seeing them as teachers of states. This shift, which has gone from rationalist theory to constructivist theory, opens for stronger ideational approaches and sees states less constrained by set interests than what is usually argued in the literature. This shift also links up with ideas within sociological institutionalism that emphasizes the constructed nature of states.

Secondly, the survey looks at international organisations as *organisations*. Can organisation theory can better account for the objectives and modes of operation of organisations? It is noted that organisational research has moved from a focus on organisations as closed systems to organisations as open systems in which relations between organisations and environments are explicitly addressed. Within this branch of the organisation theory, research has been conducted on how organisations are influenced by their environments and how different environments exert different types of pressures on organisations, evoking different types of response. One important result is that different and divergent expectations are reproduced inside organisations, creating tensions as to what are the proper objectives and modes of operation.

To pursue this issue, the thesis uses the concepts of institutional and task (or technical) environments corresponding to the organisation's normative and technical functions. While some literature prescribes organisational responses in terms of strategies of *decoupling*, i.e. the organisation's mode of operation has a weak relation to its mandate and statutes (or in plainer language, what it does is not necessarily what it says it does), the thesis argues that while that may be true at one point in time, it may not be true at other points in time. By taking time and history into consideration, it can be demonstrated that while decoupling might be one way of relieving the tension between conflicting expectations, coupling, i.e. matching mandate with mode of operation, might be another more fruitful way to

respond to expectations, enabling organisational learning as mentioned above. As expectations change, research must track organisational responses over time, taking history into account.

One important strand within this line of thinking is historical institutionalism which argues that initial decisions as to mandate and work is likely to have a lasting influence on what the organisation will do later in the course of its lifetime. The concept of path dependence captures the idea of continuity and the reinforcement of initial decisions and the resistance to change and if change occurs, it is likely to be abrupt. However, recent literature has also started looking at gradual change. But this approach has not regarded decoupling as a viable strategy.

Whatever strategy is adopted for whatever purpose, there is a need to identify arenas in which the tension between varying expectations can be further explored. The thesis proposes to explore the tensions at the levels of *policy*, *programme* and *project*. At the policy level, the main concern is with the overall mandate and purpose of the organisation. At the programme level, the concern is with how resources are allocated, whether they be regular resources such as budgets or extra-budgetary resources such as funding for technical cooperation. Finally, at the project level, the concern is with how well projects are furthering the organisation's mandate for action on the one hand and how effective the organisation is in achieving results on the other.

At the *policy* level, there is a need to explain how and why the organisation and its institutional environment emerged and developed in the first place. Functionalist theory assumes that organisations emerge in response to perceived problems demanding specific organisational solutions. However, in contrast to what the theory would predict, solutions may not at all emerge in response to problems and there may also be instances of mismatch between demand and response. Or the opposite may be thought; organisation provide answers and supply questions to justify its own existence and hence create a demand for solutions.



Organisations and environments are created in a continuous process of exchange, interaction and negotiation. The ILO was created for a purpose for which there was a demand at the time. However, once created, demands may change for which the ILO is not necessarily the best solution. This process can be tracked over time with the help of the concepts of *regulation* and *developmentalism*. The regulation approach is strongly associated with the set of international labour standards originally fashioned for countries with a strong industrial base. On the other hand, the developmental approach operates from a base in which the infrastructural and ideological requisites for the regulatory approach may not be in place and where regulation is found to be unfeasible. Developmentalism stresses the need to build the foundations on which a regulatory approach may be appropriate at some future date.

These divergent expectations may leave the organisation in a fix as to what are its primary objectives and modes of operation and how to adapt to these expectations. By tracking written sources at key points in the organisation's history, it can be established whether it has changed in accordance with changes in the environment or whether it has essentially remained the same. The key points are 1919, the year of establishment, and the following 25-year intervals up to the present date. At these points, 1944, 1969 and 1994 onwards, there are written sources reviewing the mandate and purposes of the organisation, in view of past experience and future prospects.

At the *programme* level, the thesis looks in more detail at two types of organisation - environment interactions. The first arena is the biannual discussions of the ILO's programme and budget. This discussion takes place within the Governing Body with representatives from member governments and employers' associations and trade unions. What are the priorities of the organisation as revealed by the programme and budget discussions? From 2000 the organisation switched from budget line budgeting to one of strategic objectives. This shift signified a turn to a logical framework type of budgeting with objectives at different levels of generality with indicators to measure progress toward the objectives. This might be seen as a means towards more transparency and clarity, and more coherence as

well. The question is whether this shift has been successful in this sense.

The second arena is the interaction of the organisation with individual donor governments through project funding. These projects, known as multi-bi projects, are projects funded by individual governments and implemented by the ILO. The question is again to extract donor priorities from their project funding. More specifically, are there mismatches between what members say in the programme and budget discussions and what they support in terms of projects? Is regulation more likely to be stressed in the programme discussions and developmentalism more likely to be emphasized in their project funding decisions?

Here as well there has been a shift towards the same set of objectives as for the budget and programming sessions and the same question is posed in terms of more or less coherence. Do the donors by their funding decisions give the organisation a clear sense of direction? In the earlier days of technical cooperation, the UN was the main funding source, but bilateral donors have for the last 30 years taken over as the major funding source. What does this mean in terms of coherence and direction? With the shift towards the same set of strategic objectives, a recoupling may be said to take place but again it may be questioned whether it has had an impact on programming and budget decisions.

Starting from the macro-historical overview and descending to middle-level research on programme and project decisions, the thesis moves on to investigate the *project* level. The selection criterion for identifying appropriate projects is the combination of the regulative and developmental approaches in the sense that they are of both normative and technical importance. Normative importance means that they are guided by existing labour standards and developmental means that infrastructure of various sorts have to be put in place for these standards to apply fully. On the basis of these criteria, the ILO International Programme for the Elimination of Child Labour (IPEC) has been selected for study. As IPEC operates globally, the study has to be selective. We have focused on the one hand on the South Asian region and on the other on Commonwealth African countries. The African and Asian regions have always been the largest

recipients of development aid due to widespread poverty which often results in extensive child labour.

Selecting a programme which combines regulative and developmental features raises problems of measures of performance. In other words, what can be reasonably be expected in terms of accomplishments? For a programme with multiple objectives, how can performance on each be assessed and how are they to be weighed against each other? It was argued above that normative criteria would stress technical cooperation that is close to the organisational mandate whereas technical criteria would stress performance irrespective of relevance to mandate. Various measures and indicators are discussed and an argument is made in favour of *social validation* based on inter-subjective consensus-seeking.

With a programme of multiple objectives and ambiguous cause-effect relations, social validation may be the preferred alternative, in particular when programme interventions are guided and implemented by ILO constituents in the country concerned. While individual projects may be evaluated using standard measures, problems of aggregating projects and other components addressing policy issues make quantitative measures more difficult to apply. Projects aim to create a so-called enabling environment as well as to take action to the benefit of child labourers and work at both upstream and downstream levels. But upstream activities often require a time line different from downstream activities which make targeting more haphazard and standard measurements less valid. For projects as well, there is an institutional and a technical environment environment as well, but projects are generally cut to the requirements of the latter and not the former.

From the study of the particular organisation concerned, it is concluded that organisations with strong normative functions and a strong institutional environment is not likely to change much in view of shifting environmental expectations. They may adapt to changing circumstances by adding activities, but this is argued to only have a marginal impact on the general mandate and purpose of the organisation.

In the final analysis, a strong institutional environment may be a strong guarantee for organisational survival, even though it may not be the optimal course for expansion. Therefore, organisations may not follow the most rational course in terms of expanding their businesses or may be prevented by their environments from doing so, but if survival is the ultimate criterion for success, a sub-optimal course of action may ultimately be the most rational objective to pursue. Organisations may still survive as long as the functions and services are regarded as legitimate by the wider environment.

## 2. International organisations as international

### 2.1 Introduction

In this chapter we shall be concerned with international organisations as *international* organisations and particularly with how international institutions are treated within international relations theory. In the following chapter we turn to looking at international organisations as international *organisations* which requires a different outlook from the viewpoint of organisation theory. In both chapters we will be searching for points of convergence, because as will be clear as we proceed, international relations theory does not deal extensively with international *organisations* and organisation theory does not deal extensively with *international* organisations. Some points of convergence, however, can be found. These will be summarised at the end of this and the next chapter and a synthesis will be provided in the shape of a two-dimensional table.

Considering that the field of international relations is in continuous evolution, we shall be concerned with evolving usages, and we shall first give a historical overview of the field as it has developed, employing some of the time lines of academic emphasis known from the literature. This overview will serve the purpose of highlighting the dominant approaches within the field at different points in time. The review will show that international organisation has returned to the foreground after a long period of relative neglect, but also that what defines the approach in recent literature has changed substantially from the outset, particularly as regards methodology. However, certain basic assumptions as to the normative role of international organisation have remained fairly constant over the period.

After the historical overview we shall review the currently contending approaches and discuss what are the epistemological and normative features of these current approaches. Emphasizing epistemological features would clearly be in line with the emphasis these approaches themselves put on cognition and with the epistemological and methodological pluralism within the field in recent years.

The normative features, which do not appear to have changed substantially, would throw light upon what are the desirable states of affairs in international relations and how these normative concerns influence certain basic assumptions of the studies within this field. In fact, we hope to show that these epistemological and normative features tend towards convergence, opening up some interesting lines of research.

We do not pretend to speak of the field of international relations *per se*. What is of interest is the sub-field of international organisation or more broadly, international cooperation. This field is not limited to the study of actually existing organisations, but encompasses any type of international cooperation for which there may not be an existing organisation. The field may also include sectoral studies and thereby be more concerned with inter-organisational relations than with any organisation in particular. Finally, studies within this field may take on an advocacy role, drawing upon principled beliefs, pointing to fields and sectors where co-operation is lacking and organisation is not imminent.

## 2.2. Phases in the study of international organisation

Attempts at stipulating phases are dependent on what is thought to be the core or the nucleus of the field. If core assumptions vary, so will evaluations of the course the field has been taking. Kratochwil and Ruggie regard the core of the field as consisting in the study of *international governance*, however it is to be defined, and the development of the field has consisted in a series of progressive analytical shifts around this core.<sup>12</sup> Rochester (1986) sees the core as being the study of *international organisation* in the more narrow sense of formal arrangements transcending national boundaries providing for the establishment of institutional machinery to facilitate cooperation among members in certain specified fields.<sup>13</sup>

---

<sup>12</sup> Friedrich Kratochwil and John Gerard Ruggie, "International Organization: a State of the Art on an Art of the State", *International Organization* 40, no. 4 (1986): 753-775.

<sup>13</sup> Rochester, J. Martin, "The Rise and Fall of International Organization as a Field of Study," *International Organization* 40, no. 4 (1986): 777-813.

Kratochwil and Ruggie's time line lists a number of progressive analytical shifts. The "original" perspective was *the formal institutional focus*. The assumption was that international governance was whatever international organisations did and whatever they did was to be found by studying their constitutional mandate, organisational structure and working procedures. The actual functioning of the organisation could be assessed on the basis of how closely they approximated their mandate. However, this focus could not adequately explain why organisational practices might be different from what the constitutional mandate prescribed, so the first analytical shift was made in the direction of studying actual *institutional processes*, patterns of influence and powers over decision-making, in general degrees of control over organisational outcomes. Both these approaches treated international organisations as their dependent variable, but they differed in explaining what it was that made them work the way they did. This difference in explanation may be understood by the disciplinary bases of the two approaches. The first approach was dominated by legal scholars who brought their methodologies to bear on the field of study, whereas the second was dominated by scholars trained in the behavioural sciences. The shift was characterised by a shift from prescriptions for behaviour to predictions of behaviour.

The third phase, or second progressive analytical shift, was, according to Kratochwil and Ruggie, marked by shifting international organisations from being dependent variables to being independent variables. The focus was now on *organisational roles* or inputs to the process of international governance. These roles might be conceived as organisational contributions to solving substantive problems in the international arena, such as peace-making. Organisational roles might also be conceived in slightly different ways, and one conception was the extent to which international organisations provided functional solutions to substantive problems that could not be solved through available institutional means, neither domestically nor through the existing mandated tasks of the international organisations. This neo-functionalist, integrationist approach foresaw a contributory role for the international organisations in creatively

adapting to the new functional requirements of international problem-solving. Finally, an organisational role might be conceived of as a forum, arena or even an instrument for members to utilize in whatever way was deemed useful for whatever purpose. The role of the organisations would be to lend legitimacy to outcomes that would otherwise have been reached unilaterally or bilaterally at a presumed cost in legitimacy. Common to the various conceptions of organisational roles was a presumption of their contributing to solving problems of international governance by adapting to the requirements of solving the problem.

The fourth phase, or the third analytical shift, brings us closer to date in the sense that the *international regime* research focus is still a current preoccupation with researchers. We shall have more to say about that in the next section. Whereas Kratochwil and Ruggie see a progression of shifts in the analysis of a core notion of international governance, Rochester sees something akin to a regressive distancing from the initial core focus on formal international organisations. The effect of that distancing has resulted in theoretical confusion as well as in practical irrelevance in the sense of loss of ability to influence policy-making nationally and internationally and corresponding loss of interest among policy-makers and media in the outputs of the research community. Loss of relevance has been combined with weak predictive capability as theorists have offered post-event explanations rather than pre-event predictions. While Kratochwil and Ruggie agree with Rochester in observing the widening gap between international organisation as a field of study and as a field of practice, the former do not necessarily see that observation as reflecting a disadvantage as far as research is concerned.<sup>14</sup>

For Rochester the field of international organization as an object of study originated with the establishment of the League of Nations (and the International Labour Organisation) in the aftermath of World War I and the research focus in

---

<sup>14</sup> As they note, "today, international organization as a field of study is an area where the action is; few would so characterize international organizations a field of practice" in Kratochwil and Ruggie, *International Organization*: 753.



the inter-war period was strongly on institution-building with descriptive, narrative accounts wedded to normative proposals for improvements in institution-building. This "idealist" approach was increasingly challenged by the "realist" approach toward the end of this period, epitomised by the publication in 1939 of E.H. Carr's *The Twenty Years' Crisis*.<sup>15</sup> Even if these scholars' readings of how to achieve the optimal combination of the desirable with the possible differed, they shared a practical concern with the minimisation of conflict and the maximisation of international co-operation in a decentralised state system. They differed in how to achieve this objective with one school stressing international institutional means and the other the traditional means of diplomacy and statecraft.

It is Rochester's contention that this practical concern has steadily evaporated in the post-war period. His time line does not differ all that much from that of Kratochwil and Ruggie as he also sees a series of shifts in substantive research focus. Where he does differ, though, is that he does not see these shifts as involving progressions in analytical insight (or, as noted, in practical applicability). He divides the post-war period into four sub-periods, each with a dominant research focus. The 1945-60 period was dominated by studies of the United Nations with regional integration an ascendant, but not yet dominant, theme, primarily on European integration processes.

The next period, 1960-70 sees UN studies waning and regional integration dominating toward the end of the period, shifting attention from global issues and institutions to regional issues and institutions. This shift in attention came in various theoretical guises, some stressing federalist solutions, others neo-functional solutions by institutions adapting to the new problem definitions, and others yet again stressing transactions, which involved communications, trade and other transaction flows, thereby downgrading the role of international institutions, but not leaving them out altogether or failing to acknowledge their uses. This period also saw the highpoint of behaviourist methodology with

---

<sup>15</sup> E. H. Carr, *The Twenty-Years' Crisis* (London: Macmillan, 1939).

normative theory pushed to the background of social science analysis.

The third period, 1970-80, sees a return to global concerns and a waning of interest in regional integration. This globalist paradigm was not derived or resulting from the cumulative findings of previous research, but again appears to be in response to events in the outside world, in particular concern with the "limits to growth" and the oil crisis. As these problems and others of a similar nature showed regional solutions to be inadequate to the new problem definition, regional integration theory was no longer profitable as a distinct intellectual pursuit and was in that sense obsolete, according to one of its former proponents, Ernst B. Haas.<sup>16</sup> It did not make the study of regionalism superfluous, but injected a dose of modesty and perhaps, realism, into what could thereby be explained. Given the new problem definition, and assuming it to be valid, the specific institutional solution provided by regional integration theory was now less functional to the problem at hand.

Renewed interest in global issues did not signal a return to the study of international organisations as traditionally conceived. Instead, there was a proliferation of definitions as the term international organisation now covered entities ranging from multinational corporations to networks of non-governmental organisations. The attention shifted to clusters and networks in which the existing international organisations only form one node or several nodes in different clusters and networks. The globalist paradigm also signified a return to normative concerns, but of a slightly different type than those of the original "idealists". The international organisations were not automatically seen as an important part of the solution, but rather as a part of the problem, given their implicit acceptance of the prevailing system of states. The globalist paradigm also signalled a dissatisfaction, if not a rejection of behaviourist methodology, as prescriptive analysis again came to the forefront, at least among certain scholars.

---

<sup>16</sup> See Ernst Haas, "Turbulent Fields and the Theory of Regional Integration", *International Organization* 30, no. 2, (1976): 174.

As this overview has attempted to show, research has progressively (or regressively) moved away from the study of existing international organisations to the study of less formalised patterns of cooperation. Hence, the direction of the field has shifted from the study of mandates, rules and working procedures characteristic of actually existing organisations to the study of *international governance* for which there may or may not be an organisational outlet.<sup>17</sup>

### 2.3. Multilateralism and international governance

Multilateralism can be defined as a generic institutional form in international relations, "an institutional form which coordinates relations among three or more states on the basis of "generalized" principles of conduct - that is, principles which specify appropriate conduct for a class of actions, without regard to the particularistic interests of the parties or the strategic exigencies that may exist in any specific occurrence".<sup>18</sup> The definitional emphasis given to *generalized principles of conduct* that specify appropriate conduct for a class of actions clearly indicates the rule-governed type of behaviour characteristic of this institutional form. In fact, it is the purpose of rules to define what counts as appropriate in a given context. According to March and Olsen, "institutions are concentrated around clusters of appropriate behaviour", and one criterion for describing behaviour as rule following is appropriateness.<sup>19</sup> What counts for appropriate behaviour in a

---

<sup>17</sup> One consequence of this move is the reduced policy relevance of research. As the editors write in an introduction to the 50<sup>th</sup> anniversary edition of the *International Organization* journal, "the connections prominent during the first years of the journal between academic analysis and policy have been stretched thin or even broken. Policy relevant articles have been few and far between". See Peter J. Katzenstein, Robert O. Keohane and Stephen D. Krasner, "Preface: *International Organization* at Its Golden Anniversary", *International Organization* 52, no. 4 (1998): xv-xviii. This concern has also been raised by Joseph S. Nye, Jr. in "International Relations: The Relevance of Theory to Practice," in Christian Reus-Smit and Duncan Snidal, *The Oxford Handbook of International Relations* (New York: Oxford University Press 2008), 648-660.

<sup>18</sup> John Gerard Ruggie, "Multilateralism: The Anatomy of an Institution", *International Organization* 46, no. 3, (1992): 571.

<sup>19</sup> James G. March and Johan P. Olsen, *Rediscovering Institutions. The Organizational Basis of Politics* (New York: Free Press, 1989), 23ff.

specific situation may be, as they admit, a non-trivial exercise, but the exercise may be made more manageable by resorting to their second criterion, similarity, typical for legal reasoning wherein judgements in particular cases can be derived from higher-order norms and principles.

Following from the definition of multilateralism, "generalized principles of conduct logically entail an indivisibility among the members of a collectivity with respect to the range of behavior in question". Indivisibility is here to be understood as socially constructed, i.e. as inter-subjectively attained consensus on appropriate behaviour. Secondly, "successful cases of multilateralism in practice appear to generate among members ...expectations of "diffuse reciprocity" in the sense of aggregate benefits over time.<sup>20</sup> As Ruggie admits; "multilateralism is a highly demanding institutional form" and its historical incidence should therefore be presumed to be relatively less frequent than the alternatives of bilateralism or unilateralism.<sup>21</sup>

Multilateralism comes in different forms. Ruggie enumerates three: orders, regimes and organisations. For these to be multilateral, they would have to be seen as specifications of "constitutive rules that order relations in given domains of international life", i.e. as open-access and non-exclusionary arrangements. *Orders* would most closely approximate multilateralism as such, whereas *regimes* are functional or sectoral specifications of orders and *organisations* are physical, administrative entities. The historical trend has been in the direction of a "move to institutions", particularly to formal organisations in the 20th century. In former centuries coordination and collaboration among states rarely resulted in formal organisations.

With the advent of formal organisations, coordination and collaboration take on a new character as organisations now play an active role as advocates of coordination and collaboration themselves and put items on the agenda on which

---

<sup>20</sup> Ruggie, Multilateralism: 571.

<sup>21</sup> Ruggie, Multilateralism: 572.

there may not a prior normative consensus. With these formal organisations a multilateral political order has emerged capable of handling collective tasks in an ex-ante coordinated manner, but in that process, possibly complicating the lives of individual states as well, at least on some presumptions about state action. And as Ruggie concedes, he has not found any good explanations in the literature for why states would want to have their lives complicated in this manner.

One possible explanation for the persistence of multilateralism in the current state of affairs may be that "the very features that make it strategically difficult to establish multilateral arrangements in the first place may enhance the durability and adaptability of these arrangements once they are in place".<sup>22</sup> These factors have to do with the expectations of diffuse reciprocity which are less dependent on any hegemonial power than was previously assumed. Secondly, "an arrangement based on generalized organizing principles should be more elastic than one based on particularistic interests and situational exigencies" and therefore more adaptable to changing circumstances and power shifts. Thirdly, as already mentioned, many of the institutional innovations come from the multilateral arrangements themselves and the EU provides the most ready-made example on this score. And it is Ruggie's basic thesis that it is the fact that international institutions are multilateral in form that explain their durability and ability to adapt to change.

However, this latter point on adaptability should not be taken too literally. As Caporaso argues, "the economic approach to institutions stresses the overall fit of institutions to the environment. The emergence of and changes in organizations are efficient responses to environmental challenges. Institutional arguments often stress the contingent, path-dependent nature of institutional change. These arguments generally assume a narrative form in which timing and sequences matter".<sup>23</sup> These two approaches suggest two views of history. The former has a view of history as efficient wherein "institutions may offer some frictional

---

<sup>22</sup> Ruggie, *Multilateralism*: 594.

<sup>23</sup> James A. Caporaso, "International Relations Theory and Multilateralism: The Search for Foundations", *International Organization* 46, no.3 (1992): 627.

resistance, but in the end they can be incorporated into the general model of allocative efficiency" and suggests similar institutional outcomes.<sup>24</sup>

The functional approach would always presume processes of reequilibration as institutions respond to pressures from the environment. However, as Caporaso notes, the method of comparative statics drives out narrative and rejects the alternative view of history as contingent. This view which is central to "the institutional approach is more attuned to variations in initial conditions and to the sequences in which events occur" and speaks of *timing* and *path-dependence* in the sense of present standard operating procedures being the products of historical choices.<sup>25</sup>

#### 2.4. International regimes: problems of conceptualisation

The study of international regimes represents a diversified attempt to synthesize the dominant trends in the study of international organisation. On the one hand, the approach favoured by international law was relegated to the sidelines, due to the incessant criticism from the realist school of international relations theory and its assumption of the anarchical nature of international society. On the other hand, realist theory was criticised by scholars working within the field of international political economy as offering an inadequate account of international relations by neglecting the interdependent nature of national economies. Consequently, a balance of sorts was struck in the notion of a regime by looking at types of international cooperation at a less formal level than organisations while keeping a realist perspective by investigating under which conditions international cooperation was advantageous for state actors.

The concept of an international regime has been defined in various ways. One commonly cited definition is the one offered by Krasner, according to whom a

---

<sup>24</sup> Caporaso, *International Relations Theory*: 627.

<sup>25</sup> Caporaso, *International Relations Theory*: 628. This point has a considerable bearing on the analysis in chapters 5 and 6.

regime consists of "implicit or explicit principles, norms, rules, and decision-making procedures around which actors' expectations converge in a given area of international relations".<sup>26</sup> These four defining features are further defined as follows: "Principles are beliefs of fact, causation, and rectitude. Norms are standards of behaviour defined in terms of rights and obligations. Rules are specific prescriptions or proscriptions for action. Decision-making procedures are prevailing practices for making and implementing collective choice."<sup>27</sup>

A somewhat wider definition of a regime is given by Puchala and Hopkins who argue that "a regime exists in every substantive area in international relations where there is a discernable patterned behavior. Wherever there is regularity in behavior, norms or rules must exist to account for it."<sup>28</sup> This definition essentially begs the question of rule-governed behaviour as regularity surely cannot be equated with rules (or even less with norms and principles). For behaviour to be rule-governed, actors would have to be aware of a certain practice as defined by rules and recognize it as so defined and not regard rules merely as descriptions of their actual behaviour.<sup>29</sup>

A narrower definition is given by Strange, citing Keohane and Nye, in which "regimes are networks of rules, norms and procedures that regularize behavior and control its effects", taking it to mean "explicit or implicit internationally agreed arrangements, usually executed with the aid of an international organization."<sup>30</sup> This definition in contrast to the wider definition cited above would not assume (or derive) norms and rules on the basis of patterned behaviour, but would rather assess behaviour in terms of compliance (or

---

<sup>26</sup> Stephen Krasner, "Structural Causes and Regime Consequences: Regimes as intervening Variables, *International Organization* 36, no. 2, (1982): 185.

<sup>27</sup> Krasner, *Structural Causes*: 186.

<sup>28</sup> Donald J. Puchala and Raymond F. Hopkins, "International Regimes: Lessons from Inductive Analysis, *International Organization*. 36, no. 2, (1982): 247.

<sup>29</sup> See Oran R. Young, "International Regimes: Toward a New Theory of Institutions", *World Politics* 29, no. 1 (1986): 119 with reference to John Rawls' two concepts of rules in John Rawls, "Two Concepts of Rules", *Philosophical Review* 65, no. 1 (1955): 3-32.

<sup>30</sup> Susan Strange, "Cave! Hic Dragons: A Critique of Regime Analysis", *International Organization*, vol. 36, no. 2 (1982): 485.

deviation) from explicitly acknowledged rules.

The Krasner definition occupies the middle ground in this respect by stressing *converging expectations* rather than actual agreements or patterned behaviour. However, occupying the middle ground does not necessarily solve conceptual problems. As pointed out by Kratochwil and Ruggie, the definitional emphasis put on "converging expectations" would seem to hint at a strong intersubjective element. In their phrase, the "ontology" of regimes is founded on "principled and shared understandings of desirable and acceptable forms of behaviour".<sup>31</sup> However, the "epistemology" of regimes is not built on a methodology that allows for exploring the intersubjective element of shared meanings. Structuralist theory features actors as determined by objective, systemic forces while the opposite approach associated with game theory takes interests as given prior to interaction and does not provide for the possibility that intersubjective meaning and shared understandings only can come about through (and resulting from) interaction.

Furthermore, the Krasner definition does not solve the problem of the status of principles, norms and rules around which actors' expectations converge. Expectations can be of an empirical or of a normative nature. In the former case there would be reasons to believe that the actor would behave in certain ways, based on, say, past performance, and the observer would therefore be in a position to predict the actor's future behaviour with some degree of confidence. In the latter case, it is of less concern whether the predictions are validated or not; in fact, the actor is expected to behave in certain ways as a matter of prescription. Hence, causes of behaviour are of less interest than whether the acts were in compliance with norms or not.

Causation may not be the correct term in these instances. It may be more appropriate to speak of reasons and justifications for acting in certain ways and

---

<sup>31</sup> See Kratochwil and Ruggie, *International Organization*: 764ff. Their understanding of ontology is similar to Michael Walzer's concept of shared understandings as defining spheres of justice, although he is not mentioned in their review. See Michael Walzer, *Spheres of Justice* (Oxford: Blackwell, 1983).



only of causation in the sense of acts resulting in unintended effects. Moreover, as noted by Kratochwil and Ruggie<sup>32</sup>, explanation in terms of causes can be invalidated by showing that the actor did not act as predicted, but a norm is not invalidated when the actor did not act according to it. Norms would only be invalidated if non-compliance were of such a magnitude that the norms can no longer be seen as prescribing behaviour. These elaborations indicate that the status of norms in regime theory are far from settled.

Regimes would have to be distinguished from institutions and organisations. International institutions are, according to Young, "practices composed of recognized roles coupled with sets of rules or conventions governing relations among the occupants of these roles" whereas organisations are "physical entities possessing offices, personnel, equipment, budgets and so forth".<sup>33</sup> The latter definition should be fairly straightforward, but as for the former, one may wonder how institutions are to be differentiated from regimes as Young previously has defined an essential feature of institutions to be "the conjunction of convergent expectations".<sup>34</sup> Under what conditions would such a conjunction produce an institution, regime or organisation? Is it possible to specify which processes result in regimes (and/or institutions) and which processes result in an organisation? These problems are far from resolved in regime theory and Haggard has noted that "recent regimes literature has largely ignored problems of *organizational design and operation* (emphasis added)". Design and operation are in Haggard and Simmons's view a function of the degree of complexity of the task: "Complex cooperative tasks require more elaborate, and potentially autonomous, organizational structures. If cooperation is already highly institutionalized, theories resting on assumptions of anarchy are highly misleading; blackboxing organizational structure and processes will lead to simplistic predictions"<sup>35</sup> More

---

<sup>32</sup> Kratochwil and Ruggie, *International Organization*: 767.

<sup>33</sup> Young, *International Regimes*: 108.

<sup>34</sup> See Oran R. Young, *Compliance and Public Authority* (Washington, D.C.: Resources for the Future, 1979), 17.

<sup>35</sup> Stephen Haggard and Beth A. Simmons, "Theories of International Regimes", *International Organization* 41, no. 3 (1987): 496ff..

than that, the predictions will be irrelevant. Organisational design is also, as they note, related to the scope of the regime, meaning the range of issues it is set to handle, and to its mode of allocation, where authoritative allocation would call for more extensive and autonomous organisational structures than would a purely market-oriented regime.

So far, we have been concerned with definitional matters. Haggard and Simmons do also provide an overview of theoretical approaches to regimes. The four approaches are grouped as follows: Structural, game-theoretic, functional, and cognitive. The *structural* approach, which is of less concern here, has linked regime strength and stability to the presence of a hegemonial power and regimes are accordingly weakened by the weakening of the hegemonial power. Tests of this assumption have found that this is not necessarily the case.<sup>36</sup> *Game-theoretic* approaches have the advantage of specifying under which conditions regimes may arise from cooperation, but, as noted above, are disadvantaged in explaining organisational form and scope and the rules and norms guiding organisational operations and organisational change.

Some of the same problems haunt *functionalist* theory as well as it tends to highlight the demand side, seeing regimes as functional solutions to coordination problems, particularly those of transaction costs. But saying that regimes are functionally required given market failure does not imply saying that regimes would thereby be supplied. As Haggard and Simmons point out, "even if we knew that every regime performed some specified set of functions, this knowledge would not explain why regimes emerge in some issue-areas and not in others. Nor would it explain why some regimes develop impressive formal organizations, while others do not". In particular, they would like to see more work that would show "how particular contracting problems may yield particular governance solutions" and for work along these lines to "distinguish clearly

---

<sup>36</sup> For an example, see Crone's analysis of the Pacific political economy and the APEC regime in Donald Crone, "Does Hegemony matter? The Reorganization of the Pacific Political Economy", *World Politics* 45, no.4 (1993): 501-524..

between institutions and organizations".<sup>37</sup> Even though functionalist theory is an advance on game theory in the sense of showing regimes to be functionally required, its conceptual foundation is still too thin to yield determinate predictions.

A conceptually thicker ground is given by *cognitive* approaches which emphasize ideology, the values and beliefs of the actors and the knowledge needed for them to reach their goals. This approach tends to be strong on the substantive content of regime rules and on the capacity of actors for learning, thus providing a stronger dynamic to the process than the former two which either adopt determinist positions or take agents' preferences as given (and thus unaffected by learning). This approach is not without faults, however. By stressing ideas and consensual knowledge and values, it downplays conflicts of interest and power relations and in a sense yields indeterminate predictions by not specifying what governance solutions would result from consensual knowledge and values and what solutions, if any, would result from conflicting knowledge and values. As this approach is stronger on contextual factors, highlighting contingency and path-dependence, its predictive capacity may accordingly be weakened. But as we said above with reference to regime ontology and epistemology, that short-coming may not be as disadvantageous as those of the other approaches. However, as this approach makes room for integrating cognitive and normative factors, which is of interest here, it may warrant a closer examination.<sup>38</sup>

## 2.5. Cognitive and normative convergences

One way to integrate cognitive and normative factors in the study of international relations is to acknowledge that ideas have a role in explaining behaviour and

---

<sup>37</sup> Haggard and Simmons, *Theories of International Regimes*: 508.

<sup>38</sup> For a book-length treatment of the international regimes debate, see Andreas Hasenclever, Peter Meyer and Volker Rittberger, *Theories of International Regimes* (Cambridge: Cambridge University Press, 1997). They divide theories into interest, power, and knowledge-based theories. We will return to the latter later in this chapter.

outcomes. Put succinctly by Goldstein and Keohane, "ideas influence policy when the principled or causal beliefs they embody provide road maps that increase actors' clarity about goals or ends-means relationships, when they affect outcomes of strategic situations in which there is no unique equilibrium and when they become embedded in political institutions".<sup>39</sup> Saying that ideas matter does not mean that interests do not matter, too; both are thought to have causal weight in explaining actions and outcomes.

Ideas have not figured prominently in international relations theory as explanatory devices. Both realist theory and liberal institutionalist theory share a basic assumption of maximisation of utility, though the setting of maximisation differs in the two theories. The liberal institutionalist theory sees utility maximisation in a context of mutual gain whereas realist theory sees utility maximisation in a context of a zero-sum game where one party's gain is the other party's loss. Both theories concur in that interest, defined in terms of wealth or power, is the determining factor in human action and that ideas are best conceived of as belonging to the residual of "unexplained variance".

Ideas figure prominently, however, in constructivist theory<sup>40</sup> which tends to focus on interactions that are constitutive of both identities and interests and that also revise and change these identities and interests. Interests (or preferences) are according to this theory endogenous in the sense that they are constituted and revised through various types of interactions. We shall return to this theory below, but suffice it to say here that this approach is not the one advocated by Goldstein and Keohane though they profess to have reaped some insights from it. There is an explanatory enterprise wherein their main hypothesis is how much of the variation in policy is explained by changes in factors other than ideas. By

---

<sup>39</sup> Judith Goldstein and Robert O. Keohane, "Ideas and Foreign Policy: An Analytical Framework", in Goldstein and Keohane (eds.), *Ideas and Foreign Policy. Beliefs, Institutions and Political Change* (Ithaca, N.Y.: Cornell University Press, 1993), 3.

<sup>40</sup> See Alexander Wendt, "The Agent-Structure Problem", *International Organization* 41, no. 3 (1987): 335-370; "Anarchy is what States make of it", *International Organisation* 46, no. 2 (1992): 391-425; and more extensively, *Social Theory of International Politics* (Cambridge: Cambridge University Press, 1999).

holding ideas constant, variance in terms of policy outcomes can then be explained by interests or other factors thought to exert influence.

Ideas for Goldstein and Keohane come in three categories. Human action is ultimately conditioned by *worldviews* embedded in cultures, but with the proviso that these world views are non-fatalistic, i.e. they allow for human beings to be active agents in the construction of their identities. Secondly, ideas may be characterised as *principled beliefs* which consist of "normative ideas that specify criteria for distinguishing right from wrong and just from unjust" and in that capacity "mediate between world views and particular policy conclusions; they translate fundamental doctrines into guidance for human action".<sup>41</sup> Thirdly, ideas may also be conceived of as *causal beliefs*, which are "beliefs about cause-effect relationships which derive authority from the shared authority of recognized elites" and imply "strategies for the attainment of goals, themselves valued because of shared principled beliefs, and understandable only within the context of broader world views".<sup>42</sup> It is the conception of ideas as principled and causal beliefs that is of interest to Goldstein and Keohane.

What purposes do ideas serve? There is typically no direct causal relationship between ideas and policy choices, but ideas can in various ways point the way towards a choice. Ideas serve in this sense as road maps by guiding action either on account of principles or beliefs about cause-effect relationships. But they only provide this guidance under conditions of uncertainty about interests and how to maximise them. Causal beliefs may in these circumstances reduce uncertainty and principled beliefs may substitute for uncertainty. A second purpose of ideas is, according to Goldstein and Keohane, specifically related to rational choice situations in which no determinate prediction is possible. Several equilibria are possible, and the theory cannot by its own powers determine which one is to be preferred. Ideas as shared beliefs substitute for the indeterminacy of predictions of rational choice. Thirdly, and of importance to the argument developed here,

---

<sup>41</sup> Goldstein and Keohane, *Ideas and Foreign Policy*, 9

<sup>42</sup> Goldstein and Keohane, *Ideas and Foreign Policy*, 10.

ideas institutionalised in the shape of rules and norms may come to have a life outlasting their initial purpose and to be seen as immutable and undisputable. Institutionalisation of ideas may produce institutional inertia or at least certain lag effects as in the case of legal doctrines. The institutionalisation of ideas, furthermore, has the implication that reasons would have to be given for selecting one course of action and not another. Institutionalisation does not only reduce uncertainty about choices; ideas also introduce an element of validation as actions would have to be justified by providing reasons.

This latter point is given an interesting sociological twist in the concept of "epistemic communities" introduced by Peter Haas. This approach has a slightly narrower focus than that of Goldstein and Keohane while building on its central tenets. An epistemic community is "a network of professionals with recognized expertise and competence in a particular domain and an authoritative claim to policy-relevant knowledge within that domain or issue-area". The defining traits of an epistemic community are, according to Haas, "(1) a shared set of normative and principled beliefs, which provide a value-based rationale for the social action of community members; (2) shared causal beliefs, which are derived from their analysis of practices leading or contributing to a central set of problems in their domain and which then serve as the basis for elucidating the multiple linkages between possible policy actions and desired outcomes; (3) shared notions of validity - that is, intersubjective, internally defined criteria for weighing and validating knowledge in the domain of their expertise; and (4) a common policy enterprise - that is, a set of common practices associated with a set of problems to which their professional expertise is directed, presumably out of the conviction that human welfare will be enhanced as a consequence.<sup>43</sup> One question we will raise in later chapters is whether epistemic communities can be institutionalised or even give rise to formal organisations or are they basically knowledge-based think tanks with a loose organisational structure?<sup>44</sup>

---

<sup>43</sup> Peter M. Haas, "Introduction: Epistemic Communities and International Policy Coordination", *International Organization* 46, no. 1 (1992): 3.

<sup>44</sup> See chapter 5 on the emergence of the ILO.

The "epistemic community" approach shares the concepts of principled and causal beliefs and the concept of validation with Goldstein and Keohane, but adds the important observation that ideas are not just one variable among others feeding into the decision-making processes of state actors, but may be embodied in expert groups with their own common policy enterprise which then feed into the decision-making process. As with Goldstein and Keohane's conception of the role of ideas, epistemic communities have a comparative advantage in situations of uncertainty, when interests or power considerations do not give determinate predictions about how to act. These situations obtain in the aftermath of a shock or in the course of a crisis where decision-makers cannot rely on standard assumptions about what their interests are. This is so because the knowledge needed to determine what those interests are (and how power can come to bear on their realisation) is simply not there.

Epistemic communities can fill the void by using their expertise "to elucidate the cause-effect relationships and provide advice about the likely results of alternative courses of action", to "shed light on the nature of the complex interlinkages between issues and on the chain of events that might proceed either from failure to take action or from instituting a particular policy". In so doing, "epistemic communities can help define the self-interests of a state or factions within it" and thereby "help formulate policies".<sup>45</sup> By their intervention in interest- and policy-defining processes, epistemic communities reduce uncertainty and complexity by limiting or narrowing the range of alternatives under consideration. Their expertise is in this sense rooted in their causal beliefs, their claims to expertise about cause-effect relationships.

How do epistemic communities differ from other groups who press claims about substantive matters or claim to have expertise about specified issue-areas? The crucial criterion is, as indicated above, "the combination of having a shared set of causal and principled (analytical and normative) beliefs, a consensual knowledge

---

<sup>45</sup> Haas, Introduction: 15.

base, and a common policy enterprise (common interests)".<sup>46</sup> On the first two dimensions, *causal and principled beliefs*, epistemic communities are different from disciplines and professions on the grounds of principled beliefs although both groups share causal beliefs. Conversely, epistemic communities are different from interest groups and social movements on the grounds of causal beliefs although both groups share principled beliefs. Finally, epistemic communities are different from legislators, bureaucratic agencies, and bureaucratic coalitions on both dimensions. The same applies to *validation and interest*, the last two dimensions. Epistemic communities share a consensual knowledge base by methods of internal validation with disciplines and professions, but not interests. Conversely, epistemic communities share interests with interest groups and social movements, but not validation methods. Finally, neither interests nor validation methods are shared with legislators and bureaucrats.

As noted above, the regimes approach was criticised by resting on a behaviorist epistemology to deal with an object of study that was ontologically intersubjective. Haas attempts to accommodate this criticism by stressing the validation methods of epistemic communities and advocating what he calls a limited constructivist view. It is constructivist in the sense that it recognises that reality is socially constructed, but also limited in the sense that not all constructions are equally plausible but will have to be subjected to validation tests. The view then does not advocate a correspondence theory of truth which assumes that there is a reality "out there" that can be fully comprehended. Instead it advocates a "consensus theory of a finite and temporally bounded notion of truth" which is *fallibilistic* in that it can be revised and modified by new insights, but also *melioristic* in that "correct beliefs may evolve over time, as progressively more accurate characterizations of the world are consensually formulated".<sup>47</sup>

Haas points out that the generation of consensual knowledge is not to be equated with the generation of truth, perhaps not even with approximations of truth. The

---

<sup>46</sup> Haas, Introduction: 18.

<sup>47</sup> Haas, Introduction: 23. On the concepts of fallibilism and meliorism, see Gunnar Skirbekk, *Rationality and Modernity* (Oslo: Scandinavian University Press, 1993).



interesting point for Haas is that given this assumption, the group that is responsible for articulating dimensions of reality thereby wields considerable political and social influence, particularly in issue areas of public concern where there is a great deal of uncertainty. However, this influence is conditioned by the advice given really being consensual; if expertise differs on crucial issues of public concern, their influence as a group is bound to suffer as a result.

The advantage of this approach is that it opens up for the possibility of organisational learning of governments and organisations through the evolution of consensual knowledge. But saying that a possibility exists for learning does not say under what conditions a learning process is set in motion and what are the steps and sequences in this process. Haas sees the main task of epistemic communities as one of international policy coordination and argues that they may play an evolutionary role as a source of policy innovation and as a channel by which these innovations may diffuse internationally. In the former role, epistemic communities may frame the range of political controversy regarding an issue and thereby define state interests by setting the agenda within which these issues are to be considered. Furthermore, they may be involved in the setting of standards by which state performance is to be measured and assessed. By putting bounds on permissible behaviour and narrowing the range for political bargaining, epistemic communities exert influence. Policy innovation can be disseminated through the communities' own channels or by influencing state governments individually or through transnational network connections. The timing of policy diffusion and policy selection at the state level or internationally is of importance for epistemic communities to exert influence.

As we noted above, uncertainty, crisis and shock after waves are all propitious in opening up for expert intervention. In their absence, policy makers are more likely to seek expert confirmation of their (politically motivated) views than to have them challenged or revised.<sup>48</sup> In these instances, epistemic communities are

---

<sup>48</sup> On this point, see Christina Boswell, *The Political Uses of Expert Knowledge. Immigration Policy and Social Research* (Cambridge: Cambridge University Press, 2012) and in a critical vein, Martin Hammersley, *The Myth of Research-Based Policy & Practice* (Los Angeles: Sage Publ., 2013).

more likely to serve as mediators, but without compromising their causal beliefs. Finally, policy persistence, through the institutionalisation of ideas, is dependent on the persistence of consensus among community members, but dissensus should not be presumed to produce instant institutional adaptation, but only at a lag as institutionalisation produces its own sense of inertia.

In sum, policy innovation, the chief services provided by epistemic communities, signifies the possibility of institutional learning and hence of institutional adaptability to the lessons drawn from such learning capacity. In Adler and Haas' words, "changes in the epistemological assumptions and interpretations that help frame and structure collective understanding and action constitute the most meaningful notion of learning in international relations".<sup>49</sup> In fact, processes of learning may even be at the basis of rational choice in international relations: "Rationality thus rests on transferred meaning and experience and should be analyzed in terms of practical understandings, theories and expectations that reflect the policymakers' current agenda of priorities".<sup>50</sup> The typical outcome of a learning process would be the adoption of new instrumental ends (new practices) and the adoption of new principled ends (new goals). For this, the causal and principled beliefs of epistemic communities serve as sources of innovations.

An implication of this approach is to draw attention to the "*framing conditions*" that are of importance to the rational pursuit of goals. In so doing, it also draws attention to the conditions and types of rule-governed behaviour that make up the framing conditions.<sup>51</sup>

---

<sup>49</sup> Emmanuel Adler and Peter M. Haas (1992), "Conclusion: Epistemic Communities, World Order, and the Creation of a Reflective Research Program", *International Organization*. 46, no. 1 (1992): 385.

<sup>50</sup> Adler and Haas, Conclusion: 386

<sup>51</sup> This points to a distinction between weak and strong cognitivism, as noted by Hasenclever et al, *Theories of International Regimes*, to which we return to below.

## 2.6 Drawing the threads together

Institutions affect behaviour in different ways, but what are they more precisely and what does an institutional approach mean? In the course of this chapter we have given some indications of the characteristics of this approach, speaking of multilateralism, international regimes, principled and causal beliefs and epistemic communities which in different ways speak of institutions and actors. Following Caporaso, we may draw some of these threads together, looking at the relationship between institutional structures and individual and collective actors.

First, the institutional approach has an *ontological* dimension which has to do with the status of entities, particularly individual agents and institutions. The approach does admit that "the individual may provide the microcomponent of institutional theory, but social relations and institutions are not seen as products of freely choosing individuals; instead, agency is given a structural determination". That does not mean determinism in the sense that individuals are mindless reproducers of structures, nor does it mean that institutions are by-products of individual utility maximisation. Rather, "institutions are treated as a level of organized complexity: they are distinct from the sum of individuals composing them, yet they rest on a basis of human action that are continually contested, are only partly propelled by norms and role expectations, and always reflect a tension between the desires of individuals and the needs of institutions"<sup>52</sup> That institutions have needs may sound counter-intuitive, but in this notion of need lies an recognition that one important, perhaps the most important, institutional prerogative is its own survival in its relation to pressures from the environment.<sup>53</sup>

Secondly, institutions have a *theoretical* dimension which has to do with the specification of the proper relations between preferences, institutions, norms and ideas or beliefs. The important thing to note is that the institutional approach sees preferences not as exogenously given, but as *endogenously malleable*. Institutions

---

<sup>52</sup> Caporaso, *International Relations Theory*: 623. On this point, see Mary Douglas, *How Institutions Think* (London: Routledge & Kegan Paul, 1986).

<sup>53</sup> We shall return to this point in the next chapter.

shape preferences by altering the pay-off matrix and thereby making it easier to punish free-riders and defectors and by providing an environment for socialisation and learning. This environment of contacts, exchange of information and learning has an impact on both the substantive content of beliefs (principled beliefs) and on how to realise them (causal beliefs). Moreover, it tends to reduce uncertainty about the behaviour of others as the institutional environment provides the stability needed to make reliable predictions about their behaviour (and hence how to respond in turn). Finally, institutions have *prescriptive* roles by defining what counts as appropriate behaviour. These norms and standards would be outside the preference structure of individuals in the sense of prescribing what ought to be done instead of what would be desirable to do given preferences to that effect. However, prescriptions may condition preferences by delimiting the range of permissible behaviour and they may also conceivably coincide with preferences as individuals may find it desirable to do what one ought to do.

Thirdly, institutions have an *interpretative* dimension which has to do with how to understand cooperation. On the institutionalist view, there are "complex patterns of cooperation already embedded within states and the interstate system" in the shape of diplomatic language, norms and rules and most basically in the recognition of sovereignty and the system of states. In fact, it is an institutionalist argument that to speak of states and state interests, there would have to be an agreement that state sovereignty has to be respected in order for states to pursue their interests vis a vis other states or via international intermediaries. For the institutional approach, "the starting point is a social conception of the actors, and the basic questions have to do with how the system of states can reproduce itself, what tensions it incorporates, and what capacity it has for altering its structures and rules to deal with changing environmental pressures".<sup>54</sup> It follows that these practices are often constitutive of states' identities and interests and they often proceed in a trial-and-error fashion rather than according to a premeditated rational plan. If these assumptions are correct, the methodological emphasis shifts

---

<sup>54</sup> Caporaso, *International Relations Theory*: 626.

from "strategic interaction with given (and fixed utilities) to a model of debate, communication, persuasion, argument and discursive legitimation"<sup>55</sup>. According to Kratochwil: "Most of our arguments concerning policy or rights are not so much about the determination of the likely result, given a certain distribution of 'preferences', as they are debates over which preferences deserve priority over others, which ones ought to be changed, and which judgement deserves our assent. Here the overall persuasive 'weight' of claims rather than their logical necessity or aggregation is at issue" (1988: 12).<sup>56</sup>

None of this is to be construed as leaving no room for rational calculus. The point is rather to indicate the framing conditions for the playing-out of rational calculation and the essentially bounded nature of rationality. What is ruled out, however, is the notion of an anarchical state of nature, domestically as well as internationally, that is often taken to be the basis for social cooperation. While in social contract theory, notions of the state of nature are taken to be hypothetical 'devices of representation', in international relations theory anarchy is often taken to describe an actual state of affairs, and this assumption cannot be accepted by the institutional approach.

As a final point, we would like to introduce a distinction which will have some bearing on the further discussion of international institutions/regimes. Below is a basic model of weak cognitivism. This is the model of Goldstein and Keohane and of Peter Haas, but also of Ernst Haas which we shall introduce later in chapter 6.<sup>57</sup> This model is knowledge-driven, a combination of principled and causal beliefs as explained above. This is fully in line with the rationalist account, "leaving the utilitarian core and the ontological assumptions of rationalist approaches, including their conception of norms and rules as functional responses of rational

---

<sup>55</sup> Caporaso, *International Relations Theory*: 626f.

<sup>56</sup> See Friedrich Kratochwil, *Rules, Norms and Decisions*. (Cambridge: Cambridge University Press, 1988), 12.

<sup>57</sup> See also Peter M. Haas and Ernst B. Haas, Learning to Learn: Improving International Governance, *Global Governance*, 1, no. 3 (1995): 255-285.

actors to perceived collective action problems".<sup>58</sup>

The alternative strong cognitivist model (Figure 2.2) breaks with the utilitarian core of the former as it is known driven by knowledge that can be instrumentally utilized, but by fundamental rules which on the one hand generates legitimacy and on the other hand becomes internalized by states and individuals through the process of institutionalisation. Instead of internalisation, one could speak of socialisation. Their view of states is not as utility maximisers, but as role players. International organisations are not servants of states, but teachers of states

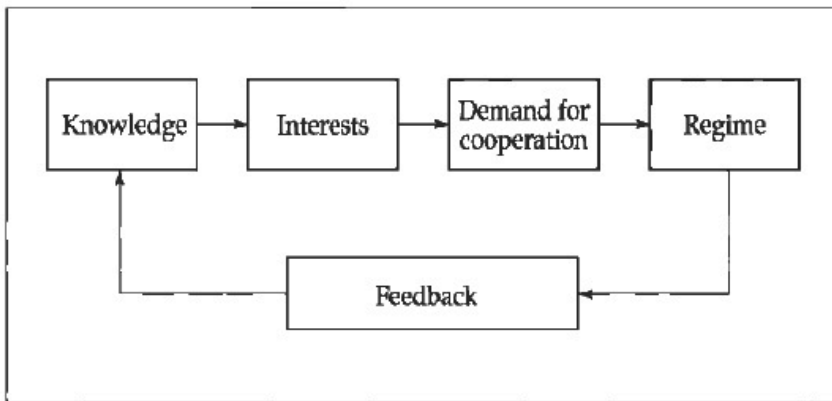


Figure 2.1 The ontology of weak cognitivism

Source: Hasenclever et al, *Theories of International Regimes*, 155.

---

<sup>58</sup> See Hasenclever et al, *Theories of International Regimes*,: 154f.

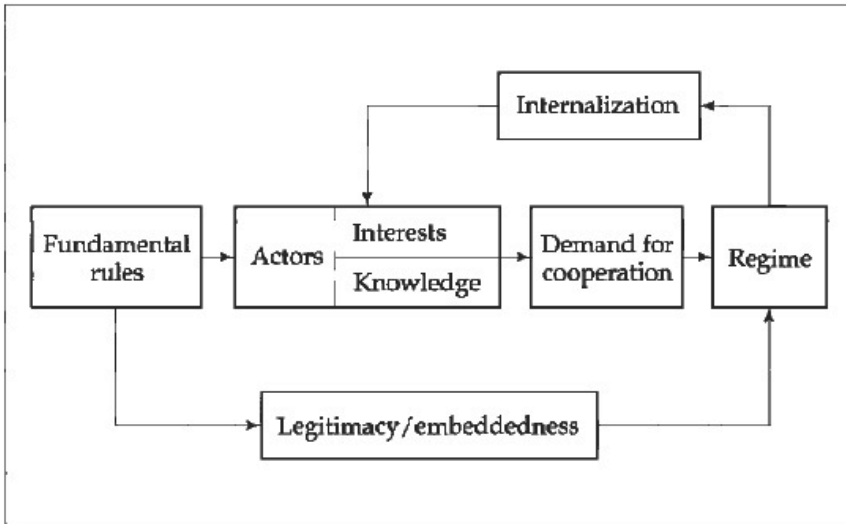


Figure 2.2. The ontology of strong cognitivism

Source: Hasenclever et al, *Theories of International Regimes*, 156.

This discourse points in the direction of sociological institutionalism, which has a strong footing in organisation theory. However, within mainstream political science, the former model is still quite strong, but there are tendencies within the field to accord more importance to the second model as well. We shall break off the discussion at this point, but return to it in the context of explaining organisational emergence (ch. 5) and organisational change (ch.6). This chapter has been on international institutions with an emphasis on *international* and on international cooperation and collaboration in a more generic sense covering the gamut from epistemic communities to international regimes to multilateralism in general. We shall now turn to looking at international organisations as

*organisations*, but retain a focus on cognitivism in line with the second model and attempt a synthesis combining agency with structures in the form of different environments at the end of the next chapter.



### 3. International organisation as organisations

#### 3.1. Introduction

The study of international organisation is a sub-discipline under the broader heading of the study of international relations. For many years the study of international organisation was primarily a study of existing international organisations. The methodological approach changed over the years with scholarship shifting from a predominantly legal orientation to one firmly anchored in the behavioural sciences, at least as far as the social sciences were concerned. In recent years no particular methodological approach has dominated the field, but rational choice approaches, drawing on game theory, and post-modernist, anti-foundationalist approaches have gained in popularity.<sup>59</sup>

Concurrently with changes in methodology, the study of international organisation has gradually moved away from the study of actual organisations to organisation in a more generic sense, studying patterns and trends of international co-ordination, co-operation and collaboration short of de facto organisations. For some analysts this has meant the opportunity for theoretical advancement and intellectual excitement, but for others a loss of relevancy and influence on policy- and decision-making.

In the 50<sup>th</sup> anniversary issue of *International Organization*, the editors speak of international political economy as being the main subject matter of the journal while noting that the journal has moved away from any specific subject matter towards more general theoretical perspectives such as the debate in the 1990s between rationalist and constructivist perspectives.<sup>60</sup>

---

<sup>59</sup> But see, however, Ian Hurd, *International Organizations. Politics, Law, Practice*. Second Edition. (Cambridge: Cambridge University Press, 2014). This book is written from a legal perspective and for lawyers, particularly specialists in international law, international organizations have never faded from view.

<sup>60</sup> Peter J. Katzenstein, Robert O. Keohane and Stephen D. Krasner, International Organization and the Study of World Politics, *International Organization* 52, no. 4 (1998): 645-685.

In a later anthology, considerable space is given to different theoretical perspectives and substantive issues in international relations, but only one chapter deals specifically with international organizations and institutions.<sup>61</sup> In another anthology, sections are divided into a disciplinary overview, theoretical perspectives, methodology and the bridging of sub-fields, but there are no chapters on international organisations as such, though one on global society.<sup>62</sup>

On the one hand, the sub-discipline as well as the study of international relations more generally, appears to be vulnerable to, and hence responsive to, changes in the external world. These changes account for the choice of substantive focus, i.e. what is perceived to be an interesting and relevant topic for study at any particular point in time. While these changes in substantive focus are fully understandable, they may none the less make the sort of long-term, cumulative and narrowly focused endeavour essential to the scientific enterprise more difficult to attain and as well, as indicated above, lose on relevancy.<sup>63</sup>

On the other hand, changes also reflect standards of professional competence within the scientific community itself. Although these standards may change over time, they inevitably reflect the prevailing consensus on scientific competence and professional prestige. But the drawback following from this is that research is more liable to be method-driven than subject- or problem-driven and as a consequence interesting topics may be left out as they cannot be accommodated by the dominant methodology.<sup>64</sup>

It was argued above that the study of international organisation has progressively

---

<sup>61</sup> See Walter Carlsnaes, Thomas Risse and Beth A. Simmons (eds.), *Handbook on International Relations* (London: Sage Publ., 2002/2012).

<sup>62</sup> See Christian Reus-Smit and Duncan Snidal (eds.), *The Oxford Handbook of International Relations* (Oxford: Oxford University Press, 2008).

<sup>63</sup> On this point, see Steve Smith, "Six wishes for a more relevant discipline of international relations," in Reus-Smit et al, *The Oxford Handbook of International Relations* (Oxford: Oxford University Press, 2008), 725-731.

<sup>64</sup> See Ian Shapiro, *The Flight from Reality in the Human Sciences* (Princeton: Princeton University Press, 2007).

(or regressively) moved away from the study of actual international organisations. While realist theory has been sceptical about the possibility of cooperation *tout court*, functionalist theory has spoken of the demand for international organisation, but both approaches have been negligent about the conditions of supply of international organisations.<sup>65</sup> It may seem trivial to point out that the starting point for the study of international organisation ought plausibly to be international organisations, but as we have seen, research has tended to concentrate on forms of international cooperation short of actually scrutinising actual organisations. The realist and functionalist approaches, despite differences in assumptions, have taken the viewpoint of states and seen organisations as creatures of dominant states with little independent capacity for initiative or effectiveness. The organisation of international relations rather than the organisations of the international system has been the main object for research. The myopic focus on state action has been appropriate for a discipline that sees itself as practising "Staatswissenschaft".

On the other hand, sociologists from Weber onwards have studied complex organisations such as bureaucracies and business corporations either domestically or comparatively across countries, but they have rarely studied complex organisations at the international level and possibly doubted the very existence of an international society. There are exceptions, of course, particularly in the adoption by political scientists of functionalist theory and Immanuel Wallerstein's work on the modern world system<sup>66</sup>.

Max Weber's theory of rationalisation has also given rise to a wide-ranging research programme led by John Meyer and associates which has come to assume a key role within the field of sociological institutionalism.<sup>67</sup> An important question

---

<sup>65</sup> See chapter 5.

<sup>66</sup> Wallerstein, Immanuel (1974). *The Modern World-System I: Capitalist Agriculture and the Origins of the European World-Economy in the Sixteenth Century*. New York: Academic Press. Three further volumes have been published later. Wallerstein's work is inspired by the French historian Fernand Braudel among others.

<sup>67</sup> On Weber and rationalisation, see Wolfgang Schluchter, *The Rise of Western Rationalism. Max Weber's Developmental History*. Berkeley: University of California Press, 1981.

for this programme is whether the rationalization process described by Weber is of a universal scope, whether it has universal significance and validity. Weber was characteristically ambivalent on this question himself. Even though it constituted the Western point of view and point of departure, the Western model of cultural humanity was still something to which other cultural human beings would have to position themselves to the extent they wanted to live a conscious life. Whether this model was right in the normative sense was a question that could only be answered by the West.

Writers following in the Weberian tradition argue that if we are to understand the process of rationalization in the 20th century, we can no longer stop at the level of nation-states which was Weber's unit of analysis in his exposition of rationalisation processes in the West. We have to lift the analysis up to the level of the emerging world society constituted by a network of international associations and organizations. What are its distinctive features? First, "it lacks a collective actor at the centre and is instead made up of fragmented organizational and professional systems that function as rationalizing agents (...) rather than actors" and secondly, "it has produced rapid organizational expansion and change in national states and other organizations."<sup>68</sup> World society is not an actor, but functions as a network of relations among acting nation-states and non-governmental organizations. Similarly, world society does not have a centre, it is relationally structured by the interaction of world-level bodies like the United Nations, regional, national and sub-national bodies and professional, scientific and activist associations.

The emerging world society does not and cannot speak on behalf of nation-states, but rather of ideas and world views such as human rights, scientific laws, socio-economic development and the environment. Their main task is not to act on behalf of nation-states, but to provide a forum for talk, advice, generalized norms and scientific principles. To the extent they act, they are agents on behalf of ideas (development, environment, human rights and humanitarianism) rather than of

---

<sup>68</sup> John W. Meyer, "Rationalized Environments", in W. Richard Scott, John W. Meyer and ass., *Institutional Environments and Organizations* (Newbury Park, Sage Publ.), 1993, 31.

the United States, France, China or the Soviet Union and their activities consist of promotion of these ideas rather than of the interests of the above countries. Their role is to advise, recommend, instruct presumed self-interested actors. This is the key role of the sciences and the professions and the international system with its multitude of organisations and this role extends beyond the day-to-day interests of its members to manage, construct and regulate what are the rational long-term interests of nation-state governments.

The world would be highly different if it was populated by a central actor with the power to act and to have responsibility for any action taken. This would be an entity with interests of its own, and it would most likely provide less space for information that did not accord with them. Instead, space is given to organizations and professions conceiving new functions and responsibilities for the nation-states, but with no action responsibilities of their own, leaving recommendations for new organizations to be established or adapting extant organisations at the national as well as international levels to these new requirements. In other words, "(t)he theorists and legislators of the laws of social development, individual rights, organizational rationality, and environmental requirements do their rationalizing work without having much responsibility to do the actions or bear the costs involved. (...)The theories and ideologies have expanded with extraordinary rapidity in the past half-century - a veritable explosion in the worldwide collective creation of ideologies of modernity and progress."<sup>69</sup>

These new demands put on the nation-states require an expansion of organization and of national capacity. The relationship works both ways; the expansion of national capacity as documented in the recent history of Western nation-states gives rise to the establishment of international associations to further this trend. Once established, international associations then feed back further requirements to the nation-state. The feed-back from world society not only puts more demands on the state, it may give the impetus for the growth of non-governmental organisations, who amplify and intensify the demands at the domestic arena. To

---

<sup>69</sup> Meyer, *Rationalized Environments*, 49.

summarize: "We live in a period of the expanded national state, but one that is penetrated by exogenous and multidimensional rationalization that it is no longer a coherent autonomous actor (if it ever was). It retains formal sovereignty, but this is just another name for its multiform responsibilities, mostly derived from world society."<sup>70</sup>

This perspective has given rise to a large research programme which combines the constructivist approach from political science with this macro-sociological account of world-wide rationalisation. It rejects the standard idea of the state as a unified actor and international society as anarchical. International organisations are, according to this perspective, teachers of states as much as servants of state. The paradox is that the international system has recognised the state as the main actor, yet continued to put more and more demands on the state for it to be recognised as such.<sup>71</sup>

Most of those who see themselves as organisation theorists have tended to study organisations either domestically or comparatively. However, there should be no reason why the insights derived from these studies can not be applied to international organisations. The reason has been, as we have said, that the theories have built on the assumption that cooperation across borders is that much harder to achieve than cooperation within borders. If this assumption is relaxed, then it should not be too difficult to imagine that organisations, once established internationally, would function *as organisations* in ways similar to national, domestic organisations.<sup>72</sup> All it requires is to shift the viewpoint from that of the state in the international system to that of the organisation and its

---

<sup>70</sup> Meyer, *Rationalized Environments*, 52

<sup>71</sup> For examples of world society/polity research, see, inter alia, George M. Thomas, John W. Meyer, Francisco O. Ramirez and John Boli (eds.), *Institutional Structure: Constituting State, Society and the Individual* (Newbury Park: Sage Publ., 1987); Connie L. McNeely, *Constructing the Nation-State. International Organization and Prescriptive Action.* (Westport, Conn.: Greenwood Press, 1995); Martha Finnemore, *National Interests in International Society* (Ithaca, NY: Cornell University Press, 1996); John Boli and George Thomas, *Constructing World Culture: International non-governmental organizations since 1875* (Stanford: Stanford University Press, 1999); and G. Drori, John W. Meyer and H. Hwang (eds.), *Globalization and organization: World society and organizational change* (Oxford: Oxford University Press, 2006).

<sup>72</sup> See Göran, Ahrne and Nils Brunsson, *Meta-organizations*. Cheltenham, UK: Edward Elgar, 2008.

institutional environment. As the above research programme made clear, international organisations are carriers of ideas which increasingly come to be seen as requirements for states to be recognised as rational and modern. States are no longer entities controlling a territory within defined borders, but recipients of further and further demands emanating from international organisations.

Some pointers on how this might be worked up can be elucidated, drawing on an interesting contribution by Ness and Brechin. Their main point is that international organisations cannot be conceived of as mechanical tools of action in the hands of state actors, but only, in Selznick's phrase, as best recalcitrant tools of action.<sup>73</sup> Organisations must be seen, in Ness and Brechin's view, as "live collectivities interacting with their environments, and they contain members who seek to use the organization for their own ends, often struggling with others over the content and allocation of the product."<sup>74</sup> In addition to being living collectivities with their own agendas, they also differ over time, they perform differently from one another, they achieve their ends with varying degrees of effectiveness and efficiency and they differ in their goals. All these variations must be considered and explained in working up theories of international organisations.

Michael Barnett and Martha Finnemore have worked from a similar perspective in emphasizing the autonomy of the international organization, drawing on sociological theory. They note that "organizations respond not only to other actors pursuing material interests in the environment but also to normative and cultural forces that shape how organizations see the world and conceptualize their missions". Environments need not be homogenous as is often assumed in rationalist theories. Further, "environments can 'select' or favor organizations for reasons other than efficient or responsive behaviour. For example, organizations may be created and supported for reasons of legitimacy and normative mandate rather than efficient output; they may be

---

<sup>73</sup> Philip Selznick, *TVA and the Grass Roots* (Berkeley: University of California Press, 1949) and *Leadership in Administration* (New York: Harper & Row, 1957).

<sup>74</sup> Gayl D. Ness and Steven R. Brechin, "Bridging the Gap: International Organizations as Organizations," *International Organization* 42, no. 2 (1988): 247.

created for not for what they do but for what they are - for what they represent symbolically and the values they embody".<sup>75</sup> Finally, "which causal mechanisms produce which effects under which conditions is a set of relationships that can be understood only by intensive empirical study of how these organizations actually do their business - research that would trace the origin and evolution of IO policies, the processes by which they are implemented, discrepancies between implementation and policy, and overall effects of these policies".<sup>76</sup> Their claim is that international organisations are not only international, but also organisations.

### 3.2 Organisational features

Ness and Brechin list four factors that may be of importance in explaining organisational performance; organisational environments, technology, structure and goals. First, *environments* have an impact on organisational performance, but environments vary. One insight from organisation theory, from contingency theory associated with Lawrence and Lorsch, is that there is no best way to organise anything as structure and process are contingent upon the environment and technology.<sup>77</sup> Similarly, Meyer and Scott's work on the 'institutional environments' points to organisations being shaped, inter alia, by the environment's rule and belief systems.<sup>78</sup> Environments have to do with expectations about organisational performance and these expectations have consequences for organisational structure. In an environment characterised by heterogeneous and unstable expectations, a flat, functional organisational

---

<sup>75</sup> Michael N. Barnett and Martha Finnemore; "The Politics, Power and Pathologies of International Organizations, *International Organization*, vol. 53, no.4, 1999: 703.

<sup>76</sup> Barnett and Finnemore, Politics: 715. This perspective has been worked out in their *Rules for the World. International Organizations in Global Politics*. Ithaca, New York: Cornell University Press, 2004. Barnett has applied this perspective to humanitarianism and Finnemore to global governance.

<sup>77</sup> Paul R. Lawrence and Jay W. Lorsch, *Organization and Environment: Managing Differentiation and Integration* (Cambridge, Mass.: Harvard University Press, 1967).

<sup>78</sup> See John W. Meyer and W. Richard Scott, *Institutional Environments and Organizations* (Thousand Oaks: Sage Publ., 1993)



structure is better suited to deal with them than a hierarchical, centralised structure which is better suited to deal with an environment of stable and homogeneous expectations.

Secondly, organisations may be characterised by possessing a *core technology* which should be defined in a broad way as the organisation's repository of material, skills and knowledge. This notion of a core technology is very much present in the concept of functional or sectoral organisation, or within the UN system, of specialised agencies. By being specialised, they enjoy a comparative advantage to other organisations by virtue of that specialisation. However, technologies diffuse and evolve and the competences change as a result. Technologies also impact on organisational structure with complex technology requiring more dependence on professionals and requiring more of a horizontal organisational structure. Moreover, political contestations can erupt over what constitutes the functional domain of an organisation. If the domain is purely a matter of coordination, such as postal and telecommunications, then it is likely to cause less political contestations than if organisations are allowed to autonomously map out their domain, as in labour or education. Both UNESCO and ILO have been accused of "politicisation", meaning straying beyond their functional domain. Unclear domains may also signify turf battles as any knowledgeable observers know whenever the UN system urges the need for coordination.

Thirdly, organisations have *goals* which on one reading may be their own survival when they come to be seen as ends in themselves. Members, as noted, may have goals that differ from those of the organisation, and factions may come to define the organisation's goals as in Cyert and March's concept of a dominant coalition.<sup>79</sup> These readings say that organisations may come to embrace goals that do not have anything in common with those it was created to accomplish. Etzioni has argued that organisations are there to deliver goods and services, but also to create (and promote) a new set of values and

---

<sup>79</sup> Richard M. Cyert and James G. March, *A Behavioral Theory of the Firm* (Oxford, Blackwell: 1963/1992).

attitudes. Value change requires a normative compliance structure whereas the delivery of goods and services requires a utilitarian compliance structure.<sup>80</sup> As Ness and Brechin argue, "empirical questions about the performance of international organizations can be solved only by careful examination of what they are charged to do, and the extent to which their charges impose conflicting demands on them".<sup>81</sup>

Fourthly, organisational *structure* may have a bearing on performance, and UN organisations vary to the degree the UN system tends to impose a tall, hierarchical structure on them. This structure guarantees a high degree of procedural rationality, but often at the expense of flexibility and rapidity of response to environmental demands. Therefore, decentralisation of functions to the field level has made them more effective in providing goods and services, but this is of course contingent upon whether service delivery is mainly what they are charged to do. An organisation involved in data gathering, processing and global monitoring as well as in conference diplomacy would need to have a strong headquarters presence. Normally, some form of decentralisation is undertaken to respond more rapidly to requests for services. On the other hand, flexibility and adequate response may be enhanced by organisations entering into networks, as Jönsson has pointed out, wherein each organisation may complement the others in structure and in technology.<sup>82</sup>

These four keywords, *environment*, *core technology*, *goals* and *structure*, are all factors impinging on organisational performance. They may not be as operational as desirable so as to be variables for measuring performance and should, according to Ness and Brechin, rather be seen as sensitising concepts. Individually and in combination they point to aspects of international

---

<sup>80</sup> Amitai Etzioni, *A Comparative Analysis of Complex Organizations* (New York: Free Press, 1961/1975)

<sup>81</sup> Ness and Brechin, *Bridging the Gap*: 266.

<sup>82</sup> Christer Jönsson, *An Interorganizational Approach to the Study of Multilateral Assistance*, paper presented at the seminar of the Research Programme on Multilateral Development Assistance, Oslo, 16-17 January 1995.

organisational life that highlight similarities and differences among them. They do, however, share the feature of being strongly linked to the environment and it may be said that international organisations are more dependent on the environment than national level or local level organisations. Ernst Haas has even argued that "international organisations are hyperdependent on their environment; they can hardly be distinguished from their environments".<sup>83</sup> In his view, changes in international organisations in terms of learning and adaptation are much more likely to come from the environment than from any internal source, whether it be unit coordination, staff review or monitoring.

International organisations do not face the same obstacles as business firms operating in the market place in terms of survival chances as they are not merely adapting to market changes, but also reviewing and revising goals in addition to the means for reaching them. Frequently organisations strive to reach more than one goal, making efforts to adjust means to goal-seeking considerably more difficult. The more institutionalised the environment becomes, the more organisations may be viewed as goals in themselves as they come to epitomize goals by proxy. As goals are multiple or multiply diffuse, the ordering of preferences becomes increasingly problematic, making rational calculation unmanageable.

Environments clearly have an impact on an organisation's goals and through that also on core technology and organisational structure. Changes in views on goals inevitably lead to changes in perceptions on core technology and organisational structure. This clearly sets the UN specialised agencies apart from the UN programmes and funds, as the former are entrusted with a wider range of goals than the latter and thereby are disposed for a more hierarchical and presumably less flexible structure.<sup>84</sup> As they encompass a wider range of goals or functions, their survival is less contingent on effective performance on

---

<sup>83</sup> Ernst B. Haas, *When Knowledge is Power. Three Models of Change in International Organizations* (Berkeley: University of California Press, 1989), 27.

<sup>84</sup> See Douglas Williams, *The Specialized Agencies and the United Nations. The System in Crisis* (New York: St. Martins Press, 1987).

any particular of them. Survival would only be a relevant question if the goals-means relationship was rationally unified. In the case of the specialised agencies, the institutional environment is also less unified, making agreement on an overarching goal more difficult. As noted above, what has to be investigated is the composition of the dominant coalition and how it changes or maintains the goal structure. As Haas also has noted, international organisations are "coalitions of coalitions", i.e. state coalitions at the international level made up of coalitions at the national level.

The above considerations point to the importance, not only of the environments, but also of belief systems in general. *Goals* are matters of principled beliefs, *core technologies* are matters of causal beliefs, and both beliefs are assumed to be internally related as we noted in the former chapter. In order to explore these matters in more depth, we shall turn to theories which speak to environments and belief systems. These fall under the open systems perspective in the study of organisations. As this perspective covers a wide range of theories, we shall be particularly concerned with theories that deal with the relationship of institutional environments to organisations in accordance with our thesis that environments matter highly to international organisations.

### 3.3. The open systems perspective

Before going on to examine the diversity of open systems approaches, some words need to be said about what sets this perspective apart from other approaches to the study of organisations. A well-known text book on organisations defines three types of systems, a rational, a natural and an open system, respectively. The *rational* system is defined as follows: "Organizations are collectivities oriented to the pursuit of relatively specific goals and exhibiting relatively highly formalized social structures".<sup>85</sup> Organisations are

---

<sup>85</sup> W. Richard Scott, *Organizations. Rational, Natural and Open Systems Perspectives*. 5<sup>th</sup> edition (New Jersey: Pearson Education International, 2003), 27.

distinguished from other collectivities, for example primary groups and social movements, by being more goal-specific and more formalised. This definition of organisations as rational systems is the one probably most consonant with common usage and understanding. However, not all organisations need to be highly formalised, and certain organisations would rather promote an organisational culture defined by a lack of status differences and a clear-cut division of labour. The definition of *natural* systems takes the degree of personal commitment and egalitarian culture into account by stressing that "organizations are collectivities whose participants are pursuing multiple interests, both disparate and common, but who recognize the value of perpetuating the organization as an important resource. The informal structure of relations that develops among participants is more influential in guiding the behaviour of participants than is the formal structure".<sup>86</sup> This characteristic may be typical of organisations as social movements where personal engagement and motivation matters.

Both rational and natural systems definitions assume that organisations are *closed* systems, characterised by formal structure or by organic unity in their relations to members and participants. Formalisation and personal commitment compensate for and complement each other. The open system perspective does not accept the quasi-autarchic conception of organisations associated with the two approaches and defines organisations as "systems of interdependent activities linking shifting coalitions of participants; the systems are embedded in - dependent on continuing exchanges with and constituted by - the environments in which they operate".<sup>87</sup> This latter definition is of clear relevance to international organisations, though this approach does not invalidate the partial relevance of the others. International organisations of the UN type are certainly highly formalised and they do not exclude the kind of personal esprit de corps highlighted by the natural systems approach, but,

---

<sup>86</sup> Scott (2003), *Organizations*, 28.

<sup>87</sup> W. Richard, Scott, *Organizations. Rational, Natural and Open Systems* (Englewood Cliffs, NJ, Prentice Hall, 1992), 25. This definition is better than the more terse one given in the 2003 edition, viz. "organizations are congeries of interdependent flows and activities linking shifting coalitions of participants embedded in wider material-resource and institutional environments" ( 29).

and that is the point here, they are much more dependent on the environment than what the other definitions admit.

The open systems perspective does not in any way exclude insights from the other two approaches. That international organisations are highly formalised is undisputable and bears witness to the belief in the rationality of rules and procedures and control mechanisms. This insight guided the first phase of research on international organisations. That formal rules and procedures may not be sufficient to understand the actual operations of an international organisation was similarly an insight of the second phase of research on international organisations. This phase was oriented to the study of the behaviour of actors within organisations and informed by a structural functionalist perspective wherein adaptation, survival and systemic needs were the prime concerns of organisation actors.

The open systems perspective is diverse and incorporates elements from both aforementioned approaches. It takes its guiding light from the study of cybernetics. The basic axiom is that "all systems are characterized by an assemblage or combination of parts whose relations make them interdependent."<sup>88</sup> The structuring of systems may be simple or may be complex and the relations of parts within the system may be tightly coupled, as in mechanical and physical systems, or loosely coupled, as in social systems. Social systems are typically highly complex systems that, in addition to being self-maintained through resource inputs from the outside, share symbol-processing systems, such as language, culture and social order that cannot be found at lower levels of complexity. But the theoretical schemes and frames for analysing social systems are interestingly at a much lower level of complexity than the social systems themselves. Theory is in other words at a much more rudimentary stage of development than the reality it is employed to comprehend or understand.<sup>89</sup>

---

<sup>88</sup> Scott (2003), *Organizations*: 83.

<sup>89</sup> Regarding application to the social sciences, see Niklas Luhmann, *Soziale Systeme. Grundriss einer Allgemeinen Theorie* (Frankfurt a.M.: Suhrkamp, 1984) and the final synthesis, *Die Gesellschaft der Gesellschaft* (Frankfurt a.M.: Suhrkamp, 1998). For an application to organisation theory, see

To study organisations as cybernetic systems imply a focus on information flows, programme-directed processes and strong policy centres. To study them as open systems, i.e. at a higher level of complexity, which is what is proposed here, is to concede that relations among parts are not as tightly wired as the cybernetic approach would seem to indicate. The defining characteristic of open systems are that they are "capable of self-maintenance on the basis of a through-put from the environment" and that "this through-put is essential to the system's viability".<sup>90</sup> It is essential in the sense that the system cannot convert the through-put into something that would enhance its self-maintaining capacity and reduce its dependence on the environment. It is in fact the perennial dependence on the environment which defines the open system as open. Theorists within this school of thinking maintain that it is the openness of the system that accounts for its complexity.

The key points to remember are that open systems are dependent on their environment and secondly, that they are loosely coupled, meaning that organisations are neither a unitary hierarchy nor an organic entity, but rather a loosely linked coalition of interest groups, each wanting something from the collectivity, each interacting with the others and each with their own preferences and goals. There are several schools of thinking associated with the open systems perspective, one of which is *contingency theory*, as mentioned above. This school of thinking links the manner of organising to the demands of the environment, arguing that the best way of organising is contingent upon the expectations of the environment. Thus, there is per se no best way of organising which does not mean that all ways of organising are equally good.

As mentioned above, both rational and natural systems approaches can be integrated with the open systems perspective, and we shall now have a look at what combinations are suggested, considering that these approaches are akin

---

John F. Padgett and Walter W. Powell (eds.), *The Emergence of Organizations and Markets* (Princeton: Princeton University Press, 2012).

<sup>90</sup> Scott (2003), *Organizations*, 89.

to what Kuhn calls *paradigms*.<sup>91</sup> They structure the perception of the world and guide the selection of theories and methods with which to explain it. In this sense they cannot be entirely disproved by evidence about the world as the selected perspective largely determines what evidence there is to be sought. Consequently, no approach or perspective is entirely without value and no approach or perspective is of universal application. What counts is how fruitful the perspective is for the object of study. With these caveats in mind we select to focus on the combinations of the open systems perspective with the rational and natural systems approaches and leave the closed systems perspective out of consideration. The results can be seen in Tab. 3.1.

Table 3.1. Theoretical Models and Levels of Analysis within the Open Systems Perspective

Theoretical Models/ Level of Analysis	Rational Models	Natural Models
Social - psychological	Bounded rationality	Organising
Structural	Contingency theory Comparative structure	Socio-technical systems
Ecological	Transactions costs Knowledge-based	Organizational ecology Resource dependence Institutional theory

Source: Adapted from Scott (2003), *Organizations*, 108.

The open systems perspective has been the dominant perspective in the field of organisation studies from the 1960s onwards, replacing the closed systems perspective as the paradigm for research. A lot of research has been carried

<sup>91</sup> Thomas S. Kuhn, *The Structure of Scientific Revolutions* (Chicago: University of Chicago Press, 1962/1979).



out at the ecological level, the level which puts the strongest emphasis on the environment. The social-psychological level is more likely to focus on processes within the organisation to cope with external demands and expectations. The structural level is more concerned with properties of organisations than with processes inside them. The closed systems perspective was basically oriented towards these two levels and Scott does not list any work or study done at the ecological level from this perspective. The ecological level is thus integral to the open systems perspective.

Let us look at each combination in more detail. Combining the rational approach with the social-psychological level, we find bounded rationality and agency theory. *Bounded rationality*, associated with the work of March and Simon is concerned with cognitive limitations of organisational actors and with the development of "performance programmes" to guide the type of action that can be routinised, while leaving room for discretionary decision-making for those actions that cannot. There is more of a focus on the complexities of the environment and its effects on decision-making, encouraging satisficing rather than optimising.<sup>92</sup>

Combining rational system with the structural level we find *contingency theory* and *comparative structural analysis*. Both theories contend that organisations should respond rationally to the demands of the environment, but they differ with regard to emphasis. The former theory works mainly at the unit level within an organisation and the differential degrees of openness of units and is methodologically more oriented towards qualitative research. The latter works more at the level of the total organisation and tends more towards comparative, quantitative research.

At the ecological level, there is the *transactions costs analysis* associated with the work of Williamson, drawing and building upon earlier work by Coase.<sup>93</sup> This

---

<sup>92</sup> James G. March and Herbert A. Simon, *Organizations* (New York: Wiley, 1958).

<sup>93</sup> Oliver E. Williamson, *Markets and Hierarchies: Analysis and Anti-Trust Implications* (New York: Free Press) and *The Economic Institutions of Capitalism* (New York: Free Press, 1985). See also R. H. Coase, "The Nature of the Firm", *Economica*, NS 4, no. 16 (1937): 386-405 and "The Problem of

theory bridges economic considerations (reduction of transaction costs related to the exchange of goods and services in the market place) with non-economic factors (governance structures that guarantee and enforce the appropriate form of market exchange) and acknowledges the importance and determination of the environment in governing exchange relations, thus, emphasizing the ecological level.

*Knowledge-based* theories deal with what we above called *cognitivist* theories.<sup>94</sup> They concern core competences, tacit knowledge, the workings of epistemic communities, and the scope for consensus and learning and these theories cross the rational-natural boundary. For example, organisational learning argues for the relaxation of the rationality assumption typical of the rational systems school. A key notion of this approach is that preferences are often changed through processes of learning which sets this theory squarely against the rational choice axiom that preferences are given a priori. As we noted above, the notion of an individual decision-maker is replaced by shifting dominant coalitions and learning processes do not necessarily issue in improved performance, but in changed routines.

Coming to the open, natural systems theories we find that the rational assumption of conscious and instantaneous adaptation to the requirements of the environment is considerably relaxed. At the social-psychological level, there is the *organising* theory, associated with Weick, which stresses evolutionary factors more than rational adaptation.<sup>95</sup> Over time there is an improvement in the adaptation to the environment, but this is not likely to evolve in the manner argued by rational systems theorists and involves rather more trial-and error, superstition, chance and post-hoc rationalisations than what are admitted by rationalists.

At the structural level there is the *socio-technical systems* approach which grew

---

Social Cost", *Journal of Law and Economics* 3 (1960): 1-44.

<sup>94</sup> See discussion in chapter 2.6 above.

<sup>95</sup> Karl E. Weick, *The Social Psychology of Organising* (Reading, Mass.: Addison-Wesley, 1979).

out of the human relations school and looks at work organisation from both a technical and human perspective. The approach seeks ways to shield employees from environmental pressures by semi-autonomous group organisation..

Finally, coming to the ecological level we find an assortment of theories and approaches which bear witness to the vitality of this line of research within present-day organisation theory. The *organizational ecology* model moves from the level of single organisations to the level of populations of organisations and draws explicitly on the model of natural selection by examining the mortality rates of organisations. Here the chief objective of organisations is survival and their life chances are determined by their environments. The *resource dependency* model similarly indicates the determining factor of the environment, but this model puts more weight on active adaptability of organisations than passive non-resistance. *Institutional theory* has its roots in the sociology of knowledge and its claim that social reality is a human construction and that repeated actions and meanings enter into a process of institutionalisation. In organisation studies organisations are seen as institutions and as expressing the conditions of modernity. This takes the form of rationalised myths, myths because they cannot be verified by evidence and rationalised because of their being formal and procedural. Organisations do not adopt to pressures for more effectiveness, they conform to conventional beliefs.<sup>96</sup>

---

<sup>96</sup> Institutional theory has branched out in recent years. The institutional work approach shifts the focus to understand how action affects institutions (and not the other way as has been the general belief in institutional theory. See the editors' introduction in Thomas B. Lawrence, Roy Suddaby and Bernard Leca (eds.), in *Institutional Work. Actors and Agency in Institutional Studies of Organizations* (Cambridge: Cambridge University Press, 2011). The institutional logics perspective is a broader approach seeking to link agency and knowledge back to wider institutional orders of which there are several. See Patricia H. Thornton, William Ocasio and Michael Lounsbury, *The Institutional Logics Perspective: A New Approach to Culture, Structure and Process* (Oxford: Oxford University Press, 2012). This perspective takes its lead from Roger Friedland and Robert R. Alford, "Bringing Society back in: Symbols, Practices, and Institutional Contradictions," in Walter W. Powell and Paul J. DiMaggio, *The New Institutionalism in Organizational Analysis* (Chicago: University of Chicago Press, 1991). The chapter grew out of Robert R. Alford and Roger Friedland, *The Powers of Theory. Capitalism, the State and Democracy* (Cambridge, Cambridge

This survey has attempted, first, to argue for the open systems perspective as congenial to the study of *international* organisations and, secondly, to demonstrate the range of models within the perspective which can be divided into rational and natural systems models, respectively.<sup>97</sup> Which of these two categories of models are best suited to the study of international organisations depends, we would argue, on the characteristics of the environment. To that we now turn.

#### 3.4. Institutional and technical environments

Environments influence organisations and vice versa. The type of influence depends on the type of environment. We would argue that organisations face, following the usage established by Meyer and Scott, a technical and an institutional environment. Those favouring the rational systems models would stress the technical environment while those favouring the natural systems models would stress the institutional environment. *Technical* environments are "those in which organizations produce a product or service that is exchanged in a market such that they are rewarded for effective and efficient performance. These are environments that foster the development of rationalized structures that efficiently coordinate technical work".<sup>98</sup> Examples of organisations functioning in a technical environment are private manufacturing companies and private service organisations. On the other hand, *institutional* environments are those characterised by "the elaboration of rules and requirements to which individual must conform in order to receive legitimacy and support. In institutional environments organizations are rewarded for utilizing correct structures and processes, not for the quantity

---

University Press, 1985).

<sup>97</sup> For a rationalist approach, see Barbara Koremenos, Charles Lipson and Duncan Snidal (eds.) "The Rational Design of International Institutions," *International Organization*. 55, no. 4 (2001): 761-799.

<sup>98</sup> Scott (1992), *Organizations*, 132. Later editions speak of material-resource environments or simply of technology and task environments.

and quality of their outputs".<sup>99</sup> Examples of organisations functioning in an institutional environment are schools and hospitals, more generally public service organisations.<sup>100</sup>

The distinction between technical and institutional environments should not be construed as representing reciprocally exclusionary alternatives. For most organisations, there would be a mixture with one or the other dominating. For governmental organisations and even more so for inter-governmental organisations, we would expect the institutional environment to be the dominant environment. The dominance of the institutional environment does not exclude the influence of the technical environment and we would expect this to be represented and reproduced as a perennial tension within the organisation as to its proper aims and objectives.

Granted the assumption of the dominance of the institutional environment, what are institutions and how do they relate to organisations in general and international organisations in particular? Institutional theory comes in a variety of guises, and some of them were described in ch. 2. Here we shall refer to institutional theory only as it pertains to organisations. Three keywords of relevance are *regulation*, *norms* and *cognition*. The proponents of the rational systems models are most likely to stress the regulative aspects of institutions, as exemplified by the work of Williamson on economic institutions in capitalism, whereas proponents of the natural systems models are more likely to stress norms and cognition. Norms figure prominently in the old school of institutional organisational studies associated with Selznick while cognitive factors are more strongly emphasized by the new institutional school of organisation studies. Tab. 3.2 presents some features of these three institutional pillars.

---

<sup>99</sup> Scott (1992), *Organizations*, 132.

<sup>100</sup> It may be conceded that under the axioms of New Public Management the boundaries between the two can be porous.

Table 3.2 Institutional pillars and features

Pillars/ Features	Regulative	Normative	Cognitive
Basis of Compliance	Expedience	Social obligation	Taken for grantedness Shared understanding
Basis of order	Regulative rules	Binding expectations	Constitutive schema
Mechanisms	Coercive	Normative	Mimetic
Logic	Instrumentality	Appropriateness	Orthodoxy
Indicators	Rules, laws, sanctions	Certification, Accreditation	Common beliefs, Shared logics of action, Isomorphism
Affect	Fear Guilt/Innocence	Shame/Honor	Certainty/ Confusion
Basis of legitimacy	Legally sanctioned	Morally governed	Comprehensible, Reconizable, Culturally supported

Source: W. Richard Scott, *Institutions and Organizations. Ideas and Interests*. Third Edition (Los Angeles, Sage Publ, 2008), 51

The *regulative* pillar of institutions may not need any further explanation. The accent is strongly on the need to constrain and, if need be, to coerce behaviour by means of legal sanctions. The role of the state is primarily as an enforcer of the laws and regulations governing economic and social life. The implicit assumption is that in the absence of enforcement individuals, groups and firms are less likely to behave in accordance with the law.<sup>101</sup> This assumption is not shared by the other two pillars. Under the *normative* pillar, behaviour is

<sup>101</sup> This conception has roots back to the state of nature as presented in Thomas Hobbes, *Leviathan*, ed. by Richard E. Flathman and David Johnston (New York, W.W. Norton, 1997) and to a certain degree in the realist school in international relations.

linked to roles and normative expectations as to what is appropriate for a roleholder, not with what is expedient or convenient. Norms are internalised or imposed, and legal sanctions by themselves are inadequate for this purpose. Under the *cognitive* pillar, behaviour is guided by the a view of the world as socially constructed, as shared systems of meaning. Individuals and groups behave the way they do, not because it is expedient, not because it is expected of them, but because they cannot really conceive of any other way of behaving.<sup>102</sup>

Institutions do not only have pillars, but also carriers, forces which shape the way they work. Tab. 3.3 combines pillars with carriers.

Table 3.3 Institutional pillars and carriers

Pillars			
Carrier	Regulative	Normative	Cognitive
Symbolic systems	Rules Laws	Values Expectations	Categories, Typifications Schema
Relational systems	Governance systems Power systems	Regimes Authority systems	Structural isomorphism Identities
Routines	Protocols, Standard operating procedures	Jobs Roles Obedience to duty	Scripts
Artifacts	Objects complying with mandated specifications	Objects meeting conventions, standards	Objects possessing symbolic value

Source: Scott, *Institutions* (2008), 79.

The cultural carriers rely on interpretation of the outside world, and the three

<sup>102</sup> This can be modelled dynamically as in the introductory chapter of Thomas Risse, Stephen C. Ropp and Kathryn Sikkink (eds.) *The Power of Human Rights* (Cambridge: Cambridge University Press, 1998).

pillars emphasize different aspects of culture. In fact, proponents of the cognitive pillar would probably not deny the validity of any of the others, but point out that these are culturally constructed pillars with their validity bound by time and place. The relational carriers again differ across pillars stressing legal authority, moral authority and structural isomorphism, meaning the diffusion of similar forms as new organisations imitate the structure of innovatory models. The routines carrier stresses standard procedure and monitoring, the sense of individual moral duty and the programming of behaviour, respectively. The cognitive pillar more than the others emphasizes the penetration of the organisation by the environment, making the distinction between organisations and environments spurious.

We would expect to find the institutional environment to be composed of these three pillars and the choice between rational and natural systems models determined by how much emphasis is put on the regulative dimension and how much on the other two. To reiterate, a rational systems approach is liable to stress the requirements of the technical environment whereas the natural systems approach is liable to stress normative and cognitive features of the institutional environment. Accordingly, from the rational systems perspective, "organizations arise to take advantage of the production economies offered by an elaborate division of labor and to meet the cognitive and control challenges posed by complex and uncertain environments". On the other hand, from the natural systems perspective, "institutionalists propose that organizations emerge as an embodiment of rationalized belief systems that proliferate in the wider environment".<sup>103</sup>

Rationalists see regulation as functionally required by the widening and deepening division of labour and by the uncertainty of an increasingly complex environment. Regulation is in this sense of instrumental, and not of intrinsic, value for managing the environment. This is a basic insight of the new institutional theory of economics. Institutionalists see regulation as of intrinsic value in a rationalised environment, as a feature of rationalised belief

---

<sup>103</sup> Scott (2003), *Organizations*, 183.



systems. Accordingly, cognitive and normative matters figure more heavily within the institutional theory of sociological organisational analysis. The answer as to why organisations are created would then have to be sought by inquiring into the nature of the institutional environment. Our view is that this mode is better suited for studies of governmental organisations and, by extension, international and inter-governmental organisations.

Returning to the question of core mandate and core technology, we face a complex landscape where goals, structure and technology interact. Rationalists would argue for a tight fit between structure and technology in which the complexity of the technology, or the task environment, is matched by the complexity of the organisational structure. High technical complexity is matched by high structural complexity and organisational differentiation. Uncertainty about technology is matched by flexibility and less organisational formalisation. The more formalised the organisational structure and the more interdependent the task environment, the greater the need for coordination. A rationalist would argue that these things should be tightly coupled, making hands-on management possible.

Institutionalists, on the other hand, favour the natural systems perspective and argue for a much looser fit between technology and structure and for a much less unified view of organisations than rationalists, resulting in more of a hands-off management type of structure than the alternative view.

Institutionalists are more likely to look for coalitions inside organisations and their differential degrees of power and influence. They are more liable to find that things are loosely coupled or even selectively decoupled, as argued by Meyer and Rowan<sup>104</sup>. In their view, rationalised myths that provide legitimacy to the formal structure of an organisation do not give clear guidelines for technical operations. In consequence, an organisation would conform to the ritually defined meanings as supplied by the environment, but not make any

---

<sup>104</sup> John W. Meyer and Brian Rowan (1992), "Institutionalized Organizations: Formal Structure as Myth and Ceremony, *American Journal of Sociology*, vol. 83, no. 2 (Sep. 1977): 340-363.

serious attempt to implement them at the operational level.

Two views of organisations arise from this: "Organizations arising in connection with technical flows closely control and manage them. Their structures act to regulate the flows, to buffer them from uncertainty, and thus to insulate them in some measure from external forces (...) The intent is to decouple technical work from environmental conditions so that it can be more tightly managed by the organization. In contrast, institutionalized organizations closely integrate their own structural arrangements with the frameworks established by the larger institutional structures. In so doing they tend to buffer their structures from the actual technical work activities performed within the organizations".<sup>105</sup> This view suggests that modern organizations look less like rational organizations than holding companies incorporating various institutionally defined packages.

These matters cannot be studied apart from the goals of an organisation, because if an organisation is set to attain a variety of goals that are not internally consistent and dominant coalitions interact to subvert the unitary structure of an organisation, rationality as conceived by the rationalists is bound to suffer. Our view is that this is indeed the case with international organisations and with the specialised agencies of the UN. It may not be clear what their core mandates or their core technologies are and their technical assistance activities may not be as tightly coupled to their other institutionally mandated activities as could be desired. This may not indicate an organisational pathology, but much more the characteristics of the "institutionally defined packages" they are asked to incorporate. Our view would be more aligned with the naturalist, institutionalist perspective than with the alternative rationalist perspective.

Finally, coming to the question of effectiveness, we will again find two

---

<sup>105</sup> John W. Meyer and W. Richard Scott and Terrence E. Deal, "Institutional and Technical Sources of Organizational Structure", in Meyer, John W. and W. Richard Scott, *Organizational Environments* (Newbury Park, Sage Publ., 1992), 46.

competing arguments. First, "under a rational systems model, since organizations are viewed as instruments for the attainment of goals, the criteria emphasized focus on the number and quality of outputs and the economies realized in transforming inputs into outputs. General criteria include measures of total output and of quality, productivity and efficiency(...)Measures of effectiveness from a rational system perspective take the specific goals of the organizations as the basis for generating effectiveness criteria".

Alternatively, "the natural systems model views organizations as collectivities that are capable of achieving specified goals but are engaged in other activities required to maintain themselves as a social unit. Thus, natural systems analysts insist on adding a set of support goals to the output goals emphasized by the rational system model. Further, these support goals are expected to dominate output goals if the two do not coincide: organizations are governed by the overriding goal of survival".

Finally, "the open system perspective views organizations as being highly interdependent with their environments and engaged in system-elaborating as well as system-maintaining activities. Information acquisition and processing are viewed as especially critical, since an organisation's well-being is dependent on its ability to detect and respond to subtle changes in its environment". Adaptability and flexibility are other factors associated with this perspective.<sup>106</sup> A key point for the empirical analysis is to see whether adaptability is seamless or creates tensions between non-converging expectations. In other words, can the demands from different environments be accommodated without contradiction? Do the structures conflict with technical work? Does adaptability come at the price of continuity and alignment to the original mandate?

As organizations under this perspective are strongly interdependent with their environments, an important activity is to detect any changes in the desires and

---

<sup>106</sup> Scott (2003), *Organizations*, 351f.

expectations of the environment and to respond to them. And, as we have indicated, the more these desires and expectations do not add up to a specified goal to be accomplished, the more difficult it is to assess the effectiveness of operations. In fact, it can be argued that the more diversified the goals, the higher the life chances of the organisation. Our view is again that this is a plausible description of the operations of international organisations and we would argue that the closer the operative work conforms to their core mandate and to the expectations of the institutional environment, the less questions of effectiveness impact on organisational life chances. Questions of effectiveness are most likely to affect the kinds of operative work where boundary setting between organisations is unclear and where no organisation can be said to enjoy a comparative advantage as to its core technology. If this assumption is correct, the mandate and core competence may act as a buffer and safety valve against the demands for effectiveness and efficiency.

#### 3.4. Drawing the threads together again

We ended last chapter with the constructivist/cognitivist research programme and we ended this chapter with sociological institutionalism as applied to organisation theory. So far we have not said much about convergences between these two perspectives. That will have to be done now as it has substantial bearing on what is to come.

First, we shall summarise some of the main characteristics of the institutional and technical environments in Table 3.4 as it shall be applied in the following chapters. The institutional environment is likely to be more concerned with the core mandate than with the comparative advantage of organisational competence. The institutional environment is strongly linked with structure and governance, the technical with clients. Within the former there is an emphasis on regulation, within the latter there is an emphasis on providing services. The former is more strongly associated with drafting and monitoring labour standards while the latter is more concerned with responding to

development goals. The former is more concerned with procedures, the latter is more concerned with producing results. Structurally, institutional governance within the ILO is tripartite while most of technical assistance is inter-governmental. The institutional approach to technical assistance is combining indirect action with creating an enabling environment at the upstream level. The technical approach is combining direct action with targeting beneficiaries at the downstream level. These latter distinctions have application to the evaluation of child labour projects in chapter 10.

Table 3.4 Characteristics of environments

Institutional environment	Technical/task environment
Core mandate	Comparative advantage
Governance	Clients
Regulation	Services
Labour standards	Development goals
Procedure	Results
Tripartism	Inter-governmental
Indirect action	Direct action
Creating an enabling environment	Targeting beneficiaries
Upstream	Downstream

Drawing upon the discussion of agency in chapter 2 and of environments in this chapter, we foresee different types of organisational response to changes in the institutional and technical environments, respectively.

Table 3.5 sets out different organisational responses to changes in the environment. As we saw above, the institutional environment corresponds to core functions of the ILO, its structure and institutional procedures and ways of working. The technical environment corresponds to operational activities strongly linked with its technical assistance programme.

Combining changes with responses, we get four different outcomes. Changes in both environments result in learning as organisations rethink ends and means. These may be cases of gradual, incremental change as learning is a continuous process in interactions between the organisation and the environment. Another outcome results from changes in the technical environment. In this case the organisation rethink its means of action in order to better align with expectations from the environment without impacting its ends. This is a pragmatic response to environmental changes in which the organisation is able to extend the range of activities, yet argue that its basic mission is as relevant as ever. The third and fourth outcomes are cases of abrupt change or no change at all. Transformation occurs in the context of external shocks in which the organisation has to reconsider its basic ends, often following from long stretches of continuity. The left column shows variations of gradual change, the right column abrupt change or none.

Table 3.5 Organisational responses to environmental changes

Environmental changes	Change in technical environment	
Change in institutional environment	Yes	No
Yes	learning	transformation
No	adaptability	stability

In chapter 5, we shall have a look at the emergence of the ILO and it seems clear that the setting up of an international organisation to respond to problematic issues in the environment represents a case of learning. In chapter 6 on institutional change, the variations in response, whether it is learning or adaptability, will be subjected to closer scrutiny.

In chapters 7 and 8, have changes in programming and budgeting procedures resulted in lessons learnt that inform future decisions? In chapter 10, are there lessons from projects on child labour that can feed into future project designs? Are there conclusions from project experience on what works and what does not? How are projects to be evaluated and according to which criteria? On both programming and projects, we would expect expectations from the environment to vary and a key question is to identify organisational response and how it can be evaluated.

## 4. Methodology and data sources

### 4.1 Rationalism versus constructivism

In this chapter, we shall use the theoretical discussion in the two former chapters to see what it implies in terms of research design. Briefly there are two ways to go about it and these mark two binary alternatives within the two fields of international relations and organisation theory

With regard to research design, we may use a classification scheme proposed by Robert Keohane for the study of international institutions, according to which studies are either classified as rationalist or constructivist.<sup>107</sup> Here we want to understand what are the points of difference between the rationalist and constructivist approaches to the study of norms in international relations.

According to Keohane, the *rationalist* approach is premised on the assumption that “if there were no potential gains from agreements to be captured in world politics - that is, if no agreements among actors could be mutually beneficial - there would be no need for specific international institutions”.<sup>108</sup>

The gains are typically measured in terms of costs, i.e. the reduction of uncertainty, the stabilisation of expectations and the supply of information provided by these institutions combine to reduce transaction costs, the latter understood as the costs of specifying and enforcing the contracts that underlie exchange. Rationalist theory is based on exchange and the need to keep the costs of exchange as low as possible. International institutions are therefore instruments for reducing transaction costs and they will emerge and be maintained as long as the relevant actors have incentives to create and sustain them.

---

<sup>107</sup> See Robert Keohane, “International Institutions: Two Approaches”, in Robert Keohane, *International Institutions and State Power* (Boulder, Col., Westview Press, 1989). Keohane uses the term *reflectivist* instead of *constructivist*, but as the latter has become the commonly used term in international relations theory, it will be used here.

<sup>108</sup> See Keohane, *International Institutions*, 166-170.



But, as Keohane argues, this approach does not answer all questions. While it may explain the demand for international institutions, it does not explain the supply of these institutions and why some are created in certain issue areas, but not in others. Moreover, formal modelling of exchange agreements are frequently indeterminate in the sense that a number of equilibria are conceivable. The theory cannot on its own accord determine which one is the most desirable nor explain why it was selected. Further assumptions about the situational context have to be inserted into the modelling framework in order to arrive at a determinate solution. In brief, models need to be context-specific.

Finally, Keohane argues, models must not only be made sensitive to context, they must also incorporate history and the possibility that the environment may be less than predictable and may generate shocks and abrupt changes that destabilise expectations and increase uncertainty. Theories of path dependence and sunk costs, common in economics, emphasize the point that prior choices put constraints on future choices in the sense of eliminating some from the choice-set. These theories explain the preservation (and perseverance) of existing institutional arrangements. Norms are basically of instrumental value as they are perceived to be functional for the realisation of gains through the reduction of transaction costs. Norms are agreed upon because they reduce uncertainty, stabilize expectations and in general provide a framework in which actors can pursue their gains through contracts and other exchange agreements.<sup>109</sup>

The contending *constructivist* approach has quite a different view on norms in international relations. In Keohane's words, "institutions do not merely reflect the preferences and power of the units constituting them, the institutions themselves shape those preferences and that power. Institutions are therefore

---

<sup>109</sup> As an example of internal differentiation among rationalists, a debate has been going on between neorealists and neoliberalists whether gains are to be understood as absolute or relative. The former tend to conceive inter-state relations as a zero-sum game, whereas the latter regard them as plus-sum game. Both parties gain and none one at the expense of others. For the main arguments, see David Baldwin (ed.), *Neorealism and Neoliberalism. The Contemporary Debate* (New York: Columbia University Press, 1994).

*constitutive* of actors as well as vice versa. It is not sufficient in this view to treat the preferences of individuals as given exogenously; they are affected by institutional arrangements, by prevailing norms, and by historically contingent discourse among people to pursue their purposes and solve their self-defined problems.”<sup>110</sup> “Constructivist” is meant to indicate that the writers belonging to this school of thought are concerned with the reasoning and argumentation for norm-guided behaviour than with utility-maximisation as the sole spur for action. Constructivists are more prone to stress cultural diversity than any universal trait common to man as such. They doubt that institutions can be thought of as emerging from a contractual framework agreed upon by rationally inclined individuals, but must be seen as conjunctions of material forces and previous social arrangements. Constructivists do not assume that preferences are fixed as do most rationalists, but that they are essentially malleable and subject to change due to better reasoning and to persuasion. Furthermore, constructivists would argue that state sovereignty, which is a *sine qua non* for the exercise of national interest so dear to rationalists, cannot be explained as purely of instrumental value, but must be conceived of as constitutive for the exercise of national interest (see Table 4.1).

In summing up his survey, Keohane admits that many of the criticisms of the constructivists are well taken, but ultimately finds the approach wanting as it has not developed to the extent that it can generate a coherent research programme with testable hypotheses and empirical research about specific institutions and practices in contrast to the rationalist research programme. One reason why the constructivist approach does not constitute a coherent research programme is that the group of writers cannot be pinned down as belonging to one discipline. While the rationalists are more likely to follow the logic of economic theory and game theory as applied to political science, the constructivists seek their inspiration in sociology and in law and in the humanities. Commonly shared standards for valid interpretation combine legal and humanistic approaches. Constructivists are more prone to traverse

---

<sup>110</sup> See Keohane, *International Institutions*, 161.

disciplinary boundaries than rationalists.

Table 4.1. Positions of the rationalist and reflective approaches on key points of theory and methodology

<b>Key points of theory and methodology</b>	<b>Rationalist position</b>	<b>Constructivist position</b>
The nature of international society	anarchic	constituent unit
The function of norms	regulative	constitutive
The function of international organisations	serving states	“teaching” states
Determining/causal factor	agents/actors	structures
The nature of actors	universal traits	cultural diversity
Preferences of actors	fixed	malleable
Motivations of actors	realisation of absolute or relative gains	appropriateness
Disciplinary orientation	economic theory, game theory	sociology, law, the humanities
Strong point	coherent research programme	context-sensitive
Weak point	less context-sensitive	less coherent research programme

On balance, this thesis follows a constructivist design as set up above, though not wholeheartedly. On the issues of the function of norms, the function of international organisations and determining and causal factors, both research designs have valid points, but when push comes to shove, the thesis is in the constructivist camp.

Another take on the same set of theoretical approaches is given by Todd Landman (see table 4.2). Rationalism here comprises the realist school in international relations as well as game-theoretical approaches. Structuralism

comprises approaches within what may broadly be called international political economy, including brands of neoliberal institutionalism. Culturalism is co-extensive with what we elsewhere have called constructivism and sociological institutionalism. This perspective provides more room for norms and values and their diffusion and is liable to give them more of an independent power in fashioning explanation of processes at the international level. And it is the closest to the theoretical proposition offered by this dissertation.

Table 4.2 Theoretical traditions in empirical social science

Theory Group	Level of analysis	Sub-traditions	Unit of analysis	Assumptions
Rationalist	International	Realism Structural realism Neo-realism Game theory	Individual states Methodological nationalism	States as unitary rational actors States act to maintain or enhance power Strategic interaction Logic of consequences for state action
Structuralist	International	Marxism Dependency theory Neo-liberal institutionalism	World systems Global power 'polarities' International legal order International institutions	Constrained state agency Mutual gain through institutions
Culturalist	International	Constructivism Globalization of culture Value diffusion Legal proceduralism	Clusters of meaning Shared understandings Inter-subjectivity International norms	Norms, beliefs and ideas are socially constructed Individual identity and agency are culturally determined Logic of appropriateness for state action

Source: Adapted from Todd Landman, *Studying Human Rights* (London, Routledge, 2006), 56-7

Table 4.3 The epistemological/methodological continuum of the social sciences

Range	I	II	III	IV	V	VI	VII
Hermeneutic/ thick description	Discourse analysis	Theory- driven empirical	Theory- driven empirical	Theory- driven empirical	Theory- driven empirical	Theory- driven empirical	Nomo- thetic
Reasoning	Inductive	Inductive and analytical	Inductive and analytical	Inductive and analytical	Inductive and analytical	Deductive and analytical	Deductive
Evidence vs. inference	'Evidence without inference'	Meaning and under- standing from language and action	Qualita- tive evidence and inference	Quantita- tive/quali- tative evidence and analysis	Quantita- tive evidence and inference	Inference with confirm- atory evidence	'Inference without evidence'
Nature of know- ledge claim	Particular Context- specific	Particular Context- specific	Universal with room for exceptions	Universal with room for exceptions	Universal with room for exceptions	Universal	Universal
Scope of coverage	Single countries Sub- national analysis	Single countries Limited compari- son	Compara- tive and single- case analysis	Compara- tive	Global compara- tive	Small-N compara- tive	Theoreti- cal constructs only

Source: Adapted from Landman, *Studying Human Rights*, 60.

Methodological implications are given in table 4.3 above. Presented as a continuum from ideographical approaches at one end to nomothetical approaches at the other end, this dissertation is probably best situated in the middle of the continuum.<sup>111</sup> It has inductive as well as analytical reasoning; it

<sup>111</sup> On this point, see Figure 1 in John Gerring, "What is a case study and what is it good for?", *American Political Science Review* 98, no.2 (2004): 352.

is basically concentrated on a single case, yet operates from a much wider, even universal, set of knowledge claims, but is sensitive to the application of these claims in different country settings and also with regard to time. It combines qualitative and quantitative evidence, the former with regard to organisational time-lines spanning decades and the latter with regard to the allocation of resources and their use in different types of operational work. It has comparative elements in tracking variations among donors of technical assistance as well as its distribution across continents and regions and of course, variations over time. Some of these variations occur at the sub-organisational level and comparisons are made between different departments and sections and tasks as well as over time. The point made here is that figures at the organisational level do not say anything about their intra-organisational distribution which is necessary for analysing organisational priorities. As will become apparent later, extra-budgetary resources have also considerable impact on organisational priorities.

#### 4.2 Case study methodology

A case study can be many things. It can be defined by a qualitative method, participant observation, field work, a single phenomenon or instance etc. Here we shall follow John Gerring's definition saying that a case study is "an intensive study of a single unit for the purpose of understanding a larger class of (similar) units"<sup>112</sup> or "a case study may be understood as the intensive study of a single case where the purpose of that study is - at least in part - to shed light on a larger class of cases (a population)."<sup>113</sup> A case is always a case of something other/larger of which it may be more or less typical and a case study can either be wholly special or aspire to generalise to a larger class of cases. In this case the ILO is a case of a UN specialised agency narrowly and a case of an international organisation broadly. As the two former chapters explained, an international organisation is a case of an organisation in the

---

<sup>112</sup> Gerring, What is a case study: 342.

<sup>113</sup> John Gerring, *Case Study Research. Principles and Practices*. (Cambridge: Cambridge University Press, 2007), 20.

broadest sense and a case of an international actor in an environment made up of a multitude of international actors and agencies. Another fruitful way of seeing an international organisation is as a meta-organisation composed of organisations at lower levels. An international organisation would then be made up of governments, employers' and workers' organisations which are in themselves composites of organisations at yet lower levels.<sup>114</sup> Yet the ILO is neither an inter-governmental organisation (IGO), nor an international non-governmental organisation (INGO), but something of a hybrid between the two. In that sense it may be something entirely *sui generis* and not really a case of a broader class of organisation.

Secondly, case studies come in different constellations. Studies may aim at investigating a single unit in detail or it may investigate patterns across units. As this dissertation is largely limited to a single unit, cross-case study methodology is less applicable here. According to Gerring, we are faced with a choice between different research designs. Research can seek for covariation (a) in a single unit diachronically, (b) within a single unit synchronically, (c) within an unit synchronically and diachronically and also (d) across units synchronically.<sup>115</sup>

Chapter 5 conforms to a diachronic single-case study. The purpose is to explain how and why the International Labour Organisation was created or to put it differently, how its original mandate came about. A time-line is constructed to trace the process from initial norm entrepreneurs via state engagement and epistemic communities towards the final stage in the context of post World War I negotiations at Versailles on the establishment of the League of Nations. The chapter is a historical narrative with nodes along the path indicating changes in the process. One theoretical objective is to locate what has been called the tipping point in the literature, the point along the path which marks the point of no return, beyond which there is no going back.

---

<sup>114</sup> See Göran Ahrne and Nils Brunsson, *Meta-Organizations*. (Cheltenham, UK: Edward Elgar Publ., 2008).

<sup>115</sup> See Gerring, What is a case study: 343. See also John Gerring, *Case Study Research*, 28 (Table 2.4.).



The tipping point is argued to be World War I and its aftermath which saw the allied states creating an international order designed to preserve peace. Due to the co-operation (or co-optation) of labour during the war, the creation of a labour charter was perceived to be a part of this new order. The on-going work on labour legislation in Europe might have created a similar international labour office had the war not intervened, but it seems certain that the War accelerated this process. The chapter is partly based on secondary sources, but also primary sources as the two-volume work edited by James T. Shotwell.<sup>116</sup>

Chapter 6 retains the diachronic single case study format.<sup>117</sup> The purpose is to examine the degree to which the mandate of the organisation has changed over a defined time-line. The dependent variable, to use social science vocabulary, is here the mandate and explanations are sought in events or processes that have pushed for change or for continuity of the mandate over a defined period. The time-line is set at sequences of roughly 25 years each to coincide with the anniversaries of the organisation. Anniversaries often give rise to reflections on past actions and rethinking of the future course. Change is here conceptualised as a choice between adaptation or learning or none of the above. Methodologically, this is a difficult terrain, because it assumes detailed knowledge of what has happened over the period, but also careful judgement about what are the important nodes in this process and what are less important. This implies by necessity a certain degree of selectivity on the part of the researcher. To some extent the researcher is aided by what the organisation regards as important, but this cannot be the only source.

---

<sup>116</sup> James T. Shotwell, *The Origins of the International Labour Organization* (New York: Columbia University Press, 1934). Shotwell was more than a historian and he was directly involved in drafting the provisions that created the ILO. The book can be read as an example of high-level diplomacy at a propitious moment in Western history.

<sup>117</sup> Case studies have also been extensively discussed in recent literature on methodology. See for instance, Nicholas Weller and Jeb Barnes, *Finding Pathways. Mixed Methods Research for Studying Causal Mechanisms* (Cambridge: Cambridge University Press, 2014), 4-6 and Andrew Bennett and Jeffrey T. Checkel (eds.), *Process Tracing. From Metaphor to Analytic Tool* (Cambridge, Cambridge University Press, 2015), 3-38. Much of this literature is about identifying causal mechanisms in non-numerical sources and combining qualitative and quantitative methods.

Some nodes are beyond dispute, though. The ILO Constitution and the Philadelphia Declaration are obvious nodes, the former for the first 25 years and the latter for the second 25 year cycle and onwards. The entry into the UN, the East-West tensions, the expanded scope for technical cooperation and the widening of membership were nodes for the second 25-year cycle, under the management of David Morse. The establishment of the World Employment Programme was one node in the third cycle, the departure and return of the United States and the advent of the neoliberalist agenda were others which also saw the pitting of the structure against the programme, between politics at HQ and the technical programme in the field. A sign of the future was the new accent put on linking labour standards with technical cooperation. Finally, the fourth on-going cycle sees more emphasis on declarations and the concept of decent work which again signifies the linking of standards and action, but also retrenchment with regard to most spheres of action.

These are all complex and complicated processes which are analysed drawing on the work of Ernst Haas who has written one of the major works on the ILO, now more than 50 years old. While specifying causal mechanisms might be doable, the problem is that there are numerous processes going on, some linked and others de-linked. In the latter case, what happens in one process has hardly any impact on what happens in another and in an organisation set up to fulfil different functions, it is not given that they will overlap.

Chapter 7 shifts to a combined synchronic and diachronic case study. The purpose in chapter 7 is to analyse the distribution of resources within the organisation at the department/section levels. Does the institutional environment provide the organisation with a clear sense of direction or coherence? The distribution of resources is analysed before and after the change to a logical framework type of programming. The change is justified by supposedly introducing more transparency and accountability into programming and hence more coherence.

In order to do that, the overall distribution of the budget by budget/activity

line is analysed over two periods. The first covers the period of the 1980s and 1990s. Here changes in allocations can be tracked from one biannual budget to the next and changes in priorities will be indicated by changes in allocations. Secondly, allocations are tracked for the second period of 2000 - 2015. Unfortunately, these two periods are not directly comparable as the organisations has shifted to budgeting by objective.

The ILO publishes transcripts of the negotiations over the budget, but for the first period it does not seem that these discussions have had any discernable impact on allocations. This is because a large part comes from the outside in the form of support for technical cooperation and secondly, because the organisation is under a zero growth regime.

Therefore the chapter devotes a large part to explaining changes in budgeting procedures, because the major donors have decisively pushed the ILO in the direction of strategic budgeting. These changes may have led to greater coherence in ILO programming with strategic plans over a six-year period, reporting on implementation and a regular system of evaluations, but as the analysis bears out, changes are marginal as against expectations and the analysis is summarised in a table of allocations by objective from 2000 onwards.

Chapter 8 examines coherence across a different source of revenue, the so-called extra-budgetary resources. The purpose is to find out whether there are differences between these two sources, i.e. whether members on the one hand and donors on the other prioritise differentially. Resources are analysed over a period of more than 80 years and also draw on compiled data created for the purpose. To set a baseline, an account is given of the first phase of technical assistance, followed by the distribution of technical assistance in the period of dominant UN funding. As the UN is diminishing as a main source of funding, a detailed analysis is undertaken drawing on data supplied by COMBI, the ILO unit dealing with multi-bi aid. As there was a shift towards strategic budgeting from 2000 onwards, the data cover the period up to 1998. The data

show that there is more variability and less coherence from bilateral sources than from UN sources in the earlier period. The period after 2000 confirms this picture as donors prioritise differently across the main objectives. A final table, comparing the regular budget, Regular Budget Supplementary Account (RBSA) resources and extra budgetary resources for technical cooperation (XBTC) confirm positive correlations between the first two, but also that the third is at variance with the others. As XBTC is taking up a larger part of overall resources, coherence is bound to suffer as a result.

Chapter 9 is a bridging device between chapter 8 and chapter 10. As child labour has become the largest programme in the ILO technical cooperation portfolio, the chapter deals with the legal standards pertaining to child labour. Applicable standards are explained and space is given to track the drafting, the *travaux préparatoires*, of the Worst Forms of Child Labour Convention, because the standards have implications for ILO action in the field. A point to note is that specialised NGOs have no role in providing inputs to the drafting process, but are practically indispensable in project implementation.

Finally, chapter 10 seeks to document results in the field by projects aiming to combat child labour. The main source of documentation are evaluation reports supplied by EVAL, the ILO unit dealing with evaluations. A selection was made among a large number of evaluations to identify projects with direct action objectives and projects with indirect action objectives. Another way of putting it is to say that some projects deal with downstream activities, usually identifying and working with a specific group of beneficiaries while upstream activities aim at creating an enabling environment. Some projects are targeted while others work towards main-streaming, making sure that the objectives are integrated into legislative, policy-making and resource allocation processes.

The main finding is that down-stream activities tend to succeed better because objectives are tangible and measurable while upstream activities are more risky because policy-making is beyond the control of the organisation and

secondly, that legislative and policy-making processes usually go far beyond the limited time horizon of the standard project. Hence emphasizing upstream activities are risky because results are less tangible and usually slower to emerge.

In other words, no uniform method is used throughout the dissertation and a combination of qualitative and quantitative methods are applied depending upon the research purpose. Primary and secondary source are used with the former predominant in the meso and micro chapters and the latter in the macrohistorical overview chapters.

The dissertation is broken into three empirical sections. The coming two chapters deal with the *policy* outlook of the organisation from a macro perspective stretching from the beginning and up to the present. The following section dips into *programming* at the meso level, first with the regular budget and then with the extra-budgetary resources. Finally, the last section heads into *projects* at the micro level. The sequence goes from mandate to coherence of programming to results. Before getting to policy, we need to know how and why it was created. Before examining changes, we need to set a baseline against which potential changes can be seen.

## 5. The Emergence of the International Labour Organisation

### 5.1 Introduction

How do norms emerge in international society? How are they institutionalised and how are they monitored? How can we explain the emergence and institutionalisation of norms? The particular case under review are the norms known as international labour standards and the organisation established to set standards and monitor them, the International Labour Organisation. The ILO, established in 1919 as part of the League of Nations has from the outset and up to the present been the international standard-setter on all matters related to the world of work. A large number of binding Conventions and non-binding Recommendations have been adopted by the International Labour Conference in the course of 95 years of ILO legislation.<sup>118</sup> But we need to track these developments back to the beginnings, way before the ILO was set up, and narrate the process from the initial ideas to their institutionalisation in a formal organisation with its constitution and members and various organs and procedures.

In other words, we want to enquire into the emergence of the idea of international labour legislation on labour. Why was it brought up and for what reasons and by whom? The literature tells us that the background reasons had very much to do with the exploitative conditions under the rapidly growing system of industrial capitalism dominant in Western Europe and beyond in the 19th century. The motives for doing so varied from values anchored in religious beliefs to ideas about progress to paternalist policies of preventing class polarisation. The actors in the process similarly ranged from engaged individual entrepreneurs and scientists via national and international non-governmental organisations to individual states and clusters of states taking the lead in furthering the idea of international labour legislation.

---

<sup>118</sup> For a closeup of the standard-setting process, go to chapter 8 for the travaux préparatoires of Worst Forms of Child Convention.

Secondly, we want to look into the process that led to the formation of the International Labour Organisation as part of the League of Nations order in the aftermath of the First World War. In particular, the deliberations of the International Labour Commission are of crucial importance, set up under the Peace Conference at Versailles and charged with making proposals for the establishment of an international labour organisation. The Commission had to tackle a number of vexing questions; viz. the membership of the organisation, the size and composition of its executive board, the obligations incurred in ratifying international labour standards versus the preservation of state sovereignty and finally, but not least, its tripartite governing structure and the voting power among the parties.

## 5.2. Theoretical positions on the emergence of international norms

In his review and assessment of institutional theory in political science, B. Guy Peters examines various approaches to explaining the formation of institutions and finds that the *rationalist* approach tends to take “institutions as given, or as something that can be easily created, rather than the consequence of an historical and differentiated process”, further that “if there is a logical need for the institution it will be created, given that actors are rational, or that it will emerge.”<sup>119</sup> This functionalist explanation presumes what it seeks to explain and hence, it may be suggested, presumes too much. While it is substantively occupied with human agency, there is not much trace of agency in the formation process. On some versions, institutions are not likely to be created if there is no discernable pay-off to potential members. Another approach is *historical institutionalism* which basically argues that policy choices made during the formation stage or at the initiation of policy will have a strong and lasting effect on subsequent policy choices. The concept of “path dependence” explains the persistence of initial policy choices and the creation of institutional inertia. For this approach, ideas have a determinative role on the

---

<sup>119</sup> See B. Guy Peters, *Institutional Theory in Political Science* (London and New York: Pinter, 1999), 54.

formation of institutions, but as Peters notes, this comes close to circular reasoning when “the institution exists when the idea is accepted, but that acceptance is indicated by the presence of a structured institution.”<sup>120</sup>

Coming to the school of *sociological institutionalism*, Peters finds that there appears to be little terminological difference between institutions and organisations and that the approach applies an institutional perspective on organisations with an emphasis on the creation of values and cognitive frames within the organisation and less on the end state in terms of institutional performance.<sup>121</sup> This is a process of institutionalisation in which norms and cognition play a central role.

One key point differentiating rationalists from constructivists is their differential attribution of motives to actors.<sup>122</sup> Martha Finnemore has argued that by according norms and international organisations an autonomous role, they can strongly influence state policy. In fact, they define state self-perception of what counts as appropriate behaviour for a modern state in international society. By stressing the *logic of appropriateness*, following March and Olsen,<sup>123</sup> she shows that states are not always guided by the *logic of consequentiality* favoured by the rationalists.<sup>124</sup> Regarding determining factors, she is sceptical about the approach taken by sociological institutionalists that seem to find no room for agency whatsoever.<sup>125</sup> Agency should be brought back into the socio-structural approach “to investigate the origins of the normative structures influencing states: who created them and how they

---

<sup>120</sup> Peters, *Institutional Theory*, 67. Ideas have more of an independent role than argued in the Goldstein volume discussed in chapter 2, where they appear to be residuals, what remain to be explained after interests are controlled for.

<sup>121</sup> What norms signify in terms of institutional performance are explored in chapter 10 below on child labour.

<sup>122</sup> See Table 4.1 in which the two approaches are juxtaposed.

<sup>123</sup> See their *Rediscovering Institutions*, 25f.

<sup>124</sup> Martha Finnemore, *National Interests*, 29f.

<sup>125</sup> Programmatic statements as well as empirical applications can be found in George M. Thomas, John W. Meyer, Francisco O. Ramirez and John Boli (eds.), *Institutional Structure: Constituting State, Society and the Individual* (Newbury Park, Cal., Sage, 1987).



became embedded in the organizations that disseminated them”.<sup>126</sup> Explaining state behavior in a constructivist<sup>127</sup> framework requires attention to the mutually constituted character of agents and structures, i.e. both investigating how norms disseminated by international organizations produce similar behaviour by otherwise dissimilar states (the structural strand) and how international organisations came to hold these norms and the ways whereby they were advocated, promoted and in a sense “taught” to states (the agency strand). Here we are primarily interested in the agency strand.

However, she finds constructivism to share a weakness with rationalist theory which in a sense make them mirror images of each other. Where rationalist theory tends to take preferences as given, constructivism in its sociological guise tends to take structures as given. Whereas rationalism appears to make little room for structures, sociological constructivism makes little room for agency. What is needed is more attention to the content and to *politics* and *process*. We need to identify the type of structures and the nature of the agents to understand their interplay empirically. We need to understand where the norms come from, how they are adopted, how they influence the behaviour as well as the self-perception of states and how they change over time.

Finnemore and Sikkink took a step further in a later article on international norm dynamics.<sup>128</sup> They propose a three-stage model charting the process from emergence to institutionalisation in Figure 5.1 below.

---

<sup>126</sup> Finnemore, *National Interests*, 24.

<sup>127</sup> The concept was used for international relations theory in Nicholas G. Onuf, *World of Our Own Making: Rules and Rule in Social Theory and Internationally Relations* (Columbia: University of South Carolina Press, 1989). A classic sociological source is Peter L. Berger and Thomas Luckmann, *The Social Construction of Reality. A Treatise in the Sociology of Knowledge* (N.Y: Doubleday, 1966), but see also John R. Searle, *The Construction of Social Reality* (London: Penguin, 1996).

<sup>128</sup> Martha Finnemore and Kathryn Sikkink, “International Norm Dynamics and Political Change,” *International Organization* 52, no. 4 (1998): 887-917.

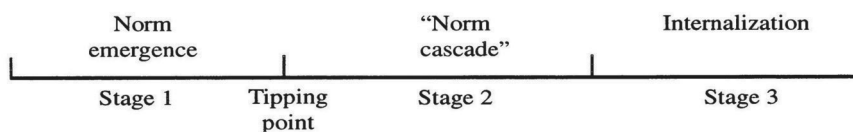


Figure 5.1. The Norm Cycle

Source: Finnemore and Sikkink, *International Norm Dynamics*: 896

For each stage, there are different sets of agents, motives and mechanisms. At the initial stage we will find norm entrepreneurs motivated by ideational commitments and persuading others to follow their lead. This may be something of an uphill struggle, but at one point, here called the tipping point, the setting turns from an uphill struggle into an avalanche or cascade, to use a downhill metaphor. At this stage, beyond the apex, as it were, the norm has become widely accepted and institutionalised because the main actors see the norm as a source of legitimacy and standing. Finally, at the third stage, the setting shifts to monitoring by professionals, usually lawyers, and compliance on the part of states and culminates in internalisation and habitual conformity. At this point, the norm has become second nature and beyond doubt and reflection. These stages are encapsulated in Table 5.1. Here we are principally interested in the first two stages; how norms emerge and how they are institutionalised. We will now turn to that by carefully tracing the process from initiation to fruition.

Table 5.1 Stages of norms

	<i>Stage 1 Norm emergence</i>	<i>Stage 2 Norm cascade</i>	<i>Stage 3 Internalization</i>
<i>Actors</i>	Norm entrepreneurs with organizational platforms	States, international organizations, networks	Law, professions, bureaucracy
<i>Motives</i>	Altruism, empathy, ideational, commitment	Legitimacy, reputation, esteem	Conformity
<i>Dominant mechanisms</i>	Persuasion	Socialization, institutionalization, demonstration	Habit, institutionalization

Source: Finnemore and Sikkink, *International Norm Dynamics*: 898

### 5.3 Antecedents and precursors

#### 5.3.1 The first half of the 19th Century

There appears to be a consensus in the academic literature that the idea of international labour legislation did not originate with Robert Owen.<sup>129</sup> Owen was a textile manufacturer in the early 19th century whose mill and manufacturing community at New Lanark in Scotland became famous throughout Europe for its social reforms. He managed to cut the working hours of his workers, improved their living conditions and provided for the education of their off-spring as well as introduced cooperative marketing. He was the architect of the Owen Bill carried through the British Parliament by Robert Peel in 1819 which limited the working hours of children in cotton mines and was the first instance of industrial

<sup>129</sup> The main source for information in this section is John W. Follows, *Antecedents of the International Labour Organisation* (Oxford, Clarendon Press, 1951).

legislation, albeit a modest one. During the deliberations in Robert Peel's Parliamentary Committee in 1816 regarding his proposal on the limitation of children working hours to ten and a half hours per day, he denied any linkage of reform with costs disadvantages of manufacturers domestically and in foreign trade.<sup>130</sup> He did not perceive the problem as one of international economic interdependence requiring an international solution. He was more concerned with advocating the proliferation of model communities like his own world-wide.

Possibly the first to recognise the *international* dimension of the problem was the Swiss banker Necker.<sup>131</sup> He observed that the abolition of the Sunday rest-day would only constitute a competitive advantage to a country if other countries did not follow suit. However, that observation did not lead him to propose international legislation to resolve the problem. The first to introduce the possibility of international industrial treaties was Charles Hindley, a British MP from 1835 - 1857 and also a successful manufacturer. In conjunction with the work of the Royal Factories Inquiry Commission established in 1833, he was questioned about the economic effects of the reduction of working hours in cotton mills. While he was of the opinion that the industry would be able to weather the potentially adverse effects by virtue of its superior technology and the skills of its operatives, he nonetheless conceded that "should it unfortunately happen that the excessive competition of the foreigners should endanger our trade unless we employed our people longer than was advisable for their comfort and the good of society, I think it would be as proper a subject of treaty with foreign nations as the annihilation of the slave trade".<sup>132</sup> It may appear that he considered the possibility of treaties as a last resort, and the statement does not indicate whether he was thinking of bilaterally or multilaterally concluded treaties. Moreover, he seemed to vacillate between the possibility of concluding legal treaties and the economic nationalist argument of John Fielden, a Tory MP, according to whom the reduction of production leading to higher export prices would be compensated by the higher

---

<sup>130</sup> See Follows, *Antecedents*, 4f.

<sup>131</sup> In his *De l'importance des opinions religieuses* (Liège, 1799), here cited from Anthony Alcock, *The History of the International Labour Organisation* (London: Macmillan, 1971), 6n.

<sup>132</sup> See Factory Inquiry Commission, 1833, Tuftney's examination of Hindley, D.2, pp.49-50, here cited from Follows, *Antecedents*, 15.

volume of imports (assuming no changes in price), thereby benefiting both employers and operatives. If it was true, this argument would obviate the need for regulation by international legislation.<sup>133</sup>

While Hindley only intermittently and hesitatingly believed in international legislation, Daniel Legrand made it into something of a vocation. He was a Huguenot born in Basel, Switzerland and a manufacturer running a ribbon-making factory in Alsace. Many of his subsequent petitions were clearly animated by his strong religious values, in particular the need to preserve the family as the fundamental social unit in society. The family enterprise was run along communitarian principles reminiscent of Robert Owen's model community in Scotland, and Owen in fact once visited the Legrands and Pastor Oberlin, a prominent educational and social reformer of the time. In the course of the 1840s, Daniel Legrand prepared four petitions or appeals which were addressed to governments and legislators in France, Prussia and the members of the Zollverein. While the first appeal in 1840 had put the possibility of international negotiations as a question, by 1848, "an international labour law is the only possible solution to the great social problem of granting moral and material well-being to the working class without working a hardship upon the manufacturers or upsetting the competitive balance between the industries of these countries".<sup>134</sup> His appeals were mainly concerned with the regulation of working hours, the Sunday rest days, night work, hazardous occupations, and special categories of workers. It was only in the 1848 appeal that the last two topics were introduced and minimum age and maximum working hours restrictions proposed. The appeal also backtracked slightly on previous appeals regarding exemptions to maximum working hours, Sunday rest and night work.<sup>135</sup>

While Legrand was the strongest exponent for international labour law at this juncture, Eduard Ducpétiaux was the first to suggest the establishment of an organisation to be charged with the task. He was a Belgian penologist and a social

---

<sup>133</sup> For Hindley's paraphrasal of Fielden's argument, see the citation in Follows, *Antecedents*, 16.

<sup>134</sup> Legrand's 1848 *appel*, cited from Follows, *Antecedents*, 38.

<sup>135</sup> See the tabular exposition in Follows, *Antecedents*, 39.

scientist, wrote copiously on prisons, asylums, reform schools and sundry topics and in fact became an Inspector General of Prisons and Benevolent Establishments. In a two-volume work on labour conditions, he addressed what he called the "tyranny of competition." Excessive working hours combined with a low wage average was for him a sign of industrial decadence and if adopted by one country, it could easily spread to others. Similarly, moderation in working hours of factory children set a standard and once a country took a lead, others should follow. If improvements could be made for children, so they should for adults, too. Ducpétiaux drew a parallel with slavery, as others had done before him, and argued that as the white worker was certainly the equal with the black slave, the condition of the former was still in certain respects inferior to that of the latter. As diplomacy had yet to address these concerns, he concluded: "Let nations unite for social reform instead of frustrating one another's efforts. Let them summon a general congress to regulate their mutual concerns: commercial and industrial and industrial relations and the problems of workers".<sup>136</sup> His proposal for an "International Association for the Progress of Moral and Social Sciences" was to be based on national associations of reformers which would meet annually or biannually in alternating European major cities, served by an international secretariat for facilitating communication among member associations and acting as a clearing house for the exchange of documents, reports and publications. The objectives of the Association was "to propagate useful ideas and projects, disseminate results of experiments, study and appraise institutions, and encourage movements directed toward the improvement of social conditions".<sup>137</sup>

The first Congress of Benevolence assembled in Bruxelles in 1856, organised by Ducpétiaux. At the behest of Legrand, the topic of international labour legislation as well as specific proposals were brought before the sub-committee on factory reform. The Congress postponed its consideration of the proposals until next year's Congress in Frankfurt am Main. There the thread was taken up by M. Amand Audiganne, an official of the French Ministry of Commerce. He had published on

---

<sup>136</sup> See Eduard Ducpétiaux, *De la Condition Physique et Morale des Jeunes Ouvriers and des Moyens de l' améliorer* (Bruxelles, 1843), here cited from Follows, *Antecedents*, 44.

<sup>137</sup> The proposal for an Association for the Progress of Science and Development of Moral and Social Reforms is printed in full in Follows, *Antecedents*, 202.

contemporary industrial organisation and, *inter alia*, addressed the question of why, at a time when international trade treaties multiplied rapidly, should not labour legislation also come into its own? Asked to act as the rapporteur of the Committee of Benevolence, his arguments were cautious, but considered. Countering the argument that in contrast to legislation on working children, legislation on adult workers would encroach on individual autonomy, he observed that the objection had already been dismissed in debates on domestic legislation and that these measures did not trespass on the domain of individual autonomy any more than did regulations on product quality. They were simply measures related to the moral order, destined to protect man in his work. Countering another objection that differences in climate justified differences in legislation, Audiganne argued that the objection did not rule out seeking common ground for uniform legislation and that the rising contacts among peoples, from which international law gradually emerged, and the movement of ideas and facts should pave the way for international industrial legislation.

Summing up the experience of the first half of the century, the efforts towards international labour legislation were very much the ideas, petitions, proposals and reports of individuals motivated by Christian beliefs, by humanistically inclined manufacturers and by social scientists believing in material and social progress. The argumentation was moralist and paternalist; the need to preserve the family as the fundamental social unit against the trepidations of industrial organisation, and it was communitarian; the desire to preserve the pre-industrial village social organisation against the dislocations of social life in industrial cities. Finally, it was directed against the independent organisation of the working class in stressing the need for initiative by foresighted entrepreneurs and establishment owners. However, things were to change in the second half as states and organisations entered the arena.

### 5.3.2 The second half of the 19th century

The second half of the 19th Century saw organisations, in particular political

parties and trade union federations, and states taking a stronger interest in international labour legislation than hitherto. It was in a sense taken out of the hands of individuals and put into the hands of states and organisations.

In France, an initiative was taken in parliament by the Socialist group of deputies in the form of a Proposition of Law, tabled on 7 December 1885. In its preamble, it lambasted liberal economists who condoned state protection of wealth, but opposed state intervention for the protection of labour and thus obstructed modern tendencies determined by new and growing needs as demonstrated by the enactment of social protective legislation in countries such as England, the United States and Switzerland. Among the specific proposals for legislation was "the institution of an international office for general control of workers' and industrial statistics, charged with studying and proposing means of extending and codifying international labour legislation."<sup>138</sup>

In Germany, an aborted attempt was made by the German and Austrian authorities in 1872, in the wake of the Paris Commune, to address the social question in order to preempt similar uprisings on their own territories. One of the participants at the talks in Berlin was the *Geheimrat* and *Kathedersozialist* Wagener who was later to play an important role in the movement for international labour legislation. Indeed, much of the intellectual work in the movement was born by the *Kathedersozialisten* or the group of academic socialists, most of them economists. They were generally opposed to the prevailing doctrine of *laissez faire* and argued that factory legislation, in particular the subject of the stabilisation of the workday, should either have a place in international commercial treaties or be treated separately. In 1887 the Social Democratic Party, the Democratic People's Party and the Catholic Party all passed resolutions in favour of international labour legislation, but as far as the authorities were concerned, there was still a large degree of scepticism as witnessed by Chancellor Bismarck's response to a motion in favour of international labour regulation in the German Reichstag: "If we set out on this road alone, then we alone will have to suffer the consequences of

---

<sup>138</sup> Contained in the *Debats Parlementaires in extenso* (Nov.-May 1885-86), 8 December 1885, p. 177, here cited from Follows, *Antecedents*, 75.



our experiments; and I do not believe we will succeed in persuading our neighbours to follow our example ... The execution of the law would not be watched everywhere as scrupulously as it would among us."<sup>139</sup> It may be interesting to note that Bismarck saw the problem of compliance to reside with others, and not with the Germans. But it did not detract him from introducing a system of social insurance unparalleled in other countries at the time.

Within the international labour movement, there was no consensus on international labour legislation. The British labour movement was sceptical towards state interference by way of legislation and also towards membership in international trade union federations by political parties which in a sense sullied their idea of a pure labour movement run on self-help principles. Both the German and French trade union federations were strongly opposed to this stance and allowed for legislation and state-labour cooperation. The Germans saw the vestiges of Manchester School liberalism and labour aristocracy privileges in the British attitude. In addition to these national cleavages, there was also the dispute between Marxist and reformist/possibilist tendencies, the former less concerned with international labour legislation than the latter.

It fell to the Swiss to take the first state initiative towards international labour legislation. The earliest Swiss labour legislation dated back to 1717 for the Canton of Zürich, while for the other cantons and the Swiss federation as a whole legislation dated from the mid-1800s. Much of the impetus for labour legislation came from Swiss equalitarian workers' societies, of which the Grütli society, mainly comprising members from German speaking cantons, was the most prominent in advancing the idea of labour legislation. By the 1860s they came to hold the view that inter-cantonal legislation was insufficient for the task of regulating the conditions of competition and that international stipulations among industrial countries would have to be sought, though they realised that the idea for the time being might be premature. The idea was however picked up by Emil Frey, who, as President of the Swiss National Council, addressed it in a speech on the

---

<sup>139</sup> Taken from the *Stenographische Berichte über die Verhandlungen des Reichstags*, vol.vi. Legislatur Periode I Session 1884-5, vol.i (Berlin, 1885), pp. 627, 632, here cited from Follows, *Antecedents*, 91.

draft labour law in 1875 before the Council:

"Furthermore, we should consider the question of whether Switzerland ought to seek the conclusion of international treaties, to regulate labour questions uniformly in all industrial states. The greatest drawback to factory legislation is the fact that if a state acts alone to improve working conditions, its industry may ... be endangered if its ability to struggle against foreign competition be impaired. True, conditions of production in different states vary enormously. Yet divergencies are not so great as to render infeasible a project seeking relative uniformity of labour conditions, provided that a margin be left to take dissimilar elements into consideration."<sup>140</sup>

He was as aware as anyone else that the proposition was not without dangers, yet found it feasible to try. The Labour Act of that year was quite advanced for the time in that it permitted only the labour of children above 14 years of age, prohibited night work for young persons between 14 and 18 and set the maximum working hours to 11 hours for all. The misgivings from the employers' side about the effects of the law on competitiveness were only relieved by the possibility that Switzerland might take an initiative to propose international regulation. Switzerland might indeed be in a position to do so because of her advanced legislation and being a small country not thought to have a hidden agenda. The Social Democratic Party petitioned the Swiss Federal Council to negotiate with other countries on international labour legislation, drawing parallels with the ICRC Geneva Convention on the Care of the Wounded in Wartime<sup>141</sup> as well as the World Postal Union. A motion to this effect was introduced to the Federal Council by Frey in November 1880 and approved by the Council, with some minor revisions, in April 1881. A communication was accordingly dispatched by the Swiss diplomatic representatives to the main European capitals, but, however, the responses were overwhelmingly cautious and negative, indicating the prematurity of the idea.

---

<sup>140</sup> Taken from *Feuille Fédérale Suisse* (Berne), 1876, 28th year, vol. ii, no. 26, Sat. 10 June 1876, pp. 973-4, here cited from Follows, *Antecedents*, 100f.

<sup>141</sup> On the first Geneva Convention, see Finnemore, *National Interests*, 69-88.

A second attempt, again initiated by the Swiss, this time by Dr. Decurtins, the Swiss National Councillor, was made in 1889. In addition to seeking legal protection on the minimum age limit for children in factories and mines, maximum working day for young persons, prohibition of Sunday labour as well as of night work of women and young persons and women in dangerous mines, the proposal also asked: "would it not be opportune to consider the question of establishing a central international office? The duty of the office would be to receive and transmit reports concerning the execution of international conventions. It would have the task of studying the question of the development of labour legislation and publishing the results of its studies".<sup>142</sup> A circular was again sent to various European capitals, containing most of the specific suggestions listed above, and this time the response was cautiously positive. The Swiss government, in order to let the governments have some time to think it over, announced in a second circular sent early 1890 that an international conference would be opened in Berne on 5 May 1890. The idea was to have a technical, non-diplomatic conference wherein representatives would only be authorised by their governments to discuss the agenda items on a non-committal basis.

However, these plans were interrupted by an initiative from unexpected quarters. Kaiser Wilhelm, in a letter addressed to Kanzler Bismarck on 4 February 1890, announced that he would on his own initiative call an international conference of governments in Berlin to seek international agreement on giving satisfaction to the grievances of workers. Apparently unaware of similar plans on the Swiss side, preparations were made for calling a conference in Berlin as early as March 1890. The Swiss, peeved at the sudden turn of events, called off their Berne conference in a circular sent out in late February. The agenda for the Berlin conference revolved around the same topics proposed by the Swiss; regulation of labour in mines, Sunday labour, child labour, minors' labour and female labour. The preparedness of governments to enter into negotiations on these items, however, differed widely. Only the Swiss and the Germans were really pushing for international

---

<sup>142</sup> Dr. Kaspar Decurtins, *La Question de la Protection Ouvrière Internationale* (memorandum presented to the Federal Department of Industry and Agriculture, Berne 1889), here cited from Follows, *Antecedents*, 121.

legislation, occasionally assisted by some of the smaller European countries. Large countries such as Britain and France were reluctant to enter into this path, arguing the freedom of contract between employer and worker which allowed for grievances to be sorted out on a bipartite basis and which made government interference superfluous except in providing the legal framework that enabled bargaining and agreements to be carried out. Furthermore, the representatives of Southern European governments pointed to their less advanced state of industrial development which any potential legislation would have to acknowledge, thus, opening up a North - South divide inside Europe not unlike that of the present group of developed and developing countries.

The discussions of the agenda items showed a few signs of countries willing to adopt more restrictive formulations than those already contained in domestic legislation, one being the willingness of Italy and Spain to raise their minimum age of children working in mines to 12 years. In summing up the conference, the rapporteur, Signor Elena, the Italian delegate, said that it was neither a diplomatic conference in the sense that the agreements were binding upon the governments present nor a technical in the sense that scientific studies of the items had been commissioned and prepared. Indeed, it had a character of being *sui generis* and one of the problems raised thereby was the difficulty in designing arrangements for the execution of the decisions made. Both the Germans and the Swiss submitted proposals and the Swiss, stating the desirability of States concluding obligatory arrangements among themselves found no support from the other government representatives. The German proposal, more modest in ambition, provided for the appointment of functionaries *ad hoc* to investigate and report annually on decisions taken to execute the principles agreed to, documented by statistics and lists of legislative and administrative decisions, and to exchange this information with the other countries present. A proposal to hold periodic conferences to review progress and exchange experiences was not carried by the conference.<sup>143</sup>

All in all, the Berlin conference may have been disappointing in terms of tangible

---

<sup>143</sup> On the deliberations and resolutions of the Congress of Berlin, see Follows, *Antecedents*, 131-141.

results, but it had put the social question on the agenda and set a precedent for things to come. Its principles had some bearing on domestic labour legislation in Germany and in some other countries. However, only Switzerland entertained the idea of holding a second international labour conference. In 1896 a circular was sent by the Swiss Federal Council to numerous European governments to ask whether they were disposed to set up an international office of labour protection for statistical collection and analysis and to serve as a clearing house for exchange of information on labour questions. Again, the replies were overwhelmingly negative and another attempt in 1899 did not produce a more positive response.

In this climate, further initiatives devolved to private organisations. In August 1897 the First International Congress on Labour Protection was opened in Zürich largely composed of members of Social Democratic organisations, Christian socialists and non-partisans of more than a dozen European countries and the United States. Among its resolutions was a request for the Swiss Federal Council to enquire governments about the possibility of setting up an international labour office. Shortly after the Zürich Congress, a different one was held in Bruxelles with participants mostly recruited from the academic professions and from parliamentarians. Its objective was to discuss the feasibility of labour protection and regulation domestically and internationally, but a sub-agenda that became clearer after the formal closing of the conference was the aim of creating an international association of the advocates of labour protection with a central executive committee. This item was formally brought up at the follow-up conference in Paris in 1900 with several luminaries such as Werner Sombart and Sidney and Beatrice Webb attending.

At the meeting, a committee composed of the Bruxelles group, assisted by two Swiss, drew up the statutes of the proposed association. It was (1) to serve as a bond between the friends of labour protection in various countries; (2) to collect and publish all labour laws; (3) to study labour conditions everywhere and the application of labour laws; (4) to formulate new labour regulations designed for national and international acceptance and (5) to make arrangements for

international labour conferences on labour protection.<sup>144</sup> Reporting to the conference, Ernest Mahaim, a Belgian professor, explained that a federal structure with national associations and an international body was preferable to the latter alone and that governments could be represented on the international committee against a monetary contribution, though some had wanted a fully private organisation. The proposal received the unanimous support of the congress and an executive committee was appointed. It acted promptly and by 1 May 1901 the first International Labour Office was established in Basel, Switzerland, under the leadership of Stephan Bauer of the University of Basel, as the international arm of the International Association for Labour Legislation.

Summing up developments in the second half of the 19th century, action was moving clearly in the direction of associations and organisations and reluctantly, governments. The idea of international labour legislation was gaining momentum, in particular among labour associations, leftist political parties and social reformers, Christian and/or Socialist. The progress recorded in this period was basically due to epistemic communities of the kind we described in chapter 2, the mix of principled and causal beliefs, held together by a common policy enterprise.

The idea had been put on the government agenda, domestically as well as internationally, but with few exceptions, governments were still cautious about entering into binding international agreements, some arguing for the freedom of contract, others pointing to their less advanced stage of industrial development. Into the 20th century, however, the initial reluctance started to wane.

### 5.3.3 The establishment of the International Labour Organisation

With the International Association and its international office established and at work, things rapidly gained momentum. Drawing upon its extensive collection of all matters related to labour legislation, the Office published bulletins, launched special studies and provided advice about the methods of compiling uniform

---

<sup>144</sup> The objectives are cited from Follows, *Antecedents*, 155.

statistics on issues of concern such as industrial accidents. By carefully selecting the topics for study, preparations could be made for holding international conferences on labour protection issues that would not generate too much controversy. Two such topics were night labour of women and certain industrial poisons such as white lead and white phosphorus. On the basis of the studies, the Swiss government on 30 December 1904 invited other governments to a conference for the discussion of these two items on 5 - 12 May 1905 in Berne. The participants had the choice of concluding binding conventions, draft tentative agreements for later refinement into treaties or follow the old formula of drafting resolutions. As things turned out, the governments were fully at work drafting conventions to come into force at a specific future date, subject to the accession of all those present. In 1906, a follow-up conference was called at the diplomatic level to reassess the terms of the draft conventions on the two topics.<sup>145</sup> At the second Berne conference, amendments were made to the conventions, new signatures were obtained and new date limits set for ratification. A positive development was the volte-face of Great Britain that, with the new liberal government, joined Switzerland in proposing international arrangements, viz the setting up of an international commission as an advisory body to enquire into interpretations of conventions and to select topics for the consideration of further international conferences.

While the international conferences were going on, discussions were held and studies made at the Association on other topics such as the relationship of night labour to home labour, the night work of young people and the problem of social insurance. The latter problem drew attention to the differing provisions of individual countries and the fact that they applied to native workers only and not to migrant labour. The manifestly discriminatory nature of legislation gave rise to the conclusion of bilateral treaties whereby the sending states had to upgrade their labour protection in turn for receiving states granting migrant labour equal entitlements to social insurance. The Franco-Italian labour treaty of 1904 was the first of this kind to be followed by many others in the years to come.

---

<sup>145</sup> Curiously, Norway did not attend, apparently too busy with post-independence domestic arrangements, according to Follows, *Antecedents*, 167.

At the 1906 Geneva Association delegates' meeting child labour and the maximum workday was raised, in 1908 at Lucerne the eight-hour shift for coal miners and wage-fixing machinery was discussed and in 1910 at Lugano the Swiss government was requested to convene another international conference for the consideration of conventions on the prohibition of night work of children and the maximum work day for adults. The international conference met in Berne in 1913 and tentative agreements were reached on both draft conventions, but the follow-up diplomatic conference set for September 1914 never materialised as World War I intervened and curtailed any plans for concluding treaties.

In the scope of a little more than a decade the process had gained considerable momentum and states were by now much more willing to enter into serious negotiations about binding treaties. A substantial shift in attitude had happened in a fairly short time period. This shift was reinforced by the war economy. Labour participation, or rather, co-optation, was essential for the running of the economy during the war years. In Great Britain, the Ministry of Labour was created in 1916 and the Ministry was behind the setting-up of the Whitney Councils, joint bodies of employers and workers in each industry and a tribunal to solve industrial disputes was reconstituted to allow for workers' representation. Similar developments took place in France with national defence industries being advised by the Minister of Defence, Albert Thomas, who later was to become the first Director General of the ILO, to set up workers' delegations in their enterprises.

As the war-time necessitated a close working relationship of the government and employers' and workers' organisations, it became manifestly clear that the workers would demand a role in the peace settlement process as well. At a meeting of the Trades Union Congress in Leeds in 1916, chiefly composed of delegates of the main British and French trade unions, a list was drawn up of the rights to be recognised in the Peace Treaty and the calling for an international labour office was repeated and a model suggested in which the International Association at Basel would continue in cooperation with the International Federation of Trade Unions (IFTU), which had been created in 1913. The war had unfortunately succeeded in splitting the IFTU along the Allied - Central Powers axis, and a move



by the "Allied" federations to shift the headquarters from Berlin provoked the summoning of a "Central Power" counter-conference in Berne in October 1917. The counter-proposals for the Berne meeting went further in requiring states to pledge themselves to carry out the resolutions of international congresses on labour legislation. The resolutions of the Berne Conference, however, toned down the formulation in only calling upon States to "bind themselves to aid in the realisation of the resolutions of these congresses."<sup>146</sup> Moreover, the IFTU had as from 1917 another competitor to contend with in the form of the Third International, set up and led by the Soviet Bolsheviks.

Governments, too, were increasingly aware that the Peace Conference after the war would have to have a labour component, a Labour Commission, and preparations were made for designing its terms of reference and agenda. The alternative of leaving labour matters to the diplomats at the Peace Conference was found less desirable as it was presumed that they would be wary of entering into contractual obligations. Once the war ended on 11 November 1918, preparations were underway for dealing with the labour question separately. British preparations have been preserved in the form of memoranda drawn up by delegates to the Conference entrusted with proposing measures for the setting up of a permanent body. One memorandum<sup>147</sup> pointed out that despite the current favour for supranational organisations, governments would still have the responsibility for implementing international legislation. However, as parliaments accept or reject legislation, they should presumably also have a say in drafting it. Employers' and workers' organisations were requisite in furnishing a first-hand view on industrial conditions and guaranteeing application of the laws adopted. The question of state sovereignty vis à vis international legislation required that a balance be struck between an advisory organisation that would not infringe on such sovereignty on the one hand and a guarantee of certain minimum rights on the other that were not to be undercut by international competition. The

---

<sup>146</sup> See "The Resolutions of the International Conference of Trade Unions, Berne, October 4, 1917", in Joseph T. Shotwell (ed.), *The Origin of the International Labor Organization*, vol. II, 49.

<sup>147</sup> See "Memorandum on the Machinery and Procedure Required for the International Regulation of Industrial Conditions, Prepared in the British Delegation, January 15-20, 1919, in Shotwell, *Origin*, 11-125.

compromise worked out was that adopted conventions would have to be submitted to the competent authority which in most countries would be the legislative assembly.

Considerations were also given to the problem of non-compliance with ratified conventions and a combination of self-inquiry and Office inquiry was proposed, depending on the severity of the problem. Penalties regarding non-compliance were considered, but then, should non-compliant states be punished when non-ratifying states were not? Should states vote on an equal basis independently of size and level of development and were conventions binding on dependent territories?

The other memorandum addressed the topic of the governance structure of the organisation.<sup>148</sup> Should it be composed of governments only or shared with the representatives of employers and workers? Should some countries have a permanent seat and the others be rotated? Various drafts and refinements later, a formula was agreed to wherein the Governing Body would be composed of twelve states (with Great Britain, France, United States, Italy and Japan having permanent seats) and six representatives each from the employers' and workers' side.

These were some of the proposals put on the table when the Labour Commission got down to work on 1 February 1919.<sup>149</sup> Composed of members from the United States, Great Britain, France, Italy, Japan, Belgium, Cuba, Czechoslovakia and Poland, it comprised government representatives as well as employers and workers. Samuel Gompers of the American Federation of Labour was elected Chairman. Space will not permit us to enter fully into the deliberations, but the main points shall be briefly outlined.

*Voting powers.* The British idea of a 2-1-1 system with two votes for government was opposed by the labour representatives, in particular Gompers. He was fearful

---

<sup>148</sup> See "Draft Convention Creating a Permanent Organisation for the Promotion of International Regulation of Labour Conditions, Prepared by the British Delegation, January 21, 1919, in Shotwell, *Origin*, 138-140.

<sup>149</sup> For the minutes of the International Labour Commission, see Shotwell, *Origin*, 149-322.

that government and employers would combine to outvote workers, but as it was pointed out by the government side that the preferred 1-1-1 system could also produce a worker minority, and that extra voting powers ought to be accorded governments as an incentive for them to participate, the Commission resolved in favour of a 2-1-1 system, but equal representation would be provided for in the (International Labour) Conference Committees.

*The status of Conventions adopted by the Conference.* The Italians wanted adopted Conventions to be automatically binding on governments whereas the British would allow for a trial period of one year during which the national parliaments may explicitly disavow adopted Conventions, after which they would become automatically binding. All of this was unacceptable to the Americans whose constitutional system had assigned labour legislation to the powers of individual States of the Federation. The Americans accordingly proposed that the one-year trial period should not be valid for those States whose constitutions provided otherwise. This proposal fell in favour of the British. Nonetheless, it was felt that a compromise should be sought and it was found in distinguishing between Conventions and Recommendations. The Conference would decide whether the draft legislation should be adopted in the form of a Convention or a Recommendation. In the case of the latter, it would carry no obligation on the part of the Government whereas a Convention would have to be submitted to the parliament for consideration. The British proposal was accordingly not carried, and government obligations did not go beyond the formal act of submission to the competent authority.

*Complaints and sanctions procedure.* The Commission found that not anybody could lodge a complaint and that the procedure would have to be limited to associations of employers and workers. States could also complain about the non-compliance of a Convention by another State, however, only on the condition that the complaining State had ratified the Convention in question, thus assuring a modicum of commitment and reciprocity. Inquiries into non-compliance could be requested by any Conference delegate. A proposal to apply economic sanctions against non-compliant States fell as it was thought it might scare States away from

joining the Organisation.

*Membership.* The Commission was in favour of universal membership and the question of whether membership should be coterminous with the League of Nations needed to be settled. The membership of Germany and Austria should be sought as early as possible. It was thought advantageous not to tie the Organisation's fortunes too closely in with the League as it should not be seen as a league of victors and as the adoption and application of Conventions needed as universal a membership as could be realistically obtained. The problem of applying Conventions to countries at different stages of industrial development was resolved by inserting flexibility clauses into Conventions. The applicability of Conventions to dependent territories was resolved in favour of applicability, subject, however, to (i) local conditions making it inapplicable and (ii) modifications needed to make it applicable.

*Governance structure.* The British proposal referred to above on the permanent allocation of seats to the five countries was modified to comprise eight that were to be nominated by the High Contracting Parties that were of chief industrial importance and the remaining four by the Conference. It was left to the Council to decide on criteria on how to determine chief industrial importance. There was opposition to having the British Dominions on the Governing Body, particularly from the US. However, Canadian intervention in the Conference of the League secured that membership in the labour organisation would have to conform to the criteria adopted by the League.

*Principles.* As part of the Peace Treaty, a Labour Charter was inserted, containing a set of principles that were to guide the labour organisation in its work. They were as follows: (i) that labour should not be regarded merely as a commodity or article of commerce; (ii) the right of association; (iii) the payment of an adequate wage to maintain a reasonable standard of living; (iv) an eight-hour day or forty-eight-hour week; (v) a weekly rest of at least twenty-four hours; (vi) abolition of child labour; (vii) equal pay for equal work; (viii) equitable economic treatment of all workers of a country (i.e. for immigrants as well as nationals); and (ix) an inspection system to

ensure the enforcement of the laws for worker protection.<sup>150</sup> With both the machinery and principles in place, the International Labour Organisation was formally established.

#### 5.4. Conclusions

As the narrative has sought to demonstrate, states were not the primary actors in the process of emerging international labour legislation. Individuals and associations propagated the idea over a period of 100 years before it became institutionalised in an international organisation. For these groups of actors, matters of appropriateness counted as much, if not more, than matters of consequentiality. In particular, the studies and advocacy of the group of professionals behind the setting-up of the International Association for Labour Legislation approximate what has been called in the literature an "epistemic community", characterised by normative and causal beliefs and by an explicit policy enterprise.<sup>151</sup> Their method of working might well have contributed substantially to turning governments around from their initial reluctance to enter into binding agreements. The tendency to seek multilateral solutions to domestic problems was on the rise in the period under review, in a sense culminating in a series of international organisations and associations, most of them, however, with a coordinating function.<sup>152</sup> It might therefore be argued that multilateralism came to be a constitutive feature of international society in the time period.

States only came around to embracing multilateralist labour legislation around the turn of the century with the exception of the few states that took an earlier lead. In the process of norm emergence, the beginning of the 19<sup>th</sup> century can be said to mark a tipping point, but it can also be argued that the real tipping point came in the course of WW1 when the exigencies of the war economy required closer cooperation between the state, employers and workers and thereby

---

<sup>150</sup> Cited from Alcock, *History*, 35.

<sup>151</sup> On the concept of epistemic community, see chapter 2 above.

<sup>152</sup> On international organisations with coordinating functions, see Craig N. Murphy, *International Organization and Industrial Change* (Cambridge: Polity Press, 1994).

acknowledging that the labour question had to be considered a part of the post-WW1 political order. The norm cascade referred to earlier in this chapter was in a sense the Labour Charter that became part of the Peace Treaty at Versailles, institutionalised in the setting up of the International Labour Organisation.

But the norms did not emerge as golden tablets of revelation. States were not principally averse to international labour legislation. States would be prepared to enter into binding agreements if other states were similarly committed. In the language of rationalist theory, what we are seeing can be described in game theory, or more precisely in cooperative game theory, as an *assurance game*. An assurance game can be described as a game where "there is a mutual interest in subscribing to a norm which embodies the best outcome for both players, but only as long as each has the assurance that the other will subscribe".<sup>153</sup> Assurance games can be distinguished from coordination games wherein no player has a preference for one outcome over the other as long as one can be agreed to.<sup>154</sup> The decision to drive on the left or the right hand side of the road are both stable equilibria in the sense that no player has a preference for one over the other given that one is at least as good as the other. Coordination games have the character of consensual norms while assurance games are less solidly founded as the assurance is conditional upon compliance by the other player. It is conditional upon trust and it mixes expectations of a normative and rational character.<sup>155</sup> But the rational part is conditional upon norm acceptance and in that sense the norm may be said to take precedence.

---

<sup>153</sup> On games and their application in international relations, see Martin Hollis and Steve Smith, *Explaining and Understanding International Relations* (Oxford: Oxford University Press, 1990), chapter 6.

<sup>154</sup> On coordination games, see Kratochwil, *Rules*, 74-78.

<sup>155</sup> On assurance games, see Daniel M. Hausman and Michael S. Pherson, *Economic Analysis and Moral Philosophy* (Cambridge: Cambridge University Press, 1996), 185, but see also Michael Taylor, *The Possibility of Cooperation* (Cambridge: Cambridge University Press, 1987). This game is related to tit-for-tat strategies as set out by Robert Axelrod in *The Evolution of Cooperation* (New York: Basic Books, 1984). As Hausman and Pherson note, no doubt with a twinge of amusement, "(...) it seems that ordinary people have the last laugh on game theorists, for they manage to cooperate quite a lot and consequently do a lot better in their interactions than rational game theorists with common knowledge of their rationality." Hausman and Pherson, *Economic Analysis*, 187.

With the organisation thus established, the next question is how has it developed? Has it changed or has it stuck to its original course? That question hinges on what we mean by change or by the absence of change. A long-term, time-line view of continuity and change is the subject of the next chapter.

## 6. Continuity or change? A time line of the ILO

### 6.1. Introduction

In the last chapter we enquired into the emergence of international labour regulation through the conclusion of legal treaties. While work had been going for quite a while on international labour regulation within the European setting, it was only by the end of World War I that the question of establishing an international organization for this purpose was firmly put on the agenda. The International Labour Office came into being through and concurrently with the establishment of the League of Nations, very much perceived as a token of gratitude for the war efforts of labour. In this chapter we shall take the long view to try to assess if and how much the organization has changed from the beginning and up to the present date.

How is change dealt with in institutional theory? In B. Guy Peters' survey of institutional theory in political science, different theories yield different answers. He finds that rationalist institutionalism sees change as a "discrete event, rather than a continuous process of adjustment and learning" and that "(c)hange occurs when the existing institution has failed to meet the requirements for which it formed". Change is a "conscious process, even if it involves tinkering with existing institutions, rather than the continuous process assumed in most other theories of institutions."<sup>156</sup> Again this theory seems to beg the question of how change takes place, assuming that change will automatically come about once the institution fails to live up to expectations which are taken to be constant and irrevocable.

In historical institutionalism, change can be conceived as a series of "punctuated equilibria" in which institutions move from one steady state to another. What is the driving factor is less clear, however. The concept of "critical junctures" indicates that under certain conditions a pooling of forces may produce change, collectively, though not individually. As an institution is assumed to proceed along a path determined by initial decisions, creating *path dependence* reinforced by

---

<sup>156</sup> Peters, *Institutional Theory*, 56.



positive feedback, inertia and continuity are forces weighing against change, unless it is of an abrupt sort. Peters finds that to explain change, “we are forced to move outside the approach itself to identify other dynamics (learning and environmental change) that can generate sufficient pressure to produce a change.”<sup>157</sup> Lately, this approach has been modified to accommodate the possibility that change may be gradual and incremental as well as abrupt and may be internal (endogenous) as well as external (exogenous). Hence change is to be explained by characteristics of the political context and by characteristics of the institution. Mediating between the political context and institutional change is the dominant change-agent who is the driver of this process. Different changes and change agents are then envisaged based on the combination of the two characteristics.<sup>158</sup>

While the approach assumes that institutions will seek remedies to correct for dysfunctions, there is no assurance that such remedies can be found. This is so, because “the sociological version of institutionalism would almost certainly argue that the cognitive constraints imposed by institutional membership would tend to make recognition of dysfunctions less likely” and that “attempts to remedy organizational faults may actually reinforce some of those problems than actually help.”<sup>159</sup> The mainstream mind-set of an organisation is most likely to be issued with cognitive blinkers and a limited capacity to think outside the box.

Coming to sociological institutionalism, Peters notes that “the process orientation in the discipline tends to make change a natural component of the field.” Change occurs through institutionalisation or de-institutionalisation, i.e. by adding more roles and features to the organisation and hence strengthening the commitment to the prevailing cognitive frames or alternatively, weakening those commitments.

Similarly to historical institutionalism, the sociological version “may also look at institutional change in a more functionalist way, and argue that institutions must,

---

<sup>157</sup> Peters, *Institutional Theory*, 70.

<sup>158</sup> See James Mahoney and Kathleen Thelen, “A Theory of Gradual Institutional Change,” in James Mahoney and Kathleen Thelen (eds.), *Explaining Institutional Change. Ambiguity, Agency and Power* (Cambridge: Cambridge University Press. 2010), 1 - 37.

<sup>159</sup> Peters, *Institutional Theory*, 71.

and will, find means of adapting to changes in their environment. This form of change involves recognizing challenges in their environment and then finding ways to making the institution conform to the external forces."<sup>160</sup> Briefly, this approach might be said to make two significant contributions, wherein one is to "emphasize the dependence of institutions on their environment and their 'embeddedness' in society and economy"<sup>161</sup> and the other is that "organizations are seen as redefining themselves as well as reflecting their past."<sup>162</sup> The concept, or perhaps metaphor, of 'sedimentation' indicates that behind current practices there may be layers of values and understandings from earlier times, even though institutions do not get stuck in the past and are assumed to move with the times.

In the following, we shall define what we mean by change and then briefly outline three models of change with which to analyse our empirical material. In particular, we will focus our attention on learning vs. adaptation. Secondly, we will define what we see as the main courses of action and how these relate to organisational goals. Thirdly, we are interested in finding out who are the drivers of change. Are they inside the organisation or part of their environment? We will analyse the material by charting changes or the lack of them over four periods, the first three of roughly 25 years each and the final still incomplete, though far enough in the cycle to enable us to characterise new trends and developments. But first some definitions and three models of change.

## 6.2. Three models of change

A shared view of the academic literature is that organisational actions are largely based on routines and thus dependent on earlier history while, on the other hand, these actions are also geared to fulfilling targets. The scope for learning is dependent on the degree of mismatch between actual and projected outcomes. Organisations are, according to this view, "seen as learning by encoding inferences

---

<sup>160</sup> Peters, *Institutional Theory*, 108.

<sup>161</sup> Peters, *Institutional Theory*, 102.

<sup>162</sup> Peters, *Institutional Theory*, 104

from history into routines that guide behavior.”<sup>163</sup> Routines are any sets of forms, rules, procedures, conventions, but also beliefs, codes and paradigms that sustain formal routines as well as contradict them. Routines embody lessons accessible to organization members, but the routines are also part of the collective memory of an organization and may very well outlast the members. How routines are transmitted are best studied by exploring the memory of an organization.

Learning is by drawing on experience. Learning may be by doing – by trial and error in rejecting weaker alternatives for stronger in achieving the organization’s objectives. Learning is also drawing on organizational memory as it is stored, maintained, selectively retrieved and selectively forgotten by organization members. Ultimately, “learning may not always lead to intelligent behaviour”. It may lead to errors as well as to experiential wisdom. However, “the lessons of history as encoded in routines are an important basis for the intelligence of organizations” and “learning needs to be compared with other serious alternatives, not with an ideal of perfection”. In conclusion, “it is possible to see a role for routine-based, history-dependent, target-oriented organizational learning”.<sup>164</sup>

In the literature there are references to different types of learning and an important distinction introduced by Argyris and Schön is the one between single-loop and double-loop learning. For productive learning, these conditions would have to be in place:

1. *organizational inquiry*, instrumental learning that leads to improvement in the performance of organizational tasks;
2. inquiry through which an organization explores and restructures the values through which it defines what it means by improved performance;
3. inquiry through which an organization enhances its capacity for

---

<sup>163</sup> Barbara Leavitt and James G. March, “Organizational Learning,” *Annual Review Of Sociology* 14 (1988): 320.

<sup>164</sup> Leavitt and March, *Organizational Learning*: 336.

learning of types (1) and (2).<sup>165</sup>

An organizational inquiry is triggered by a mismatch between the expected results of action and the results actually achieved. The purpose of the inquiry is to correct the mismatch and to restore the normal flow of operations within the organization. This means having a second look at the prevailing theory of action, the theory-in-use, as it were. A theory of action has three components; a strategy of action, assumptions on which the strategy is based and values attached to objectives and outcomes. Values determine the choice of strategies and strategies are evaluated according to their ability to produce the desired outcomes. Strategies are typically encoded in routines, organizational knowledge as systems of belief underlying action, prototypes from which action can be derived or procedural prescriptions for action.

The single-loop type of learning is the one identified under (1), e.g. “instrumental learning that changes strategies of action or assumptions underlying strategies that leave the values of a theory of action unchanged”. Under this type of learning, objectives are unaffected by the choice of strategies and the problem is typically one of *instrumental adjustment*. Double-loop learning is what is identified under (2), e.g. “learning that results in a change in the values of theory-in-use, as well as in its strategies and assumptions”.<sup>166</sup> Under double-loop learning, the feedback loop not only affects strategies, but also the values served by the strategies. While a single-loop inquires into the strategies expected to lead to improved performance, a double loop takes a second look at the way the concept of improved performance has been understood and used in the organisation so far. The second loop introduces a moment of substantive rationality on top of the instrumental single-loop variety. It draws attention to ends as well as means capable of achieving them. It asks about general purpose in addition to effectiveness and efficacy. It is potentially more far-reaching than merely adjusting means to preset and indisputable ends.

---

<sup>165</sup> Chris Argyris and Donald A. Schön, *Organizational Learning. Theory, Method and Practice*. (Reading, Mass.: Addison-Wesley Publ. Co., 1996), 20.

<sup>166</sup> Argyris and Schön, *Organizational Learning*, 21.

Literature applying the learning perspective to international organisations is comparatively rare, but Jack Levy in a survey article on “Learning and foreign policy” defines learning as “a change in beliefs (or the degree of confidence in one’s beliefs” in the development of new beliefs, skills or procedures as a result of the observation and interpretation of evidence.”<sup>167</sup> Learning is the intervening variable linking the past with future policy change.

Levy makes a distinction similar to Argyris and Schön’s in distinguishing between “simple learning” in which information leads to a change in means, but leaves ends unaffected, and “complex learning” in which both ends and means are affected and changed. However, he strikes a cautionary note in that ultimate ends (akin to religious revelations) cannot be learnt in the usual sense of the term.

Ernst Haas’ book on learning in international organisations brings up the same distinction between learning and adapting we encountered above. Learning is “the process by which consensual knowledge is used to specify causal relationships in new ways so that the result affects the content of foreign policy” and “learning implies the sharing of larger meanings among those who learn.”<sup>168</sup> *Learning* applies to those “situations in which an organization is induced to question the basic beliefs underlying the selection of ends.” *Adaptation*, on the other hand, is “change that seeks to perfect the matching of ends and means without questioning the theory of causation defining the organisation’s task.” Hence, “adaptation does not require new consensual knowledge”.<sup>169</sup>

While adaptation in Haas’ definition follows the others in emphasizing its character of adjusting means to preset ends, Haas introduces the notion of *consensual knowledge* in the definition of learning. Learning only occurs when the prevailing consensus has come under attack and has been replaced by a new consensus. While Argyris and Schön speak of “theories in use” and Levy of

---

<sup>167</sup> Jack S. Levy, “Learning and foreign policy: sweeping a conceptual minefield,” *International Organization* 48, no. 2 (1994): 279-312.

<sup>168</sup> Ernst B. Haas, *When Knowledge is Power. Three Models of Change in International Organisations* (Berkeley: University of California Press, 1989), 23f.

<sup>169</sup> Haas, *Knowledge*, 36

changes in individual beliefs (as the mediating factor between experience and changes in policy, Haas looks to the generation (and regeneration) of consensual knowledge.

What is consensual knowledge? In Haas' definition, consensus means "generally accepted understandings about cause-effect linkages about any set of phenomena considered important by society," subject to testing through adversary procedures. Consensual knowledge is socially constructed, but it "differs from ideology-derived interests because it must constantly prove itself against rival formulas claiming to solve problems better."<sup>170</sup>

Learning occurs in the generation and regeneration of knowledge of cause-effect linkages. It "involves the penetration of political objectives and programs by new knowledge-mediated understandings of connections." He readily admits that "adaptive behavior is common, whereas true learning is rare".<sup>171</sup> As most institutions can be characterised by habit-driven behaviour, learning implies encouraging habit-defying behaviour.

Haas considers organisations to be *open systems*, indeterminate and facing uncertainty, yet subject to technical, rational criteria for setting priorities and taking determinate action.<sup>172</sup> Organisations face heterogeneous task environments, hence having problems at arriving at a consensual task domain, i.e. a coherent set of expectations of what an organisation should or should not do. Organisations seek to reduce the complexity of a heterogeneous environment by creating homogeneous sub-entities better capable of responding to it. Yet the timing and the appropriateness of the services cannot be assured, so organisations tend to ration and buffer their services so as to gain a modicum of autonomy in relation to

---

<sup>170</sup> Haas, *Knowledge*, 21. The idea of causal beliefs is also part of the theory expounded by Goldstein and Keohane in ch. 2 above, but as it is set within a rationalist framework, it differs from Haas in the sense that Haas gives knowledge and ideas a more autonomous role than do Goldstein and Keohane.

<sup>171</sup> Haas, *Knowledge*, 37f.

<sup>172</sup> See discussion of open systems in ch. 3 above.

their environment.<sup>173</sup>

Organisations deal with their environments by adapting or learning. Haas refers to three models that range from non-adaptation to full learning. At the bottom-end of the scale, there is *turbulent non-growth* in which there is neither adaptation nor learning, indicating that the organisation is clearly out of sync with the environment, caused by a more confused task domain steered by the unordered preferences of the actors informed.

Some notches up the scale is the *incremental growth* model. Under this model, there is adaptation, but not learning. Here, “the knowledge available to policymakers does not become more consensual, though it may be growing in scope, and no single epistemic community dominates the flow of knowledge”.<sup>174</sup> The key point is that activities can be added without any reconsideration of the organisation’s basic mission. Successful adaptation is premised, however, on a reasonably predictable task environment not given to rapid shifts.

Turbulent non-growth and incremental growth are both examples of types of adaptation, the latter obviously more successful than the former. A model of learning, on the other hand, is what Haas calls *managed interdependence*. The term “manage” connotes active involvement rather than passive acquiescence. This model offers, as may be expected, more room for consensual knowledge and for epistemic communities, meaning politically and socially engaged scientists. While there may be more room for knowledge, no state of knowledge is final as that would rule out further learning. Uncertainty remains, but so does the willingness to reconsider fundamentals and assumptions.

So what do these theories tell us? For one thing, learning is fairly rare, usually founded in organizational routines and memory and it changes practices marginally for the better, but cannot be expected to produce any type of

---

<sup>173</sup> James D. Thompson, *Organizations in Action* (New York: McGraw Hill, 1967). See the discussion on decoupling in ch. 3 above and its application in chs. 7 and 8 below.

<sup>174</sup> Haas, *Knowledge*, 93.

perfection.<sup>175</sup> Secondly, an important distinction has to be made between changing means and changing ends. Instrumental learning in the sense of adaptation has to be distinguished from changing ends which cannot really be learnt. Thirdly, learning has to do with consensual knowledge and a certain belief that knowledge, if sufficiently founded in science, can in fact change things for the better. This is very much the ideational background for epistemic communities, as discussed in ch. 2 above and as we saw in the formation process of the ILO, in chapter 5 above.

As far as the theory goes, we can not expect much in the way of learning in the sense of fundamentally changing the basic ends and mission of the organization. We might expect some instrumentally justified adaptations, but as this type of institutional theory would have it, it does not rock the fundamentals on which the organization is founded. Activities may be added in an ad-hoc manner, as in incremental growth, but that does not mean that any specific set of activities is irrelevant. A rethinking of priorities means reordering, but never fully extinguishing those less relevant.<sup>176</sup>

In other words, we do not expect any fundamental change and if such attempts may be made, they may be largely futile. We expect adjustments of an incremental nature, related to notions of comparative advantage, but we do not expect a change in core mandate. The institutional environment is presumed to be a guardian of the status quo and that may indeed be what fundamentally distinguishes an institutional environment from other types of environment.

These models of the various types of interaction between an organisation and its environments are points of departure for assessing the relation of one specific organisation and its environments. I propose to examine the International Labour Organisation at four intervals in its long history. These intervals are demarcated by anniversaries of the ILO which provided opportunities to reflect upon the history and the course ahead. One might dispute whether we should attach any

---

<sup>175</sup> As such, it buys into a view of policy change as incrementalism. See the classic article by Charles E. Lindblom, "The Science of Muddling Through," *Public Administration Review* 19, no. 2 (1959): 79-88.

<sup>176</sup> See the discussion on programming in ch. 7 below.



significance to these anniversaries. But it seems a common human trait to attach more significance to an anniversary than to intervening years. Somehow, that's what we do, so treating our study object in such a way may be defensible if the organisation does likewise. Anniversaries usually give rise to reflection and rethinking of ends and means, but rethinking may still result in reaffirmation of ends and means. In order to have a baseline for assessing changes in these relations along the historical time line, we propose as a first step to outline the principles, policies and tasks at the founding of the organisation in 1919 and then to examine changes at intervals of approximately 25 years.

All of these anniversaries were occasions for reflection on and rethinking of what has been done and what remained to be done; history and future plans; the mission and its relevance today and tomorrow and what actions to undertake to fulfil it. In 1944, the Governing Body of the ILO prepared a document for the 26<sup>th</sup> session of the International Labour Conference on "Future Policy, Programme and Status of the International Labour Organisation." This document, written during the Second World War, paved the way for a revision of the ILO Constitution at the Philadelphia Conference in 1944. Both the 1969 and 1994 anniversaries were similarly occasions for reflections on the past and thoughts about the future.

These anniversaries give us the possibility to see whether the ILO was adapting or learning or none of the above along this time line. The basic question is as follows; do the means and ends stay the same; do the means change but the ends remain the same or do both means and ends change? There are no clear-cut and unambiguous answers to these questions. They depend on interpretations of what is permanence and change, incremental or more fundamental change and what can be gleaned from official documents and secondary sources to answer these questions.

What we see as a recurrent motive throughout the organisation's time line, is the following: *regulation* by way of legal standards to ensure a modicum of free and safe labour conditions as against the idea of *development* whereby the performance of a nation's economy is the central source of political legitimacy. According to this

school of thought, welfare through growth maximization is the main goal and regulation has merely an instrumental role in this regard, more liable to put constraints on growth than to accelerate it.<sup>177</sup> Development is goal-oriented, regulation is benchmark-oriented; the former is concerned with the end state; the latter with the pathway towards it, in which the nodes along the path may be more important than the final destination point. Regulation is procedural and development is instrumental, to put it briefly.

### 6.3. Baseline period: 1919 -1944

In order to assess changes in organisation-environment relations over an extended period of 95 years, we need to get a clearer view of organisation mandate and objectives at the beginning of the organisation's history, at the founding moment. The founding of an organisation always represents an example of learning, i.e. an innovative step in order to solve problems by means of concerted, sustained and structured action. It demonstrates that previous efforts were not commensurate with the problem at hand and that innovative action had to be taken. In the last chapter, we described the process leading up to the founding of the organisation and in the following chapters we will delve inside the organisation to look at organisation-environment relations in a more detailed, focused manner. Here we will trace these relations at the overall *policy* level, adopting the bird's eye view, surveying the organisation over a long time span.

What was the original mandate and what did the organisation see as its main objectives? We may see from the preamble to the ILO Constitution that most of the items listed were related to specific proposals for legislation, *inter alia*, on the right

---

<sup>177</sup> For a classic example, see W.W. Rostow, *The Stages of Economic Growth. A Non-Communist Manifesto*. 3<sup>rd</sup> Edition (Cambridge: Cambridge University Press, 1991). For more on Rostow from an intellectual history perspective, see Nils Gilman, *Mandarins of the Future: Modernization Theory in Cold-War America* (Baltimore, Md.: Johns Hopkins University Press, 2007). Rostow is pictured on the cover with Lyndon B. Johnson. Another example is Simon Kuznets, "Economic Growth and Income Equality," *American Economic Review* XLV (1955): 1-28. But do also see the critique of the "Kuznets curve" in Thomas Picketty, *Capital in the Twenty-First Century* (Cambridge, Mass.: Harvard University Press, 2014), 13-17 and onwards.

of association, minimum wages, maximum working day and working week, abolition of child labour and protection of children, young persons and women, equal pay for equal work and non-discrimination of workers employed in other countries, protection against sickness, disease and injury arising out employment and provisions for old age and injury. Most of these items were of a protective kind, calling for legislative action. Some policy-oriented items were included, such as prevention of unemployment, regulation of the labour supply and a call for the establishment of labour inspectorates. The items listed in the preamble indicated that the prospective goals for the organisation were seen in continuation of the work undertaken by the International Association for Labour Legislation.

The general principle guiding the selection of specific items in the Preamble was formulated as follows; “(W)hereas universal and lasting peace can be established only if it is based upon social justice; And whereas conditions of labour exist involving such injustice, hardship and privation to large numbers of people as to produce unrest so great that the peace and harmony of the world are imperilled; and an improvement of those conditions is urgently required”, then legislative action of the sort indicated above is called for. “Whereas also the failure of any nation to adopt humane conditions of labour is an obstacle in the way of other nations which desire to improve the conditions in their own countries,” then “(T)he High Contracting parties, moved by sentiments of justice and humanity as well as by the desire to secure the permanent peace of the world”, would agree to the establishment of an organisation with the mandate to further these objectives.<sup>178</sup>

For the drafters of the Constitution, it was imperative to link the work on the Constitution to the negotiations underway at Versailles for the establishment of the League of Nations and to insert a social component into the peace process. Without such a component permanent peace would at best be incomplete. The drafters envisaged that labour contributions during World War I would earn labour special considerations at the negotiating table, enough to draft a separate

---

<sup>178</sup> ILO, *Constitution of the International Labour Organisation and Standing Orders of the International Labour Conference* (Geneva: 1988), 4.

Labour Charter as the Constitution for the planned organisation. The initial ideology was very much based on the war experience of incorporating labour into the war effort and motivated by the political consideration of preventing the further radicalisation of labour inspired by the Russian Revolution and by events on the continent, in particular in those countries that had lost the War. This was essentially a European experience that was not shared by the strong syndicalist orientation of the North American labour movement. Samuel Gompers, the chairman of the Labour Commission, was intrinsically opposed to the labour – government – employer co-operation model and to international labour legislation and advocated collective bargaining and democratic contestation instead.

However, he was not principally against collaboration with government as he had held a position on the US Council of National Defence in preparation for the American entry into World War I and his wartime experiences had convinced him of the value of voluntary collaboration between business, labour and government. He favoured the enunciation of general principles in lieu of binding international labour legislation. On this point, he was in fervent disagreement with European trade unions who clamoured for a clause that would bind governments to implement international labour treaties within one year. A compromise was sought by splitting legislation into conventions and recommendation, the latter being purely advisory, and making ratification an entirely voluntary affair, but on the other hand, making the submission of an adopted instrument to competent authority obligatory. Gompers had to attend to strong currents within the American labour movement that was sceptical towards this type of collaboration and thought that international standards might weaken domestic legislation and collective agreements. Further, the two-member representation of government on the Governing Body was another reason for scepticism as the unions thought that government and employers might gang up against labour.<sup>179</sup>

However, the predominant ideology was one of social progress and justice by

---

<sup>179</sup> For further info on intra-labour strife in the US, see Elizabeth McKillen, "Beyond Gompers: The American Federation of Labour, the Creation of the ILO and US Labour Dissent," in Jasmien Van Daele et al, *ILO Histories. Essays on the International Labour Organization and Its Impact on the World During the Twentieth Century* (Bern, Peter Lang, 2011), 41-66.

appropriate legislation and this ideology drew most of the labour representatives together, allied with a number of social reformist governments. In the view of the first Director General, Albert Thomas, the accent was on the *social*, not only in the sense of social protection, but also in the sense of social democracy, in which all interested parties had a role to play, as an “organisation of the peoples of the world, an organisation in which cabinets and parliaments, national and colonial civil services, factory and medical inspectorates, association of workers and employers, and the individuals composing them, ministers, deputies, civil servants, employers and workers, had all their appointed place and function.”<sup>180</sup> This forum or meeting place function worked according to certain informal rules. Normally, the workers’ representatives would push for certain matters to be the subject for legislation, the employers’ representatives would be hesitant, even negative and governments would fall somewhere in between, depending upon the political colour of the national government of the day. The ILO would act as “the coordinator and unifier of national trade unions, produce impeccable research and advice that would eliminate the possibility of anti-labor criticism, and seek to convert everyone to the need for social justice.”<sup>181</sup>

Standard-setting was in this regard a means to integrate labour into the national polity as well as to provide a measure of security for the workers of newly industrialising countries, in those days largely European countries. For Thomas, social needs should always overrule economic considerations and differential degrees of industrialisation should not serve as valid excuses for not ratifying Conventions. Thomas “sought to fashion the kind of program, by way of research leading to labor Conventions, that would include every conceivable kind of employee and economic pursuit, and thus transform an environment dominated by free-enterprise thinking”<sup>182</sup>

---

<sup>180</sup> See E. J. Phelan, *Yes and Albert Thomas* (New York: Columbia University Press, 1949), 240. This book was translated into Danish and published by Arnold Busck in 1947, based on the 1936 edition published by the The Cresset Press Limited in London. Phelan was a later Director General of the ILO during the transitional times of the 1940s.

<sup>181</sup> Ernst B. Haas, *Beyond the Nation State. Functionalism and International Organization* (Stanford: Stanford University Press, 1964), 145

<sup>182</sup> Haas, *Beyond*, 146.

The environment of the ILO in 1920 was predominantly European with two-thirds of the membership being European states, one half being either fully industrialised or in a process of rapid industrialisation and a solid majority being market economies. In this environment, the stress upon standard-setting could draw upon a history of legislation both nationally and internationally. Even though a large part of Office work was devoted to drafting new Conventions, based upon the Office's own research, many of the Conventions that were adopted dealt with highly specialised sectors of the labour force and only one stood apart from those adopted in the first decade, namely the 1929 Forced Labour Convention. The concern with immediate effect, the predominance of European members and the accent on the social implied an agenda tied to the interests of the European constituency. In the 1920s, the ILO had to contend with the fact of communist rule in the Soviet Union, the restrictions on free trade unions in fascist Italy and in Spain and the huge indemnities owed by Germany as a result of losing the War, compounded by hyper-inflation and high unemployment.

The Forced Labour Convention was an exception in this regard as it, *inter alia*, addressed labour conditions in the colonies and thus was of considerable wider significance. As slavery had been abolished, all sorts of coercive means were used to draw in native labour to serve the commercial interests of colonial investors; taxes, vagabondage, upper limits on land and cattle holdings, advance contractual payments, and recruitment to public works by chiefs and officials. The Convention sought to eliminate forced labour not only for private investors, but also for native chiefs; to regulate hours of work and health conditions. However, public works for genuine public purposes were still allowed, but despite prodding from the workers, a permanent control and monitoring commission was not set up. Even though the ILO came to document abuses in all its manifest shades of misery, the ILO remained committed to the idea that colonialism was necessary for bringing civilisation and development to backward societies and peoples. Exceptions to the prohibition of forced labour were made in situations of emergency which tended to be broadly interpreted. Nonetheless, the accumulation of documentation of abuses undermined the purposes for which it was designed, "despite the promises of the civilizing mission, European colonial rule, in its very structure,

was prone to cause violence, hardship and social strife.”<sup>183</sup> Further, “one of the unintended consequences of the ILO and the League of Nations - organizations committed to trusteeship and continued colonial rule - was to legitimate, albeit indirectly, the political claims of independence movements across Europe’s colonies.”<sup>184</sup> Even though it took quite a while for major colonial powers to ratify the Convention, it had managed to put the practice of labour abuses in the colonies on the agenda which was to have wide-ranging consequences in the long run. In the aftermath, it came to be one of ILO’s self-designated human rights instruments and might even be said to anticipate provisions of the coming Universal Declaration of Human Rights.

Although the agenda was relatively narrow, attempts were made to broaden it, occasionally requiring authoritative interpretation by the International Court of Justice as to whether the proposed draft Conventions went beyond the mandate of the organisation. The request for the ILO to start enquiring into the conditions of agricultural labour, even into agricultural production, met with objections from part of the European constituency. The intention to look at *agricultural* labour might be argued to go beyond the mandate as established by the ILO Constitution (part XIII of the Treaty) , but the Court found that the Treaty had to be interpreted in a comprehensive manner, thus comprising all forms of labour and not only industrial labour. Similarly, the Court found that enquiring into the conditions of agricultural production was not beyond the mandate of the organisation as long as it could be demonstrated that the enquiry was substantially related to social reform.

At the dawn of the 1930s, the composition of the members of the organisation had changed with European countries now making up slightly more than half of the member states, and the proportion of industrialised states had dropped to about a third while the number of market economies was about the same. At this point, practically half of the member states could be described as developing countries,

---

<sup>183</sup> J.P. Doughton, ILO Expertise and Colonial Violence in the Interwar Years,” in Sandrine Kott and Joëlle Droux, *Globalizing Social Rights. The International Labour Organization and Beyond*, (Basingstoke, Palgrave Macmillan, 2013), 93.

<sup>184</sup> Doughton, ILO Expertise, 95.

many of those with only an insignificant industrial base. Hence, concern with agricultural production and wider questions of economic development were emerging from this part of the membership. Furthermore, the world economic crisis from the late 1920s onwards drew attention away from social reform and to economic mechanisms of how to rejuvenate the economy and put it back on a growth track. The ILO was not late in responding and the response meant entering into economic planning, hitherto an uncharted terrain for the ILO. Among suggestions were the setting up of a European employment service and the initiation of large-scale international public works projects, and furthermore, to turn the ILO into some sort of global economic planning agency. A World Economic Conference was convened in 1933 under the auspices of the League, but ILO concerns were neglected in favour of stabilising currencies. The United States objected, France was concerned with tariffs and Britain refused to discuss public works. In other words, the Conference came to nought.

While counter-cyclical policies in accordance with Keynesian precepts were put into action at the domestic level, there was less enthusiasm for these policies at the international level, particularly among governments and employers. The Governing Body had initially endorsed the idea of international public works in 1932 which resulted in Recommendation no. 51, adopted in 1937, enjoining governments to engage in appropriate financial, administrative and investment policies to kick-start the economy. Recommendation no. 50 asked governments to exchange information and to co-operate with the ILO Committee on Public Works and to plan public works based on the information exchanged. However, by the late 1930s, progress had ground to a halt and the topic was effectively scrapped. It did, however, reappear as an integral part of the ILO technical co-operation programme in later years.

The entry of the United States in 1934 was no boon for international counter-cyclical policies, either. The US appeared to adopt the previous predominant policy of currency standardisation of the 1920s in order to avoid competition and minimise differentials in labour costs. Political developments during the 1930s with the growth of fascist and communist states dampened European enthusiasm



for the ILO and its mother organisation, the League of Nations. However, the US government in concert with the workers was keen to preserve and strengthen the ILO as a democratic organisation and to expand the mandate even into arms reduction. In the early 1940s, Edward Phelan, the Director General at the time, claimed a “social mandate” for the organisation to have a key role in coordinating post-war national recovery plans, again backed by the US government. While the initial membership environment of the European states was by now embroiled in war and largely indifferent to ILO aspirations, distinctly different claims for ILO initiatives were coming from the non-European members, relating to agricultural labour, forced labour, housing and employment and more generally, to colonialism and its effects in the territories, in particular from Indian worker delegates. These claims were to become stronger and have a larger and more lasting influence on organisation tasks after the war.<sup>185</sup>

Summing up the period of the 1930s, “(o)rganizational ideology, though exposed to the possibility of growth, owing to new environmental challenges and demands, did not succeed in infusing the Organization’s program with a dramatic new task.”<sup>186</sup> The possibility of expanding the role of the ILO into an economic planning agency was dashed by external circumstances, and by internal reluctance from the Governing Body. The geopolitical constellation of Europe in the 1930s had weakened the trust in international organisations and most efforts towards coming to grip with the economic depression were undertaken at the domestic level.

So while the opportunity was there, theoretically, for learning by expanding tasks into the broader arena of economic planning, circumstances did not permit it, and the opportunity was lost for the time being.

---

<sup>185</sup> See chapter 8 on the beginnings of technical cooperation, most of it outside the European continent. It was also apparent that the Organisation had to look beyond the European continent, to respond to requests for services and to counter the perception of European domination by non-European members and to minimise the danger of competing regional organisations, such as in Latin America.

<sup>186</sup> Haas, *Beyond*, 152.

#### 6.4. Post-war diversification: incremental growth 1944 – 69

By the early 1940s, the ILO had relocated to the North American continent, with its headquarters in Montreal, Canada, and under the protection of the US Government. This new setting gave rise to the most significant revision of the Constitution, related to the adoption of the so-called Philadelphia Declaration. It revitalised the organisation at a time when the European continent (and beyond) was embroiled in war. And the war set the world on course for another go at multilateral governance.

The Philadelphia Declaration, adopted by the 26<sup>th</sup> International Labour Conference in 1944, expressed ideas that were current at the time both domestically on the North American continent as well as abroad. With respect to principles and justifications, there was a stronger emphasis on human rights as the normative basis for ILO activities, viz. that “all human beings, irrespective of race, creed or sex, have the *right* (emphasis added) to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity” and furthermore, that “the attainment of the conditions in which this shall be possible must constitute the central aim of national and international policy”.<sup>187</sup> The terminology of rights should be seen in conjunction with emerging work on what was to become the Universal Declaration of Human Rights by the United Nations four years later. It is not unreasonable to assume that the attendants at the 1944 Conference were aware of parallel developments within international law. The language of the Philadelphia Declaration contained formulations that clearly expressed norms that also were reflective of the incumbent New Deal Administration in the US, viz. labour is not a commodity; freedom of expression and association are essential to sustained progress; an unceasing war against want is to be carried out domestically as well as internationally based on free discussions among representatives of governments, employers and workers.

---

<sup>187</sup> ILO. *Future Policy, Programme and Status of the International Labour Organisation* (Montreal: 1944), 183.

With the emphasis on human rights as the primary justification for ILO objectives came the necessity of economic planning as the main instrumentality for attaining these objectives. The ILO saw itself in a key role in economic policy-making for the post-WWII reconstruction era: "It is the responsibility of the International Labour Organization to examine and consider all international economic and financial policies and measures in the light of "the above objective of furthering the material well-being and spiritual development of human beings in conditions of freedom and dignity, of economic security and equal opportunity. This responsibility extended far beyond the purely social mandate of the 1919 Constitution. The extended role was pushed by trade unions and by select governments that had benefited from the active cooperation with the labour movement during the war, such as the British and American governments. The widened mandate was also an attempt to forestall the possibility that new organs would be created that would assume the functions that the ILO had foreseen for itself. In particular, the up and coming United Nations was viewed as a possibly dangerous rival back in 1943 and 1944. The far-reaching functions drawn up by and for the ILO might have been "a bargaining gambit to assure some comparative slice of the post-war pie for the ILO"<sup>188</sup> and given the nature of the game, it would make sense to put in a claim for more than what the ILO could reasonably expect to get.

One innovation was the British suggestion in 1945 to set up industrial committees which would be fora for research and negotiations on specific industrial sectors.<sup>189</sup> These committees would assemble producers or producing countries with the purpose of reaching agreements on wages, labour conditions and welfare provisions for the countries concerned. In this manner the calls for a wider economic planning role for the ILO might at least be approximated. The former artificial distinction between economic and social policy was made more tenuous with the creation of these committees.

The future policy of the organisation, with its emphasis on human rights, would

---

<sup>188</sup> Haas, *Beyond*, 157.

<sup>189</sup> These became known in ILO parlance as sectoral activities and were funded under the regular budget.

draw on most aspects of economic policy to the extent that they had an effect on ILO main concerns. Resource allocations, commodity agreements, monetary and fiscal measures, manpower and investment planning, productivity programmes; all of these fields of action would not be beyond the purview of the ILO mandate if they could be shown to have an impact on economic security and equality of opportunity.

The first step was to find a place within the emerging international system with the United Nations at its centre. The ILO was represented as observers at Third Committee meetings, dealing with economic and social cooperation. The British delegation sought to introduce a paragraph into the Dumbarton Oaks proposals specifically that the ILO should be “brought into special relationship” with the proposed United Nations, but this met with opposition from the Americans, Chinese and Russians as they thought it inappropriate to single out one specific organisation. Furthermore, the Soviet Union had its suggestions for a “wider democratic basis”, providing access for the alternative WFTU trade union federation, a federation very much aligned with the Soviet Union. At the first General Assembly meeting of the United Nations in London in 1946, the Soviets pressed for WFTU representation on the Economic and Social Council, but this proposal was rejected, giving WFTU and other international trade union federations a consultative status only. Similarly, Soviet attempts to bar negotiations with the ILO within the Specialised Agencies committee of ECOSOC on grounds of lack of democratic basis were rejected by the majority and negotiations were opened with FAO, UNESCO, the World Bank, IMF and the ILO. An agreement was reached, securing full financial autonomy for the ILO, subject to financial and administrative coordination, but with no strings attached.

With the establishment of the United Nations and its Economic and Social Council, the premier body for consultations on economic and social matters was put in place. The ILO became one of a small body of specialised agencies, most of them created alongside the UN itself. The ambition of the ILO to put the ILO on an equal footing with the UN was clearly not fulfilled. Instead, the ILO and other agencies in the economic and social fields were structurally subordinated to the Economic

and Social Council.<sup>190</sup> With a multitude of agencies, the urgency of administrative co-ordination was stressed right at the inception of the UN and ways and means were sought for achieving the “simultaneous collaboration of the parts of the whole and the collaboration at the very inception of policy”.<sup>191</sup> While co-ordination among a groups of equals was no doubt important, the ILO was concerned about securing its own autonomy. By finally breaking ties with the League of Nations, the ILO through its Governing Body had full control over the budget, had the authority to admit new members and to offer its services to governments and to affirm the independence of its international civil service. The Governing Body was now entitled to determine who were the states of “chief industrial importance” which were given permanent seats on the Governing Body and could exercise veto powers. The privileges of this select group were not popular with the smaller states, many of them non-European and less industrialised, but the major governments prevailed.

The question of constitutional revision in light of the new circumstances was resolved in favour of incorporating the Philadelphia Declaration into the Constitution as an Appendix. The predominant view in the ILO was to regard the Constitution as a “skeleton of a living body”, as the opposite of a straitjacket. The Declaration should not prevent the ILO from expanding in desired directions and this objective could best be served by ensuring the autonomy of the organisation. However, there were as before diverging demands from the membership as to which direction should be selected. The non-Western members demanded a more visible ILO presence outside the Western hemisphere and more requests were coming for technical assistance, particularly from the developing countries, even though this subject was not on the agenda of the Philadelphia Conference. In contrast, some of the Western countries were more concerned with productivity programmes than with labour standards as a means of raising workers’ welfare

---

<sup>190</sup> For an account of the precarious state of the Organisation during the transitional period from being a part of the League of Nations to becoming a specialised agency of the United Nations, see Geert Van Goethem, “Phelan’s War: The International Labour Organization in Limbo (1941-1948,” in *ILO Histories*, 293-311.

<sup>191</sup> Herman Finer, *The United Nations Economic and Social Council* (Boston, World Peace Council, 1946), 79.

while some members from the developing world sought to persuade the Office to prepare a minimum labour code of universal applicability, a move strenuously resisted by the workers' representatives from the industrialised world.

Did the Philadelphia Declaration usher in a new era of vastly expanded mandate governed by the principle of human rights? Only one Convention in the immediate post-war era addressed human rights, namely Convention no. 87 on Freedom of Association and Protection of the Right to Organize. Most other Conventions adopted in this period dealt with specific segments of the labour force and only marginally with the labour population as a whole. On the topic of economic planning at the international level, progress within UN was meagre. The International Bank for Reconstruction and Development (better known as the World Bank) and the International Monetary Fund sought rather to restore the pre-crisis economic doctrine of maximising free trade. Negotiations for an International Trade Organisation came to nought. The ILO aspiration to monitor economic and financial measures to see how they contributed to economic and social security similarly came to nought. The major industrial powers were either turning against planning (the United States) or they were turning their attention to national reconstruction (the European states).

"Marked subgoal dominance", meaning responding to the disparate interests of groups of members characterises this immediate post-war era as the Office "followed essentially the same policy before the war, but it justified its dependence on the goals of disparate clients by invoking the hallowed words of Philadelphia, by continuing to pretend that there was an essential connection between the continuation of social reform policies and dedication to human rights on the one hand, and the cementing of world peace on the other."<sup>192</sup> Sub-goal dominance was to continue into the post-war period under the leadership of David Morse. The 1950s marked the return of the communist countries, spearheaded by the Soviet Union, but also a rising number of non-Western, less developed nations pushing for a massive increase in ILO technical assistance. With such a disparate group of clients, there was less of an emphasis on standard-setting or labour legislation and

---

<sup>192</sup> Haas, *Beyond*, 168.

more on technical assistance, education and promotional activities of various sorts, including management development and labour-management relations and productivity improvement.<sup>193</sup> These means of action belong together according to Morse: "If I were to express this new program emphasis in one word, that word would be "promotional". It differs from most other aspects of the ILO's work in this respect: it is dependent upon the force of education, persuasion and *promotion*. Its basic aim is to spread the idea of labor-management cooperation in ever widening circles within each country through nationals of that country."<sup>194</sup>

While labour standards and human rights were the primary justification of the ILO programme in the Philadelphia Declaration, in the vision of Morse they are a corollary to other objectives: "Action to promote respect for human rights is a corollary to the ILO's activities directed toward the improvement of the material circumstances of life and is of fundamental importance to the achievement of the organization's objectives as laid down in the Constitution."<sup>195</sup> This reorientation of the ILO as "a means to promote the realization of the practical social aims of the different countries which now make up our membership"<sup>196</sup> reflected a more diffuse task environment in which standards and the old principle of tripartism matter less than they used to. The ILO is, according to Morse, "neither the embodiment of an absolute moral law revealed forty years ago and enshrined in the Constitution, nor is it a supra-national judicial authority empowered to enforce certain defined standards. The ILO works in the world as it finds it and it works in the world for the attainment of its purpose. This purpose...is the improvement of conditions of men and women throughout the world."<sup>197</sup> In other words, the emphasis is now more on *development* than on legal *regulation*.<sup>198</sup>

---

<sup>193</sup> For more detail, see the chapter 8 on technical co-operation below.

<sup>194</sup> ILO, *Report of the Director-General to the International Labour Conference 1958*, 28-29.

<sup>195</sup> ILO, *Report*, 68.

<sup>196</sup> David A. Morse, "The International Labour Organization in a Changing World," *The Annals*, (1957), 34, 38.

<sup>197</sup> ILO, "Reply of the Director-General," 43<sup>rd</sup> Session of the International Labour Conference, *Record of Proceedings* (1959), 564.

<sup>198</sup> See also David A. Morse, *The Origin and Evolution of the I.L.O. and its Role in the World Community* (Ithaca, NY: Cornell University Press, 1969).

These different emphases on what are the main priorities point to the fact of different environments. The various parts of the programme have their clientele inside and outside the organisation. Freedom of association and other standards have their support obviously among the workers' representatives and select governments and their counterpart inside the ILO is the International Labour Standards Department. This represents the old ILO constituency and advances the view that the other activities of the ILO should be geared to the continuation of standard-setting in new fields and to the monitoring of the implementation of standards among the ILO constituency. According to this school, tripartism including the participation by the partners in economic decision-making, collective bargaining, labour-management relations, decent working conditions are the primary arenas for ILO engagement. They also seek a strong role for the ILO political organs, notably the Governing Body and the Labour Conference, in all aspects of ILO work to ensure that pluralism is truly present and saturates the work being done. This is the credo of those favouring *regulation*.

However, standards may not be the ultimate concern of the technical departments whose UN-funded work for the benefit of developing countries are oriented toward the material improvement of living conditions and whose counterparts are donors and client governments. For this constituency, the prospect of economic development is the paramount objective and standards and social considerations may come in the way of the efforts needed for rapid industrialisation. Effectiveness and efficiency in resource mobilisation and planning are considered more important than economic democracy and tripartite participation in decision-making. This constituency stresses productivity, manpower planning, technical training and education. For work of this nature, governments, in particular outside the west, are the main counterparts and there is less of a perceived need to have the ILO policy-making organs involved in programming and project implementation. In fact, it was admitted that "to a large extent the operational activities of the ILO are not under the direct control of its constitutional governing organs, though the latter keep those activities under constant supervision".<sup>199</sup> This denotes "even more dependence on specific subgoals of certain clients, and

---

<sup>199</sup> ILO, "Appraisal of the ILO Programme, 1959-1964," *Official Bulletin* XLIII, No.1 (1960): 10.



minimizes the role of worker and employer organizations" (183-4), both fully represented in the constitutional governing organs.<sup>200</sup> This is the credo of those favouring *development* and it is advanced by *decoupling*, i.e. by weakening the links between the governing organs and the technical assistance departments.<sup>201</sup>

The promotional programme advanced by Morse and others was an attempt at integrating some of the operational activities into the institutional structure of the ILO. The ILO Center for Advanced Technical and Vocational Education, established in 1963 and informally known as the Turin Centre, catered for those professions deemed important for economic development. The Management Development Programme, set up in 1958, also catered to groups that can be reached by technical assistance and tied in with ILO's technical cooperation programme. However, management training was also a means to accommodate the employers in the ILO constitutional organs and to cast them in a more favourable light than as the ritual opponents of workers' demands for standard-setting. While management development was a token in the direction of the employers, workers' education was a similarly directed at workers in countries with only rudimentary notions of organisation, bargaining and other tools for effective worker participation in economic development and its benefits.

Finally, the establishment of the International Institute for Labour Studies was in part in response to workers' demands for a "workers' university", but also in line with Morse's promotional approach. The Institute would offer courses to national officials engaged in work of relevance to the ILO, in particular industrial and labour relations, but also wage policy and wage determination, manpower planning and employment policy, public statistics and social security and other topics fitting into the overall frame of economic development. Perhaps typically, the main objections came from the main antagonists at the time, the Soviet Union and the United States. The former objected to the potential spread of capitalist ideology while the latter was as anxious about the potential diffusion of socialism but was eventually assuaged by the decision to have the Governing Body keep

---

<sup>200</sup> Haas, *Beyond*, 183.

<sup>201</sup> On decoupling, see chapter 3 above.

control over finances and the curriculum.<sup>202</sup>

With only partly overlapping constituencies, programme and policy-making inside the ILO was “a very pragmatic selection of program items with varying degrees of relevance to integration.”<sup>203</sup> In a world of tensions and rival powers, the main organisation objective was to keep afloat, but given a measure of political détente and quiescence, Morse saw a future for the organisation in the pursuit of economic development while maintaining backward compatibility by stressing the social component of economic development. The main problem was how to combine rapid industrialisation with policies and other measures ensuring the welfare and dignity of the workers. These policies were not to be regulated by legal standards and the relevant human rights found among the labour standards were seen as promotional and educational devices rather than legal instruments. Instead of the immediate protection afforded by legal instruments, the programme advanced the idea of gradualism whereby the objectives of the legal instruments were to be attained in a progressive and piece-meal manner.

Summing up this period, and using the terminology we have adopted, we see a period of expansion, particularly in the area of technical cooperation. The ideology of regulation was toned down in favour of development; labour standards were now seen as promotional devices for securing the material welfare of workers; and new services were launched to cater for the diverse membership inside the organisation as well as for its clientele outside. This is a period of *adaptation and incremental growth*; there is an expansion of services, but not a full-fledged attempt to redefine the mission of the organisation. Such an attempt would imply a re-coupling of organisational departments; not the degree of autonomy enjoyed by the departments up to now. As one observer found it, “despite the numerous

---

<sup>202</sup> The Governing Body decided at the November 2013 meeting to dissolve the Institute and to transfer assets and resources to a new Research Department. Reasons cited include the dangers of fragmentation, the advantages of critical mass and co-ordination, but the shift clearly indicates higher managerial control of research compared to the former quasi-independent role of the Institute and a desire to acquire the resources previously held by the Institute. See ILO, *Establishing a central Research Department* Governing Body. 319<sup>th</sup> Session (GB.319/INS/14.2), Geneva, November 2013.

<sup>203</sup> Haas 1964, *Beyond*, 190.

difficulties the ILO was forced to negotiate while David Morse was at its helm, the end of the Morse era marked in many ways the end of the golden age of the ILO.”<sup>204</sup> In 1969, the Organisation received the Nobel Peace Prize. However, things were to become less peaceful in the next decade.

## 6.5. Turbulent non-growth 1969 - 1994

At the end of the 1960s the ILO set up a Working Party of its Governing Body to look into the programme and structure of the organisation. The Working Party produced a number of reports and it emerged that the Working Party was more concerned with the structure than with the programme as such. Opinions on the composition of the Governing Body, the relationship of the Governing Body to the International Labour Conference and the organisation of the work of the Governing Body, including its committees, were raised and subsequently debated by Governing Body members. Even though the programme was part of its mandate, there were scanty records of any detailed discussion of substantial activities.<sup>205</sup>

This report can be usefully contrasted with another one, produced a year earlier.<sup>206</sup> This report, dealing with technical co-operation, listed a number of ILO activities in fields such as human resources development, manpower planning and organisation, vocational training, management development, social institutions development, conditions of work and social security. In summing up, it noted one incompatibility of structure and action, i.e. “the question of the participation of employers’ and workers’ organisations in technical co-operation activities. The

---

<sup>204</sup> See Daniel Roger Maul, “The ‘Morse Years’: The ILO 1948-1970.” in *ILO Histories*, 365-400 and *in extenso* in Daniel Roger Maul, *Human Rights, Development and Democratization, The International Labour Organization, 1940-1970* (Palgrave: Macmillan, 2012).

<sup>205</sup> ILO, *Report of the Director-General. Supplement. Fifth Report of the Working Party of the Governing Body of the International Labour Office on the Programme and Structure of the ILO*. International Labour Conference. Fifty-Second Session. Geneva. 1968.

<sup>206</sup> ILO. *The International Labour Organisation and Technical Co-operation (including the role of the I.L.O. in the Industrialisation of Developing Countries*. International Labour Conference. Fifty-First Session. Geneva 1967.

principle of such participation, as has been pointed out, is contested nowhere. However, it is still far from being an accomplished fact."<sup>207</sup> But as technical co-operation largely is on a governmental basis, governments need to be convinced of such participation and technical co-operation was largely an inter-governmental affair.<sup>208</sup>

This hiatus between structure and action was to become more pronounced in the years to come. And fissures in the structure began to appear, too. This was most dramatically demonstrated by the withdrawal of the United States from the ILO in 1975. Some years previously the US had temporarily ceased membership contributions to the ILO due to the appointment of an Assistant Director-General from the Soviet Union. The official reason given for US withdrawal was its fundamental concern with the erosion of the principle of tripartite representation. This was based on the suspicion that many representatives of employers' and workers' organisations from socialist and third world countries were not truly representative in the US sense of the term. So what sense of the term was most applicable, then? Robert Cox offers two different explanations: "One interpretation is the institutionalisation of conflict, in other words a recognition that class struggle is a continuing feature of the production process, but that it can be regulated and moderated by collective bargaining and similar procedures. The other possible interpretation of tripartism is non-conflictual, envisioning the integration of the worker with management in a harmony contrived or sustained by public policy; in other words, a corporatist interpretation."<sup>209</sup> It was Cox's contention that it is very much the latter interpretation of tripartism that has come to dominate the ILO in the post-war period and it was very much fueled by an American understanding of cooperative, non-conflictual labour relations.

However, this view of labour-management relations was, Cox argued, increasingly out of touch with the realities in the non-Western world. While examples no doubt

---

<sup>207</sup> ILO, *The International Labour Organisation and Technical Co-operation*, 64.

<sup>208</sup> To take an example, membership of the Governing Body would sort under the Ministry of Labour, whereas technical cooperation, as far as funding is concerned, would come under the Ministry of Foreign Affairs. That is the system for most Western countries, including Norway.

<sup>209</sup> Robert Cox, *Approaches to World Order* (Cambridge, Cambridge University Press, 1996), 440-1.

could be multiplied, Cox identified three issues with which the structure was ill-disposed to deal with. One was the need for land reform in poor countries. Secondly was the issue of socially marginalised inhabitants of urban shanty towns - or more broadly, what came to be known as the urban informal sector. Third was the increasing tendency to use cheap, malleable, semi-skilled (and non-unionised) labour. None of these issues and trends could be adequately responded to within the existing official structure of the ILO. Cox argued that "one way in which an established institution can ward off the risk of arteriosclerosis and mental atrophy is to harbor in its midst a ginger group of critics whose acknowledged role is to challenge policy orthodoxy, redefine issues, and to propose alternative methods of dealing with them."<sup>210</sup> This space was provided by the International Institute for Labour Studies, founded in 1960. Under the leadership of Morse, the Institute was given a certain latitude, but under his successor, Wilfred Jenks, the orthodoxy again prevailed, according to Cox. One telling example was an Institute study showing that only nine percent of the world labour force resorted to collective bargaining, the favoured ILO approach. However, before further enquiries could be made into this puzzling anomaly, the study was discontinued.

The fissure was again apparent in the case of the World Employment Programme. Launched in 1969 to coincide with the 50<sup>th</sup> anniversary of the ILO, the Programme was given substantial resources and was very much regarded as an ILO flagship in the wider UN environment.<sup>211</sup> The programme was not only on employment generation, but also saw employment as a means for a more equitable income distribution. Nonetheless, some conclusions drew the ire of the ILO regular constituency. A recommendation for wage restraint in a Columbian industrial enclave led to protests from a Columbian trade union. Another, pointing to the marginal employment effects of multinational enterprise investments, drew US criticism as being against foreign investment in a liberal world economy. Furthermore, linkages with UNCTAD and claims for a New International Economic Order came to a head at the World Employment Conference in 1976 as

---

<sup>210</sup> Cox, *Approaches*, 443

<sup>211</sup> It launched a series of employment missions to developing countries; Ceylon/Sri Lanka, the Philippines, Kenya, the Sudan and others which had considerable policy as well as academic impact.

the Group of 77 representatives were pitted against government, employers and workers' representatives of the industrialised countries.

The World Employment Conference in 1976 highlighted the need for the national and international community to redirect its efforts to fulfil basic needs and particularly the elementary needs of the lowest income groups.<sup>212</sup> Basic needs did not only comprise material necessities like food, shelter, safe drinking water, health and education, but also non-material preconditions such as basic freedoms and participation in decisions that have an impact on people's material security. The setting of the Conference was in the midst of calls for a New International Economic Order which brought the reluctance of the North about international redistribution as well as the scepticism of the South about the perceived imposition of conditionality to the fore. There were disagreements about technology and the role of multinational enterprises, but the Conference did result in a Declaration of Principles and a Programme of Action.

The WEP was led by economists, initially Louis Emmerij and after the Conference, by Keith Griffin who shortly after resigned. Griffin, who had published extensively on rural development, was familiar with radical development economics, which presumably did not square with the regular ILO constituency.<sup>213</sup> Cox, however, was not alone in his critique of what he regarded as the ILO orthodoxy. Louis Emmerij, the first WEP director, contrasted the permanence of the structure, labour standards and tripartism, with the temporality of the programme which might change from year to year. Of these two, the ideology of the structure was more important than the ideology of the programme: "The World Employment Programme research did not necessarily confirm that a plural society based on the vested interests of employers and workers was a good

---

<sup>212</sup> On this and other subjects and on the Declaration, see ILO, *Meeting Basic Needs. Strategies for Eradicating Mass Poverty and Unemployment* (Geneva, ILO, 1977). For the Norwegian position, see Utenriksdepartementet. *Verdens sysselsettingskonferanse. ILO - Geneve 4. - 17. juni 1976. Rapport fra den norske regjeringsdelegasjon*. On file with the author.. The main preparatory text was ILO, *Employment, Growth and Basic Needs. A One-World Problem* (Geneva: ILO, 1976).

<sup>213</sup> See, inter alia, Keith Griffin, *The Political Economy of Agrarian Change: An Essay on the Green Revolution* (Cambridge: Harvard University Press, 1974).

instrument for solving the problems of unemployment. We frequently had to say that organized labour was an obstacle to employment creation than an incentive. <sup>214</sup> On the side of official ILO, a view was expressed that “there was little relationship between the World Employment Programme and that of the rest of the Organization; that the World Employment Programme has very much tended to work on its own; and that there was an underlying contradiction between the employment and basic needs approaches of the World Employment Programme and the traditional concerns of the ILO in the field of industrial relations, labour standards etc.”<sup>215</sup>

Emmerij concluded that the ideology of the structure had won and that the WEP had been absorbed into mainstream ideology, even though the unions did come some of the way towards the WEP standpoint. However, the victory of the structure came at the price of vision and clout. In summing up, Emmerij concluded that the bureaucracies were getting old and rigid, there was too much political influence on appointment to positions, too much US influence and too much muddling through on well-trodden paths. With its legal conventions, it had instruments of action, but instruments that would have to be adapted to the growing heterogeneity of the world.

Haas concluded likewise: “It failed to take off because the consensual knowledge for achieving it was lacking”.<sup>216</sup> Added to internal dissension was unfavourable external conditions, in particular the growing debt burden of developing countries in the late 1970s and the shift in the development discourse from the basic needs doctrine to structural adjustment. The overburdening of public budgets led to a focus on restraint and cutbacks in public expenditure and the introduction of the neoliberalist agenda, with much freer room given to markets, implied a scale-back of state engagement in the basic needs agenda.

However, the work initiated by the World Employment Programme was

---

<sup>214</sup> Louis Emmerij, “The International Labour Organization as a Development Agency,” in Jeffrey Harrod and Nico Schrijver (eds.), *The ILO under Attack* (Aldershot: Gower, 1988), 119.

<sup>215</sup> Emmerij, “The International Labour Organization as a Development Agency,” 120.

<sup>216</sup> Haas, *Knowledge*, 154.

continued on a regional basis with the Jobs and Skills Programme for Africa (JASPA) and the Asian Regional Team for Employment Promotion (ARTEP). While the overriding political ideas were no longer as feasible, the continued work produced a lot of useful and informative research and generated a demand for services within the regions.<sup>217</sup> Within the regional structure, there were advisers on employment, training, management as well as on labour standards and employers' and workers' activities, thus providing a broad range of services to clients in the region. As far as services were concerned, employment promotion and skills training were never taken off the agenda.

While the opportunity to restructure the organisation was lost, not the least due to Western scepticism, dramatically highlighted by the withdrawal of the United States, the opportunity to set the development discourse was lost as well. The 1980s saw the ascendancy of the World Bank as the chief repository of ideas and agendas in the development field and the alternative view to the hegemonic dominance of structural adjustment was provided by UNICEF and not the ILO. Their study *Adjustment with a Human Face* was a key document of the decade in looking at the social implications of public expenditure cutbacks.<sup>218</sup> The Brundtland Commission introduced the concept of sustainable development, bringing environmental concerns into the development discourse. UNDP launched the Human Development Report as an alternative to the World Development Report of the World Bank.<sup>219</sup> The ILO started its World Labour Report, but sticking to the world of labour and studiously avoiding any mention of the basic needs approach of the 70s.<sup>220</sup> Within the Western sphere, the OECD came to exert a strong influence on welfare state policy in member states, particularly linked to social security. This had previously been a field in which the ILO had held a hegemonic position, but the 1980s saw it sidelined and the OECD moving to the

---

<sup>217</sup>The ARTEP Office was based in New Delhi and consisted basically of economists, most of them from the region, though it was for a number of years led by Gus Edgren from Sweden.

<sup>218</sup> See Giovanni Andrea Cornia, Francis Jolly and Frances Stewart, *Adjustment with a Human Face. Protecting the Vulnerable and Promoting Growth. A study by Unicef* (Oxford: Clarendon Press, 1987).

<sup>219</sup> The concept caught on within the academic field as well. See Carlos A. Malmann and Oscar Nudler, *Human Development in its Social Context. A Collective Exploration* (London: Hodder and Stoughton in association with the United Nations University, 1986).

<sup>220</sup> ILO, *World Labour Report 1* (Geneva, 1984).



centre of policy recommendations, no doubt reinforced by the ascendancy of the neoliberal agenda at the time.<sup>221</sup>

However, by the end of the 80s, a new message was sent by HQ in Geneva to the field structure of the ILO that the technical cooperation programme was to be linked to standard-setting. In fact, an internal circular made it clear that “(...) the importance which should be accorded to the indispensable links between standards and activities in the field have sometimes been lost from sight (...)”.<sup>222</sup> In an internal memorandum, it was stated that “despite current oratory on growing “divorce” and “isolation” between the two principal means of ILO action, we are not starting from scratch. What we do try, though, to achieve, is to render this proximity and complementarity more conscious, transparent and deliberate”.<sup>223</sup>

These initiatives came from the “Conclusions concerning the role of the ILO in technical cooperation” adopted by the International Labour Conference in 1987 which stated, *inter alia*, that “(t)he complementarity between ILO standard setting and technical co-operation still needs to be further strengthened in order to promote economic and social progress in the recipient countries”. Furthermore, “greater emphasis should be given in the future to assist developing countries, especially employers’ and workers’ organisations in these countries, in order to create better conditions for the ratification and implementation of standards”. The purpose was not only to push for ratification of standards, but also to make sure that ILO projects did not break any standards, so briefing of technical experts became an essential part of the new initiative, particular for certain types of projects.<sup>224</sup> It was commonly held within the field structure that standards were something Geneva dealt with and that did not really apply to the field realities of Asia and Africa. The initiative represented a deliberate attempt to *recouple* the

---

<sup>221</sup> See Mathias Leimgruber, “The Embattled Standard-bearer of Social Insurance and Its Challenger: The ILO, The OECD and the ‘Crisis of the Welfare State’, 1975-1985, in Sandrine Kott and Joëlle Droux, *Globalising Social Rights*, 293-309.

<sup>222</sup> Internal circular dated 29.5.87, on file with the author.

<sup>223</sup> Internal memorandum dated 19.12.1989, on file with the author.

<sup>224</sup> See for example, Jean Mayer, “International labour standards and technical co-operation: The case of special public works programmes”, *International Labour Review* 128, no.2 (1989): 155-175.

operational activities to the central standard-setting functions of the ILO.

From the field perspective, Geneva might seem further away than the clients, both in terms of geography as well as in the perception of what were the real issues - the world seen from Bangkok and Dhaka might look quite different from the world as seen from Geneva - and for the field, the realities did not match the vision of highly industrialised and regulated countries as epitomised by the labour standards. But the linkage was the beginning of a strategy to refocus the ILO in the direction of more regulation and less development gradualism.

Another sign of the future was the launching of the International Programme for the Elimination of Child Labour (IPEC) in 1991 with a sizeable grant from the German government of DM 50 million for a period of five years. In 1995, further pledges were made by Germany and Spain and Australia, France, the United States and Norway joined the programme as additional donors. Soon IPEC became the largest project in the ILO portfolio and the programme has continued up to the present day.<sup>225</sup>

Summing up this period, Haas classifies it as one of 'turbulent non-growth', a failed attempt at realigning the ILO as a typical development agency. It was turbulent, for sure, it was also one of non-growth as membership contributions stagnated, but the project portfolio grew in the period, known in ILO terminology as extra-budgetary resources (XBTC). The way of expansion went through generating projects which donors were willing to finance and IPEC turned out to be a goldmine in that respect.<sup>226</sup> Child labour was in a sense a return to one of the organisation's earliest concerns, at that time within the European continent.<sup>227</sup> A century later, the issues and the arguments remained the same, except that the issues were transposed from the European continent to the world beyond.

Robert Cox speculated back in 1977 on future scenarios for the ILO in the wake of

---

<sup>225</sup> For an evaluation of field results, see chapter 10.

<sup>226</sup> Or as one observer saw it, low-hanging fruit, easy to pick. See ch. 8 on technical cooperation and chs. 9 and 10 on child labour.

<sup>227</sup> See chapter 5 on the emergence of the ILO.

US withdrawal. In the event, they were back in the fold in 1980, possibly not unconnected with the death of George Meany, the undisputed king of the American trade union movement. One scenario saw the Western European countries possibly supplying the leadership of the organisation or again becoming the mainstay of the organisation.<sup>228</sup> This scenario would not seem so far-fetched as Western Europe had been with the organisation since the beginning. That is very much what happened. While the ILO might have been tempted by development gradualism, the recent years have witnessed a renewed focus on normatively guided regulation.

#### 6.5. Retrenchment and non-turbulent non-growth - 1994 to the present

In order to grasp the outlook of the organisation, and how it sees its mission in the current world, we may begin by looking at some of the recent reports of the Director General to the International Labour Conference. The 1994 report entitled *Defending Values, Promoting Change* marked the 75th Anniversary of the organisation which provided an opportunity to take stock of what had been accomplished and look ahead to what should be done in the coming years.<sup>229</sup>

Against the backdrop of a rapidly changing world, the report reaffirmed the values to which the ILO is committed, embodied in the 1919 Constitution and the 1944 Philadelphia Declaration. The values can be briefly encapsulated in the word 'social justice'. The report did not attempt a definition of social justice, though illuminated some aspects of it, such as combatting all forms of exploitation of working people, insuring the dignity of the working people, and improving the working environment both at the work place and in the living environment in general. Another broad issue was social dialogue in a world where nation-states were not the only actors of importance.

---

<sup>228</sup> Cox, *Approaches*, 420-470.

<sup>229</sup> ILO, *Defending Values, Promoting Change. Social Justice in a Global Economy. An ILO Agenda*. Report of the Director General. International Labour Conference. 81st Session 1994 (Geneva, 1994).

The report noted that its values and services would have to be relevant to the rapidly changing global conditions, requiring a process of continuous adaptation. This might, however, lead to inconsistencies and possible trade-offs such as working for full employment on the one hand and disregarding the quality of jobs on offer on the other. The chief means at the disposal of the ILO towards achieving its objective of social justice, according to the report, was still the principle of *tripartism*. While tripartism was of principal importance, it was also an instrument that had to be evaluated in terms of its effectiveness. When the international system of organisations is built on the state pillar, tripartism may be a disadvantage when it is not heard in other organisations deciding on issues affecting the tripartite partners. Trade, finance and aid have their international regimes in which tripartism is conspicuously absent.

The report made the obvious point that an organisation needs to set priorities. Priority-setting may mean doing fewer things better or “restrict ourselves to the fundamental mandate of the ILO” or “restricting our permanent activities to what is essential”.<sup>230</sup> This begs the question of what is essential and how it can be achieved. Saying that “(i)t will be up to the International Labour Office to establish the kind of structures and pursue the kind of personnel policy that give the necessary flexibility and freedom of action” does not say much beyond the obvious.

The main instrument for promoting the ILO values, the report argued, was its set of international labour standards. While these instruments reinforced the values of the West in the Cold War period of ideological contestation, the post-Cold War period presented a different scenario where not only Communist regulation had been defeated, but arguments against Western welfare state regulations have been made as well, thus potentially tearing away the ground from under the ILO philosophy of regulation. In the 1990s scenario the threat was no longer from Communist types of regulation, but from neo-liberal types of deregulation. The threat to the official ILO ideology had shifted from the communist left to the neoliberal right.

---

<sup>230</sup> ILO, *Defending Values*, 38

The chief means of action, apart from standard-setting was still technical cooperation which had its institutional roots in the initial advisory work on social security and labour administration in the 1930s, but expanding with the rise of UN involvement in economic and social development in the 1950s.<sup>231</sup> This type of environment is technical as “the specialized agencies have been emphatically urged to concentrate their activities in fields where they have a clear competence and a definite comparative advantage”. Moreover, “the specialized agencies have also been put on notice that their participation in the essentially administrative aspects of technical cooperation must decline and that project execution will increasingly be the responsibility of national authorities. The agencies will be called upon to revert to their true role: providing technical guidance and policy advice within their own core mandate.”<sup>232</sup>

This point echoed one of the main conclusions from an extensive research project of the United Nations system - the UN Nordic Project. One of the studies dealt with the specialised agencies, including the ILO.<sup>233</sup> Among the recommendations, the study highlighted a strengthening of the normative role of the agencies, a restoration of the analytical capacity, a change of the negotiating machinery in the direction of stronger concentration on the core mandate and a clearer perception of the continued relevance of the agencies to the industrialised countries. The study found that the agencies were by and large viewed as aid agencies dispensing technical cooperation to developing countries and that this focus of effort had hurt the other functions of the agencies. As we noted above, the OECD had assumed a much higher policy influence role among the industrialised countries, even within sectors that previously ‘belonged’ to the ILO, such as social security. We shall return to the issues regarding technical cooperation in chapter 8.

This point was not lost on the ILO as “the call for comparative advantage and core competence from the donors “will require from the ILO the firmness to avoid

---

<sup>231</sup> See chapter 8 for more details.

<sup>232</sup> ILO, *Defending Values*. 82.

<sup>233</sup> Gus Edgren and Birgitte Möller, “The Agencies at a Crossroads. The Role of the United Nations Specialized Agencies,” in The Nordic UN Project, *The United Nations. Issues and Options*, (Stockholm: Almqvist and Wicksell International, 1990), 116-178.

seeking or accepting involvement in projects, however worthwhile intrinsically, which are on the edges of its competence and which only marginally or indirectly pursue its specific objectives. It will equally require from donor agencies and member States the restraint to avoid pressing the ILO to join in the implementation of projects, however meritorious, to which it can make no technical contribution.”<sup>234</sup> While this is substantially sensible, there a number of reasons why this has not happened and is not likely to happen, which we will get to below.

Two key words which can be extracted from the above are core mandate and comparative advantage. Comparative advantage has to do with the services the organisation renders and their relevance, timeliness and effectiveness in relation to customer needs. Core mandate, on the other hand, has to do with the main tasks an organisation is mandated to do. The issue of *comparative advantage* is an issue in the technical environment, (services) while *core mandate* is an issue belonging in the institutional environment (objective). They are, however, not de-linked as it follows that a focus on its core mandate, assuming it is significantly distinct from that of other organisations, would give it a comparative advantage in selling its services or products to customers. Or so it may be thought.

As we saw from the report above, the core values, basically the set of international labour standards, was very much reaffirmed by the report. The basic means of action, tripartism, was also reaffirmed. Briefly, the report emphasized institutional continuity, anchored in the ILO constitution. In other words, the report reconfirmed the official ILO ideology. The expected disclaimer was that the vision and mission would have to be adapted to current circumstances, but the report left no doubt that it was as relevant and adaptable as ever. But how can the core mandate be translated into comparative advantage? That will be a subject for later chapters, but here we shall highlight two significant initiatives that speak to both.

The 1997 Report of the Director-General brought up the issue of standard-setting

---

<sup>234</sup> ILO, *Defending Values*, 85.

in the context of globalization.<sup>235</sup> Some principled parameters were suggested. First, “comparative advantage linked to a certain level of wages or social protection is legitimate, particularly if it is a factor of economic growth - and thus, by extension, of social progress”. Second, “there is (...) a minimum programme that each (member) should try to achieve”, which in addition to the fundamental rights of workers, would include certain “workers’ clauses” relating to wages, hours of work and weekly rest. Third, “over and beyond this “minimum programme”, all workers in a country, and not only those working for the world market, should be able to have a fair share of the fruits of globalization”.<sup>236</sup>

On this basis, a legal instrument might be devised in the form of a Declaration or a Recommendation with suitable follow-up procedures. However, a legally binding instrument in the form of a Convention was not recommended. One instrument was already available in the form of the non-binding *Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy* with its regular reporting procedures. One suggestion in order to go beyond the Tripartite Declaration would be to attach a binding optional clause on code of conduct whereby progressive enterprises would be awarded with a “social label”.<sup>237</sup> The issue of labelling of products so as to ensure customers of “ethical” conditions of manufacturing was, however, an option the ILO could not wholeheartedly endorse as it singled out the export sector for selective focus whereas the ILO saw its role as monitoring labour in general, whether in the export or domestic sector, in the formal or in the informal sector. If labelling were to be seriously entertained, the ILO’s chosen approach was to go in the direction of a Convention, voluntary in character and allowing for inspection to verify whether a social label was justified.

The discussions held at the International Labour Conference in 1997 concluded with the decision to prepare an agenda item for next year’s conference on the adoption of a Declaration of Fundamental Rights and it was up to the Governing Body to prepare a draft of the Convention. This was discussed at the GB meeting

---

<sup>235</sup> ILO, *The ILO, Standard Setting and Globalization*. Report of the Director General. International Labour Conference. 85th Session 1997 (Geneva, 1997).

<sup>236</sup> ILO, *Standard Setting*, 23-26.

<sup>237</sup> ILO, *Standard Setting*, 27ff.

in November 1997.<sup>238</sup> The decision was made to go for a declaration as it would be legally non-binding and could be argued to be a commitment that followed from membership of the organisation. Similarly to the Universal Declaration of Human Rights, an ILO Declaration would create a commitment among members to promote the principles and to receive whatever type of assistance might be needed for that purpose. Differently from Conventions which created specific legal obligations, monitoring of the implementation of the Declaration would be by documenting and evaluating trends.

Which were the basic rights that should be covered by the Declaration? These were the following:

- Freedom of Association and Protection of the Right to Organise, 1948
- Right to Organise and Collective Bargaining Convention, 1949
- Forced Labour Convention, 1930
- Abolition of Forced Labour Convention, 1957
- Equal Remuneration Convention, 1957
- Discrimination (Employment and Occupation Convention, 1958
- Minimum Age Convention, 1973.

These were the basic 'human rights' conventions, eventually to be supplemented by the Worst Kinds of Child Labour Convention, raising the number of core conventions to eight.<sup>239</sup> While it was clear that the Declaration would not open up for complaints as in the case of the Committee of Freedom of Association, the Article 19 procedure did offer a legal clause for examining progress on the basic rights as all members are required to report on all Conventions when asked to do so by the Governing Body. The basic legal obligation was to submit all adopted Conventions to the competent authority which decided on whether to ratify or not.

---

<sup>238</sup> ILO. *Follow-up on the discussion of the Report of the Director General to the 85<sup>th</sup> Session (1997) of the International Labour Conference. (a) Inclusion on the Agenda of the 86<sup>th</sup> Session (1998) of the International Labour Conference of an item concerning a Declaration on workers' fundamental rights* (Geneva, GB. 270/3/1, 1997).

<sup>239</sup> On the adoption of the Worst Kinds of Child Labour Convention, see ch.9 below, both for the *travaux préparatoires* and ILC discussions.



Ratification is entirely a voluntary affair. Using the Article 19 procedure was considered a way to assess the possibilities for ratification as well as constraints against it.

In the March 1998 meeting of the Governing Body, a draft text of the Declaration was presented for discussion. One sensitive point concerned possible discrepancies arising out of the relationship with international trade and the paper specified that the Declaration “should not serve as a basis or pretext to anyone to fail to comply with obligations by which they are bound under the multilateral trade system”.<sup>240</sup> This was to acknowledge that the ILO did not have a formal competence on matters of liberalisation of international trade, but also to assuage fears that the Declaration could be a pretext for protectionist policies.

Finally, the draft Declaration was put on the agenda of the 1998 meeting of the International Labour Conference and discussed within a specially designated committee as well as in the plenary.<sup>241</sup> At the end of the session, a vote was put with 273 in favour, none against and 43 abstentions. As the quorum was 264 and the majority was 137, the Declaration and its follow-up was solidly approved. The adoption of the Declaration signalled a return to the basic initial Objective of the organisation, namely the protection and promotion of fundamental labour rights. The Declaration did not concern the multitude of Conventions in general, many of them highly specialised and it did not aim at replacing any of the procedures in place for the supervision of all Conventions. What it did was to supplement existing procedures for a small sub-set of Conventions, regarded as being more fundamental and more important than the others.<sup>242</sup>

---

<sup>240</sup> ILO, *Draft of a possible Declaration of principles concerning fundamental rights and its appropriate follow-up for consideration at the 86<sup>th</sup> Session (1998) of the International Labour Conference* (Geneva, GB.271./3/1, 1998).

<sup>241</sup> See ILO. *Report of the Committee on the Declaration of Principles*. ILC 86<sup>th</sup> Session. (Geneva, 1998). The reports provide detailed transcripts of the discussions both within the Committee as well as within the plenary.

<sup>242</sup> For details on follow-up, see the ILO. *Follow-up Action on the ILO Declaration on Fundamental Principles and Rights at Work*. GB.274/2. (Geneva, 1999). The paper contained draft report forms for each of the four basic rights clusters.

While this can be interpreted as a reconfirmation of the core values of the organisation, it can also be interpreted as a cautionary and defensive move. For one, there was no serious attempt to draft a new Convention that would be more attuned to the new realities of globalisation. Instead the move was to re-emphasize the human rights instruments of long standing, arguing that they are as applicable as ever. While that may be demonstrably true, it does not indicate new and innovative thinking on the part of the organisation.

Secondly, choosing the form of a non-binding Declaration may weaken the legally binding nature of the existing instruments, for which there is a monitoring machinery in place. The establishment of a supplementary monitoring machinery may be regarded as duplicating the existing machinery. Thirdly, focusing on the human rights conventions may draw attention away from the more technical conventions which still have an important role in improving working conditions globally and in effect might possibly serve to weaken them. The use of Declarations instead of legally binding instruments indicates the rising role of soft law as a means of regulation, a trend highlighted in the literature.<sup>243</sup> But the move to soft law may have contributed to weakening its own standards, something the ILO has been criticised for.<sup>244</sup>

The *Decent Work Agenda* represented another signpost of recent changes within the organisation. It was launched in 1999 to coincide with a drastic change in programming which was initiated with the preparations for the 2000-2001 budget.<sup>245</sup> Whereas programming and budgeting was hitherto based on 39 separate activities/budget lines, programming was now to be done according to strategic objectives. In brief, these objectives were;

---

<sup>243</sup> See Ulrika Mörth (ed.), *Soft Law in Governance and Regulation*. (Cheltenham, UK,;Edward Elgar, 2004 and Göran Ahrne and Nils Brunsson (eds.), *Regelexplosionen* (Stockholm: Handelshögskolan i Stockholm, 2004).

<sup>244</sup> See Philip Alston and James Heenan, "Shrinking the International Labour Code: An Unintended Consequence of the 1998 ILO Declaration on Fundamental Principles and Rights at Work?," in *New York University Journal of International Law and Politics* 36 (2004), 221-264. The debate is summarised in Steve Hughes and Nigel Haworth, *The International Labour Organisation. Coming in from the cold* (London and New York: Routledge, 2011), ch. 4.

<sup>245</sup> See ILO, *Report of the Director-General. Decent Work*. 87<sup>th</sup> Session of the ILC (Geneva, 1999).

- fundamental principles and rights at work (see above);
- employment and income opportunities for women and men;
- social protection; and finally,
- social dialogue and tripartism.<sup>246</sup>

As the report argued, “(d)ecent work means productive work in which rights are protected, which generates an adequate income, with adequate social protection. It also means sufficient work, in the sense that all should have full access to income-earning opportunities”. Three of the four objectives can be easily inserted into the definition and the fourth and last is a primary means towards reaching the other three, though intrinsically important as well.

Within each strategic objective, the ILO envisaged a set of so-called In Focus programmes. For the first objective, promotion of the Declaration and the elimination of child labour were suggested; for the second, small-enterprise development and investing in knowledge, skills and employability and reconstruction and employment-intensive investment; for the third, social insecurity in Eastern Europe, basic social protection in low-income communities, economic and social security in the twenty-first century and SafeWork - Security and productivity through safety and health at work; and for the fourth, not unsurprisingly, strengthening social partners. None of these items were new. They were well-known items from decades of ILO technical co-operation, but putting them in terms of strategic objectives might give an appearance of prioritisation, at least formally.

But if the response is unsurprising, the environment for technical co-operation has shifted drastically, as the report identified four phases in the evolution of technical co-operation:

- 1919-48 - focus on standard-setting, industrial relations and social security;
- 1948-68 - greater operational emphasis;
- 1969-89 - peak of technical co-operation;

---

<sup>246</sup> The implications for programming and budgeting will be examined in the next chapter.

- 1989-99 - shift away from projects towards policy advice and institution-building.

These phases correspond roughly to the four phases we have adopted for our overview; first, the period of work with mainly industrialised countries; secondly, the expansion into developing countries alongside other agencies of the UN and with UN funding; thirdly, the World Employment Programme and the unsuccessful adoption of a developmental perspective and finally, retreat to the classic normative foundation with IPEC the main operational activity; drastic reduction in UN funding, more reliance on multi-bilateral funding (entirely so for IPEC) and more knowledge-based advice in line with recommendations from independent analysts.<sup>247</sup>

The Decent Work Agenda has been the recurrent focus of ILO action from 1999 onwards and recent efforts have looked at ways and means of strengthening it by building the capacity of the organisation. Decent Work was the subject of the Director General's Report to the International Labour Conference in 2001 and again in 2008 linked to an on-going discussion of ILO capacity-building.<sup>248</sup> The 2008 report was written against the background of global economic down-turn and against what the report called the "financialization" of the economy, whereby great pressure has been put on productive companies' quarterly results, encouraging short-term tactics to boost earnings instead of medium-term productive investments. This has led to inflated profits and earnings and to resources being siphoned off the productive economy with large-scale speculation by financial institutions on pyramids of non-transparent paper transactions, all to the detriment of the real economy. As one manager would have it: "Real economic growth is created by value-added production. You cannot create economic growth by trading pieces of paper." A lesson that presumably has to learnt again (and again).

---

<sup>247</sup> See the reference to the Nordic UN project above. We will examine the shift in financial support and its impact on activities in chapter 8.

<sup>248</sup> See ILO, *Report of the Director General. Reducing the Work Deficit: A Global Challenge*. ILC 89<sup>th</sup> Session (Geneva, 2001) and ILO, *Report of the Director General. Decent Work. Some Strategic Challenges Ahead*. ILC 97<sup>th</sup> Session (Geneva, 2008).

While the economic situation would seem to call for the agenda offered by the ILO, its own economic situation was not too rosy. Its regular budget had been under “zero growth” in real terms for more than two decades and its share of core- and non-core contributions to the operational activities of the UN system at large was just under three percent. With those realities in mind, it was not surprising that the most recent discussions within the Governing Body as well as at the International Labour Conference has revolved around capacity-building, both of the Members and of the Organization, particularly on how to promote and strengthen the Decent Work agenda.

One significant step in that direction was the adoption in 2008 of the ILO Declaration on Social Justice for a Fair Globalization.<sup>249</sup> The Declaration followed on from the previous 1998 Declaration and the 1999 launching of the Decent Work Agenda with the purpose of advancing the Agenda across the entire range of ILO activities, from standard-setting to technical advisory services. It entailed another reporting procedure in the form of cyclical reviews (on top of and adding to the reporting under the 1998 Declaration), leading some Members to worry about over-burdening of reporting obligations. The 1998 Declaration’s follow-up mechanism was annual global reports on one of the four clusters of basic rights while the 2008 Declaration will similarly be followed up by annual reports on one of the four strategic objectives, not counting already existing reporting obligations for ratified and unratified Conventions.<sup>250</sup>

Furthermore, the strategic objectives have to be translated into a working programme for a specified term, and this has been done by way of strategic policy frameworks for periods of six years which are then ‘disaggregated’ into biannual programme and budget documents. In a Governing Body document from March 2009, these objectives have been ‘operationalized’ by using the well-known tools of log frame analysis with projected outcomes, baseline data, targets and indicators. All in all, 19 outcomes were projected plus another two on internal resources and

---

<sup>249</sup> ILO. *ILO Declaration on Social Justice for a Fair Globalization*. Adopted at the International Labour Conference at its Ninety-seventh Session (Geneva, 2008).

<sup>250</sup> On the logistics, see ILO. *Declaration on Social Justice for a Fair Globalization. Preliminary implementation plan*. GB.303/SG/DECL/2. (Geneva, 2008), paras. 14-27.

management.<sup>251</sup> However, ILO is facing a situation in which larger and larger parts of the budget are coming from so-called extra-budgetary resources, meaning funding specifically earmarked for operational activities and largely from individual country donors and not from the UN system itself. It means that a large part of the resources are outside the control of the Governing Body, whether they come from other multilateral sources or from individual donors. Many of the members on the Governing Body also happen to be donors. The regular budget and the extra-budgetary resources are the topics for the next two chapters.

The naming of the Decent Work Agenda hints strongly at the normative underpinning of the agenda. In earlier times, the objectives and activities were described in neutral, technical terms such as employment promotion, vocational training, management development, working conditions, social security and so on. Introducing the concept of decent work not only makes the underlying normative mission more explicit, but also represents an overall conceptual framework for all the activities of the organisation, not the least its technical assistance programme.<sup>252</sup> It is a way of *recoupling* the organisation, integrating the totality of its activities under one overall framework. How well that has succeeded is the subject for the coming two chapters where we will investigate the programming of its regular and its extra-budgetary resources.

## 6.7. Conclusions

In this chapter we have looked at the mandate as it has been interpreted over four consecutive periods and found that in the first period the organisation did not change in any noticeable way as the agenda was still set by the group of

---

<sup>251</sup> ILO. *Strategic Policy Framework 2010-15. Making Decent Work Happen*. GB.304/PFA/2(Rev.). (Geneva, 2009).

<sup>252</sup> "Decent work" can also be seen as an idea that nobody can reasonably disagree with, but also one that is terminologically vague and difficult to measure. That may have been the intention all along, as the Organisation resisted suggestions for measuring performance against goals. See Guy Standing, "The ILO: An Agency for Globalisation," *Development and Change*. 39, no. 3 (2008): 370-371.

industrialised countries that were there from the inception. The second phase saw incremental growth through an expansion of the technical environment. This is very much due to the advent of the United Nations and to the rapid emergence of new independent states on the international scene and the new emphasis on promotion and the need to adapt to remain relevant. The third phase, one of turbulent non-growth, sees the latent contradictions coming to a head with a stronger pitting of the joint industrialised countries against the demands of developing nations. For learning to have taken place, the new situation would have forced a rethink of both the means and values of the organisation. But in a conflict between the ideology of the structure and the ideology of the programme, the structure (or the institutional environment) prevailed. For the fourth period, we see a period of consolidation on the foundational mandate, highlighting standard-setting and tripartism as its distinct features and working towards a tighter linkage between these features and the technical co-operation programme, primarily through the Decent Work Agenda. However, there has been a serious debate on whether the Organisation has not retreated on its main mandate, standard-setting, by its new focus on *core* labour conventions and thereby disregarding the interdependence of the entire body of standards.

What is distinct about the organisation and what constitutes its comparative advantage in relation to other organisations - is its normative basis and its tripartite structure. But how well that advantage translates into operational advantage in the field shall be investigated in chapter 10.

The lesson learnt over the period appears to be that it's best to stick to what it has been doing all along rather than to radically revise the mandate and operations and to venture into uncharted waters. If there have been efforts at rethinking the mandate and revise the main principles, then the conclusion is that it was not worth the effort and that it was best to continue along the well-trodden path, to keep a watchful eye on the social dimensions of development and to continue to stand up for the general principle of social justice.

The main question was whether the organization has been adapting to changes in

the environment by changing means, but not ends, whether it has been learning by both changing means and ends or whether it has stayed the course by keeping both means and ends unchanged. The basic choice has been between regulation by way of legal treaties in the form of international labour standards or developmentalism by positing economic growth as the main engine for ensuring material progress and welfare. While there have been adaptations by reflecting the situation of developing countries in operational activities and while there have been attempts at learning by revising ends in terms of the tenets of economic development, as seen from the basic needs strategy, the time-line seen in total leads us to the conclusion that the ILO has stayed the course. The basic means these days do not differ substantially from those in the early days and the ends remain the same, which can be seen from declarations and statements stressing the continuity of the mandate and its implication for action.

Why is that so? One answer may be that an organization with a strong normative and institutional framework does not change easily. Another type of organization, more oriented towards the technical environment in terms of providing services may change more easily depending on the wishes, needs and demands of the clients. The World Bank may be a type of organisation that fits this description and can change according to the preferences of the clients and the funding sources.<sup>253</sup> But its normative framework is quite different and its means can be disposed in all kinds of ways provided that the resources can be productively and profitably invested. A bank can choose to buy into labour regulation or social security or it can choose not to. An organisation with a strong normative and institutional framework does not have the same degree of flexibility.

It may look as if the historical institutionalist perspective has been vindicated by the time-line presented in this chapter. The perspective says that initial decisions tend to have a lasting impact on the structure and operations of the organisation. This is encapsulated in the concept of path dependence and in the assumption that

---

<sup>253</sup> See Haas, *Knowledge*, ch. 7, for cases of successful and unsuccessful learning. It should be borne in mind that adaptation is not necessarily worse than learning. The latter has to do with cognitive adaptation and the former with adapting means to fixed cognitive ends.



change is most likely to happen through external shocks and processes of re-equilibration towards a new punctuated equilibrium. To some extent that is true, because there have been external shocks, as for instance World War II, the Cold War and US departure in the 1970s, but none of these shocks have had a drastic effect on the organisation in terms of changing its overall mandate. Adaptations and alignments over the years have made it a different organisation today than what it was initially, but changes have been gradual rather than abrupt. While the organisation may stress continuity, differences in the environment require continuous adaptation which may impact the core mandate as well as operations. Changes have been incremental at best, demonstrating that the organisation has been able to handle rough weather fairly well or at least well enough to survive. And differences in the environment have been reproduced as differences within the organisation with regard to its ultimate mandate. We have selected to focus on the twin mandate of regulation and developmentalism and the relative balance between the two over the entire period. There were others tensions, notably those between the west and east during the Cold War and between the North and South with regard to negotiations for a New International Economic Order, but these were ultimately temporal tensions which by and large had disappeared by the end of the 1980s.

Having detailed continuity and changes in mandate over the long term, we shall now proceed to look at the supply of resources which enable the organisation to carry out its mandate. This shall be done first with regard to the regular budget and then with regard to extra-budgetary resources financing the technical cooperation programme.

## 7. The Institutional Environment of the International Labour Organisation: Programming and Budgeting

### 7.1. Introduction

This chapter and the following are concerned with organisational priority-setting and with the expectations of members and of customers and clients. A key question is whether expectations are in any sense coherent and thus can provide the organisation with a clear agenda for setting priorities. In order to answer that question, I shall have recourse to some central concepts from organisation theory.

These concepts from organisation theory purport to explain the nature of relations between organisations and their environments. Two key concepts in this regard are those of technical and institutional environments. Much research is currently being done on this interrelationship, in Scandinavia and elsewhere, but very little, unfortunately, on *international* organisations.<sup>254</sup> The attention has been mostly on national and local organisations within the public sector, though research is branching out to private organisations, profit or non-profit.

Secondly, the focus will shift from policy documents to programme and budget documents and the project portfolio. The bi-annual programme and budget proposals allow for a view of the workings of the institutional environment, the tripartite constituency of governments, employers and workers. Similarly, information on the development projects of the ILO may throw light on what I have called the technical environment, the donors and clients of the ILO, but the border between these two compartments may not be crystal clear. That will be the subject of the next chapter.

---

<sup>254</sup> Note, however, Göran Ahrne and Nils Brunsson, *Meta-organizations* (Cheltenham UK: Edward Elgar, 2008). These may be international organisations, but can also be apex organisations at the national level.

## 7.2. Institutional and Technical Environments

In chapter 3.3, we identified organisations as follows; “organisations are systems of interdependent activities linking shifting coalitions of participants; the systems are embedded in - dependent on continuing exchanges with and constituted by - the environments in which they operate.”<sup>255</sup> It may be asked what exactly is an environment and how do we fix the boundary between an organisation and its environment? One answer is that the environment is what the organisation interacts with that is not a part of the organisation, but affects the organisation in various ways. This has in the literature been defined as the *organisational set*.<sup>256</sup> The set is the various partners the organisation interacts with depending on its role and the expectations of the partners. The environments would in this sense be the members of the organisation and secondly, the customers and clients of the organisation.

It may perhaps be surprising that the members of an organisation should be defined as belonging to its environment, but it has to be kept in mind that the members are in this instance not the employees of the organisation, but the employers. They provide the funding through their contributions in order to enable the Office to carry out the work assigned to it by the members. The members are also its customers and clients, indicating their double role as overseers and monitors on the one hand and users of services on the other. This hints at another key concept as there may be diverging opinions about what constitutes *the organisational domain*, the claims the organisation makes as to its area and range of operations.<sup>257</sup>

The definition of an open system indicates that environments are not uniform or hold uniform expectations of what the organisation should do or how it should be

---

<sup>255</sup> See W. Richard Scott, *Organizations. Rational, Natural and Open Systems*. Fourth Edition (Englewood Cliffs, NJ: Prentice Hall, 1998), 26ff..

<sup>256</sup> On organisational sets, see Peter M. Blau and W. Richard Scott (1962), *Formal Organizations* (San Francisco: Chandler, 1962).

<sup>257</sup> On organisational domains, see James D. Thompson, *Organizations in Action* (New York, McGraw-Hill, 1967).

evaluated. In other words, we are speaking of different environments with diverging criteria for goal-setting and evaluating performance. The environment of customers and clients, the users of the services of the organisation, shows that the organisation is faced with a task environment. The task environment, also called the *technical environment*, is an environment where “products and services are produced that can be assessed in terms of their relative cost and quality, giving rise to *outcome controls*. These are the controls that we tend to associate with technical rationality.” The organisation is here conceptualised as a service provider whose survival is dependent on customers and clients to keep operations afloat. Businesses operate in this type of environment. Our argument is that international organisations do so, too. But it is not the only environment in which they operate.

The environment of members, is, as we shall argue, an *institutional environment* which emphasizes “the extent to which the organization is conforming to the norms of formal rationality, the extent to which the appropriate processes are being carried out and suitable structures are in place. The use of these *procedural and structural controls* (emphasis added) is intended to garner legitimacy and to guarantee accountability. In these environments it is more difficult to assess outcomes independently of knowledge of the processes that produced them.”<sup>258</sup> Members are more concerned with the overall goals of the organisation, its procedures and questions of domain than are customers whose main concern is whether the organisations can provide the product or service they desire at the right price and at the right quality. It should be borne in mind that environments have to do with different sets of expectations and that these can be borne by overlapping categories of representatives, depending on their roles in relation to the organisation.

International organisations are faced with both types of environments and research has come up with different answers on how to grasp the interaction of organisations with their various environments. Theories may purport to explain organisational responses to the environmental influences at different levels. The trend in research is more and more to look at the organisation as a whole or groups

---

<sup>258</sup> Scott (1998), *Organizations*, 136.

or populations of organisations by employing criteria such as location, sector or function. One example of a theory at this level is the argument of Meyer and Rowan that “organizations responding to institutional pressures will be inclined to selectively decouple their formal structures from the activities carried on in their technical core. The rationalized myths that provide meaning and legitimacy to the formal structure do not provide clear guidelines for technical activities.”<sup>259</sup> On this account, there is no direct, logical connection between what the organisation says it does and what it actually does, but the connection is still “virtually” necessary for purposes of legitimacy.<sup>260</sup>

Common to these various theories are that environments matter and that they impose different and potentially conflicting demands on the organisation. Organisations can therefore not be rational in the usual sense of high formalisation and unitary goal structure, but they may still have a variety of mechanisms of managing diverging interests and expectation.<sup>261</sup>

We argued above that the ILO is faced with an institutional as well as a technical environment, with members as well as with customers and clients. In the following section we shall make these concepts operational by specifying what they mean in the context of the ILO and what material is available to assess this relation.

In the 1994 report, referred to in chapter 6 above, it was stated that “the specialized agencies have been emphatically urged to concentrate their activities in fields where they have a clear competence and a definite comparative advantage”. Moreover, “(t)he agencies will be called upon to revert to their true role: providing technical guidance and policy advice within their own core mandate.”<sup>262</sup> The terms comparative advantage and core mandate speak to both the technical environment

---

<sup>259</sup> Scott (1998), *Organizations*, 279. The argument was originally formulated in John W. Meyer and Brian Rowan, “Institutionalized Organizations: Formal Structure as Myth and Ceremony,” *American Journal of Sociology* 83, no. 2 (1977): 340-363.

<sup>260</sup> See Nils Brunsson, *The Organisation of Hypocrisy*. 2<sup>nd</sup> Edition. Oslo, Abstrakt Forlag, 2002.

<sup>261</sup> See reference above, but also Nils Brunsson, *The Irrational Organization*. 2<sup>nd</sup> Edition. Bergen, Fagbokforlaget, 1999.

<sup>262</sup> ILO, *Defending Values*, 82.

in that the former deals with the quality of services and the latter with organisational legitimacy.

Further, as we saw above, the ILO response to this change in its technical environment has been, *inter alia*, to stress the linkage between labour standards and technical cooperation so as to prevent that standard-setting and technical cooperation proceed along two parallel (and non-converging) lines. It follows that a focus on its core mandate, assuming it is significantly distinct from that of other organisations, would give it a comparative advantage in selling its services or products to customers. The Decent Work agenda might be an example of such *recoupling*.

### 7.3. The arenas of the institutional and technical environments

One possible way to investigate organisation - environment relations is to find two arenas for the technical and institutional environments. We shall assume that the institutional environment has to do with organisation-member relations and technical with organisation-customer relations. As we noted above, there is not a clear-cut division between being a member and being a client. A state can be a member of the organisation, but also a donor or a recipient. Even employers' and workers' organisations can be both members and donors or recipients. But we tacitly assume that being a member endows one with a different outlook on the organisation than being a client or customer. A member may be more concerned with the totality of the organisation and what it should do. A customer is basically interested in receiving a service or with using the organisation as a service provider. The totality is of much less importance.

There are several arenas in which the members have an active role. The International Labour Conference is one arena in which all members meet to discuss the agenda once a year and the Conference has an important role in adopting new labour standards in the form of Conventions and Recommendations. We shall get to that in a later chapter by examining the process

of adopting the Worst Forms of Child Labour convention and the operational work of the International Programme for the Elimination of Child Labour. This would be another way of seeing whether and how a core mandate on labour legislation can be translated into a comparative advantage in delivering services and more generally, how these two types of environments can be linked.

The arena for making decisions about overall directions and management is the Governing Body. This is composed by a selection of members, some permanently and others on a rotating basis. In addition, there is the permanent representation of the employers' and workers' organisations, a feature missing in the purely intergovernmental type of international organisation. The Governing Body is entrusted with discussing and adopting the biannual programme and budget of the organisation which is the main document on how resources will be spent for the coming two-year period. The final approval is given by the Conference. These documents do not only record the actual budget figures, but also detailed minutes of the discussions of the draft budget.

The discussions of the programme and budget are typically discussions of the tasks of the organisation and how the resources shall be divided between its various departments and programmes. The withdrawal of the United States in 1977 deprived the ILO of close to 25 percent of its budget.<sup>263</sup> The US re-entry in 1980 improved the situation, but the ILO has since then never recovered its former ground. From the mid-1980s the situation is one of zero to negative growth in real terms.

The bi-annual programme and budget discussions of the Governing Body offer an opportunity to investigate priorities, particularly in a situation characterised by zero to negative growth. When the discussions have the features of a zero-sum game, trade-offs between competing objectives are all the more clearer than when the organisation is growing steadily. The literature we referred to in the former

---

<sup>263</sup> For a discussion of the reasons for withdrawal (and re-entry), see Walter Galenson, *The International Labour Organisation. An American View* (Madison: University of Wisconsin Press, 1981), chapters. 4 and 7.

section would indicate the range of strategies an organisation may adopt to respond to environmental pressures of various sorts. As the discussions in the Governing Body also relate to questions of services and their efficiency, the GB cannot be construed as merely concerned with the core mandate.

The proposal is then to investigate the programme and budget from the early 1980s and up to the present date. Up to the end of the 1990s the budget was made up according to programme lines which looked somewhat like this:

- 10 International Labour Conference
- 20 Governing Body
- 30 Major Regional Meetings
- 40 General Management
- 50 International Labour Standards and Human Rights
- 60 Employment and Training

(and further on)

With this system of programme line budgeting it is fairly easy to draw time lines and to measure the relative weight of the various budget lines. Even though some minor changes have occurred in the course of the period, the major programmes remained the same. Table 7.1 shows that the largest increase came with the field operations, clearly indicating that strengthening field presence was a sine qua non for the continued growth of the organisation. This no doubt reflected the fact that the extra-budgetary resources primarily were earmarked for field operations, but also that it was a deliberate policy of ILO Geneva to transfer HQ staff for field duties for shorter or longer periods. It was not as easy as before to serve one's entire career at HQ in Geneva. The resource situation necessitated a stronger field presence, because that was where the money was, or perhaps better, that was where the money would be going – by implementing projects largely financed from external sources.

There was also a relative increase in the relations category. This category



comprises activities for employers and workers organisations, the primary social partners of the ILO alongside governments. Allocations to general policy-making organs (Governing Body and the International Labour Conference) were fairly stable over the period, but there was a slight decline for general management, and a stronger decline for service and support activities. This clearly indicates a tightening of allocations for management and administration. Of more significance is a relative decline in allocations to the technical programmes which might indicate, as we noted above, that more resources were being tied up with managing technical cooperation programmes in the field.

Discussions of the regular budget would proceed along the lines indicated above. There was an initial discussion on the overall budget and then discussion would circle in on the individual budget lines. The sequence of speakers was similarly procedurally regulated; one delegate first spoke on behalf of the employers, then another delegate spoke on behalf of the workers (vice versa), and then a government representative followed. Governments were more or less coordinated. Back in the 1980s the communist bloc would frequently coordinate their speeches and recommendations, but by the turn of the decade that bloc had dissipated and along with it the entire east-west conflagration dating from the 1950s onwards. A delegate was selected to speak for the regional government groups for Africa, Asia and Latin America. The group of Western countries was not coordinated as such, although individual government representatives would carry their own weight on account of their membership contributions to the organisation.

The employers' group generally stressed cost considerations and employment creation through enterprise-friendly policies while the workers' group stressed standards, tripartism and working conditions. Both groups were represented by one speaker only. The government group generally stressed cost considerations and the demand for zero real growth, though the regional groups outside the West would habitually request more allocations to their respective regions. The government group would, however, speak as individual representatives, but from the mid-90s, the Western governments reassembled as the IMEC group with their own representative, although they would continue to speak individually, but

overall aligned with the IMEC position.



As the IMEC group comprised the major donors and the major contributors to the regular budget, they naturally carried a certain clout as we shall see below. They were able to carry through a significant change in budgeting procedures. As we have stated above, legitimacy in the institutional environment is closely tied up with procedures on the assumption that the right procedures will yield the right results. In this sense, the institutional environment differs from the technical environment as in the latter, results are what matter and procedures have only an instrumental value towards this end.

In the following, we shall hone on developments over the last 15 years or so as the organisation has gone through a drastic change in programming procedures. From budgeting line by line, the entire exercise has been turned into one of budgeting by objectives and strategies. This change required an extended analysis to which we turn now.

#### 7.4 From line-budgeting to strategic budgeting

The system of budgeting was to change drastically by the end of the 1990s. In the preparations for the 2000-2001 programme and budget, the guiding elements were now a set of three strategic objectives. They were as follows:

##### Strategic Objective No. 1:

The principles set out in the ILO Constitution related to fundamental rights and to tripartism and social dialogue are widely realized, and the relevant Conventions are extensively ratified and fully applied

##### Strategic Objective No. 2:

Policies and programmes for more and better jobs are effectively implemented

##### Strategic Objective No. 3:

Policies and programmes for the protection of workers are better targeted, more effective and more widely applied

For each strategic objective, the strategic problems were identified and the operational problems and operational objectives specified. Each strategic objective had a sub-set of operational objectives, and in addition to the strategic objectives, there was a set of office-wide objectives which were meant to apply across all three.<sup>264</sup>

These objectives have been slightly modified in later programming documents, such as the strategy for the 2010-2015 period. Social dialogue has now become an objective in itself.<sup>265</sup> What used to be the Industrial Relations Department was abolished in 1999 and has now been subsumed under the slightly vaguer heading of social dialogue. They are now four in all:

- Create greater opportunities for women and men to secure productive employment and decent work
- Enhance the coverage and effectiveness of social protection for all
- Strengthen tripartism and social dialogue
- Promote and realize standards and fundamental principles and rights at work<sup>266</sup>

With this reorientation from programme line-based budgeting to strategic objective-based budgeting has come a programming procedure built on a logical framework model, familiar to anyone acquainted with project design and evaluation methodology. Outcomes are specified, indicators are constructed in order to measure progress and degree of achievement of objectives. Results-based management has become a new catchword within the organization and as seen above, strategies are now extended to cover three full budget biennia.<sup>267</sup>

---

<sup>264</sup> ILO, *Preparation of the Programme and Budget proposals for 2000-01*. GB.273/PFA/7 (Geneva, 1998).

<sup>265</sup> ILO, *Strategic Policy Framework 2010-15 and preview of the Programme and Budget Proposals for 2010-11*. GB. 303/PFA/2 (Geneva, 2008).

<sup>266</sup> See the graph below

<sup>267</sup> ILO, *Preview of the Programme and Budget proposals for 2008-09 and related questions - (a) Strategy for continued improvement of results-based management in the ILO* GB.297/PFA/1/1 (Geneva, 2006).

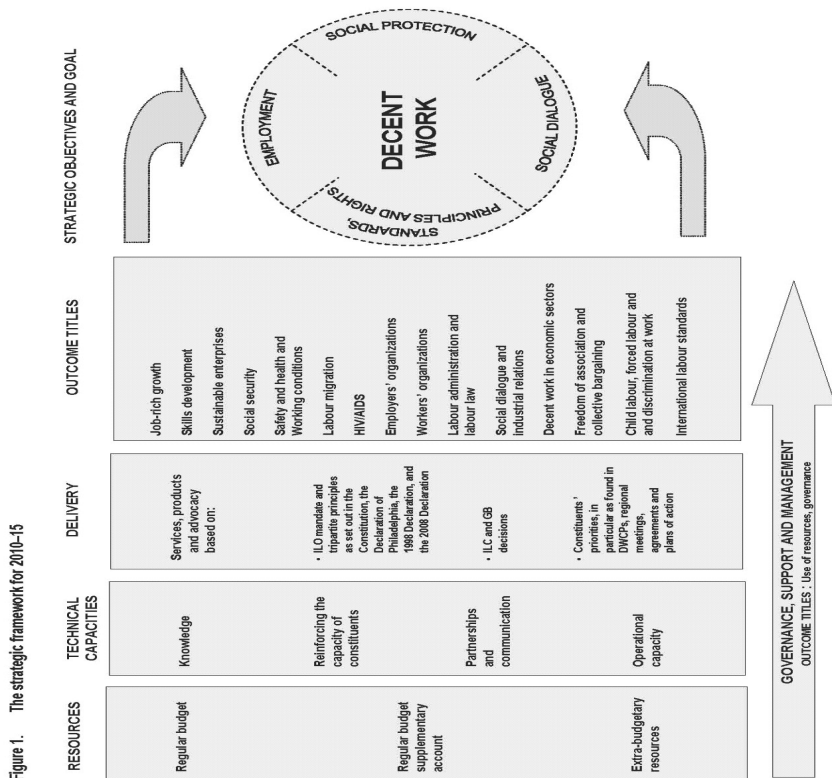


Figure 7.1 The Strategic Framework 2010-15, 17

<i>Logical framework level</i>	<i>Function</i>
Vision and mandate	Clarifies the Organization's aspirations, mandate and comparative advantages
Intermediate outcome	Goals of the Organization's constituents. Determines priorities for ILO action
Immediate outcome	States the expected direct results of the Office's interventions
Indicator	States the criteria or data that can be used to verify or measure achievement of the immediate outcome
Target	For each indicator, states the level of achievement that is expected in a specific time period
Strategy	Provides context for immediate outcomes and explains how they will be achieved
Outputs and activities	What the Office and its staff produce and deliver
Inputs	Resources, including human resources, financial resources and infrastructure

This new programming exercise could of course be construed as a case of old wine on new bottles, leaving the actual operational work more or less untouched by these changes at the management and programming levels. Nonetheless, it does signify a new way of conceiving of organization tasks, more clearly specifying what are the primary objectives and spelling out in more detail what are the means for achieving them and how to measure progress towards these goals. They could be perceived as an initiative towards *recoupling*, tying together disparate activities under a common framework.

In order to explain these changes in the institutional environment, some pertinent questions may be asked:

1. Did the initiative come from the organization itself or from the members of the Governing Body?
2. If the latter, which members specifically and representing what constituency; government, employers or workers or any combination thereof?
3. What were the reasons for proposing these changes? What were the arguments?
4. Was there dissension within the GB? Who were in favour and who were against and for what reasons?
5. What effects have these changes had on programming? Have the resulted in different priorities or doing things differently?
6. Have these changes had an effect on the resource situation in the sense of attracting more funding and if so, from what sources? Have there been any problems faced in implementing these changes? If so, what are they and how have they been resolved?

In the following we shall provide answers to this set of questions. The main source of information is official documents, in particular summaries of discussions within the Governing Body and documents prepared by the ILO for the Governing Body. We are primarily concerned with documents on the programme and budgeting of the Organisation.

With regard to the *origin of the initiative*, it is quite clear that the reorientation did not come from the ILO itself. In the Programme and Budget Proposals for 1998-99, the Director General listed the three main objectives as follows: "support to democracy and fundamental workers' rights; promoting employment and combating poverty; and protecting working people." In order to achieve these objectives, the Office should be a centre of excellence and reference in the field of employment and labour, the focus for the elaboration, implementation and supervision of workers' rights and an organization offering services to all constituents in member Status.<sup>268</sup> The document went on to spell out planned

---

<sup>268</sup> ILO, *The Director-General's Programme and Budget Proposals for 1998-99*. GB.268/PFA/6.2 (Geneva, 1997), 3-4.



activities under individual programme items and resources linked to the programmes. In the document, there was not any method of linking resources directly to the stated objectives or any procedure for prioritising among the main objectives.

In the discussion of the programme and budget proposals, the representatives of the employers and workers did not explicitly address the new way of programming and budgeting. The employers supported strongly employment-generating enterprises and generally called for better evaluation procedures: "What was lacking was the means of checking on the effectiveness of its activities, not in terms of expenditure, but in terms of results, i.e. the outcome of programmes". Noting that the ILO was not a production enterprise in which a sales analysis could be carried out, some way had to be found to assess the impact of ILO activities on the ground.<sup>269</sup>

The workers' representative had no argument with neither of the three major objectives nor with the three strategic orientations. However, there were "serious difficulties in respect of the disproportion of the activities proposed in pursuit of each of the major objectives, and this was compounded by the flagrant imbalance within the activities devoted to one of the objectives, employment and poverty."<sup>270</sup> This flagrant imbalance concerned the distribution of resources whereby 41 per cent was allocated to the promotion of employment and only 27 per cent to the protection of workers. While the workers' group were careful not to oppose employment promotion directly, the focus on enterprises, supported by the employers, contributed to this imbalance. It should be borne in mind that unions organise employees, not the unemployed so the protection of the employed could be presumed to trump the interests of the unemployed in creating employment, though the workers' representatives would probably be careful not to state it in these terms.

---

<sup>269</sup> ILO, *Reports of the Programme, Financial and Administrative Committee*. GB.268/7/3 (Geneva, 1997), paras.12, 14.

<sup>270</sup> ILO, *Reports*, para.20.

If the initiative did not come from the employers' and workers' representatives, it must have come from the government representatives. However, the initiative did not come from the government group as such. Towards the end of the 1990s, a new group came to the fore, known as IMEC (Industrialised Market Economy Countries). It is not entirely clear how this group came into being as there is no mention of it in the GB discussion on the Draft Programme and Budget for 1996-97.<sup>271</sup> In the discussions on the Draft Programme and Budget for 1998-99, the IMEC group appeared as a joint entity with its own speaker, the representative of the government of Canada.<sup>272</sup> The IMEC group had some specific ideas on how the budget was to be set up. The GB needed a "document that elaborated clearly the strategic thinking behind the proposed programme and budget. Such a document needed to show how broad policy objectives were translated into operational objectives, and how the programme activities were presented so that results could be subsequently evaluated. (...) The programme and budget in its current form did not entirely meet these needs."<sup>273</sup>

This idea was echoed by the representative of the Government of Sweden who said that "(f)irstly, the budget proposal should indicate the overall long-term objectives of the Organization. Secondly, the budget document should indicate clearly the programme and sub-programme activities and show how these objectives helped achieve the overall long-term objectives of the Organization. Third, and perhaps most importantly, the objectives established at the programme level should be clearly defined to allow constituents to more easily evaluate and

---

<sup>271</sup> ILO, *Report II. Draft programme and budget 1996-97 and other financial questions*. ILC 82<sup>nd</sup> Session (Geneva, 1995).

<sup>272</sup> Available information suggests that the group originated in the late 1970s in the period of US withdrawal and that it currently coordinates about 35 countries, including most of the EU state members plus US, Canada, Australia, New Zealand and Japan. In other words, IMEC basically coordinates the OECD member countries. For further info, see Peter Nedergaard, "The European Union at the ILO's International Labour Conference. A 'double' principal-agent analysis," in Knud Erik Jørgensen (ed.), *The European Union and International Organizations* (New York, Routledge, 2009), 149-166 and Ailish Johnson, "EU-ILO Relations. Between regional and global governance," in Jan Orbie and Lisa Tortell, *The European Union and the Social Dimensions of Globalization. How the EU influences the World* (New York: Routledge, 2009), 81-97.

<sup>273</sup> ILO. *Reports of the Programme, Financial and Administrative Committee*. GB.268/7/3 (Geneva, 1997), para.36.

monitor them. Fourthly, results achieved in previous periods should be made available in order to allow constituents to evaluate past experience with the current proposals."<sup>274</sup>

Other members of IMEC would line up behind the IMEC representative's statement, or at least implicitly refer to it. The government representative of Mexico, speaking on behalf of the Americas group, also wished to have "a short, strategic document which would be structured according to the implementation of the ILO's objectives for the biennium."<sup>275</sup> The representative of the Russian Federation was mainly concerned with the budget size as such.<sup>276</sup> Russia is a large contributor to the ILO regular budget. The representative of the government of China was basically concerned with the insufficiency of funding for the promotion of employment and the elimination of poverty and with funding of services to the Asian-Pacific region.<sup>277</sup> The representative of the Government of the Islamic Republic of Iran welcomed the suggestions made to facilitate strategic planning, but was concerned that financial prudence might affect technical assistance services negatively.<sup>278</sup> Summing up, the Director General, using culinary metaphors, noted that "over the past eight years the Governing Body had never been quite so hesitant about giving its approval. He realized that the issue was not just one of having some new dishes to digest; it was a nutritional issue, and that was another matter altogether."<sup>279</sup>

Within the government group, it was the IMEC group that most clearly was pushing for reorientation of the programme and budget process towards strategic planning and the linking of objectives to activities. As this group is the major financing source of the organisation as such, it naturally carried a certain and potentially decisive clout in influencing Governing Body decisions. While some government representatives might agree in substance, other representatives did

---

<sup>274</sup> ILO, *Reports*, para. 45.

<sup>275</sup> ILO, *Reports*, para. 54.

<sup>276</sup> ILO, *Reports*, para. 61.

<sup>277</sup> ILO, *Reports*, paras. 70-74.

<sup>278</sup> ILO, *Reports*, para. 88.

<sup>279</sup> ILO, *Reports*, para. 95.

not appear to be as concerned with structure and procedure as such, but more with the actual priorities from the point of view of customers of services and advice. The IMEC is much less an actual user of services than a financing source for services delivered elsewhere, primarily outside the Western countries.

While it was clear that the IMEC group was the primary initiator, we do not know why the group should wish to reorient the programme and budgeting process, considering that there had not been any express dissatisfaction with it previously. We need to know the *reasons* for the proposed change in procedures and what these changes aim to *accomplish*.

As we saw above, the proposals for the 2000-01 programme and budget were now framed as a set of three main strategic objectives coupled with a number of operational objectives with separate sets for each strategic objective. In addition were several office-wide objectives related to policies and action, skills and capacities, programme and management systems and materials and facilities. The November 1998 document noted that “there were a number of calls for greater clarity and fuller detail in the presentation of priorities and activities. The IMEC governments in particular advocated the specification of objectives, outputs and measurable indicators of achievement. Statements by the Employers’ and Workers’ groups and by other governments suggested there was a broad consensus in this regard.”<sup>280</sup> However, one activity may contribute to more than one objective; activities to combat discrimination against women, an important objective in its own right, may also contribute to increasing women’s employment and reducing their poverty. The Office viewed the reorientations as providing a more “transparent” view of the Programme and Budget proposals.<sup>281</sup>

In the discussion on the proposals, the Employers’ group found that “the new presentation was difficult to read and did not fulfil the hope of greater transparency, inasmuch as there was little real evidence of a new approach in the

---

<sup>280</sup> ILO, *Preparation of the Programme and Budget proposals for 2000-01*. GB.273/PFA/7 (Geneva, 1998), para.14.

<sup>281</sup> ILO, *Preparation*, paras. 19 - 20.

document.”<sup>282</sup> The representative of the Government of the United Kingdom welcomed the structure of strategic and operational objectives, but found that it “represented to a great extent the status quo.”<sup>283</sup> The IMEC members were satisfied that “the strategic and and sub-programme objectives reflected the core mandate of the ILO, and were stated in terms of anticipated results”, but suggested adding a fourth strategic objective by splitting the first into two separate ones; one for fundamental rights and principles at work and another for social dialogue and labour relations, thus accommodating the Workers’ group’s request for more prominence given to this objective.<sup>284</sup> The Government of Japan suggested a fifth objective, by assigning a separate priority to improvement of working conditions which had been subsumed under the employment objective.<sup>285</sup>

However, as it turned out, the four strategic objectives as enunciated by the IMEC group were the ones that were ultimately decided on. The proposals contained a list of technical meetings and so-called action programmes from which delegates could select their favoured ones. A number of delegates did so, but the IMEC group did not want to indicate any preferences at this time on either action programmes or technical meetings.<sup>286</sup> By the time of the next version of the proposals in March 1999, the strategic objectives had been extended to four, and the action programmes had disappeared, replaced by so-called In Focus programmes, indicating that the IMEC group may again have exerted a decisive influence.

The March 1999 proposals were very much an intermediate type of document as it was split in two parts, volume 1 containing the strategy and orientation and volume 2 the programme descriptions and budgetary information, following the earlier format of the biannual programme and budget. In the discussions, it became quite clear that the old format had outlived its purpose and was

---

<sup>282</sup> ILO. *Reports of the Programme, Financial and Administrative Committee. Third Report: Preparation of the Programme and Budget proposals for 2000-1*. CB.273/7/3 (Geneva, 1998), para. 12.

<sup>283</sup> ILO, *Reports*, para. 64.

<sup>284</sup> ILO, *Reports*, para.23.

<sup>285</sup> ILO, *Reports*., para.34.

<sup>286</sup> ILO, *Reports*, para.25.

“gracefully retired” for the next round of discussions in the November 1999 session of the Governing Body. The structure was again to tie a number of operational objectives to the general strategic objectives. Eight so-called InFocus programmes were listed, presumably as concrete examples of the strategic and operational objectives in order to show how they could be implemented in practice.<sup>287</sup>

But these advances did only go part of the way towards the full adoption of the strategic approach. What remained, according to the IMEC representative, were “further articulation of specific targets, clear outputs and measurable performance indicators for the objectives” and the “continuous process of monitoring, assessment and reporting” which would allow for “formulation, expansion, reduction and elimination of programmes and activities on the basis of lessons learned from internal and external evaluations.”<sup>288</sup> The latter was also emphasized by the representative of the Government of Sweden who said that “the very foundation for a strategic budget concept was a well-functioning evaluation, monitoring and reporting system” which was an important part “in the process of reforming the ILO to one that was results-based and not volume- or procedure-based.”<sup>289</sup>

The next step in the process was to set up a programme and budget proposal which would not only contain first and second order objectives, but also specified targets and performance indicators in order to determine to which extent the targets had been achieved. The Office admitted that “the process of developing indicators and targets has been a difficult process. An indicator is a measure or a test of whether progress is being made towards achieving an objective. A target is a desired value of the indicator at a particular point in time, or in other words a measure of how much progress should have been made towards meeting the objective by a specific date (...) Not all objectives lend themselves to this type of measuring and more complex indicators and targets are necessary (...) For some

---

<sup>287</sup> ILO. *Programme and Budget Proposal for 2000-1. Volume 1. Strategy and Orientation*. GB.274/PFA/9/1 (Geneva, 1999).

<sup>288</sup> ILO, *Programme*, paras.30-1.

<sup>289</sup> ILO, *Programme*, para. 71.

indicators no targets are proposed. Either baseline data do not exist to establish a target or the cost of acquiring the data would be exorbitant. Outputs will have to serve as a rough proxy for indicators.”<sup>290</sup>

Where complex policies were concerned, targets may be excessively difficult to specify. To give an example, Strategic Objective no.3 was to *enhance the coverage of effectiveness and social protection for all*. Four operational objectives were given under this strategic objective, one of which was the scope of social security systems. Specifically, “(m)ember States broaden the scope and the instrument of social security systems (including the informal sector and the working poor), improve and diversify benefits, strengthen governance and management, and develop policies to overcome financial constraints.” The performance indicator was “(r)eduction in the level of aggregate budget deficits of schemes to which ILO assistance has been provided.” And the appropriate target was “to be defined.”<sup>291</sup> In this case, the appropriate performance indicator was well beyond ILO control and influence and given these realities, specifying a target might be arbitrary, to say the least.

For similar exercises, targets could only be indicated after baseline data had been generated in order to assess to which extent ILO interventions made a difference, but in the absence of such data, not much of significance can be said. But even the presence of baseline data may not solve attribution problems. Another performance indicator for the above operational objective was “the coverage of benefits of social security schemes where ILO assistance has been provided.” The problem was not only establishing an association or correlation, but also a causal direction in which it could be argued with some degree of confidence that ILO assistance was essential in contributing to tangible changes in the coverage of benefits and under which conditions it was essential.

Attribution problems of a different sort also cropped up for another operational

---

<sup>290</sup> ILO, *Programme and Budget Proposals for 2000-01: Approval of the detailed budget and further development of strategic budgeting*. GB.276/PFA/9 (Geneva, November 1999), para.9. For more on indicators, see chapter 10.

<sup>291</sup> ILO, *Programme*, table 11.

objective under the same strategic heading, viz. "ILO constituents are able to analyse the different aspects of economic and social insecurity and are able to formulate policies to combat the adverse effects of insecurity." The performance indicators were (a) "results of the ILO's original research are widely cited and used by policy makers" and (b) "data generated are used to help form policies."<sup>292</sup> Interventions must not only influence policies; they must be *seen* to influence policy, or even more precisely, they must be seen to influence policy decisions in proportion to all other factors seen to influence policy decisions.

With these changes, "the general approach is to shift attention from resource inputs and controls on processes to outputs, outcome measurements and ex post controls."<sup>293</sup> For this, monitoring, reporting and evaluations were tools with which to measure results as against objectives. Impact may also be measured by these tools, though considerably more difficult to establish with certainty. Further work on adapting the programme and budget to the logical framework analysis has been undertaken subsequently, with linkages developed between objectives, strategies, outcomes and inputs.

The discussions in the Governing Body demonstrated how strongly the IMEC group was wedded to this type of thinking as it commended the Office for the "further clarity in the definition and hierarchical structure of strategic objectives, operational objectives, performance indicators and targets", further "the definition of InFocus programmes indicating objectives, goals, strategies and outputs or activities", and yet further "the additional financial information on strategic and operational allocations, line item and object of expenditure, staffing and matrix tables on regional allocations according to strategic objectives."<sup>294</sup>

With regard to the mainstreaming of gender, "it would be necessary to formulate an accountability framework for gender equity that clearly stated corporate level

---

<sup>292</sup> ILO, *Programme*, table 11.

<sup>293</sup> ILO. *Programme*, para.156.

<sup>294</sup> ILO, *Reports of the Programme, Financial and Administrative Committee. Third Report. Programme and Budget Proposals for 2000-1*. GB.276/9/3 (Geneva, November 1999), para. 15.



objectives, targets and responsibilities.”<sup>295</sup> The group supported the development and implementation of a information and communications strategy, welcomed the further discussion of a human resource development strategy, noted the need for a substantial upgrading of the accounting and information systems to support the reporting requirements of strategic budgeting and agreed that a Strategic Plan would provide further insights into the key issues underlying the definition of strategic objectives and their interlinkages and would provide a coherent framework for all ILO means of action.<sup>296</sup>

The basic framework was now in place for the programme and budget procedures in the future. There would be strategic budgeting for the immediate as well as the intermediate term; there would be a review of programme implementation; there would be regular evaluations both at project and programme levels. As indicated, the accent would shift from resources and inputs to results and outputs. At this point, it might be appropriate to draw some preliminary conclusions to the questions listed above.

Returning to the question of *reasons* and *justifications* for the change in programme and budgeting, the idea of a *coherent* framework for all ILO means of action might give an answer. Coherence has to do with *inference*, the logical derivation of actions from more or less general statements of intentions and beliefs. It also has to do with *learning* in the sense that lessons learned have implications for future action, either in the sense of adjusting means to given ends or of adjusting ends if these cannot be accomplished by any feasible courses of action.

But what do these changes actually hope to *accomplish*? One ready answer is *control*. The changes were instrumental in securing better instruments of control for the main funding sources, in particular the IMEC group. Under the old system, the main donors could always control the amount of resources going to discrete budget items, but there was no way the funding sources could assess the *cost-effectiveness* of the resources provided. By measuring results against resources,

---

<sup>295</sup> ILO, *Reports*, para. 27.

<sup>296</sup> ILO, *Reports*, paras. 34-38.

there were opportunities for directing resources towards the areas and avenues of action where the most positive results could be expected. More likely, perhaps, there were possibilities for savings where results were not proportionate to the resources invested. Or so it may be thought.

But there are limits to this way of thinking. As we have argued before, in a pure technical environment, the resources will inevitably go where the potential for pay-offs is best in monetary terms or otherwise. But in an institutional environment, considerations of pay-offs will always be constrained by the general strategic objectives of the organisation. A firm may decide to shift its line of production from shoes to electronics, but an organisation like the ILO cannot shift from labour to horticulture overnight. Differently from the World Bank which can lend money for any development purpose, the ILO is constrained both by its mandate and its governance structure.

One frequent argument for the change in procedures was one of *transparency*. Transparency is of importance for purposes of accountability whereby the organisation accounts for what is being done to its governing body which has the essential oversight functions. But these oversight functions may be of most importance to those who pay the bills. Regarding the question of *consensus* or *dissensus* within the Governing Body, a careful reading did not reveal any actual dissension on the programme and budgeting changes, but it did reveal that a number of speakers did not refer to it or did not take an explicit position on it. That does not mean that they somehow disagree, but it does indicate that there may be other issues of equally high concern. The Employer members' representative did refer to the changes and proposed to set up a small tri-partite working group to develop the new system in further detail.<sup>297</sup> The Workers' group representative did not refer to the changes at all in the main speech.<sup>298</sup> The representative of the Government India noted that the new budgeting methodology would improve the quality of programmes but not solve the problem of zero growth.<sup>299</sup> The

---

<sup>297</sup> ILO, *Reports*, para.11.

<sup>298</sup> ILO, *Reports*, para.12.

<sup>299</sup> ILO, *Reports*, para.76.

representative of the Government of China, while endorsing the statements made by the Asia-Pacific group, emphasized social protection, employment, field activities and that the ILO should strengthen, not reduce the technical assistance to the region.<sup>300</sup> The representative of the Government of Denmark thought that as the strategic objectives were conceptually interlinked, they should be integrated in operational terms.<sup>301</sup> While cost-effectiveness was of importance to the main funding sources, the volume of services was of at least of equal importance to those who receive the services. If the ultimate agenda of the funding sources was to save money, then it was bound to evoke concerns among the recipients.

As noted by the Indian Government representative, the *resource* situation was unaffected by these changes. There was no promise of more resources being pledged as a direct consequence of the changes in programming and budgeting. In fact, there was not even a promise of zero growth in real terms, only in nominal terms which did not compensate for cost increases. Furthermore, if the organisation were to be guided by strategic objectives, it could mean that not all extra-budgetary sources of income would be considered relevant to the promotion of these objectives and hence might have to be forsaken.

In fact, the problem of declining regular budget resources had been highlighted by the ILO in a recent document: “the declining real level of the regular budget over a long period, leaving the capacities of the ILO reduced in spite of the growing relevance of its mandate and rising demands from constituents; the continuing stretching of regular budget resources to cover both expanded operational needs and central knowledge and policy functions; the rising proportion of extra-budgetary resources in the ILO’s overall funding, and the uncertainty that dependency on such funds implies for the core action and capacities of the Office (...)”<sup>302</sup>.

If the proportion of so-called extra-budgetary resources were to rise in comparison

---

<sup>300</sup> ILO, *Reports*, paras.85-89.

<sup>301</sup> ILO, *Reports*, para.96.

<sup>302</sup> ILO, *Strategic Policy Framework 2010-15 and preview of the Programme and Budget Proposals for 2010-11*. GB. 303/PFA/2 (Geneva, 2008).

with the regular budget resources, it somehow made mockery of the rationale of activities being guided by strategic objectives. Extra-budgetary resources, meaning all forms of technical assistance, are resources committed by external donors and responding to their priorities and not necessarily those of the ILO.<sup>303</sup> The employers' representative warned against the four pillars taking on an "independent identity," meaning that the strategic objectives should not become a straitjacket that would restrict the degree of flexibility for management to respond to new and unforeseen challenges.<sup>304</sup> But allowing management more leeway in this regard would seem to go against the grain of the new control regime.

With regard to *problems of implementation*, some have already been mentioned. Indicators and targets may be hard to define and may even in certain circumstances be inappropriate as when the representative of the Government of Germany thought that "quantitative targets such as that for the ratification of Conventions called to mind the workings of centrally planned economies because they did not necessarily achieve underlying targets and media targets (...) were equally vague because it appeared underperformance could be concealed through wider publicity."<sup>305</sup> If the changes were to lead to efficiency gains, as many members stressed, it might be somehow odd to conceive of proper motivations in the absence of any sort of reward structure. In a situation of declining real revenue, more efficiency does not translate into an assurance of more funding in the future. On the contrary, expectations were to generate more results for less resources in real terms.

Finally, did these changes have an impact on what the organisation actually *does* or induce the organisation to do things *differently*? Recall that the reframing of ILO activities in terms of strategic objectives did not add anything new to the ILO core mandate as such. All four objectives have been with the organisation from the beginning; the re-framing was just a way of making them more explicit. Secondly, the changes assumed that services will be delivered more effectively, but this

---

<sup>303</sup> The use of extra-budgetary resources is the subject of the following chapter.

<sup>304</sup> ILO, *Reports of the Programme, Financial and Administrative Committee. Third Report. Programme and Budget Proposals for 2000-1*. GB.276/9/3. (Geneva, 1999), para.8.

<sup>305</sup> ILO, *Reports*, para.65.

might be seen as just another case of question-begging, because setting targets and stipulating performance indicators do not prescribe how this is to be achieved and what are the most effective and efficient ways of doing so. In the strategic policy framework for 2010-15, in the section on strengthening governance, support and management, outcome 1 is specified as “Effective and efficient utilization of all ILO resources” and the position to be reached by 2015 is “All ILO’s human, physical and technological resources will be utilized in a more effective and efficient manner”.<sup>306</sup> But targets and milestones remained unspecified.

Similarly, in the section on employment promotion, the expected position by 2015 is that “at least 50 member states have increased capacity to formulate and implement coordinated and coherent policies that prioritize employment generation so that the employment content of growth is higher, the quality of employment is improved and poverty is reduced.” A number of indicators are listed, but for none of them are there baselines stipulated. A number of unnamed countries are enumerated as targets, but we don’t know which ones and why they were chosen. Some indicators call for qualitative assessments and may be hard to quantify - such as integrating employment policies in development frameworks. How much can be attributed to ILO interventions and what about countries able to achieve these objectives without ILO interventions?<sup>307</sup> How can the quality of services be evaluated apart from the measurable ability to reach specified quantitative targets?

While these changes point in the direction of more policy coherence, there are nonetheless a great number of methodological difficulties yet to tackle. These have to do with translating comprehensive policy objectives into meaningful operational objectives.

More considered judgments will have to wait until we have examined the new system in practice over the decade, which will take up the remainder of this

---

<sup>306</sup> ILO, *Strategic Policy Framework 2010-15 and preview of the Programme and Budget Proposals for 2010-11*. GB. 303/PFA/2 (Geneva, 2008), para.91.

<sup>307</sup> ILO, *Strategic*, para.39.

chapter, and examined the regular budget allocations in relation to the extra-budgetary resources, the subject for the next chapter, with a view to assessing the match or mismatch between these two sources in terms of programmatic coherence. What can be said at this point is that extra-budgetary resources are expected to continue to grow in proportion to the regular budget, from about 60 per cent to about 80 per cent. What this would mean in terms of coherence remains to be seen.

Table 7.2 Strategic budget: Expenditure by appropriation line (2000-2014) ('000USD)

	2000-01	%	2002-03	%	2004-05	%	2006-07	%
<b>Policy-making organs</b>	60 896 671	12,9	53 061 438	12,1	65 078 793	12,2	64 013 258	11,2
<b>Strategic Objectives</b>	351 728 503	74,7	329 306 103	75,4	397 926 949	74,6	430 893 089	75,3
Employment	130 005 263	27,6	105 171 484	24,1	125 931 103	23,6	131 934 014	23,0
Social Protection	58 128 262	12,4	57 161 882	13,1	72 717 717	13,6	92 980 468	16,2
Social Dialogue	93 883 233	20,0	109 313 843	25,0	128 511 870	24,1	121 946 511	21,3
Standards	69 711 745	14,8	57 658 894	13,2	70 766 259	13,3	84 032 096	14,7
<b>Management Services</b>	37 694 107	8,0	35 523 576	8,1	45 791 102	8,6	47 375 379	8,3
<b>Other</b>	20 243 879	4,3	18 949 160	4,3	24 459 087	4,6	30 247 809	5,3
<b>Total</b>	470 563 160	100,0	436 840 277	100,0	533 255 931	100,0	572 529 535	100,0
	2008-09	%	2010-11	%	2012-13	%	2014-15	%
<b>Policy-making organs</b>	71 931 510	11,2	70 903 725	10,6	77 464 670	10,4	92 265 395	10,6
<b>Strategic Objectives</b>	475 936 861	74,4	501 937 626	75,3	565 812 975	75,6	655 796 405	75,7
Employment	146 336 447	22,9	154 949 248	23,3	172 486 702	23,1	204 544 935	23,6
Social Protection	96 920 016	15,2	102 252 114	15,3	115 096 221	15,4	132 506 139	15,3
Social Dialogue	139 193 081	21,8	144 654 878	21,7	162 592 742	21,7	186 283 244	21,5
Standards	93 487 317	14,6	100 081 386	15,0	115 637 309	15,5	132 462 087	15,3
<b>Management Services</b>	56 320 405	8,8	57 105 741	8,6	63 175 756	8,4	68 280 474	7,9
<b>Other</b>	35 402 984	5,5	36 341 203	5,5	41 552 707	5,6	50 158 749	5,8
<b>Total</b>	639 591 760	100,0	666 288 295	100,0	748 006 108	100,0	866 501 023	100

Source: ILO Programme and Budget Proposals, 2000-14

Table 7.2 provides an overview of budget allocations following the new strategic budget approach with its main four objectives. The main finding from the table is that actual changes over the period are remarkably few and that the allocations for each objective have been stable. While there were some minor changes over the first half of the period, there has hardly been any in the second half. If the shift towards strategic programming was intended to produce change and higher internal dynamics, it has hardly happened. It seems a fair conclusion to suggest that strategic thinking has not induced the organisation to do anything different or to do anything differently.

The latter is not entirely correct, because the post-2000 changes have introduced an elaborate system of reporting. As recalled above, the four objectives are associated with 19 desired outcomes with a set of indicators under each, numbering 50 in all. These indicators are applied to countries in which ILO is active. A target is set for how many countries are covered by the specific indicator. So, to take an example, under the strategic objective of strengthening tripartism and social dialogue, one indicator under outcome 9, employers' organisations, is the "number of national employers' organizations that, with ILO support, adopt a strategic plan to increase effectiveness of their management structures and practices". The target set for 2015 is 40 and by 2013 the result was 20, in other words half-way through. Under the strategic objective of creating greater opportunities for women and men to decent employment and income, one outcome is that sustainable enterprises create productive and decent jobs. One of four indicators under the objective is the "number of member States that, with ILO support, reform their policy and regulatory frameworks to improve the enabling environment for sustainable enterprises". The target for 2015 is 25 and the result by 2013 is 11.

Other outcomes are more forthright. Under the strategic objective of promoting and realizing standards and fundamental principles and rights at work, two outcomes speak of elimination of forced labour and child labour. The indicators are number of member States that undertake policies and programmes to eliminate these forms of labour in line with ILO Conventions and



Recommendations.<sup>308</sup>

This might look like a rather mechanic exercise or a case of bad positivism. Many of the indicators deal with complex processes of policies, programmes, frameworks etc. which might require a deeper, more qualitative analysis. Under the Strategic Policy Framework, this analysis is reduced to a simple binary of whether a member State or employers' or workers' organisation has done x, y, z or not. The criteria for deciding on what is the case are not clear. Secondly, while the objectives are given as a set of outcomes, the indicators are specified as inputs or outputs. A policy can be an input towards achieving a desired outcome or it can be an output, once it is in place. A policy in itself does not produce an outcome unless it is implemented and evaluated in terms of its contribution towards the desired outcome. Outputs are no substitute for outcomes and even less for impact. Thirdly, a bundle of results at the country level does not say much about whether a given member State is progressing towards a stipulated goal or not. Indicators may have to be aggregated into indexes in order to reduce the level of complexity. The fewer the values, the better it will be to judge the results, not the least for the organisation, its members and its clients. Finally, if indicators are not weighted, it is difficult to state whether some indicators are more important than others. For instance, progress on the human rights Conventions might be seen as more important than progress on others, given ILO emphasis on human rights and on forced labour and child labour in particular.

Some of these issues are known to the ILO. In the latest Strategic Policy Framework document, the ILO admits that "identifying a small number of indicators to track overall progress (on the promotion of decent work) remains a challenge". Further, "aggregation of these results (at country level) does not say much about the depth, quality and nature of the results achieved". Finally, "each outcome should be accompanied by one to three indicators with a statement of risks, assumptions and a baseline. Indicators should measure the extent to which, in qualitative and quantitative terms, ILO-delivered outputs, alone or in

---

<sup>308</sup> See ILO, *ILO programme implementation 2012-13*, GB.320/PFA/1 (Geneva, 2013), Appendix, 53-56.

partnership with other institutions, have contributed to the achievement of a desired outcome".<sup>309</sup> It might be added that indicators, no matter how good, do not substitute for careful analysis, but there seems to be a strong direction in management philosophy towards making everything measurable in one way or the other. The emphasis on results contributes towards measurability.<sup>310</sup>

While this system of objectives, indicators and targets do give an impression of coherence in the sense that it is clear what the organisation intends to achieve during the Strategic Policy Framework period of six years, it is also clear that this type of framework can also become something of a straitjacket. To bind up resources for a longer period means less room for adapting to current challenges, whatever they may be. In order to be more adaptable and flexible, the Programme and Budget Proposals for 2014-15 list eight Areas of Critical Importance for priority action for the current biennium. These are as follows; promoting more and better jobs for inclusive growth, jobs and skills for youth, creating and extending social protection floors, decent work in the rural economy, formalization of the informal economy, strengthening workplace compliance through labour inspection and finally, protection of workers from unacceptable forms of work. These additional objectives are to be achieved by combining outcomes under the former 19 objectives. The methodology for doing all that was not presented. While this may be viewed as an attempt at simplification, it was not clear whether the ACIs would come on top of the 19 objectives or replace them. In the former case it would add to an already unwieldy reporting burden.<sup>311</sup>

However, some further light was thrown on this matter in the very latest programming document.<sup>312</sup> This document was drafted for ILO programming to be aligned with the new UN programming framework of four years (down from

---

<sup>309</sup> ILO, *Strategic Policy Framework*, GB.320/PFA/3 (Geneva, 2014), 3f.

<sup>310</sup> For more on indicators, see chapter 10.2

<sup>311</sup> See the proposals in ILO, *The Director General's Programme and Budget Proposals for 2014-15*, GB.317/PFA/1 (Geneva, 2013) and ILO. *Draft Minutes. Programme, Financial and Administrative Section*, GB.317/PFA/PV/Draft (Geneva, 2013), in particular Appendices 1 and 2.

<sup>312</sup> See ILO, *Draft transitional strategic plan for 2016-17 and preview of the Programme and Budget Proposals for 2016-17*, GB.322/PFA/1 (Geneva, 2014).

six) from 2018 onwards. A four year programming framework might open for more flexibility as resources are tied up for a shorter period. The new feature is that the 19 former objectives are now defined as 10 policy objectives and that the eight areas of critical importance are now redefined as policy objectives as well, collapsing the first two into one and adding ratification and application of international labour standards, promoting fair and effective labour migration policies and strong and representative employers' and workers' organisations to the previous eight. Five cross-cutting strategies are added; international labour standards, social dialogue, gender equality and non-discrimination, end to poverty and just transition to a green economy. Again, looking at the list, one may wonder what is new, possibly with the exception of the very last policy outcome. Having representative employers' and workers' organisations are more than a policy outcome and more like a principle one would think. And the same could be said for ratifying and applying international labour standards.

For each policy outcome, three indicators are to be developed; one for policy and legal frameworks, one for service delivery and one for knowledge and analytical capacity. While the number of indicators will drop, constructing them does not look easier than under the former strategy. Whether all of this will amount to anything more than a reshuffling of cards remains to be seen.

Even though the whole Strategic Policy Framework is said to be results-oriented, it seems fair to conclude that it is as procedural as any previous framework. It believes in a rational, logical model of how to operate in the world and in a reality out there that can be structured in this way. In the process towards more rationality, it has created a system that looks unwieldy, counter-productive, and exceedingly rigorous. It seems that both the organisation and its members have come to the same conclusion and see a need for simplification which makes one wonder why it was created in the first place. It does not appear to have made the organisation do anything different or do any thing differently or made any substantive difference in terms of priorities. As we saw, allocations under each strategic objective remained by and large unchanged throughout the entire post-2000 period. And good results in themselves do not seem to have raised extra

resources for the organisation as zero growth, sometimes even in nominal terms, is the preferred option for the largest contributors. If more coherence were the objective, then it may look more coherent on the surface, but not underneath where hardly anything of substance has changed notably. Savings appear to be a stronger motivation than expansion of activities based on clearly defined priorities. The option for growth is in the other environment of technical cooperation. To that we now turn.

## 8. The technical environment: Extra-budgetary resources and technical cooperation

### 8.1. Introduction

The last chapter discussed the *institutional* environment of the ILO. The argument was that *procedural and structural controls* associated with notions of formal rationality are essential to garner legitimacy and to guarantee accountability. For the institutional environment, processes and procedures are of utmost importance for the organisation to be accepted and supported by its environment. The environment in this sense was its governance structure, represented by the Governing Body, the executive arm of the organisation. Of course, the governance structure can be argued to be part of the organisation and not part of the environment, but it represents the organisation's constituency and hence channel the expectations of the constituency into the organisation. The Governing Body has the responsibility to approve the budget and to determine how the resources of the organisation are to be used in broad terms. The Governing Body does not and cannot decide on every minute detail in the budget, but it can exert influence on how resources are to be divided among the general tasks the organisation is entrusted to perform and to indicate what should be its priorities (and what should not).

For the technical environment, the expectations are different. Here, processes and procedural and structural controls play a less important role. For this type of environment, *outcome controls*, associated with the price and quality of services rendered, are the main sources of legitimacy for the organisation. The main concern is to ensure that the services are being used and that they generate results that match the expectations of the client or the prospective or actual user. In this environment, general goals and procedures are by and large irrelevant; what counts are the usefulness and the results generated by the services offered. The technical co-operation programme is to be understood as the range of services offered by the organisation to its clients.

A complicating factor in this environment is that the benefactor is not primarily the organisation itself. While the organisation provides services of various kinds, the

funding for these services is usually from external sources and the organisation is basically an intermediary. It is essentially a three-party relationship. A beneficiary (a) receives a service from the organisation (b) which is funded from a third source (c). While the regular budget was treated in the last chapter, extra-budgetary resources is the topic for this chapter. These are resources that come on top of or in addition to the regular resources committed by the members of the organisation. The regular budget process is a two-party relationship between (a) members and the (b) the organisation. Adding a third party means that three distinct interests interact. First, the recipient may request services depending on its priorities. Second, the organisation may offer services, depending on its capabilities, competence and interests. Third, the funding source has its own set of priorities which it wants to see implemented by competent organisations and agencies. To make it even more complicated, a fourth party can be added in those cases where funding source (a) finances a fund (b) which finances an agency (c) to implement a project to the benefit of a recipient (d). In the world of development assistance, these complicated relationships are quite common.

In order to determine the degree of coherence, we are faced with a much more complicated environment in which the organisation is only one party among many, three or more depending on the financial arrangements in the individual case. For the regular budget, we saw that the relationship was much less complicated due to the presence of only two parties, the members and the organisation.<sup>313</sup> In the technical environment, as we have defined it, the relationship is such that it may be a much more difficult task to determine where the priorities originate, and how much the organisation itself can determine what it wants to do in rendering services to the specific beneficiaries. It is only one player among several. Under these circumstances, the extent to which the organisation can determine its priorities may be heavily circumscribed by the influence exerted both by the recipient and the funding source.

In the following, we are going to look at the technical cooperation programme as it has evolved and changed over the years. And as with the former chapter, the key question is to assess the degree of coherence over time or whether the portfolio has

---

<sup>313</sup> Of course, given the tripartite institutional structure of the ILO, decisions are bound to reflect the considered views of both government, employers' and workers' representatives.

significantly changed, taking the long view. Is there a red thread running through the technical co-operation programme or is it too diverse and heterogeneous to spot any discernible thread? Have there been any significant changes in funding sources and if these can be verified, have these changes resulted in reorientations of the technical co-operation programme?

Another overarching question is the degree to which the institutional and technical environments match or mismatch in the allocation of resources to specific tasks to be performed by the organisation. The purpose is to assess how the two environments are coupled or decoupled. If the former, we would expect obvious similarities in the distribution of resources and discern a strong degree of coherence across both environments. If they are the latter, we would expect obvious differences in the distribution of resources and a much lower degree of coherence. If these differences are striking, then there is clear evidence of lack of purpose due to contrasting and conflicting expectations from the environment. Answering this question draws upon the conclusions from the former chapter.

Before examining the development co-operation programme over the last decades in closer detail, we shall take a historical excursion to see how it has evolved and changed over the years from the very beginnings in the 1930s. In doing this, we provide a supplement to the time-line from chapter 6 on policy.

## 8.2. The first years

Technical assistance goes back to the 1930s and in those initial years was largely confined to providing advice to requests coming from member governments. It was only in the post-world war two period, with the advent of the United Nations, that a large-scale development cooperation system was introduced and put in place. In the 1930s the ILO was still under the League of Nations. The political turbulence of the 1930s in Europe had led the Office to seek a foothold outside Europe and a Regional International Labour Conference was held in Santiago in 1935 at the invitation of the Chilean government. A key agenda item was the ratification and application of

Conventions on social insurance and conditions of work of women and children. In discussing these items, the problem of application of standards was brought out in the open due to the scattered and heterogeneous populations concerned and due to the relatively low and uneven industrial development across the continent. The conference culminated in the adoption of a large number of resolutions on these two items as well as on migration, the life and labour of the indigenous populations, higher representation of American nationals on ILO committees and an expanded presence of the ILO itself on the continent.

Social insurance was also a key item in the types of technical assistance offered to governments in the 1930s. The Greek government made a request in 1930 for drawing up legislation for full social insurance in Greece. During the ILO mission it became clear that there were no reliable statistics on calculating the numbers to be insured, their salary classifications and even the actual number of wage-earners. A general inquiry had to be carried out, which was not altogether an easy affair as the staff was both in short supply and not well qualified. While legislation was manageable, application was less assured; "The application of the law will meet great difficulties and result in unpleasant surprises for which we will probably be held accountable".<sup>314</sup>

Another request came from the Chinese government in 1931 to set up a factory inspections system in Shanghai, a city divided into three administrative zones, one for the Chinese government, one for the International Settlement and one for the French Concession. While these partitions no doubt presented administrative hurdles, there was an agreement that anything other than a unified labour regulation would not make sense and an agreement was reached on certification, reporting and exchange of information. However, the outbreak of the Sino-Japanese war delayed progress and only with the Treaty of Equality signed in 1943 between China, Great Britain and the United States did these jurisdictional issues become fully resolved.

The Egyptian government made a request for setting up a Labour Department and for measures of social reform to be taken by the Department. The mission discovered that

---

<sup>314</sup> Report by ILO staff Tixier in the ILO archives, cited by Alcock, *History of the International Labour Organization* (London: Macmillan, 1971), 138.



the economy spanned the gamut from modern engineering plants to medieval handicrafts and social legislation covering both traditional and modern sectors without negative side effects for the traditional sector was difficult. Furthermore, workers in the industrial sector were increasingly aware of the desirability of pushing for better conditions; yet unions were in a legal grey zone, being neither explicitly prohibited nor allowed. Workers' interests were largely taken care of by lawyers and contested in court. The Labour Department was at this point integrated with the Police Department and lacked qualified personnel to deal with particular labour issues such as industrial working conditions. While a later visit disclosed that some progress had been made on legislation and inspection, the Department officials did not carry the necessary powers to make sure that laws and policies were being implemented and the status of unions was still uncertain.

A visit to Cuba to draw up a bill on the organisation of medical services found the mission additionally involved in drawing up a scheme for the organisation of a Ministry of Labour. The mission found itself "in the presence of no less than 290 officials, crowding the corridors, without work, there with the sole aim of obtaining posts", most of whom were there due to political connections and not competence and technical background.<sup>315</sup>

A mission to the United States to assist in the administration of the 1935 Social Security Act drew the ILO official into complex administrative procedures to register the 25 million people who were to benefit from the Act. The complications led the official to ponder the following: "This new experience raises for Geneva a general problem. In all the countries which are creating a new social insurance, we are asked to build up the administrative organisation. But this is the subject we know least. We are specialists in legislation and not administrative practice."<sup>316</sup>

A mission to Venezuela to introduce social insurance legislation in 1936 and 1938 raised some of the same problems mentioned above. There were few large employers, apart from the foreign oil companies. Many workers and some employers were

---

<sup>315</sup> Tixier, in Alcock, *History*, 145.

<sup>316</sup> Tixier in Alcock, *History*, 146.

illiterate and the more so the longer the distance from the capital. The drafting of a Labour Code was a very top-down affair with little official willingness to consult with employers and workers.

Other services were rendered to Romania (social insurance), Morocco (co-operative systems), Turkey (workers' insurance institute) and Ecuador (social insurance). All of these services were provided by ILO regular staff, but as tasks got more complicated, it was realised that extra personnel had to be hired to take care of the administrative aspects of the assignment. In these first years, tasks were very much to do with assisting in drawing up legislation, and more specifically, on social insurance. This constituted the core of ILO expertise and these services were given as technical advice funded from the regular ILO budget and not as projects funded from external sources. The latter type of assistance was to emerge later, in the highly changed environment of post-war international organisations, encapsulated in the advent of the United Nations. To that we now turn.

### 8.3. The post-war environment

The post-war environment was going to be very different from the conditions prevailing beforehand. As the ILO saw it, the main social issue was going to be unemployment connected to the demobilisation of soldiers and the conversion of the economy from war to peace which would affect industry, agriculture and government services. In view of these projected changes, the ILO recommended facilities for training and retraining young workers, the setting up of national and international public works and thirdly, migration, including refugees. There was a belief that large-scale migration would erupt after the war and that there would be a need to set up an international body to supplement national initiatives, including assessing the degree of immigration as part of national recovery plans and the finances that would have to be sought in order to accomplish this task. However, with the establishment of the United Nations Relief and Rehabilitation Commission in 1943, there was a concern that it might preempt a role for the ILO in post-war reconstruction. Similarly, the United Nations Conference on Food and Agriculture drew up a mandate for an organisation touching on ILO interests

regarding standards of living and welfare measures. In other words, the emergence of the UN made it urgent for the ILO to keep a close tab on developments at the global level and to find a place and a role within it. As the ILO was part of the old system of the League of Nations, there was the danger that it might be discarded and superseded by the new system.<sup>317</sup>

A concern, particularly pursued by the workers' representatives, was regulation of economic sectors. Among proposals coming from international trade unions were calls for a World Textile Office and a World Coal Office. Even if none of these aspirations ever came to fruition, the setting up of industrial committees was a step towards providing a forum for discussions between employers and workers at the sectoral level. At first the suggestion was for a purely bipartite forum, but as these committees would be rather toothless in the absence of governments, the decision was made to turn them into tripartite fora instead, comprising eight industrial sectors in all.

This trust in regulation was echoed in the Philadelphia Declaration in 1944 which proclaimed the following objective, making it a cornerstone of the ILO's *raison d'être*: "All human beings, irrespective of race, creed and sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity." These formulations no doubt inspired the drafters of the Universal Declaration of Human Rights, adopted in 1948. From this statement, two implications were drawn. First, the conditions under which this objective could be realised, had to be made the aim of national and international policy. Second, "all national and international policies and measures, in particular those of an economic and financial character, should be judged in this light and accepted only insofar as they may be held to promote and not to hinder this fundamental objective".<sup>318</sup>

These statements were a far cry from the more narrow, restrictive compass of inter-war technical assistance where the accent was on workers' protection. The new and encompassing vision was to get to grips with the economic conditions that produced the

---

<sup>317</sup> This was very much the official position of the Soviet Union which was not a member of the Organisation at the time.

<sup>318</sup> See chapter 6.3

need for workers' protection in the first place. Even though the ILO did not manage to move into the central position it had envisaged for itself, the ideas in general foresaw important ingredients of post-war economic policy nationally and internationally.

The ILO sought a role in the reconstruction of Europe. The European reconstruction effort found its institutional form in the Committee on European Economic Co-operation which later evolved into OEEC and OECD, initially funded in large part by the Marshall plan. At its 1948 Rome conference, the OEEC suggested a role for the ILO in manpower planning, by becoming a centre of information on vocational training, occupational classifications and collecting, analysing and distributing information on labour deficits and surpluses. Similarly, the Economic Commission for Europe (ECE) of ECOSOC had advised seeking contact with the ILO regarding information on labour availability and migration.

The aim was to set up a Migration Administration for international regulation of migration in the wake of World War II. Estimates were circulated that as many as three million people might leave Europe in search of residence abroad, provided that financial and administrative resources were guaranteed to the tune of USD three million for the administration and above USD 100 million for the fund. In the event, the US Congress was only able to come up with USD 10 million with the string attached that funding would not be provided to international organisations with communist membership. Even the proposal for a Consultative Council on European Migration was not accepted by government delegates and with the establishment of the Intergovernmental Committee for European Migration (ICEM), the operational initiative was taken out of the hands of ILO and turned over to an organisation fully controlled by governments.

While it was obvious that ILO had a recognised legislative expertise on migration, having adopted several Conventions on the topic, this competence did not carry over into operational trust. Migration touched on state sovereignty (and on political considerations about who were going to be allowed into the territory) and thus was regarded as too sensitive to be left to international organisations alone. Ironically, while the Organisation was encouraged to delve into operational activities, to regulate international migration was not one of them. In the event, the estimates for international migration turned out to

be overstated. With European recovery happening faster than expected, only 762,000 migrants were aided by ICEM in the 1952-57 period (as against a projected volume of three million migrants).

Within the UN, ECOSOC adopted a resolution requesting the Secretary-General to prepare a Report setting up a programme for expanding the technical assistance activities of the UN and the Specialised Agencies, including financing and co-ordination. This resolution was motivated by a number of factors; the increasing disparity between the advanced industrialised countries and the rest of the world, deficiencies in technical knowledge, keeping the rate of economic development ahead of population growth and the perceived necessity of attacking a set of problems simultaneously. For the ILO, there was a role to play in improving the conditions of life and labour with a particular emphasis on ameliorating the shortage of skilled labour and manpower training. It could offer services across a wide range; vocational training, industrial relations, industrial safety and occupational health, labour legislation, statistics and inspection and social security. Briefly, the portfolio could be divided into three main branches; human resource development, conditions of work and welfare and the development of social institutions. But the portfolio was not necessarily exclusive to the ILO. In the field of agriculture and rural development, it strayed into the domain of FAO and in education into that of UNESCO. Furthermore, while technical assistance had hitherto been concentrated to countries beyond the initial stages of industrialisation, the new scenario of technical assistance faced a landscape of agriculturally dominated economies.

Institutionally, ECOSOC set up a Technical Assistance Board, composed of the Executive Heads of the UN and the Specialised Agencies and a Technical Assistance Council. The aim of the Board was to inform the other members of requests for technical assistance, coordinate efforts where more than one agency was involved and to consult with each other in the practical implementation of services. The Council had a supervisory function in relation to the board and reported to ECOSOC. On the part of the ILO, the Governing Body had authorised ILO participation in the Expanded Programme for Technical Cooperation which was the name given to the UN operational activities in the field of development. However, ILO participation in technical assistance was not approved unreservedly. As a large part of the initial funding was from US sources, principally the

Economic Co-operation Administration, there was a perception within the Governing Body that the ILO might become an instrument of US foreign policy, but also that technical assistance might lead to a down-scaling of standard-setting, a concern from the workers' side. The view of the new Director General, Edward Morse, an American, was that only by technical assistance and field operations could the objectives envisaged in standards become a reality. When the Organisation was offered USD 1 million from ECA, the funding was channeled through the OEEC and transferred to the ILO by way of OEEC state members. By that route, a semblance of neutrality could be preserved.

Given that the ILO decided to go into technical assistance in a large way, beyond the activities afforded by the regular budget, in what fields did the Organisation select to intervene?

#### 8.4. Trends and patterns in ILO technical assistance from the 1950s to the 1980s

What the ILO did select to intervene in from 1950 onwards, was broadly what may be described as human resources development. The other two main branches of activity, conditions of life and welfare and the development of social institutions, though important in their own right, were much less significant in terms of financial resources committed to the Organisation. Over the coming two decades approximately three quarters of the financial resources for technical assistance went to human resources development, USD 20 million in all. Initially, activities were funded under the Expanded Programme of Technical Assistance (EPTA), set up by the United Nations. For years to come, EPTA was the main source of ILO technical assistance. While the regular budget did provide sufficient funding in the interwar period, as we saw above, it did not suffice for the expanded post-war programme.

While technical assistance previously was supplied by using regular staff for shorter missions, the new programme made it necessary to hire expertise from the outside. Technical assistance, as it was understood, referred to "the type of assistance which involves sending an expert from one country to give advice to the government of another

country or sending a civil servant, student or worker abroad for training.”<sup>319</sup> Additional funding came from regional organisations such as the OEEC and the European Coal and Steel Community, but at the time no funds were received directly from individual governments. The Special Migration Programme, as we saw above, was financed by individual governments (as was EPTA ultimately), but channelled through a regional organisation. Multilateral funding was going to be the prevailing pattern in the coming decades.

The primary objective of EPTA was “in extending technical assistance for the economic development of underdeveloped countries” to “help those countries to strengthen their national economies through the development of their industries and agriculture with a view to promoting their economic and political independence in the spirit of the Charter of the United Nations and to ensuring the attainment of higher levels of economic and social welfare for their entire populations.”<sup>320</sup> Technical assistance was to be based on requests received from underdeveloped countries; the kinds of services were decided by the governments concerned; and assistance should not be a means of foreign economic and political interference in the internal affairs of the recipient country. It should be given to and through governments, designed to meet the needs of the country and be provided in the form desired by the country. The above procedures made clear that priorities were to be set by the governments and that the UN and the specialised agencies, including the ILO, were service providers, offering varying types of expertise that could be requested and utilized by the governments of recipient countries. In this technical environment, quality and appropriateness of services were what counted and the agencies had to align their services to what was requested.

In the case of the ILO, the brunt of services was, as noted above, grouped under the heading of human resources development or manpower planning. Initially, services were offered to Western European countries, but gradually extended to the less developed regions of the world in line with EPTA objectives. With this extension the scenario for intervention shifted from one of being updated on technological developments and utilizing the existing pool of skilled labour to best advantage to one in which there is a

---

<sup>319</sup> ILO, *Technical Assistance*. ILC 37<sup>th</sup> session (Geneva, 1954), 3.

<sup>320</sup> ILO, *Technical Assistance*, 10

dearth of skilled labour and a surplus of unskilled labour in agriculture and handicrafts. Lack of information about the labour market and lack of basic education made it difficult to project future demand as well as to supply it. The first step under these circumstances was to collect information about the manpower available and the manpower needed. For this, employment services were required in order to make projections about supply and demand. A useful tool for this purpose was the *International Classification of Occupations for Migration and Employment Placement*, a product of the Special Migration Programme.

The mainstay of technical assistance was for many years in the field of vocational training. As economies shifted from agriculture to industry, training became necessary both for imparting skills required for the new industries and for increasing the productivity of industrial labour. Training was aimed at young persons in apprenticeships, at upgrading the skills of adult workers in order to keep pace with industrialisation, and at supplying instructors and supervisors concerned with productivity. However, ILO engagement in vocational rehabilitation was marginal at the time as “rehabilitation projects, which affect only a limited number of workers, can scarcely be regarded as having more than a marginal bearing on economic development.”<sup>321</sup> That perception changed as the ILO engaged more deeply in vocational rehabilitation in the years to come. As mentioned above, migration, in particular from Europe to Latin America, was another technical assistance programme, and services were given to Italy for pre-selection of Italian prospective migrants to Brazil and to Greece for reorganisation of emigration administrative services.

Cooperatives was an important facet of technical assistance and the ILO was able to draw on Danish expertise and experience by organising training courses and visiting towns and villages in Denmark to gain first-hand information on practices. Handicrafts was another field of assistance, both with regard to organisation (including cooperatives) and techniques and tools. Other components included the application of labour standards with an emphasis on working conditions, inspection, labour legislation and administration. Assistance on industrial relations, wages policy and machinery for determining minimum wages were given to Guatemala and Burma. Social security continued to be of relevance and services were given on how to set up a system for those

---

<sup>321</sup> ILO, *Technical Assistance*, 23.



countries unfamiliar with such systems and on extending the existing system to new geographical regions or by widening coverage of persons and risks. One recurrent problem was the tendency to promise more in terms of legal guarantees than what could be delivered administratively. Labour statistics was another service that was carried over from the early days and offices were established in Beirut, Calcutta, Manila and Santiago that served as bases for collaboration with ILO officials.

The ILO did address special categories of workers and one programme of significance was the Andean programme covering Bolivia, Peru and Ecuador specifically targeting indigenous communities. This was a UN multi-agency programme and comprised a series of activities on cooperatives for production and consumption, public health, educational improvement, anthropological guidance for integration policies, and seasonal labour rotation between highland and lowland subtropical areas. This operational work provided background experience for later standard-setting on indigenous and tribal populations.<sup>322</sup> Other categories of workers were quite marginal in terms of ILO technical assistance. The subject of land reform, coupled with working and living conditions of tenants and sharecroppers, was a topic that was only to draw more attention later on, despite being put on the ECOSOC agenda in the early 1950s. Women workers were not addressed as a special category in those days, though women inevitably figured as participants in projects aiming at workers in general.<sup>323</sup> As it was argued, “considering ... the economic value of the work of women and the great number of them in productive employment, it would seem impracticable to consider problems related to the utilisation of the female labour force in isolation.”<sup>324</sup> Child labour was not addressed as a special concern as it was considered an issue for labour legislation and services for the administration of labour law. Maritime labour expertise was apparently not requested,

---

<sup>322</sup> Convention 107 on Indigenous and Tribal Populations, adopted in 1957. For the background, see ILO, *Indigenous Peoples: Living and Working Conditions of Aboriginal Populations in Independent Countries* (Geneva, 1953). See also Jason Guthrie, *The ILO and the International Technocratic Class, 1944-1966*, in Sandrine Kott and Joëlle Droux (eds.), *Globalizing Social Rights*, London, Palgrave Macmillan, 2012, pp. 115 - 136. It is significant that the use of the word technocratic aligns with technical assistance and with what we have called a technical environment. Underneath the term is a specific rationality that includes economic productivity, political modernisation and social integration, very much the mainstream ideology of the 1950s and the 1960s.

<sup>323</sup> As far as standard-setting was concerned, women were a special category.

<sup>324</sup> ILO, *Technical Assistance*, 40.

though ILO had adopted a number of Conventions and Recommendations on the subject and offered assistance on recruitment, training and security schemes of seafarers.

Figure 8.1 gives a breakdown of the ILO technical assistance programme in 1954 and it is quite noticeable that vocational training accounted for almost half of the entire programme. Adding cooperatives and handicrafts, over 60 per cent is in human resource development. Social security, labour statistics and labour inspection are comparatively small items in monetary terms, presumably as the main expenditure is paying for experts on foreign missions and as these projects usually only require little expense on equipment and fellowships for training abroad. This type was also the prevailing pattern of interwar technical assistance, as we saw above, and was financed by the regular budget.

Breaking down the numbers by region, vocational training accounted for 39.1 per cent, cooperatives and handicrafts for 30.7 per cent and productivity for 13.4 per cent in the Asian region. Vocational training was 86.7 per cent and 100 per cent in the African and European regions. For the Middle East, vocational training was 37.6 per cent, productivity 19 per cent, cooperatives and handicrafts 13 per cent and social security 12.3 per cent. For Latin America, the distribution is also more varied with vocational training (30.2 per cent), employment services (13.5 per cent) and cooperatives and handicrafts (11.3 per cent) the most requested services.<sup>325</sup> These variations are reflections of the level of industrial development, but also an indication of what gaps need to be filled to advance the pace of industrialisation and economic development.

---

<sup>325</sup> ILO 1954, *ibid.*, pp.62-3.

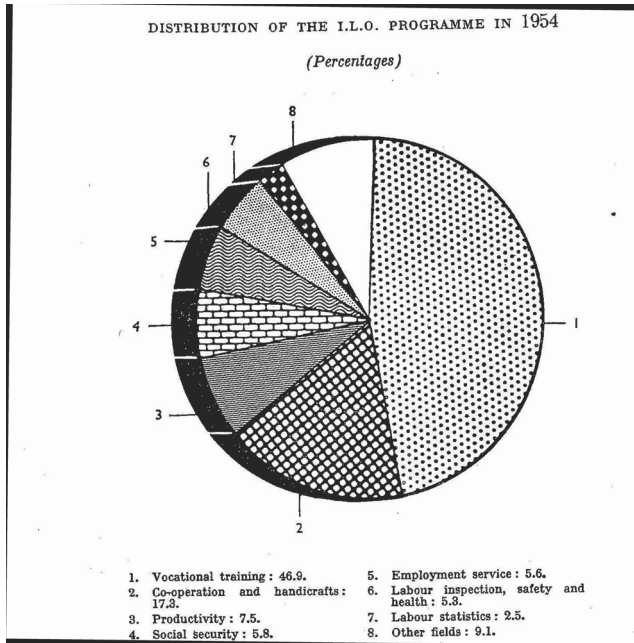


Figure 7.1 Distribution of the ILO Programme in 1954

Source: ILO, *Technical Assistance*. (Geneva, 1954), 14

In general, the ILO saw their technical assistance as contributing to development in three different ways; by assisting in the task of development planning, by raising production either by assisting in new development, or by improving the productivity of the existing economy, and by raising living standards. These three objectives may be complimentary in the sense that interventions should be based on a sound knowledge base made up of surveys on manpower and skills and that productivity can be translated into higher living standards.

However, as the ILO admitted, social progress did not always result in material progress. As it was argued, "there would appear to be a choice between projects directly important from the standpoint of economic development and projects that are intrinsically of a social nature but that indirectly affect economic development. In practice, however, it is extremely difficult to separate the two."

Priorities and the assumptions they are founded on are in the final analysis determined by governments. "Moreover, planning by the ILO is subject to several limiting factors that may militate against a satisfactory balance either by country or by subject. No technical assistance activity can be undertaken except at the request of a government, and at a given time some countries may ask for a great deal of assistance from the ILO and others for very little. Again, a large proportion of the requests from all the countries may be for assistance in one particular field at the same time. Hence, the priorities of governments must *inevitably* - and *rightly* (emphasis added) - condition the ILO's own planning, although it can, if asked to do so, advise the governments and help them in determining needs and formulating requests for assistance."<sup>326</sup>

Moreover, "these responsibilities of beneficiary governments do not, of course, exclude the possibility that the employers', workers' and co-operative organisations and scientific institutions, which are directly concerned with the national economy and the development of social welfare, can make a useful and important contribution to technical assistance."<sup>327</sup> This points to the fact that while technical assistance usually is inter-governmental, supplied bilaterally or channelled through multilateral agencies, the ILO has a

---

<sup>326</sup> ILO, *Technical Assistance*, 61.

<sup>327</sup> ILO, *Technical Assistance*, 65.

constitutional obligation to involve the views of employers and workers in activities undertaken by the organisation. Whether governments do choose to involve employers and workers are entirely optional on their part, and the ILO can only use their persuasive powers to ensure that they do.

The question of attaining the right balance between social and economic objectives reappeared in later documents: "It may, however, be asked whether the Organisation's participation in "operational" programmes has not led it to shift the emphasis from the promotion of social justice to the economic requirements of development, thus becoming more concerned with techniques than with social aims ... Whatever shift of emphasis may have taken place from social to economic preoccupations in operational work, this has resulted from the felt needs of the recipient countries, to which the ILO has sought to adapt its methods and resources."<sup>328</sup>

As the Organisation readily admitted, striking the right balance between short-term social improvement and long-term economic development was also a matter of political convictions. Furthermore, there was a realisation that poverty cannot be done away with merely by recommendations and legislation and its relief may be "accompanied sometimes by a seemingly callous upheaval of familiar ways of life and beliefs." In other words, what were standard ILO procedures in former days, primarily concerned with advice on legislation and administration, were insufficient for dealing with the scenario of comprehensive and endemic poverty. But it could be argued that the entry into operational programmes of the sort financed by EPTA and the later Special Fund, represented a departure from what were the central concerns of the Organisation in earlier days.

As it changed into more of a general-purpose development organisation, it may have lost sight of its original mission. However, operational programmes were an important source of expansion and financial security for the Organisation itself and hence, it may be argued, hard to resist. What we see is a *decoupling* between the regular and operational work of the Organisation, whereby operational activities operated under different objectives and assumptions than other parts of the Organisation.

---

<sup>328</sup> ILO, *The Role of the I.L.O. in the Promotion of Economic Expansion and Social Progress in Developing Countries*. ILC 45<sup>th</sup> session (Geneva, 1961), 20.

This concern was reiterated in the 1967 report on technical cooperation. The funding sources which had been EPTA, supplemented by the United Nations Special Fund<sup>329</sup>, put certain constraints on freedom of action: "The I.L.O. is thus not entirely free in its decisions, particularly as regards the choice of projects, which must meet a number of criteria established by the Economic and Social Council and the General Assembly of the United Nations. However, projects which are of special interest for the Organisation in view of the terms of its Constitution and its programme priorities may be initiated under the regular programme, which is financed from the regular budget of the I.L.O. This programme introduces an element of flexibility into the preparation of technical co-operation projects."<sup>330</sup> But the regular budget was too small to finance larger interventions, though it may have funded initial or preparatory work on projects that would have to seek external funding at a later stage. The 1967 report again drew attention to the role of the employers and workers: "The principle of such participation is contested nowhere. However, it is still far from being an accomplished fact."<sup>331</sup>

The composition of the ILO technical cooperation programme over its first fifteen years of UN funding in Table 8.1 shows quite clearly the predominance of human resource development as the foremost ILO contribution. The social institutions development category, which was the primary field of assistance in the early years, was very marginal, accounting for no more than 1.5 per cent of the total. Similarly, conditions of work, including social security, was fairly marginal as well with less than 10 per cent of total expenditure.

---

<sup>329</sup> In 1964, EPTA and the Special Fund merged into the United Nations Development Programme (UNDP), which up to the present has an important coordinating role between the UN agencies and the national governments.

<sup>330</sup> International Labour Conference. Fifty-First Session. Eight Item on the Agenda. *The International Labour Organisation and Technical Co-operation (including the role of the I.L.O. in the Industrialisation of Developing Countries. 1. The I.L.O. and Technical Co-operation. Report VIII.(Part 1).* Geneva, International Labour Office, 1967, p.37.

<sup>331</sup> ILO 1967, *ibid.*, p. 64.

Table 8.1 Summary of ILO Technical Co-operation Activities 1950 - 65

TABLE II. SUMMARY OF I.L.O. TECHNICAL CO-OPERATION ACTIVITIES (1950-65)  
ALL COUNTRIES

Category	Experts <sup>1</sup>			Fellowships			Equipment	
	Number	Man-months	Percentage <sup>2</sup> of total of man-months	Number	Man-months	Percentage of total of man-months	U.S.\$	Percentage <sup>3</sup> of total cost
<i>Over-all economic and social development :</i>	74	1 032	2.7	64	385	2.1	1 420	—
Statistics . . . . .	71	1 030	2.7	45	352	1.9	1 420	—
International labour standards . . . . .	3	2	—	19	33	0.2	—	0.0
<i>Human resources development :</i>	1 763	27 247	72.5	3 096	13 080	68.9	8 600 864	83.7
Manpower planning and organisation . . . . .	262	2 686	7.2	228	1 140	6.0	213 745	2.1
Management development . . . . .	298	4 489	11.9	124	611	3.2	1 232 238	12.0
Small industries and handicrafts . . . . .	165	2 744	7.3	49	209	1.1	676 976	6.6
Vocational training . . . . .	1 038	17 328	46.1	2 695	11 120	58.6	6 477 905	63.0
<i>Conditions of work and life :</i>	365	2 609	6.9	284	1 581	8.3	852 589	8.3
Social security . . . . .	247	1 822	4.8	160	939	4.9	12 434	0.1
Occupational safety and health . . . . .	68	516	1.4	61	366	1.9	840 010	8.2
General conditions of work . . . . .	50	271	0.7	63	276	1.5	145	—
<i>Social institutions development :</i>	547	4 753	12.7	601	3 901	20.6	152 781	1.5
Labour law and labour relations . . . . .	93	576	1.6	104	473	2.5	9 462	0.1
Labour administration . . . . .	112	964	2.6	276	2 349	12.4	48 827	0.5
Workers' education . . . . .	78	272	0.7	58	194	1.0	—	0.0
Co-operative, rural and related institutions development . . . . .	264	2 941	7.8	163	885	4.7	94 492	0.9
<i>Integrated programmes . . . . .</i>	81	1 972	5.2	5	25	0.1	663 747	6.5
<b>Total . . . . .</b>	<b>2 830</b>	<b>37 613</b>	<b>100.0</b>	<b>4 050</b>	<b>18 972</b>	<b>100.0</b>	<b>10 271 401</b>	<b>100.0</b>

Source: ILO, *The International Labour Organisation and Technical Co-operation (including the role of the I.L.O. in the Industrialisation of Developing Countries. 1. The I.L.O. and Technical Co-operation. Report VIII.(Part 1). ILC 58<sup>th</sup> session (Geneva, 1967), 98.*

Looking at the distribution by region, Asia counts for the largest share, followed by the Americas and Africa. One has to keep in mind that many African countries were still colonies, so after independence, the distribution shifted strongly towards the African region.

Figure 8.2 illustrates the noticeable shift towards Africa as the major recipient of technical assistance from the seventies to the eighties. However, there were other noticeable changes in the pattern of assistance over this period. The UN funds and programmes were no longer the primary source of financial support.



Figure 3. Expenditure on ILO technical co-operation by region, 1977 and 1986 (percentages)

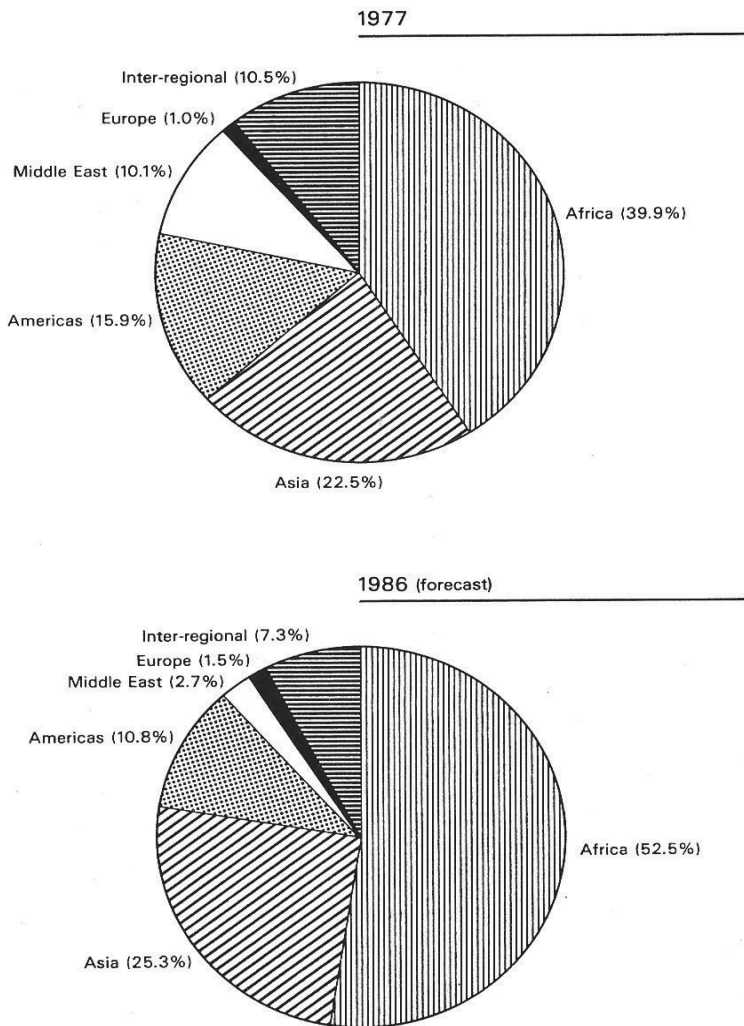


Figure 8.2 . Expenditure on ILO technical co-operation by region, 1977 and 1986 (percentages)

Source: ILO, *The role of the ILO in technical co-operation*, Report VI. ILC 73<sup>rd</sup> Session (Geneva, 1987), 32

Figure 8.3 shows that while United Nations funds were still the largest source, the gap between UN and trust funding, including multi-bilateral sources, was narrowing. This was the beginning of a trend that was to sideline the UN as a funding source as the major bilateral donors took over as the chief supporters of the Organisation. The Regular Budget for Technical Co-operation (RBTC) did also supply some funding for technical co-operation, but compared to the other sources, it is minuscule. In the early days, the co-operation programme could be fully funded from the regular budget, but, as we see, that was longer the case.

**Figure 1. Expenditure on ILO technical co-operation from all sources, 1977-86**

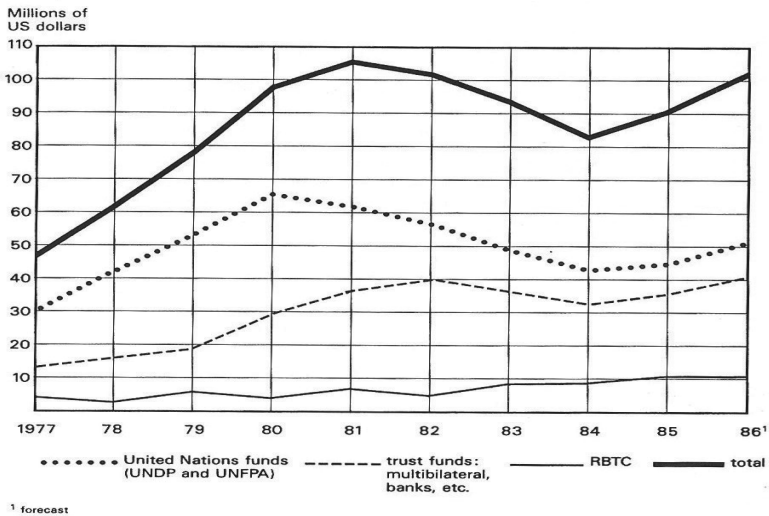


Figure 8.3 Expenditure on ILO Technical Co-operation from all sources 1977-86

Source: ILO, *The role of the ILO in technical co-operation*, Report VI. ILC 73<sup>rd</sup> Session (Geneva, 1987, 13

Figure 8.4 shows another shift as training which was the major field of activity for the period of 1950 to 1965 was superseded by employment. But there was a peak around 1980-81 and a reduction in the first half of the 1980s. To some extent it also affected the training programme, but less dramatically. Working conditions and industrial relations, undisputed core fields of ILO competence, counted for little in the overall ILO technical co-operation portfolio. Employment generation was a rising concern in many recipient countries, particularly in Africa. The introduction of labour-intensive special public works programmes, first proposed for interwar Europe, became an important job generator in the less developed economies. It may be difficult to account for the downturn, but a combination of tighter economic circumstances among the donors, first and foremost the UN, and the shift to structural adjustment programmes for the recipients may provide a partial explanation.

Figure 2. Expenditure on ILO technical co-operation by major field of activity, 1977-85

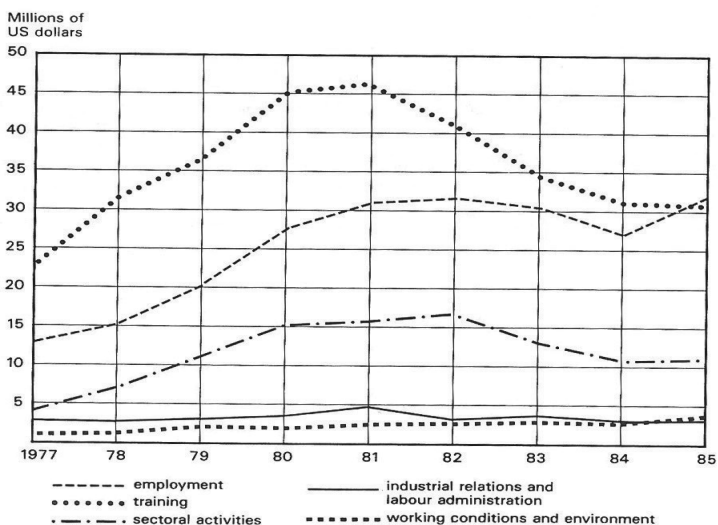


Figure 8.4 Expenditure on ILO technical co-operation by major fields of activity 1977-1986

Source: ILO, *The role of the ILO in technical co-operation*, Report VI. ILC 73<sup>rd</sup> Session (Geneva, 1987), 14

## 8.5. The shift towards multi-bilateral donors

Traditionally, the brunt of resources came from the UN funds and programmes, particularly UNDP and to some extent UNFPA. This situation persisted to the mid-1980s when for the first time multi-bilateral resources superceded the resources from the UN system and this trend solidified in the 1990s. So-called multi-bilateral projects<sup>332</sup> have increased in proportion to projects funded by the UN funds and programmes. In the 1994 performance report produced by COMBI, the ILO unit dealing with bilateral donors, figures showed that more projects were approved by bilateral donors (USD 37 mn.) than by the UN family (USD 21 mn.) and that annual expenditure for the first time was higher for on-going multi-bi projects (USD 47.1 mn.) than for multilateral projects (USD 41 mn.).<sup>333</sup>

While this might indicate that multi-bi projects were rising in real terms, it was in fact not the case. Approvals by multi-bi donors were fairly stable while there was a dramatic fall in project approvals by the UN family by more than 50 percent.<sup>334</sup> This trend showed that the future fate of the ILO technical cooperation programme increasingly resided in the hands of the bilateral donors and particularly the large bilateral donors of which Norway, Denmark and the Netherlands were the indisputably largest, accounting for about 55 - 60 percent of 1994 approvals and expenditure.<sup>335</sup>

There may thus be a good case for investigating donor priorities by looking in more detail at multi-bi projects. Fortunately, such an investigation is indeed possible as the ILO has kept records of all multi-bi projects.<sup>336</sup> Donor priorities may then be analysed in terms of ILO programme and geographic area and trends may be mapped indicating changes in priorities over time. A database covering approximately 1000 projects has been compiled

---

<sup>332</sup> Multi-bi projects are projects funded by individual countries such as Norway and Denmark and executed by multilateral agencies as distinct from projects funded by other multilateral organisations such as the UN and the World Bank.

<sup>333</sup> See ILO memorandum, *The ILO Multi-bilateral Programme. 1994 Performance Report*, figure 1. On file with the author.

<sup>334</sup> ILO, *Multi-bilateral Programme*, table 2.

<sup>335</sup> ILO, *Multi-bilateral Programme*, tables 3 and 4.

<sup>336</sup> There are no easily retrievably records of UN, World Bank, and ILO-funded technical cooperation projects, making comparisons between funding sources impossible.

going up to the latter part of the 1990s, based on printouts received from COMBI during a visit to ILO Geneva in 1998. Newer data have been obtained from official ILO sources, but these are not entirely compatible as funding is now compiled on the basis of strategic objectives and not on programme lines as before.

Table 8.2 Multilateral assistance 1980-98. Region by main category (Number of projects)

<b>Region</b>	Africa	Asia	Caribbean	Europe	Inter-national	Latin America	Middle East	n.a.	Total
<b>Main category</b>									
ACT/EMP	19	11	4	4	16	3	0	1	58
ACT/TRAV	24	20	1	3	10	22	5	0	85
EMP	162	58	2	12	51	7	2	0	294
EMP-TRAIN	2	2	1	4	0	2	2	0	13
ENT-COOP	94	22	1	7	38	22	7	0	191
ILS-HR	4	11	0	0	4	2	0	0	21
INDREL/LABADM	20	28	0	18	1	12	0	0	79
INST	2	0	0	0	0	0	0	0	2
PROG	2	1	0	0	7	0	0	0	10
SECTOR	23	13	2	0	4	2	1	0	45
SOCSEC	3	4	3	4	0	1	6	0	21
STAT	0	1	0	1	0	0	0	0	2
TRAIN	43	31	3	1	8	15	7	0	108
TURIN	2	0	0	1	2	0	0	0	5
WORKCON	8	22	0	1	14	4	0	1	50
UNSPECIFIED		11		10		3	2		26
<b>Total</b>	<b>408</b>	<b>235</b>	<b>17</b>	<b>66</b>	<b>155</b>	<b>95</b>	<b>32</b>	<b>2</b>	<b>1010</b>

Abbreviations: ACT/EMP = Employers' Activities, ACT/TRAV = Workers' Activities, EMP = Employment, EMP-TRAIN = Employment training, ENT-COOP = Enterprise and Cooperatives, ILS-HR = International labour standards and human rights, INDREL/LABADM = Industrial relations and labour administration, INST = Institute for labour studies, PROG = Programming, SECTOR = Sectoral activities, SOCSEC = Social security, STAT = Statistics, TRAIN = Training, TURIN = Turin Centre, WORKCON = Working conditions

Source: Compiled from database supplied by COMBI, ILO.

Table 8.2 indicates the distribution by main category and region. As may be expected, the largest recipient was the African region (408), followed by the Asian region (235), international - or inter-regional (155) and Latin America (95). Africa was in other words the main recipient of technical assistance in this period. Europe, on the other hand, is quite marginal as a recipient of technical assistance and at this point, Europe as a region had basically turned into a region of donors, as we shall see in the next table.

Looking at the type of technical assistance provided, employment dominates (294), followed by enterprise-cooperatives (191) and training (108). Compared with the earlier figures from 1954, we can see that employment has gained while training generally speaking takes up a smaller portion of the technical assistance portfolio than earlier. This distribution underlines that the bulk of technical assistance is for promoting economic development and the traditional social concerns of the ILO count for less in numbers. The interesting exception here is Europe where the largest numbers are in the industrial relations and labour administration category. For the developed Europe, economic developments projects are relatively less important, considering Europe's high industrial base. Europe shares some structural similarities with Latin America where there are a fairly high number of projects in workers' activities and industrial relations. This may be linked to the higher industrial base of that region.

For the Asian continent, international labour standards and human rights (ILS-HR), industrial relations and labour administration (INDREL-LABADM) and working conditions are examples of a more diversified project portfolio, indicating a higher level of industrialisation in this region as well. Workers' activities are proportionally higher in this region than in Africa.

Table 8.3 Multilateral assistance 1980-98. Donor by region. Number of projects.

<b>Region Donor</b>	Africa	Asia	Caribbean	Europe	Inter-national	Latin America	Middle East	NA	Total
AUS	0	6	0	0	0	0	0	0	6
AUT	5	0	0	0	0	0	0	0	5
BEL	11	2	1	4	2	2	1	0	23
CAN	2	4	0	3	2	1	0	0	12
DAN	56	33	1	0	44	14	8	1	157
EEC	8	2	1	1	0	0	0	1	13
FIN	15	7	0	1	6	2	0	0	31
FRA	3	2	0	3	1	0	1	0	10
FRG	23	8	0	15	14	6	5	0	71
IRE	5	0	0	0	2	0	0	0	7
ITA	17	2	2	1	8	6	4	0	40
JPN	1	77	0	4	0	0	1	0	83
LUX	0	0	0	4	0	0	0	0	4
NET	50	25	1	16	21	20	1	0	134
NOR	99	25	6	0	29	3	0	0	162
OTH	32	15	3	6	4	10	10	0	80
SPA	2	1	0	2	0	31	1	0	37
SUI	28	6	2	5	8	0	0	0	49
SWE	46	16	0	0	12	0	0	0	74
UK	1	1	0	1	0	0	0	0	3
USA	4	3	0	0	2	0	0	0	9
<b>Total</b>	<b>408</b>	<b>235</b>	<b>17</b>	<b>66</b>	<b>155</b>	<b>95</b>	<b>32</b>	<b>2</b>	<b>1010</b>

Abbreviations: AUS = Australia, AUT = Austria, BEL = Belgium, CAN = Canada, DAN = Denmark, EEC = European Economic Community, FIN = Finland, FRA = France, FRG = Germany, IRE = Ireland, ITA = Italy, JPN = Japan, LUX = Luxembourg, NET = Netherlands, NOR = Norway, OTH = Others, SPA = Spain, SUI = Switzerland, SWE = Sweden, UK = United Kingdom, USA = United States of America

Source: Compiled from database supplied by COMBI, ILO

Table 8.3 shows the distribution of assistance by donor and region. It demonstrates quite clearly that the three largest donors over the last two decades of the 20<sup>th</sup> century were Denmark, Netherlands and Norway, the latter being the largest of the three in the number of projects supported. Of the three, Norway has a very strong Africa profile alongside Sweden whereas both the Netherlands and Denmark have a slightly more diversified profile across regions. The most interesting finding is the very strong concentration of

Japanese assistance in the Asian region which is not very surprising. The same goes for Australia, though numbers are much smaller. The European region (ER) does receive a considerable number of projects, half of it coming from Germany and the Netherlands, but none from the Scandinavian countries. The Latin-American region receives projects funded by Netherlands, Denmark and not surprisingly, Spain, but very little from Sweden and Norway. As for the Middle East, Denmark has supported a small number of projects, but none by Sweden and Norway. Another interesting feature of the multi-bilateral portfolio of the 1980s and 1990s is the marginal status of the United States and the United Kingdom as funding sources. Only a few projects were funded over the two decades. The results seem to strengthen the hypothesis that many donors have a strong economic developmental profile of technical assistance which may be at odds with the core social concerns of the ILO, at least judged from the technical assistance in early years. Whether that is indeed the case can be seen from the next table.

Table 8.4. Multilateral assistance 1980-98. Donor by main category. Number of projects

<b>Donor</b>	AUS	AUT	BEL	CAN	DAN	EEC	FIN	FRA	FRG	IRE
<b>Main category</b>										
ACT/EMP	0	0	0	1	16	0	1	0	1	2
ACTRAV	3	0	2	2	42	0	2	0	1	1
EMP	0	2	7	3	45	4	4	0	13	0
EMP-TRAIN	0	0	0	0	0	0	0	0	3	0
ENT-COOP	0	1	6	3	28	1	4	3	17	1
ILS - HR	0	0	0	0	1	0	0	0	0	0
INDREL	0	1	3	0	3	0	4	5	5	1
INST	0	0	0	0	1	0	0	0	0	0
PROG	0	0	0	0	0	0	0	0	0	2
SECTOR	0	0	1	0	1	0	3	0	1	0
SOCSEC	0	0	0	1	0	0	0	0	0	0
STAT	0	0	0	0	0	0	0	0	1	0
TRAIN	0	1	0	0	5	5	8	1	14	0
TURIN	0	0	0	0	2	0	0	0	3	0
WORKCON	1	0	2	1	13	1	5	1	7	0
UNSPECIFIED	2	0	2	1	0	2	0	0	5	0
<b>Total</b>	<b>6</b>	<b>5</b>	<b>23</b>	<b>12</b>	<b>157</b>	<b>13</b>	<b>31</b>	<b>10</b>	<b>71</b>	<b>7</b>



Table 8.4. Multilateral assistance 1980-98. Donor by main category (cont.)

<b>Region</b>	ITA	JPN	LUX	NET	NOR	OTH	SPA	SUI	SWE	UK	USA	Total
<b>Main category</b>												
ACT/EMP	0	2	0	2	27	0	2	1	3	0	0	58
ACTRAV	8	1	0	2	15	1	5	0	0	0	0	85
ASIA	0	7	0	0	0	0	0	0	0	0	0	11
EMP	18	13	1	51	37	31	3	25	34	0	3	294
EMP-TRAIN	0	3	0	4	2	1	0	0	0	0	0	13
ENT-COOP	6	0	1	38	23	13	5	16	22	2	1	191
EUROPE	0	0	1	0	0	1	0	0	0	0	0	10
ILS - HR	1	11	0	4	3	0	1	0	0	0	0	21
INDREL	1	24	1	6	5	5	8	5	2	0	0	79
INST	0	1	0	0	0	0	0	0	0	0	0	2
LA	0	0	0	0	0	0	2	0	0	0	0	3
ME	2	0	0	0	0	0	0	0	0	0	0	2
PROG	0	0	0	0	8	0	0	0	0	0	0	10
SECTOR	1	0	0	7	22	6	2	0	1	0	0	45
SOCSEC	0	0	0	3	1	16	0	0	0	0	0	21
STAT	0	1	0	0	0	0	0	0	0	0	0	2
TRAIN	2	15	0	12	16	4	7	2	12	0	4	108
TURIN	0	0	0	0	0	0	0	0	0	0	0	5
WORKCON	1	5	0	5	3	1	2	0	0	1	1	50
UNSPECIFIED	2	7	1	0	0	2	2	0	0	0	0	26
<b>Total</b>	<b>40</b>	<b>83</b>	<b>4</b>	<b>134</b>	<b>162</b>	<b>79</b>	<b>37</b>	<b>49</b>	<b>74</b>	<b>3</b>	<b>9</b>	<b>1010</b>

Source: Database supplied by COMBI, ILO

Table 8.4 shows the distribution of type of assistance by main donor. Looking at the three largest donors, employment is the type of project most often supported by all three. Denmark, however, has a large portfolio on workers' activities (ACTRAV) while Norway on its part has a fairly large portfolio on employers' activities (ACTEMP). But both countries finance a sizeable number of projects to the benefit of the social partners, thus fulfilling a part of the core social concerns of the ILO and Denmark also has funded a number of projects on working conditions, another core concern of the ILO. Both countries answer to both developmental and social aspects of the project portfolio, Denmark probably more so than Norway. As both were highly important donors during the period,

they may have contributed towards a better balanced technical assistance portfolio covering both developmental and social concerns and support to governments and social partners.

The profiles of Sweden and Netherlands are quite similar with an emphasis on employment and enterprise-cooperatives, squarely in the developmental field. The deviant case is Japan which has a comparatively large portfolio on industrial relations and labour administration, but also on international labour standards and human rights. Japan funded an annual regional meeting on international labour standards for a number of years.<sup>337</sup> But as we saw, the Japanese portfolio is also unique in another sense as it is almost exclusively targeted on the Asian region. Most of the donors concentrate on the African region with the notable exception of Spain which unsurprisingly, has a sizeable portfolio on Latin America.

#### 8.6. Post-millennium changes - the shift towards decent work programmes

The latest data on the technical co-operation programme partly confirm the trends of the 1990s, but there are some significant changes. The figure below indicates almost a tripling of the technical cooperation from the early 2000s and up to the latest data from 2012. The most common form of assistance provided is in the field of employment (EMP) which confirms the tendency in the multi-bilateral data from the 1980s and 90s. Figure 7.5 shows that there has been a significant increase in extra-budgetary funding in the new millennium, only broken by the effects of the financial crisis from 2008 onwards which saw two significant dips in new approvals in 2009 and 2011.

---

<sup>337</sup> The author attended three of these meetings as part of the ILO team and edited the reports from two meetings; one in Kuala Lumpur in 1990 and in Phuket in 1991. These meetings consisted of briefings on up-coming standards under discussion in Geneva and on presentations of country papers on ratified standards. For more on standard-setting, see chapter 9.

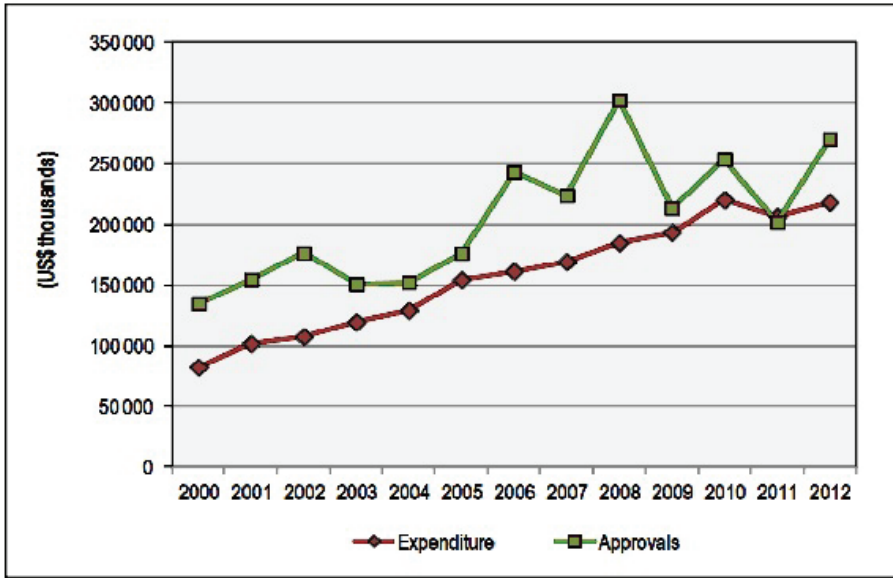


Figure 8.5 Extra-budgetary technical cooperation expenditure and approvals, 2000-12

Source: ILO, *ILO technical cooperation programme: Trends and Perspectives since 2000* . GB. 319/POL/7 (Geneva, 2013), 5

The figures show that there has been a significant growth in technical co-operation after the turn of the millennium, but this has to be seen in conjunction with zero growth in regular budget resources. This has become a source of concern for the ILO due to:

- “the declining real level of the regular budget over a long period, leaving the capacities of the ILO reduced in spite of the growing relevance of its mandate and rising demands from constituents;
- the continuing stretching of regular budget resources to cover both expanded operational needs and central knowledge and policy functions; the rising proportion of extra-budgetary resources in the ILO’s overall funding, and the uncertainty that dependency on such funds implies for the core action and capacities of the Office;

- the commitment to policy coherence and other principles of UN system reform, including the implications of the new aid context;
- the desirability of an integrated approach to ILO action, with all funding modalities used in a complementary way to achieve results and integrated reporting of both results and related expenditure;
- the need to enhance the efficiency and effectiveness of the Office;
- the need to find ways to eliminate or reduce work of lower priority so as to free resources for higher priorities and opportunities;
- the need to reserve additional funds for maintenance and investments.<sup>338</sup>

Other data confirm the trends which were becoming apparent in the 1990s. Figure 8.6 shows that the major donors are the multi-bilaterals and that the UN system only counts for a minor part of the total of extra-budgetary resources. In the first decades of multilateral aid the UN system was the main funding source of the specialised agencies. That situation has changed drastically. The ILO is increasingly dependent on the multi-bilaterals and their objectives and priorities. The objective of policy coherence, as mentioned above, may be more difficult to achieve when the organisation has to accommodate donor priorities on top of its own. On the other hand, with major members influencing both regular and extra-budgetary resources, policy coherence might be easier to achieve, but not necessarily in practice, as we shall see. While UN resources were totally marginal by the turn of the millennium, they have gradually resumed some importance, but are still only a minor part of total resources. This has probably to do with better coordination of UN programming at the country level and the strive towards delivering as one, a UN endeavour to present itself as one united agency in the field.

---

<sup>338</sup> ILO, *Strategic Policy Framework 2010-15 and preview of the Programme and Budget Proposals for 2010-11*. GB. 303/PFA/2 (Geneva, 2008), 44-5

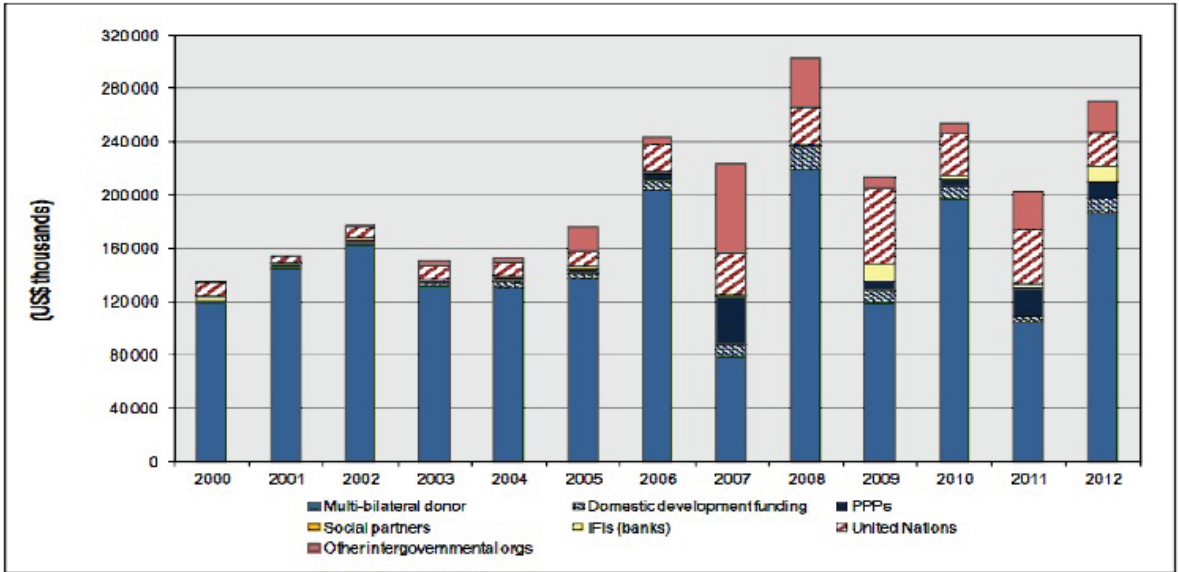


Figure 8.6 Extra-budgetary technical cooperation approvals by funding source, 2000-12

Source: ILO, *ILO technical cooperation programme: Trends and Perspectives since 2000*. GB. 319/POL/7 (Geneva, 2013), 13

Looking at priorities, as seen through the approvals of new technical co-operation projects (Figure 8.7), the strategic objective of standards and fundamental rights at work was the most important objective in terms of donor willingness to fund activities. This fact highlights the strong normative function of the organisation. Employment as such was closely behind in receiving funding, but the trend shows that the ILO is increasingly perceived as a normative organisation and less as a pure developmental one. However, there is a notable shift around 2008-09 which sees employment increasing and standards decreasing in expenditure. This may be interpreted as employment generation coming to the forefront in the wake of the financial crisis in 2008. As we saw, the type of priorities announced through the strategic objectives is considerably removed from the type of

justification we saw at the outset of technical cooperation where the emphasis was on economic development and productivity, and short-term considerations of social justice was accorded less priority.

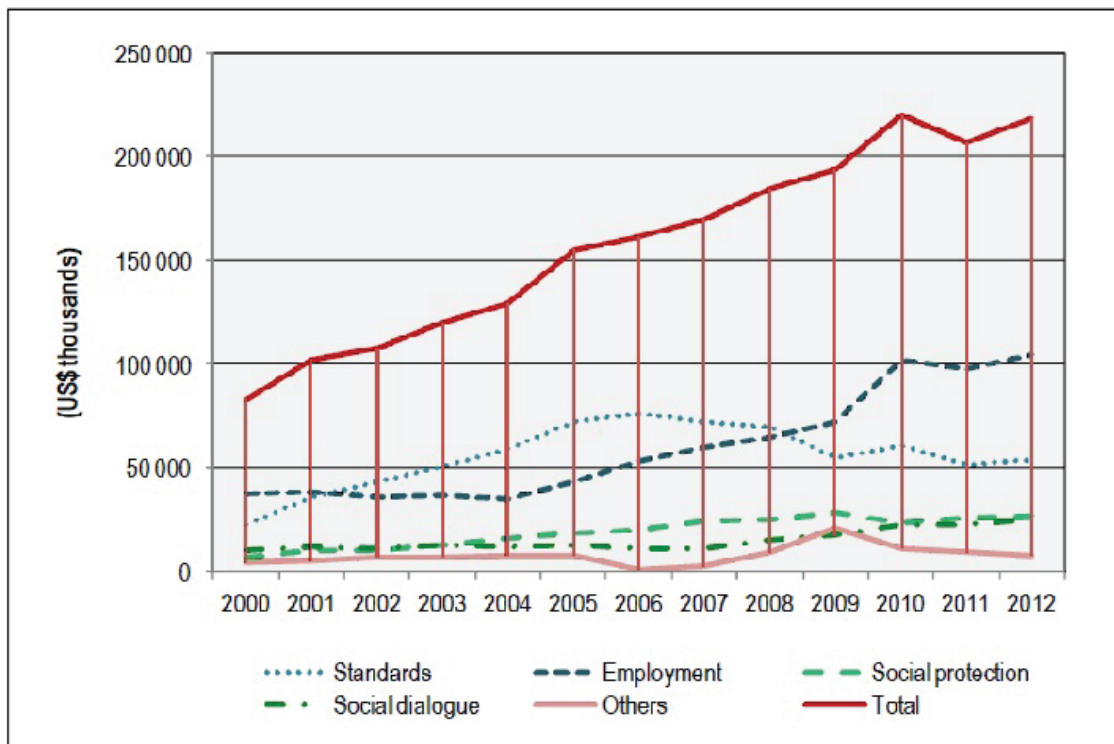


Figure 8.7 Extra-budgetary technical cooperation expenditure by strategic objective, 2000-12.

Source: ILO, *ILO technical cooperation programme: Trends and Perspectives since 2000*. GB. 319/POL/7 (Geneva, 2013), 6

As we have said, donors have their own priorities and Table 8.5 records the approvals for the top five donors by strategic objective in 2006. The table shows that the priorities are

wildly different. For the Netherlands and the United Kingdom, employment is the primary objects in terms of funding. For France and especially for the US, standards are the top priority while for Norway, social dialogue is the number one item. It goes without saying that with differing objectives from major donors, organisational policy coherence may suffer.

Table 8.5. Approvals by top five donors and the strategic framework 2006

Strategic Framework	Standards	Employment	Social Protection	Social Dialogue	Misc	Total
Donor	USD	USD	USD	USD	USD	USD
	%	%	%	%	%	%
Netherlands	20315	41484		1700	7415	70913
	28,6	58,5	0,0	2,4	10,5	100
United States	35198		150	4980		40328
	87,3	0	0,4	12,3	0	100
Norway	6049	2738		7599	1401	17788
	34	15,4	0	42,7	7,9	100
France	9833	823	503	92	4407	15658
	62,8	5,3	3,2	28,1	28,1	100
United Kingdom	2646	6674		2789	2495	14604
	18,1	45,7	0	19,1	17,1	100
Total	74041	51719	653	17160	15719	159291
	46,5	32,5	0,4	10,8	9,9	100

Source: ILO, The ILO's technical cooperation programme 2006-07. GB.300/TC/1 (Geneva, 2007), 23-4



The ILO has endeavoured to strengthen policy coherence by the introduction of so-called Decent Work Country Programmes and the whole technical co-operation has been increasingly geared to promoting the concept of decent work, which again underlines the normative side of the organisation. This agenda follows the logical framework model of analysis.<sup>339</sup> Clearly this represents another attempt at streamlining operations around the same set of objectives as have been guiding the programming process, and is the ILO version of the type of integrated approaches advanced by other multilateral organisations, as for instance the Millennium Development Goals and the Poverty Reduction Strategy Papers. But in order for this exercise to be realistically successful, the idea or the concept will have to be accepted by the customers and clients of the organisations, the funding sources and the recipients, in other words, what we have called the technical environment. While it may be supported by the members, it will still have to be “marketed” to the other segment and as we saw above, this segment is more and more calling the shots. The regular budget over which the organisation and its members have full control, has been stagnant for decades while the extra-budgetary resources have been growing, especially since the turn of the millennium. The problem is that the organisation (and formally speaking, its members) has no control over how these resources are to be spent.

Technically speaking, the members have no control over extra-budgetary resources, but substantively speaking, the picture is slightly more complex. The five major donors listed in Table 8.5 are not only donors, they are also members alongside the employers’ and workers’ organisations. Hence they have a double role similarly to the recipients of technical cooperation programmes. What we would expect is that considerations of comparative advantage and core mandate would be stressed in the priorities set and the projects funded, but it might as plausibly be the case that priorities reflect the aid policies of the funding countries and not those of the ILO. In the latter instance, we would be justified in believing that the institutional and technical environments are only weakly linked and that the expectations of the proper kind of ILO action are far from uniform. One indication of a weak link is that the tripartite composition of the governance bodies is not matched by similar tripartite discussions at the programme meetings with the individual donors. Moreover, while the Ministry of Labour is the ILO counterpart in general policy matters, discussions and funding of the technical cooperation portfolio are normally handled by the Ministry of

---

<sup>339</sup> See ILO, *ILO Decent Work Country Programmes. A Guidebook. Version 3* (Geneva, 2011),

Foreign Affairs. Whether policies and project portfolios are coordinated between these two ministries are not clear. This is clearly stated as a constraint on ILO scope for action: “While involving the Ministry of Labour is a question for the governments, it seems that their absence in the consultation process hampers the integration of decent work approaches to national development. This also applies to ministries of labour in developed countries which are usually not involved in discussions about policy coherence, UN reform and financing for development.”<sup>340</sup>

Another related issue is the “perception that the ILO is a service provider and that the constituents were simply beneficiaries rather than implementing partners.” This is related to the strategic objective of social dialogue and the obligation to involve workers and employers in project implementation. This is still very much an uphill struggle characterised by lack of trust on the part of the constituents and the sense that UN-dominated planning exercises tend to be top-down, full of bureaucratic jargon and primarily involving finance ministries and only marginally the pressing concerns of employers and workers.

Looking at the most recent developments, the data available indicate that the array of bilateral donors has significantly increased. While the data for the 1980s and 1990s put Denmark, Netherlands and Norway at the top of the list of bilateral donors, the post-millennium situation is one of new donors and older donors significantly increasing their resource transfers, particularly the US, UK and Italy. This has happened while the other donors have by and large maintained their level of support. These data are not totally up to date so we do not know whether allocations will be maintained in view of the recent economic problems in the European region.

It seems likely that the new programming procedures around strategic objectives may have brought in extra resources. After all, the members who pushed for the shift towards strategic objectives are also the main bilateral donors so if they have put their money where their mouths are, it should explain the increase, but as we saw in Figure 8.5 above, there was a dip in XBTC approvals in 2009 and 2011, most likely due to the financial crisis in

---

<sup>340</sup> ILO, *The ILO's Technical Cooperation Strategy and tripartism in the context of the United Nations reform process*. GB.306/TC/1 (Geneva, 2009), para.12.

Europe, and a minor rebound in 2012. It is too early to say whether XBTC funding has reached a ceiling or whether it will continue to expand.

Table 8.6. Distribution of ILO technical cooperation expenditure (XBTC and RBTC by strategic objective 2006-08 ('000 USD)

Strategic Objective	Year					
	2006	%	2007	%	2008 (prelim)	%
Standards	77170	45	73802	38.9	70369	36
Employment	55170	32	66478	35	66707	34
Social protection	21220	12	26434	13.9	26539	13
Social dialogue	13313	7	17192	9	17212	8
Others	1770	1	5945	3	12520	6
Total	168582	100	189852	100	193348	100

Source: ILO, *The ILO's technical cooperation programme 2007-08*, GB304/TC/2 (Geneva, 2009), 4

Table 8.6 gives a breakdown by strategic objectives, though the figures for 2008 are preliminary. There are only minor changes for most of the objectives, but a significant reduction for the standards-related objectives. Year to year fluctuations may be too brief to indicate a trend, but the figures are in line with Figure 8.7 above, with the proviso that the figures in Table 8.6 also include RBTC, which is technical cooperation financed from the regular budget.

Finally, table 8.7 gives the figures on distribution by region for the four main strategic objectives which indicate priorities more clearly. We see that standards-related interventions are most important for the American region, employment for the Asian region while social protection is of most importance for the European region (of identifiable

regions). Social dialogue appears to be most important for the Arab states, though figures here are fairly small. These data are for one year only, so more data are needed to establish any discernable trend.

Table 8.7 ILO technical expenditure (XBTC) by region and strategic framework 2006  
(in US '000)

Strategic Framework	Standards	Employment	Social Protection	Social Dialogue	Misc	Total
Region	USD	USD	USD	USD	USD	USD
	%	%	%	%	%	%
Africa	17063	14876	3404	2453	85	37881
	45	39,3	9	6,5	0,2	100
Asia	24234	21814	3330	2640	65	52082
	46,5	41,9	6,4	5,1	0,1	100
Americas	15176	5223	825	1142	45	22410
	67,7	23,3	3,7	5,1	0,2	100
Arab states	755	951	116	613		2436
	31	39,1	4,8	25	0	100
Europe	5930	1543	3203	1051		11727
	50,6	13,2	27,3	9	0	100
Interregional	13182	8403	9585	3111	616	34896
	37,8	24,1	27,5	8,9	1,8	100
Total	76339	52810	20464	11009	810	161432
	47,3	32,7	12,7	6,8	0,5	100

Source: ILO, The ILO's technical cooperation programme 2006-07. GB300/TC/1 (Geneva, 2007), 14

To what extent have the new procedures made it easier for the organization to reach its objectives and how does the technical cooperation programme help in that regard? According to a recent document, “only 58 per cent of extra-budgetary funding contributes directly to country-level decent work outcomes. While the remaining funds mostly support work-related issues which have not been prioritized, this figure points to a continued misalignment of voluntary resources and decent work outcomes, undermining the ILO’s ability to reach targets.”<sup>341</sup> It is not explained how this figure is arrived at except that it only applies to country-level programmes.

One step in the direction of a better match has been the introduction of the Regular Budget Supplementary Account (RBSA) which is unearmarked resources that can be used for activities prioritised by the Office. As RBTC is generally too small to replace the dependency on external resources, this is a supplement that opens for more flexibility to pursue priorities. A related move is to sign multi-year partnership agreements with the main bilateral donors. One feature of some of the partnership agreements is the introduction of mainstreaming of gender equality and in the agreements with Denmark, Netherlands, Norway and Sweden, specific allocations were earmarked for this purpose.

Table 8.8 shows the allocation of resources by regular budget, extra-budgetary funding and RBSA. The point is to test the extent of coherence between different sources of funding. Is the regular budget priorities aligned with the extra-budgetary priorities, in other words the priorities of members and of donors who, as we have stated before, also happen to be members. The two main findings from the table are first that the priorities of the regular budget are well aligned with the priorities of RBSA which are as could be expected. The supplements reinforce the priorities from the regular budget and there are only minor deviations in terms of percentages for each major strategic objective. The differences appear, however, when we compare regular budget with extra-budgetary resources. For the employment objective, extra-budgetary resources are considerably higher than regular resources. This is not altogether new. The survey of technical cooperation above showed that the technical cooperation programme was very much focused on human resource development in general and despite changes in packaging and presentation, the underlying

---

<sup>341</sup> ILO, *The ILO’s Technical Cooperation Strategy and tripartism in the context of the United Nations reform process*. GB.306/TC/1 (Geneva, 2009), para. 26.

reality has not changed significantly. For the social protection objective, regular budget allocations are higher than extra-budgetary with the notable exception of HIV/AIDS which was never an ILO priority, but seems to have struck a chord with donors. Labour migration is also a little higher, but generally social protection is not strongly supported by donors. For social dialogue, the core of ILO tripartism, the same picture emerges. Extra-budgetary resources are significantly lower than regular budget resources, which imply that tripartism as such has never caught on strongly with donors. Finally, for the standards objective, the outstanding exception is child labour which, as will be clear later on, has been a resounding success with donors and so has forced labour, though on a much smaller scale.

Table 8.8 ILO Expenditure by outcome

	Regular budget	% Extra.budgetary	%	RBSA	%
<b>Employment</b>					
Employment promotion	88077031	114 548 144	25,8	2 870 245	13,0
Skills development	45983592	46 971 199	10,6	896 610	4,1
Sustainable enterprises	57554300	45 875 227	10,3	1 834 323	8,3
<b>Subtotal</b>	191614923	207 394 570	46,7	5 601 178	25,5
<b>Social protection</b>					
Social security	41794197	10 707 957	2,4	1 814 274	8,2
Working conditions	24537882	3 994 390	0,9	554 434	2,5
Occupational safety and health	38801773	4 473 078	1,0	736 486	3,3
Labour migration	14762628	15 342 638	3,5	561 503	2,6
HIV/AIDS	6782829	17 476 335	3,9	794 798	3,6
<b>Subtotal</b>	126679309	51 994 398	11,7	4 461 495	20,3
<b>Social dialogue</b>					
Employers' organizations	38402783	3 852 799	0,9	1 251 227	5,7
Workers' organizations	53364906	8 861 265	2,0	1 436 029	6,5
Labour administration and labour law	25734852	4 812 604	1,1	1 598 580	7,3
Social dialogue and industrial relations	28328286	10 767 895	2,4	1 455 968	6,6
Decent work in economic sectors	29525256	24 753 554	5,6	684 705	3,1
<b>Subtotal</b>	175356083	53 048 117	11,9	6 426 509	29,2



## Standards and fundamental rights at work

Freedom of association and collective bargaining	18353538	2,8	4 134 887	0,9	368 915	1,7
Forced labour	5186869	0,8	9 070 480	2,0	679 193	3,1
Child labour	13166668	2,0	88 373 948	19,9	1 325 154	6,0
Discrimination at work	12867426	2,0	5 098 781	1,1	835 233	3,8
International labour standards	76705818	11,9	13 072 688	2,9	1 226 496	5,6
<b>Subtotal</b>	126280319	19,5	119 750 784	26,9	4 434 991	20,2
<b>Policy coherence</b>						
Mainstreaming decent work	26 532 832	4,1	12 181 423	2,7	1 081 504	4,9
<b>Total strategic objectives and policy coherence</b>	646 463 466	100,0	444 369 292	100,0	22 005 677	100

Source: Adapted from ILO, *ILO programme implementation 2012-13*, GB.320/PFA/1, (Geneva, 2014), 17.

## 8.7. Summing up

We have investigated the environments of customers/clients and asked to which extent they are linked and how they are linked. Earlier there were no clear perceptions of linkages as extra-budgetary resources were seen as an addition to the regular budget and by and large were coming from the UN family of funds and programmes. Given stagnation in the regular budget and expansion of extra-budgetary resources, and the shift from multilateral to multi-bilateral sources, the relationship has assumed much higher importance, given the double role of many governments of both members and donors/recipients. The developments over the last decade have seen a process of deliberately streamlining operations in terms of strategic objectives following the logical framework analysis model. This may be interpreted as rationalizing the work of the organization towards greater policy coherence, bringing the two environments in closer co-operation. This could be seen as an attempt of recoupling, seeking a better fit between core mandate and comparative advantage, concepts that play in the two different environments. But how successful is it? Is it just another rationalized myth? Does the regular work go on as before, unperturbed by the new packaging? Do the donors follow their own priorities or are they genuinely concerned with the new packaging?

As the above has demonstrated, the turning to new styles of packaging and presentation has not really changed things substantially, in fact, does not appear to have affected the underlying reality at all. And among donors themselves, there is no clear sense of priority across the group as such. Donors prioritise different subjects according to their own preferences and not necessarily those of the ILO. If the purpose was to recouple regular and extra-budgetary resources to achieve a strong sense of direction, the attempt has not been successful. In conclusion, regular and extra-budgetary are only weakly linked. However, the greatest surprise has been the remarkably success of the ILO in child labour. It is the second largest item in extra-budgetary allocations, only topped by employment promotion. This warrants closer examination, so to that we now turn.

## 9. Standard-setting in the field of child labour

### 9.1 Introduction

The International Labour Organisation (ILO) has had the distinction of setting standards within its domain of competence and has in the course of 80 years accumulated a large number of international labour standards in the form of Conventions and Recommendations. This standard-setting authority illustrates the *regulative* function of the organisation as it attempts to regulate by legal means the world of work within and across societies.

While the regulative function has been part of the organisation from its establishment in 1919 with the League of Nations, the *technical* function came later and expanded rapidly with the rising membership of developing nations. The technical function is defined as the delivery of advisory and other services through the design and execution of development projects made possible with funds provided by the developed nations, primarily to the benefit of developing nations. The regulative function may be described as ways of constraining and standardising behaviour, whereas the technical function rests on a concept of developmentalism wherein concerted action is undertaken in order to reach a desired goal or end-state.

One area of ILO competence in which the regulative and technical functions meet head on is child labour. The problem of eliminating child labour can be tackled both regulatively by drafting legal instruments and technically by designing effective development projects. The ILO has been pursuing both functions in handling this problem. On the regulative side, a series of Conventions have been adopted on child labour within specific economic sectors and later consolidated in the Minimum Age Convention. This instrument was supplemented by the Worst Forms of Child Labour Convention, signifying that some forms of child labour are worse than others and therefore calling for immediate, urgent action. These two Conventions are now part of the ILO core labour standards as they address general human rights concerns. The process of drafting this legal instrument started in 1996/97 with the preparation of a law and practice report, and a questionnaire. Given the standard ILO procedure of two years for drafting and adopting an instrument, the

Convention (with its accompanying Recommendation) was eventually adopted by the International Labour Conference at its June 1999 session. The discussions and negotiations on the drafting of an international Convention depict in typical form the institutional environment of the ILO as government, employer and worker members sit together to negotiate a new legal instrument.

On the technical side the ILO has been operating its International Programme to Eliminate Child Labour (IPEC) since 1992 and progressively expanding its coverage as more donors have joined the programme in recent years. In the next chapter we shall have an extended look at IPEC operations, but with a specific focus on the African and Asian regions as these regions have been receiving considerable funding from IPEC.

As we have emphasized above, the institutional environment has to do with cognitive and regulative matters (principled beliefs) and the technical environment with the services the organisation renders and their relevance, timeliness and effectiveness in relation to customer needs. The issue of *comparative advantage* is an issue in the technical environment, while the *core mandate* is an issue in the institutional environment. They may, however, be linked in the following way: a focus on the organisational core mandate, assuming it is significantly distinct from that of other organisations, would yield a comparative advantage in selling services or products to customers, assuming that the services are in demand. Below, the field of child labour will be investigated as a field in which the ILO has an undisputed legal mandate, but presumably also a comparative advantage as donors have provided large amounts of funding for ILO's efforts to combat this problem. However, that is the topic of the next chapter. In this chapter, we will examine the type of regulations in place with regard to child labour.

## 9.2 Negotiating a new convention on child labour

Child labour concerns have been with the organisation right from the beginning. The Convention Fixing the Minimum Age for Admission of Children to Industrial Employment (C5) had set the minimum age to 14 years of age and prohibited night work for children under 18 years of age. This was very much a compromise as some countries had preferred

16 years as the minimum. However, in several countries, compulsory education did not extend beyond the age of 14, leaving a void in which children could not seek employment. By the early 1930s, only 18 countries had ratified the Convention. Standard-setting in the following years was for specific economic sectors only, subject to what could be reached agreement on, such as maritime work, agricultural work, and non-industrial employment, including shops, hotels, but excluding domestic work. Later revisions of these Conventions raised the minimum age to 15, but exceptions were made with regard to family undertakings, provided that these were not dangerous to the life, health and morals of the child.

It was only with the Minimum Age Convention for Admission to Employment (C138) that a comprehensive instrument came into place. The intention was to gradually replace the earlier instruments, but States still had the choice of remaining with the earlier or ratifying the new one, whatever was considered most feasible. The Convention introduced three age categories; the six to twelve years category in which work was prohibited except light work in family undertakings and households; the thirteen to fourteen years category in which light work was allowed provided it did not interfere with schooling or strained the physical and mental maturity of the child; and finally, the fifteenth to eighteen years category, in which work was allowed, provided that compulsory schooling was completed and the work was not hazardous to the life and health of the child.

The Minimum Age Convention retreated on the minimum age by lowering it from fifteen to fourteen to acknowledge the differences in compulsory education and level of economic development across countries. However, the accompanying Recommendation set the minimum age at sixteen to encourage setting higher goals, but recommendations are not legally binding. The Convention allowed for flexibility by excluding certain sectors from its coverage, primarily family undertakings. As stated by one analyst, “in order to put in place a worldwide policy framework, the ILO was torn between a codifying convention (i.e. what has been the legislative practice) and a normative convention (i.e. imposing a new norm on diverging practice by bringing countries up to the norms established in the more advanced legal systems). Developing countries were considered exceptional cases that allowed for a gradual approach.<sup>342</sup> The Convention was comprehensive in the sense that it also included

---

<sup>342</sup> G.K. Lieten, “The ILO Setting the Terms in the Child Labour Debate”, in *ILO Histories*, 447-8.

non-wage labour, but excluded domestic work as it was perceived to be non-productive and not time-limited. That might have been the prevailing opinion at the time, but this issue was to come up again in the negotiations for a Convention on the Worst Forms of Child Labour. To that we now turn.

The typical legislative ILO action in the field of child labour is the drafting of international legal instruments. This process is procedurally initiated with the production of a so-called law and practice report,<sup>343</sup> based on information collected from member countries and other sources, and a questionnaire, setting out some initial suggestions on the form and content of the instrument(s), for members to reply to. Following the double-discussion procedure, these documents and the replies to the questionnaire and the initial draft of the instrument(s) were made available to the 1998 session of the International Labour Conference. The deliberations resulted in a draft version submitted for final discussion at the June 1999 session at which the Convention and its accompanying Recommendation were adopted. As the ILO imposes a time constraint on the process of standard-setting, it avoids the disadvantage of the drafting process dragging on indefinitely. Nonetheless, an early indication of the substantive content of the draft instrument was given in Question 7 of the questionnaire.<sup>344</sup>

Should the Convention provide that each ratifying Member should suppress immediately all extreme forms of child labour including:

- a. all forms of slavery or practices similar to slavery, sale and trafficking of children, forced or compulsory labour including debt bondage and serfdom;
- b. the use, engagement or offering of a child for prostitution, production of pornography or pornographic performances, production or trafficking in drugs or other illegal activities;
- c. the use and engagement of children in any type of work which, by its nature or the circumstances in which it is carried out, is likely to jeopardise their health, safety or morals.

The response from the ILO member governments and employers' and workers'

---

<sup>343</sup> ILO, *Child Labour. Targeting the Impossible*, (Geneva, 1996).

<sup>344</sup> ILO, *Report VI(I): Questionnaire. Child Labour*, ILC 86th Session, 1998 (Geneva, 1996).

organisations was overwhelmingly in favour of immediately eliminating extreme forms of child labour. While child labour of a less extreme form might be progressively abolished, by means of compulsory primary education or long-term poverty alleviation, the extreme forms called for immediate suppression. The forms described under (a) and (b) were considered by most respondents to be criminal offences requiring a more serious response than 'mere' breaches of labour standards. The reactions to (c) called for more specificity in describing the types of hazardous work likely to have such debilitating effects on health, safety and morals. Some respondents wanted to add lack of education to the adverse effects. But if all types of work likely to jeopardise education were to be regarded as extreme child labour, the scope of the proposed instrument would be considerably widened and put an obstacle in the path of ratification, according to the ILO drafters. Other respondents wanted to specify that health should be defined as meaning both physical and mental health, to which the ILO drafters concurred.

While respondents generally preferred a greater degree of specificity, the standard mode of drafting has been to keep the Convention brief and to the point, while leaving the specifics to the accompanying Recommendation which, however, is not legally binding on ratifying States.<sup>345</sup> Such specifics were listed in Question 14, following from Question 7(c) on types of hazardous work, comprising underground and under-water work or work at great height, unhealthy environments with exposure to hazardous substances or extreme temperature and noise levels, dangerous machinery or heavy loads or inconvenient working hours. The responses ranged from those wanting to transfer greater detail into the provisions of the proposed Convention to those finding that too many details in the proposed Recommendation would underestimate the difficulties encountered under differing national conditions. The median opinion on this point maintained that the listing of criteria of hazardous work be appropriate for a Recommendation.

A similar concern arose in relation to Question 20 asking whether national law should consider the types of child labour listed under 7(a) and (b) as criminal offences. Some respondents wanted this to come under the Convention which would create specific penalties for specific violations as a means for states to suppress extreme forms of child labour. Similarly, Question 21 asked whether criminal penalties might also be attached to

---

<sup>345</sup> ILO, *Report VI (2). Child Labour*, ILC 86th Session 1988 (Geneva, ILO, 1998).

the serious and persistent violations of the type listed under 7(c). Some respondents questioned whether making a distinction between the three different types listed in Question 7 was warranted, arguing that all three should be regarded as criminal offences. On the subject of redress to the victims of child labour, the main conclusion was that this was a subject for national law to decide, including using legal sanctions against establishments employing children under extreme working conditions.

In summary, the points under Question 7 were worded as follows in para. 9 of the Proposed Conclusions:

For the purposes of the Convention, the expression “extreme forms of child labour” should comprise:

- a. all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, forced or compulsory labour, debt bondage and serfdom;
- b. the use, engagement and offering of a child in illegal activities, for prostitution, production of pornography or pornographic performances;
- c. any other type of work or activity which, by its nature or the circumstances by which it is carried out, is likely to jeopardise the health, safety or morals of children, so that they should not be used or engaged in such activity under any circumstances.

The answers to the set of questions in the ILO questionnaire were summarised in the Proposed Conclusions which provided the raw material for the drafting of the international legal instrument. The next step was the discussion in the Committee of Child Labour of the International Labour Conference. As the ILO has established a double discussion procedure, the Proposed Conclusions was put before the Committee in its first round of discussions in 1998 at the 86th session of the Conference.<sup>346</sup> One change adopted by the Committee was to alter the wording of the preamble of the Proposed Conclusions from stating that the instruments should be adopted for “the immediate suppression of extreme forms of child labour” to “the prohibition and immediate elimination of the worst forms of child labour”.

---

<sup>346</sup> ILO, *Report of the Committee on Child Labour*, ILC 86th session (Geneva, 1988).



This amendment served to make a distinction between legal action, viz. to prohibit an activity, and to act on it, viz. to immediately eliminate the activity. The amendment to substitute “worst forms” for “extreme forms” was also thought to be more in line with proper terminology. The amendment to emphasise immediate elimination was opposed by some representatives of developing countries, but failed to garner enough support. Their suggestion to include an amendment referring to extreme forms of child labour being caused by poverty also failed to muster adequate support.

As to the contents of para. 9 of the Proposed Conclusions, some members thought that illegal activities should not be conflated with prostitution and pornography. Therefore, another point was added, i.e. concerning “the use, procuring or offering of a child in illegal activities, in particular in production and trafficking of narcotic drugs and psychotropic substances as defined in relevant international treaties”. A second addition was proposed by the government member of Italy, referring to “all forms of activity which involve the use of violence, including all forms of military activity”. However, some members felt that the subject was being dealt with in the work of the Human Rights Commission on a proposed Optional Protocol to the Convention on the Rights of the Child. After a vote, the Committee decided that it was competent to deal with the issue, but, due to internal dissension, decided also to defer the issue to the second round of discussion in 1999.

The discussion regarding 9(c) turned to the necessity of retaining the last part of the sentence which some members felt to be redundant. Some members desired the phrase “the health, safety and morals of children” to be replaced by the “health and safety of children or to harm their physical, mental spiritual, moral or social development”, but this proposal was not widely supported. Similarly, a suggestion to substitute “physical and psychological well-being and emotional development” for “morals” was also defeated. The workers members wanted to replace “morals” by “access to basic education”. A number of members argued, however, that lack of access to education should not be included in a definition of what constitutes the worst forms of child labour, such as para. 9(c), even though education might be an essential part of rehabilitation efforts.

The Committee discussion did not only review the definitions of what constituted the worst forms of labour, but also the implementation mechanisms for removal of these forms,

comprising points 10 - 12 of the Proposed Conclusions. The workers members wanted an exhaustive list of types of hazardous work to be included in the Convention, but this amendment fell because of the perceived need to keep Conventions brief and general in order to secure as many ratifications as possible. However, the workers and employers combined their efforts to defeat an amendment proposed by the government members to include “other concerned groups” as participants in the consultation procedures. The employers and workers were habitually inclined to emphasise the exclusivity of the tripartite arrangements, but the government members signalled their intention to bring it up again at the second round of discussions.

However, some more specific language did manage to work its way into the draft text, against the protest of the employers members who felt that such language would make the Convention impossible to ratify and accomplish little by way of removing the problem:

Each Member which ratifies the Convention should, taking into account the importance of education in eliminating child labour, take effective and time-bound measures to:

- (a) prevent children from engaging in the worst forms of child labour;
- (b) provide the necessary and appropriate direct assistance for their removal from work, rehabilitation and social reintegration through, *inter alia*, access to free basic education; and
- (c) identify and reach out to children at special risk and to take account of the special situation of girls.<sup>347</sup>

The important inclusions were the references to free basic education as well as the special situation of girls. Further amendments from the workers members to include references to inspection systems, public awareness campaigns and information and complaints procedures with protection against reprisals did not receive support.

After the first round of discussion of the Conference Committee, the standard procedure is that ILO drafts the texts of the proposed Convention and Recommendation, which are

---

<sup>347</sup> ILO, *Report of the Committee on Child Labour*, para. 215.

again sent out to members for comments and suggestions for revision. The drafts are then revised depending on the ILO's assessment of the comments received. If comments do not point in any specific direction, as is often the case, the matter is referred to the Conference Committee for its second and final round of discussion.

A vexing issue at this point was child soldiers. In the ILO summary, a variety of options on how to handle this issue was laid out, including inserting an explicit reference in a separate subparagraph proposing that the issue be dealt with in relation to the ongoing negotiations within the United Nations on a draft optional Protocol to the Convention on the Rights of the Child on involvement of children in armed conflict. The drafters argued that it should only be explicitly mentioned in a provision that remained within the focus of the new Convention – the worst situations – referring to the situation of young children who were forcibly recruited and involved in combat or were recruited, whether forcibly or not, into the armed forces for whatever purpose.<sup>348</sup>

As this was to be taken up in the second round of discussion of the Conference Committee, the options were referred to the Committee for their consideration and final decision. Another issue referred to the Committee was that of basic education. As the ILO drafters felt that the focus should be kept on the worst forms of child labour and as Convention 138 on the Minimum Age for Employment already had a reference to basic education, there was no need to insert a reference as part of the definition of what constitute the worst forms. Yet another topic referred to the Committee was whether consultations should go beyond the employers' and workers' organisations and include NGOs with expertise on child labour issues.

The last step in the drafting process was the second and last round of discussions of the Committee on Child Labour of the International Labour Conference, which met from 1 to 17 June 1999. It was the task of the Committee to negotiate the final text of the legal instrument and since the standard-setting process is time-bound, agreement had to be reached at the second round of discussions if there were to be an international legal treaty at all. The first task was to agree on a title. The ILO had suggested 'Convention concerning the prohibition and immediate elimination of the worst forms of child labour'. However, some members

---

<sup>348</sup> ILO, *Report IV (2). Child Labour*, ILC 87th session (Geneva, 1999).

felt that immediate elimination would be beyond their capacities and wanted either to delete 'immediate' or to have it replaced by 'effective'. The workers members insisted on retaining 'immediate' in some form in the title, arguing the urgency of action. Ultimately, a compromise was struck by adopting the rather cumbersome phrase of 'prohibition and immediate action for the elimination of the worst forms of child labour'.<sup>349</sup> As is standard practice, a shorter title was selected for inclusion in lists and catalogues and the 'Worst Forms of Child Labour Convention' became the abbreviated 'popular' version.

The issue of children in armed conflict was raised anew in relation to Article 3(a) of the proposed Convention. In the opening round of presentations, the government representative of the United States said that "(r)ecalling the debate on the age of eligibility for military service, he thought it inadvisable to add unnecessary obstacles to ratification. The intention of the Convention was not to limit traditional national military training and voluntary service consistent with current international law. International legal obligations set an age limit of 15 years, which admittedly was low; but in trying to address these issues it would be prudent not to establish a norm that would prove unworkable or counter-productive. The emphasis should be on the coerced or criminal imposition of military activity."<sup>350</sup> This viewpoint was reiterated by the government representative in the discussion on Article 3(a) in which the reference should be to 'forced or compulsory recruitment of children for use in armed conflict' and not to lawful recruitment of 17-year olds on a voluntary basis which may entail service during armed conflict. Moreover, voluntary service should not be covered under Article 3(d) definitions of 'hazardous work'.

This restriction on the definition of children in armed conflict met with disappointment from some other government representatives, including the representative from Norway who "argued that a restrictive formulation introduced the question of how to determine whether participation is truly voluntary or involuntary and how to protect the children involved. She expressed disappointment and deep regret for the impossibility of providing a basic level of protection to this group of children."<sup>351</sup> Several members hoped that the formulation would not bar progress on a more comprehensive prohibition of children in

---

<sup>349</sup> ILO, *Report of the Committee on Child Labour*, ILC 87th session (Geneva, 1999), paras. 61-72.

<sup>350</sup> ILO, *Report*, para. 41.

<sup>351</sup> ILO, *Report*, para. 154. See also 'World Panel Adopts Treaty to Restrict Child Labour', *New York Times* (Internet Edition), 18 June 1999.

armed conflict related to the work on an Optional Protocol to the UN Rights of the Child Convention.

Another remaining issue was whether the denial of access to basic education would be part of the definition of types of worst forms of child labour. An amendment to insert a new paragraph after 3(d) was introduced by a group of industrialised countries to read as follows: “work which systematically deprives children of access to education in accordance with applicable compulsory education requirements as established by national laws or regulations or by the competent authority.”<sup>352</sup> As it did not garner the support of the developing countries and met with strong protest from the government of India, it was subsequently withdrawn.

Another concern of a number of industrialised countries was to include ‘other groups in civil society’ beyond the government and the employers’ and workers’ organisations in the determination of hazardous work. NGOs working for children should in their view also be a part of the determination process. However, in order to reach consensus, the amendment was withdrawn and Article 4 consequently refers only to the social partners. Some government members and the workers members proposed an amendment to Article 7(c) to add ‘including those in hidden work situations’ to the formulation ‘identify and reach out to children at special risk’, referring to children in domestic service.<sup>353</sup> However, some government members and the employers members felt the term was not clear enough to be included in a legal treaty and the amendment was withdrawn. But perceptions have changed over the years and now there is the Domestic Work Convention (C189), adopted in 2011 and coming into force in 2013.<sup>354</sup>

While developing countries tended to be reluctant to accept strong obligations in instruments like the one discussed, they were less reluctant to accept international assistance to promote the goals of the instruments. The proposed Article 8 of the Convention spoke of ‘enhanced international co-operation and assistance including support for social and economic development, poverty eradication programmes and universal

---

<sup>352</sup> ILO, *Report*, para. 178.

<sup>353</sup> Article 7(d) of the final Convention text. See Appendix 1 for the full text.

<sup>354</sup> Note that the provisions of the two main child labour Conventions also apply to C189.

education.’ On questions of funding, the industrialised countries were the reluctant ones, disinclined to provide assistance as a matter of obligation deriving from an international legal treaty. As a compromise, the workers members suggested that ‘and’ be replaced by ‘and/or’ so that co-operation may or may not be accompanied by assistance of a financial nature. As the government representative of Hungary acutely observed, ‘and/or’ effectively means ‘or’ – an inference disputed by the government representative of India who reaffirmed his understanding that there was an obligation under the Convention for members to assist each other.

With the adoption of Article 8, the substantive part of the Convention was effectively adopted. For reasons of brevity, the negotiations on the final text of the accompanying Recommendation shall be left out here. In summing up, the Committee members had the opportunity to congratulate themselves on their efforts to reach a final text and several noted that not once was there a need to decide by formal voting, every decision having been taken by consensus.

However, any compromise text is less than ideal and the members pointed to specific provisions where more could have been achieved. In particular, there was general disappointment that not more had been accomplished in prohibiting children from taking part in armed conflict. As stated poignantly by Mr. Steyne, workers’ advisor, United Kingdom: “There is little logic in saying that we wish – quite rightly – to ban all sex work for children under 18, even if they are over the age of consent, but want to permit children of 16 and 17 to volunteer as combatants in war”.<sup>355</sup> Other shortcomings mentioned by speakers again pointed to domestic child labour and the absence of a listing of hazardous work in the text of the Convention.

However, the drafting of a new instrument does not mean that extant instruments do not apply. As mentioned above, Convention no. 138 on Minimum Age and Recommendation no. 146 on Minimum Age are instruments relevant to addressing child labour as are Convention no. 29 on Forced Labour and Convention no. 105 on Abolition of Forced Labour with regard to particularly egregious forms of child labour. As the two latter Conventions

---

<sup>355</sup> ILO, *Report of the Committee of Child Labour. Submission, Discussion and Adoption*, ILC 87th Session (Geneva, 1999).

have been widely ratified, the ILO supervisory bodies have been given an opportunity to address this issue directly. The UN Convention on the Rights of the Child has also been widely ratified. The two child labour Conventions have been included in the ILO short list of human rights Conventions and regularly followed up by the procedures set by the Declaration on Fundamental Principles and Rights at Work. In terms of popularity, C 138 has been ratified by 167 countries and C182 by 179 countries to date, making them among the most ratified of all ILO labour standards.

The above discussion has demonstrated the highly procedural nature of standard-setting whereby governments, employers' and workers' representatives negotiate among themselves in order to reach a final legal text which can be adopted by the Conference in plenary. The key word is *regulation*, i.e. fashioning institutions with a view to constraining behaviour deemed unacceptable. Even though standards set boundaries between the acceptable and the unacceptable, these boundaries may not be entirely clear-cut. Flexibility is inbuilt when it comes to the setting of minimum age, taking account of differences in age of compulsory schooling and levels of economic development. But in differentiating between forms of child labour, some forms are clearly worse than others and beyond the bounds of acceptability. These forms have to be given priority in combatting child labour.

Secondly, standard-setting is procedurally limited to the social partners, governments, employers and workers, and NGO inputs on child labour have no formal place in the standard-setting procedures. The UN human rights bodies have adopted a more open policy towards inputs from NGOs with regard both to standard-setting and monitoring and NGOs have a defined role in providing alternative information to state reports under the Child Rights Convention, to take one example. As we shall see, civil society organisations are often instrumental in channelling advocacy and providing key services in projects aiming at the elimination of child labour on the ground. In the world of technical co-operation, constraints may not be immediately imposed, priorities may differ and progress is gradual. *Developmentalism* is more incremental, and less categorical. Projects have to face the situation on the ground as it is and work their ways towards feasible outcomes. Briefly, we may say that they have to work towards creating an enabling environment on the one hand and taking direct action to the benefit of child labourers on the other. Projects are to be located on a continuum between mainstreaming at one end and targeting at the other.

Technical cooperation in the field of child labour is the subject of the next chapter and to that we now turn.



## 10. Technical Cooperation on the field of child labour - implementing the International Programme to Eliminate Child Labour (IPEC)

### 10.1 Introduction

Social change can proceed along disparate paths. Within the human rights-oriented community, change is largely thought of as legal entitlements and the task is making sure that rights-holders become aware of their entitlements and are able to claim them. Regarding duty holders, the task is to persuade governments to ratify international legal treaties and to ensure compliance with them. This approach is very much top-down with norms promulgated at the international level through international agencies, often in combination with international and domestic NGOs, shining a critical spotlight and exerting soft pressure on governments to comply with them. In the last chapter we saw how the Worst Forms of Child Labour Convention came into being.

Within the development community, change is commonly thought of as a process of progressive change towards stipulated goals and targets. The MDGs are an example of this approach; the point is not so much to ensure compliance with law, but to minimize the gap between the actual and desired state. This approach can be top-down as well as bottom-up, but change is not conceived of as one of legal compliance, but one of gradual progression towards a goal. In chapter 8 on technical co-operation we saw how this is made into operational work.

However, these approaches can be combined and in this chapter we will have a close look at how one organisation seeks to combine them. Specifically, the onyx is on the International Programme to Eliminate Child Labour (IPEC) of the ILO. The emphasis is not on standard-setting, which was covered in the last chapter, but on action in the field. The argument is that action can proceed along two distinct, yet interrelated paths. One is *direct action*, deliberately targeting children, removing them from the work place, enrolling them in school or in vocational education and compensating them and their parents for loss of income. The other approach is the indirect one of creating an *enabling environment* by working on multiple fronts at once, creating a legal and policy framework, channelling information and advocacy and involving the tripartite constituents of government,

employers' and workers' organisations.

While the former, direct action, approach is results-oriented, the latter is procedurally driven. These approaches correspond to technical and institutional environments, respectively, which have been explained earlier and examples will be given of both approaches. The former may be illustrated by a multi-sequenced project within the garment sector in Bangladesh and the latter combined approach by various projects in Anglophone Africa. In technical jargon, these are known as downstream and upstream approaches, respectively. Over time, interventions have gradually shifted from downstream to upstream activities. In the following, these projects will be analysed, using standard evaluation criteria and drawing on actual evaluation reports. The main research task is to assess the merits of these two approaches and to draw some conclusions about their relative effectiveness towards the ultimate goal of eliminating child labour. One key finding is that creating an enabling environment is a more complex and time-consuming route than the direct action route. The question is then whether such an enabling environment is necessary for long-term sustainability of projects and whether there are alternatives towards creating such environments than the ones considered here.

There is the added consideration of how important effectiveness and efficiency is. In the organisation studies literature, an argument has been made that organisations persistently failing to be productive and profitable in the attainment of their official goals may still survive because the stakeholders are more interested in maintaining the organisation than in measuring organisational performance.<sup>356</sup> The stakeholders, to follow the adopted line of reasoning, would be actors in the institutional environment. However, this is an argument where other types of rationality, for example that of political considerations, come to outweigh the technical or instrumental type of rationality.

---

<sup>356</sup> See Marshall W. Meyer and Lynne Zucker, *Permanently Failing Organizations* (Newbury Park, Sage, 1989).

## 10.2 Evaluation and measurement criteria

There is an agreement in the literature that measuring and explaining effectiveness are more complex than commonly assumed. Two dimensions are essential for measuring effectiveness: *standards of desirability* and *cause-effect relationships*.<sup>357</sup> Three tests can be undertaken on the basis of these two dimensions. First, if standards are clear and cause-effect relationships are known, an *efficiency* test can be undertaken. If standards are clear, but cause-effect relationships are unknown, an *instrumental* test can be done to evaluate whether the expected outputs were attained, regardless of the relative amount of resources expended. This is otherwise known as an effectiveness test. If standards are ambiguous and cause-effect relationships are not known, a *social* test can be done in which validation is by social reference group. Of the three alternatives, an efficiency test is to be preferred to an instrumental test, as the latter leaves the possibility open that a better way to achieve the goals exists. An instrumental test is to be preferred to a social test as in the latter case, differences of opinion are possible and the social referent may be unstable. It may be unclear which are the referent groups and which are the most important among them.

In other words, effectiveness is achieved if a sufficient number of important constituents think so. This latter test would be applicable to organisations for which the institutional environment matters or to interventions seeking to create or shape or change an enabling environment. Standards of desirability are unclear as interventions seek to achieve multiple objectives and cause-effect relationships are unclear as well as interventions strive to achieve a number of intervening variables, all of which may have a bearing on the final objective (or dependent variable) of eliminating child labour, though their relative causal weight may be hard to establish.

The purpose of the interventions is to produce change. In the literature, indicators can be sought for measuring outcomes, processes and structures.<sup>358</sup> Indicators on *outcomes*, or effect or impact, attempt to measure the change in the state of the object due to the intervention of the organisation concerned. These can be measured by any of the tests above, subject to how well standards of desirability and cause-effect relationships can be specified, including

---

<sup>357</sup> See James D. Thompson, *Organizations in Action*, 84-87.

<sup>358</sup> Scott (1992), *Organization*, 353-57.

the possibility of isolating organisational inputs from other factors that may have an effect on the object under study. If none of these presumptions hold, outcome indicators are of less value in evaluating organisational effectiveness.

Therefore, many evaluations instead employ *process* indicators, which are indicators of effort rather than of effect. The assumption is that if the amount of effort is proportional to the task at hand, the organisation will perform effectively. It is assumed that the inputs of the programme/project are sufficient for the desired outcomes to be generated and the task is essentially to investigate the extent to which implementation followed the plans and procedures laid out in the programme or project document. This presumption applies specifically to “the case of organisations in the institutionalised environments, in which, to a large extent, process is substance. In these organisations, conformity to ritually defined procedures produces a successful outcome, by definition.”<sup>359</sup> This type of evaluation is more liable to enumerate outputs as it is assumed that the manifest outputs will produce the desired outcomes.

The third possibility are *structural* indicators, which are still a further step removed from outcomes. These indicators measure neither effects nor efforts, but capacity to undertake a task or organisational inputs as a substitute or proxy for outputs. The assumption, weak as it may appear to be, is that an organisation will perform a task effectively if it has the capacity to do so. In other words, “if process indicators are once removed from outcomes, then structure indicators are twice remote, for these measures index not the work performed by structures but their capacity to perform work - not the activities carried out by the organisational participants but their qualifications to perform the work.”<sup>360</sup>

Evaluations in which the task environment is clearly defined will have an easier task measuring results. This is because standards of desirability and cause-effect relationships are easier to discern. For the garment manufacturing project in Bangladesh, the objective was clear; the removal of minors from the industry and inspections and monitoring to ensure that it happened. But for the interventions, removal of children was not the ultimate goal, but the provision of feasible alternatives. For the African multi-purpose projects, in

---

<sup>359</sup> Scott (1992), *Organizations*, 356.

<sup>360</sup> Scott (1992), *Organizations*, 358

which the enabling environment is of higher importance, a combination of tests and indicators will have to be employed; social tests to assess the outcomes of awareness raising and advocacy, the effectiveness of governance structures and the capacities of organisations to undertake targeted actions to address the problem. In the latter case, capacity-building may be an in-built component of the project.

Process and structure indicators are more appropriate than outcome indicators which require a longer time horizon. Under these circumstances, expected outcomes may be postponed into the indefinite future. But, on the other hand, a firm institutional grounding may be the safest bet for producing and sustaining expected outcomes, though the hardest task to accomplish in the short-run. As we shall see, however, the further up the chain of the administrative command structure, the weaker the institutional grounding becomes.

These considerations may be kept in mind while attempting to come to terms with ILO action in the field of child labour. But it should also be kept in mind that responses to child labour may take various forms with differential degrees of effectiveness. There is the regulative option, advocating legislation combined with trade sanctions by governments and consumers against purchasing products made by the offending party. Alternatively, there is the developmentalist option, advising against punitive sanctions and advocating compensatory measures or courses of action that will make child labour progressively redundant.<sup>361</sup> The ILO may be said to combine legislative action with operational activities of a developmental kind. In the field of child labour, both regulative and developmental means have been employed and will be explored in detail in the following sections.

The *aims* of the IPEC include:

- 1) to support, rather than supplant, national efforts to combat child labour;
- 2) to give priority to the eradication of the most abusive and exploitative types of child labour;
- 3) to put the emphasis on preventive measures; and

---

<sup>361</sup> For a general and applied discussion of the normative and developmental options, see Arne Wiig, *Trade and Labour Standards: Child Labour* (in Norwegian), (Bergen, Chr. Michelsen Institute), Report R 1996, 4.

- 4) to build sustainability into all demonstration programmes from the start and assess their potential for integrating them into the regular programmes of the partner countries.<sup>362</sup>

The *priority target groups* of the IPEC include:

- 1) children working under forced labour conditions and in bondage;
- 2) children in hazardous working conditions and in occupations;
- 3) children who are particularly vulnerable, i.e. very young working children (under 12 years of age) and working girls.

The *strategy* of the IPEC is to assist governments in their co-operation with employers' and workers' organisations, NGOs and other parties to adopt measures which aim at

- 1) *preventing* child labour;
- 2) *withdrawing* children from exploitative and hazardous work and *providing alternatives*; and
- 3) *improving working conditions* as a transitional measure towards the elimination of child labour.<sup>363</sup>

This strategy can be decomposed into a phased, multi-pronged strategy, which consists of the following steps:

- 1) *motivating* ILO constituencies and other relevant partners to engage in a dialogue on child labour and to create alliances to overcome the problem. This culminates in a formal commitment by the government to co-operate with ILO-IPEC, expressed in a Memorandum of Understanding between the government and the ILO;
- 2) carrying out a *situation analysis* to find out the nature and magnitude of child labour problems in a given country;
- 3) assisting the concerned parties within a country in devising *national policies and*

---

<sup>362</sup> ILO/IPEC, *Implementation Report. Review of IPEC Experiences 1992-95*, (Geneva, 1995), 5.

<sup>363</sup> ILO/IPEC. *ILO-IPEC Highlights of 1996-97 and Guidelines for Future Action*, (Geneva, 1996), 7.

- plans of action* to address specific child labour problems;
- 4) *strengthening* the existing organisations and setting up institutional mechanisms in order to achieve national “ownership” of the Programme. A National Steering Committee is established, consisting of the concerned ministries, workers’ and employers’ organisations and NGOs, to advise on policy implementation;
  - 5) creating *awareness* of the problem of child labour nation-wide, in the community and at the workplace;
  - 6) promoting the development and application of protective legislation;
  - 7) supporting *direct action* with (potential) child workers and their environment to demonstrate that it is possible to prevent children at risk from entering the workforce prematurely and to withdraw children from exploitative and hazardous work;
  - 8) *reproducing* and *expanding* successful projects in order to integrate their strong points into the regular programmes and budgets of the social partners; and
  - 9) *integrating* child labour issues systematically into social and economic development policies, programmes and budgets.<sup>364</sup>

A later summary divides the objectives and strategies into a set of primary and secondary strategies. The primary strategies are (1) to contribute to a world wide movement against child labour; and (2) to strengthen national capacity to deal with and progressively eliminate child labour. There are three secondary strategies applying to both international and national levels: (a) advocacy and social mobilisation; (b) building partnerships and strategic alliances; and (c) mainstreaming child labour into the social and economic development agendas. Two further strategies apply at the national level; (d) national capacity-building; and (e) protection, withdrawal and rehabilitation of children with priority given to the worst forms of child labour.<sup>365</sup>

Many of the strategy components have to do with the institutional or enabling environment of the programme. Only one component speaks of direct action specifically, whereas most deal with the institutional prerequisites for direct action to succeed. Over the

---

<sup>364</sup> ILO/IPEC, *Highlights*, 7.

<sup>365</sup> See ILO, *Independent Evaluation of the InFocus Programme on the Elimination of Child Labour* (IPEC) (Geneva, 2004), 14.

course of IPEC there has been a gradual shift from small, targeted action programmes to country programmes with multiple components and to a more supportive approach of upstream interventions aimed at creating institutional or enabling environments. This shift from down-stream to up-stream has culminated in so-called time-bound programmes which combine direct action against the Worst Forms of Child Labour as listed in Convention 182 with broader objectives on the legislative and policy-making fronts. The implicit theory of change is that progress through direct and indirect action is bound to reduce and eventually eliminate child labour or at least the worst forms of child labour. However, as an evaluation of IPEC admitted, “methodologies for measuring changes in institutional environments as a result of advocacy, partnerships and networks, an essential part of impact assessment of IPEC, are complex.”<sup>366</sup>

It was argued above that the more the institutional environment matters, the more *social tests* will be employed to assess the attainments of the programme. Most of the strategy components can be evaluated by employing *structural* indicators, indicators that measure capacity to solve a problem. But inputs are no substitute for outputs. Since the necessary conditions may not exist to undertake *efficiency tests* by employing *outcome* indicators, *instrumental* tests using *process* indicators may be a feasible alternative in assessing the adequacy of efforts in reaching the objectives of the programme.

But there are not necessarily any hard benchmarks for assessing adequacy of efforts. An internal review of the IPEC programme in India noted several programme weaknesses over the 1992-95 period. There was a lack of a structured procedure for selection of projects; lack of clear expectations, short contractual periods, small supporting staff at ILO, an elaborate system of reporting, limited networking and interaction between NGOs, lack of effective monitoring, and lack of background information on target groups.<sup>367</sup> These shortcomings, identified by the national programme co-ordinator, illustrate that estimates of effort may not at all have the basic data needed for assessing adequacy. Similarly, only two of the nine identified successes of the programme concerned efforts that involved direct action for the benefit of children. These included education initiatives and sensitisation and rehabilitation of working children. Other successes included flexibility of programme approach, direct

---

<sup>366</sup> ILO, *Independent Evaluation*, 24.

<sup>367</sup> ILO/IPEC, *IPEC in India 1992-95: Looking Back* (New Delhi, 1996), 44-6.



funding pattern, strength in numbers of NGOs, involvement of trade unions and employers' organisations, introduction of child labour components into institutes dealing with labour and related issues, development of sectoral strategies, and awareness generation.<sup>368</sup>

To assess efforts, it is an advantage that the institutional environment is supportive. This includes the institutional components mentioned specifically above as parts of the programme strategy, including the conduct of research and surveys to estimate the nature and magnitude of the problem. With these data in hand, estimates of efforts needed to reduce or eliminate the problem can be made. The key problem is arriving at reasonable estimates of the population of child labourers. This can be made easier if there is a clear demarcation of the target population, for example the number of children working within a specific industrial sector.

### 10.3 The extent of child labour - current figures

To understand the figures, it has to be kept that child labour is more narrowly defined than children in employment. Child labour comprises children engaged in the worst forms of child labour and children under the minimum age, excluding light work. The total number of children in employment were estimated at above 264 million in 2012 while 168 million children were engaged in child labour which is close to 11 per cent of the child population world-wide.<sup>369</sup> There has been a significant decrease over the 2000 - 2012 period as the figures have dropped by a third. For hazardous labour, the figure is 85 million, a drop by more than half. Decrease among girls has been higher (40 per cent) than among boys (25 per cent). Decrease has been strong among the youngest (5 - 12) age group by about a third. For this category, there are now more boys than girls in child labour, but the figures may underestimate the number of girls as they may be more engaged in less visible labour, such as household chores and domestic labour. The youngest age group has the largest number of child labourers to date, but hazardous labour is largest among the 15 - 17 age group.

---

<sup>368</sup> ILO/IPEC, *IPEC in India*, 42-3.

<sup>369</sup> For information, see ILO/IPEC, *Marking progress against child labour. Global estimates and trends 2000-2012* (Geneva, 2013).

The strongest reduction was observed over the last period 2008 - 2012 which may be surprising as it coincides with the global economic crisis in 2008 - 09. While it may be thought that economic contraction would lead to more child labour, the opposite could be closer to the truth. Economic expansion may lead to higher rates of child labour unless precautionary measures are taken.

While child labour is thought to be strongly related to poverty, the highest number of child labourers are found in middle-income countries. However, the highest incidence of incidence of child labour is in poor countries, but is not necessarily limited to poor households. Child labour is most widespread in agriculture, but there is a growing share in services and manufacturing, mostly within the informal sector.

While the Asia-Pacific region has the highest number of child labour, the Sub-Saharan region has the highest incidence of child labour, measured the total child population. More than 21 per cent were engaged in child labour as against 9,3 per cent for the Asia-Pacific region. For hazardous labour specifically, the figures were 10,4 and 4,1 per cent respectively.

On the basis of past experience, four policy areas are identified as points of priority:

- legislation and enforcement mechanisms on minimum age and prohibited work for children;
- accessible, relevant, and meaningful education and skills development;
- social protection floors, and
- expanded decent work opportunities for youth above the minimum age for admission to employment and parents.

Even if current rates of reduction continue, there is no realistic chance of the world being rid of child labour by 2016 (the current goal) or even by 2020. For that goal to be reached, progress has to be considerably accelerated.

#### 10.4 Child labour in the export garment sector in Bangladesh<sup>370</sup>

The magnitude of child labour in Bangladesh, following the 1989 Labour Force Survey, was estimated at about 15 million, i.e. children classified as economically active in the 5-14 age category.<sup>371</sup> The figures showed that child labour in Bangladesh was overwhelmingly a rural phenomenon. Estimates for the ready-made garments (RMG) industry ranged between 10-70,000 child workers, mostly girls aged 10-14 years, and largely engaged as sewing and finishing helpers.

Attention to this issue came first and foremost from the United States by the introduction of legislation and by the lobbying efforts of NGOs advocating consumer boycotts of products thought to involve child labour. The response of the Bangladesh Garment Manufacturers & Exporters Association (BGMEA) in considering the likelihood of a consumer boycott and its economic repercussions was to ask its members to get rid of their child labourers as quickly as possible and it was reported that as 40,000 to 50,000 children were laid off from 1993 onwards. While it was agreed that the removal of children was in line with international standards, abrupt dismissals without a viable alternative were not in the best interest of the children. BGMEA announced that the factories would be rid of child workers by the end of October 1994. The possibility of large-scale retrenchment without adequate safeguards for the affected children led to expressions of concern by local NGOs and international agencies. Negotiations between the BGMEA and US officials resulted in a Memorandum of Understanding (MOU) signed in early 1995, but it was rejected by the general meeting of the BGMEA due to a provision allowing for factory inspections by NGOs.

A second round of negotiations followed, now with the ILO and UNICEF present as the BGMEA members were more comfortable with them than with the NGOs. The deliberations resulted in the conclusion of a MOU in August 1995, signed by BGMEA, ILO

---

<sup>370</sup> This section is based on Hugo Stokke, *Standardised Practice - From International Labour Standards to Development Practice*, in Paul Gready and Wouter Vandenhile, *Human Rights and Development in the new Millennium* (London: Routledge, 2014), 201-205.

<sup>371</sup> Information in this section is drawn from Debapriya Bhattacharya, *International Trade, Social Labelling and Developing Countries: The Case of Bangladesh's Garments Export and Use of Child Labour* (Dhaka: Bangladesh Institute of Development Studies, 1996).

and UNICEF. The main provisions of the MOU were as follows:

- (i) Child workers below 14 years of age will be removed from the garment factories by October 31, 1995; but no termination will take place without placement of the child workers in an education program;
- (ii) children under the education program will receive a monthly stipend of Tk. 300 with a view to offsetting, at least partially, the income loss;
- (iii) ILO, in collaboration with the GOB, will help devise a system to monitor the phased child labour elimination program;
- (iv) BGMEA will offer employment to qualified family members of the under-aged workers whose employment will be terminated under the program;
- (v) a survey or rapid assessment of all children working in Bangladesh garment factories will be conducted and no child worker will be terminated before the survey is completed;
- (vi) efforts will be made to arrange food supplementation programs for terminated workers to be placed in schools; and
- (vii) UNICEF and ILO will work towards creating other income generation opportunities after school for the retrenched child workers to occupy their time productively and prevent an income loss.<sup>372</sup>

In this case, the local environment was hardly supportive. The initial reaction on the part of the government and the manufacturers was to play down the existence of child labour. Many domestic NGOs were sceptical in a different sense; while not denying child labour, they were seeing the proposed legislation and the lobbying as manifestations of protectionism. It was the likelihood of a boycott that made urgent action necessary and got the parties around the negotiating table for an MOU. A supportive environment was in this instance not necessary for initiating action and the process was set in motion by external inducement.

As the combined evaluation of ILO/IPEC projects admitted, the ILO/UNICEF “intervention was not a pre-planned activity that was designed to remove and rehabilitate child workers in the garment industry. International moral and commercial pressures were compelling

---

<sup>372</sup> Bhattacharya, *International Trade.*, 16.

employers to dismiss children, and the intervention was designed in response to the given circumstances.<sup>373</sup>

A key objective of the MOU was that children were not going to be removed from the workplace unless there was an alternative of placement in an education programme. Initial monitoring of registered garment factories was carried out from August to November 1995 and identified 9,546 children below 14 years. It was assumed that as many as 40 - 50,000 were dismissed before the conclusion of the MOU and hence were out of reach of the project. Over the course of the 1995 - 2003 period, a total number of 28,154 children were identified as employed by the factories. From this group, 8,588 children were enrolled in school, 2,035 children were provided skills training and 451 families received micro-credit. Even though the objective was to provide alternatives to all, less than one third was offered schooling and less than ten percent skills training. However, monitoring of the removal of children from factories was considerably more effective and it was concluded that by the end of 2003 less than one percent of garment factories still employed children.

Some of the components of the MOU did not materialise. Food supplements in schools were not provided due to lack of a donor. Family employment substitution was not a viable alternative as the low-skilled and low-paid work of children was not attractive to adults. The stipend was either not well-known, was too low to compensate for loss of income and not large enough to cover all eligible children. The skills and income generation project got under way with Italian and Norwegian support in late 1999. As both education and skills components were introduced after termination of employment, many intended beneficiaries were not reached, had moved on or taken up other employment by the time these schemes were put in place. The lead time for processing the Italian and Norwegian projects was on average two years which meant that many who would have qualified initially no longer did so as they in the meantime had reached the age of 14.

The conclusion of a second MOU in 2000 extended many of the components from the first MOU and added a partnership programme aimed at monitoring working conditions and

---

<sup>373</sup> ILO/IPEC. *Combined evaluation of ILO/IPEC garment sector projects as part of the "Memorandum of Understanding" Framework with the Bangladesh Garment Manufacturers and Exporters Association.* (April 2004), 1. The information in this section is largely derived from this report.

labour relations in garment factories beyond child labour monitoring. Even though monitoring had gone on since 1995, there was still more than ten percent of factories employing children at the turn of the century. A fine was set at USD 100 for infringing factories regardless of the number of children employed and suggestions for more punitive fines were rejected by the BGMEA. Enrollment of children in school was uneven over the monitoring period. While a high of close to 60 percent of removed children was recorded in 1996, coinciding with the BGMEA target of ridding the industry of child labour by October 1996, it dropped dramatically in the following years and only picked up in the two final years of monitoring. The stipend, intended as an incentive to enrol in school, was dropped. For those having reached 14 years of age, the option of combining work with education was offered to about 9000 children, but not actively promoted. This option was actually strongly supported by children themselves, according to a synthesis report of the ILO/UNICEF programme.<sup>374</sup> The proposal to offer ex-child labourers specialised training was not followed up.

The skills training component appeared to both effective and relevant, but the target number was considerably lower than the original target and only about a third were among the MOU children, an effect of the lead-time from project draft to actual operations. The micro-credit offered to families appear to have benefited recipients though the numbers were small (450) and the credit cycle period was probably too short to produce tangible results. Nonetheless, a survey found that the propensity to send children to school was significantly enhanced by the provision of micro credit to families.<sup>375</sup>

If sustainability were to be ensured, then commitment would have to demonstrated even in the absence of external assistance. This commitment was expected from the BGMEA and the government, but the evaluation questioned their actual commitment. The capacity of both to monitor child labour had not risen significantly during the project period and had remained at a low level. Furthermore, the BGMEA never fully paid their financial contributions to the programme (which inevitably affected project outputs), did not produce a manual on child labour monitoring nor a code of conduct on labour relations in

---

<sup>374</sup> ILO/UNICEF. *Addressing Child Labour in the Bangladesh Garment Industry 1995-2001. A synthesis of UNICEF and ILO evaluation studies of the Bangladesh garment sector projects.* (New York and Geneva, August 2004), 14.

<sup>375</sup> ILO/IPEC. *Combined evaluation*, 34.

the garment industry in general and the draft code that was produced was not one the ILO wanted to be associated with. Restrictions were put on what type of agencies could partake in monitoring, excluding NGOs, trade unions and even representatives of buyers. All of this led one report to conclude that what had been achieved was in spite of BGMEA than because of it.<sup>376</sup> For most of the MOU 2 period, the projects were without management and a functioning national steering council which may have compounded deficiencies in outputs.

Summarising the projects in total, the absence of a supportive institutional environment was highly noticeable as there were clear doubts about the commitment of the BGMEA apart from the obvious self-interest in clearing its reputation so as not jeopardise its future exports, on which the national economy was highly dependent. The ILO and UNICEF may have been used for this exact purpose which raises a question about the rationale of ILO involvement, given its tripartite principles and its commitment to further the interests of labour and not only of capital. However, as the combined evaluation report notes; “the publicity and public debate that ensued (after interventions) meant that an understanding of what CL is and its effects was understood quite widely. Eight years after the initial events, many people regard this unintended impact as one of the main achievements, or even as the main achievement, of the whole MOU intervention.”<sup>377</sup> The agenda-setting function of interventions should not be neglected.

### 10.5 Addressing child labour in Nepal

IPEC operates in all the major countries in the region; Pakistan, India, Nepal, Bangladesh and Sri Lanka. Table 10.1 sets out the magnitude of the programme divided by country and including some activities that are regional in scope.

As the table shows, the average biennial IPEC country programme hovered around the USD 500,000 mark and may contain anything from four activities (Sri Lanka) to about 25

---

<sup>376</sup> ILO/IPEC, *Evaluation Report. A Partnership Approach to Improving Labour Relations and Working Conditions on the Bangladesh Garment Industry*. Washington DC: Management Systems International, 2005

<sup>377</sup> ILO/IPEC, *Combined Evaluation*, 21.

(Nepal). The anomalous country on the list is Pakistan, but the brunt of the expenditure is borne by two projects only, accounting for well over USD 3 million. One is a project with a budget of about USD 1.2 million, funded by the United States, to eliminate child labour in the football industry in Sialkot district. The project is clearly in response to media exposure in the West of children being engaged in football manufacturing and the aspersion thereby cast upon Western football associations. The other is a project to combat abusive child labour through prevention, withdrawal and rehabilitation. Funded by the EU (USD 1.2 million) and the Government of Pakistan (USD 0.6 million), the project targets bonded and child labour through concerted action by both government and non-governmental agencies. The project appears to be in response to the long-term concern of the ILO Committee of Experts about the existence of forced labour in certain industries in Pakistan and in view of the new Worst Forms of Child Labour Convention, to respond to its priority-setting agenda.

Table 10.1 Programme and budget 1998-99 for the South Asian region (in USD 1000)

	Bangladesh	India	Nepal	Pakistan	Sri Lanka	Regional
Institutional and policy development	142	165	220	375	40	115
Programme development	25	60	50	25	110	50
Awareness raising	19	125	45	35	75	
Direct action	431	155	320	3193	100	35
Total	617	505	635	3628	325	200

Source: ILO Office in Kathmandu, Nepal

The table also reveals that activities in most countries were fairly evenly divided between indirect activities, comprising institutional, policy and programme development and awareness creation, on the one hand, and direct activities, on the other, comprising activities



directly targeted at children and their living environment. However, projects of the magnitude of the two in Pakistan invariably have built-in institutional components. This fact goes to underscore that the institutional environment of these and other activities are part and parcel of any assessment of project achievements.

This section will look more closely at another country in the region, namely Nepal. This country had a diverse and large programme in terms of activities, if not of funding, and is the poorest country in the South Asian region.<sup>378</sup> The project portfolio was distributed evenly between indirect, institutional activities and direct activities targeting specific types of work and categories of child labourers. The institutional environment was favourable, with government, employers' and workers' organisations as well as a welter of NGOs actively involved in the programme. Moreover, all activities under the programme have been domestically generated and not, as with the two large projects in Pakistan, in response to outside concerns. Space does not allow for a detailed investigation of each and every project; but a few salient features may be highlighted.

Estimates of the prevalence of child labour in Nepal were based on the 1991 Population Census which found 532,000 economically active children 10-14 years of age, 23 per cent of the total of the age category. There were also economically active children below the age of 10. Most of the children were working in agriculture, animal husbandry and trades and occupations as well as helping out with domestic chores. With industrialisation and urbanisation, more children became engaged in the manufacture of carpets, in brick kilns and stone quarries and in urban hotels and restaurants. Nepal was in 1997 the first country in the South Asian region to ratify Convention No. 138 on the Minimum Age for Employment and has had an IPEC programme in operation since 1995.

Structurally, the IPEC programme in Nepal was headed by a National Steering Committee chaired by the Minister for Labour. The Committee comprised representatives of other ministries concerned such as education, industry and commerce, the major employers' and workers' organisations, NGOs as well as advisory members such as ILO, UNICEF and GTZ – the German agency for international development. The latter was the main funding source of the IPEC programme. The Committee served as a vetting mechanism for project

---

<sup>378</sup> This section is largely based on fieldwork undertaken in 1998

proposals both from both the government side and from private associations, which were, subject to approval, forwarded to IPEC for funding.

A national workshop held in Kathmandu in August 1995 made a number of recommendations for a national action plan with four major components:

- (i) Formulation of appropriate policies and programmes by governmental and non-governmental organisations;
- (ii) Review of legislation and enforcement machinery;
- (iii) Programmes for direct intervention with child workers;
- (iv) Awareness raising and community mobilisation.

As the objectives suggested, a large part of the effort was indirect in nature, i.e. defining policies and programmes, reviewing capacity to undertake action and changing the popular mind set against the use of child labourers. Returning to the four-fold division of activity types in Table 10.1, the same categories may be employed to show the composition of the IPEC project portfolio in Nepal. The portfolio is a mixture of activities carried over from previous years and proposed activities for the 1998-99 biennium.

Programme area and activities 1998-99 for IPEC in Nepal<sup>379</sup>

(a) Institutional and Policy Development

- 1) Strengthening the capacity of the Ministry of Labour to formulate and implement policies and programmes and enforce legislation on child labour;
- 2) Social education in schools;
- 3) Inclusion of child labour component in training of senior police officers;
- 4) Development of a package on child rights and child labour for inclusion in the Bachelor of education;
- 5) Management training of IPEC's partners and potential partners;
- 6) Establishment of a National Information Centre on child labour;
- 7) Strengthening the networking of governmental and non-governmental organisations;
- 8) Setting national strategies for the elimination of girl trafficking and commercial sexual

---

<sup>379</sup> Documents obtained from the ILO Office in Kathmandu, Nepal.

exploitation of children in Nepal and funding governmental and non-governmental organisations to implement Action Programmes.

(b) Programme Development

- 1) A situation analysis on hazardous and abusive forms of child labour;
- 2) An Action Programme to combat child labour in Bidi factories;<sup>380</sup>
- 3) Rehabilitation of children working in construction;
- 4) Review of IPEC action programmes.

(c) Awareness raising

- 1) Raising awareness on child rights and child labour through training and development of local drama groups;
- 2) A video film on domestic girl child labour;
- 3) A video film on effective interventions against child labour in Nepal;
- 4) Sensitisation programmes for parliamentarians and District Development Committee chairpersons on child labour, child trafficking and children in bondage.

(d) Direct action

- 1) Rehabilitation of children of bonded labourers in Bardia district in Western Nepal;
- 2) Rehabilitation, including education programmes for children of the local bonded labourers, the 'kamaiyas' in Kailali district, Western Nepal;
- 3) Support programme for the children working as domestic servants;
- 4) A programme to sensitise employers in the industrial sector on child labour;
- 5) Phasing out child labour in the carpet industry of Nepal;
- 6) Non-formal education for child labourers of the sweeper community;
- 7) The elimination of child labour in communities engaged in informal sector at Janakpur;
- 8) Prevention of migration of children for the purpose of employment;
- 9) Combating child labour and rehabilitating children working in factories manufacturing biscuits and match boxes in Biratnagar industrial area;
- 10) Improving the conditions of children working as rag-pickers;
- 11) Combating child labour in the tea estates;

---

<sup>380</sup> Bidis are locally made cigarettes, popular in the region as they are quite cheap compared to foreign imports.

## 12) Towards child labour free area in Baglung municipality.

The above list shows that the range of activities was indeed wide, but also that it does not evolve from a master plan, establishing clear priorities among more serious and less serious forms of child labour. The selection process by the National Steering Committee appeared to be more reactive than proactive in the sense that it was more supply- than demand-driven. The Committee may have been more concerned with accommodating the range of interested parties than with selecting projects on the basis of its own priorities. With the adoption of the Worst Forms of Child Labour Convention and its listing of what constitute the worst forms, action programmes would have a standard for assessing what should be targeted first, given limited resources.

With such a range of activities, allocations per activity may be scant compared to the amounts targeted at football manufacturing in Pakistan.<sup>381</sup> Not only may allocations be scant, an added bureaucratic constraint is that IPEC funding is confined to the biennial budget period. However, a number of projects frequently entered into second or third phases corresponding to successive budget periods. Thus, momentum may not only have been lost in the hiatus between project phases, and the possibility of entering into longer-term partnerships with organisations may have been squandered as well.

The importance of long-term partnerships was brought up by Child Workers in Nepal Concerned Centre (CWIN). Established in 1987, but informally dating back to the late 1970s, CWIN is the oldest NGO in Nepal in the field of child labour. It was represented on the IPEC National Steering Committee, but had not implemented any IPEC action programme since its start-up in 1994-95. A chief reason may be that CWIN had a long-term partnership with the Norwegian NGO Redd Barna, which had provided support since the beginning together with a number of international NGOs and UNICEF.<sup>382</sup> As CWIN had an established partnership of long standing with a foreign counterpart, it may have been less dependent on intermittent funding from IPEC.<sup>383</sup> CWIN had started publishing an annual

---

<sup>381</sup> However, the funding of the "Supporting the Time-Bound Programme for the Elimination of the Worst Forms of Child Labour in Nepal" incorporated many of the action programmes to the tune of USD 5,2 million over the 2001-06 period.

<sup>382</sup> Redd Barna is the Norwegian branch of the Save the Children Fund.

<sup>383</sup> Interview with Gauri Pradhan, CWIN, Kathmandu, May 1998.

report on the state of the rights of the child in Nepal, again with support from Redd Barna.<sup>384</sup>

The partnership question was also mentioned by the Women's Rehabilitation Centre (WOREC).<sup>385</sup> The Centre received funding under IPEC to provide children working as domestic servants with non-formal education (10 classes with 30 children in each) and skills training for half of those selected. WOREC's request for bridging funds from IPEC was rejected as confirmation was needed from headquarters for money to be released. The plan was to continue with another batch of 600 children, and to have about 200 from the first batch admitted to regular or vocational schools. Domestic servants in middle class households were found to be treated worse than feared. Horror stories of beatings, brandings and rape had necessitated setting up a legal unit, though experience with legal action was limited. WOREC had also been engaged in surveying child street prostitution which was on the rise in Kathmandu. A cross-border network had been established not only for monitoring of girl child trafficking, but for domestic servants as well. Demands had been directed at the Mayor of Kathmandu that domestic servants be registered. WOREC's work in Kathmandu showed that documentation and action on 'hidden work situations' was progressing, even though it was not included in the Convention, despite efforts to that end by the industrialised countries.<sup>386</sup>

With regard to IPEC, WOREC felt that it should have been less bureaucratic, emphasise programmes rather than projects, encourage flexibility in project implementation, forge long-term partnerships, develop baseline data as well as qualitative indicators on progress towards achieving the objectives, and finally, to assume a stronger role in both advocacy, and monitoring of abuse cases.<sup>387</sup>

Bonded labour was identified as a worst form of child labour in the Worst Form of Child Labour Convention. In Nepal, two NGOs had been funded under IPEC to undertake action

---

<sup>384</sup> Child Workers in Nepal Concerned Centre (CWIN), *State of the Rights of the Child in Nepal 1998* (Kathmandu: CWIN, 1998).

<sup>385</sup> Interview with Renu Rajbhandari, WOREC, Kathmandu, May 1998.

<sup>386</sup> See chapter 9 above.

<sup>387</sup> Many of the same points were echoed by Gauri Pradhan at CWIN who underlined conceptual clarification of objectives, training and setting benchmarks.

programmes among the Kamaiya with a view to preventing child labour bondage. The Informal Sector Service Centre (INSEC) worked, among others, in the Kailali district of Southwest Nepal, whereas Rural Reconstruction Movement Nepal (RRN) worked in the adjoining Bardia district. Both projects provided non-formal education to children. In phase I RRN covered altogether 80 children, evenly split between regular schooling and skills training. Phase II extended the coverage to 240 children, again evenly divided between imparting basic skills and vocational skills. INSEC had similarly provided non-formal education through a nine-month course to 450 children during phase I as a prelude to formal schooling, adding another 90 during phase II, plus follow-up of those who entered school (about 500) and vocational training for another 100 during phase III.

Inter-linked with this educational effort in favour of children was an attempt to change the overall system of bondage, which involved both advocacy through the Kamaiya Conscience Group to free labourers and to provide opportunities for those freed, including loans, land and housing. IPEC was thus able to provide some funding support for work among bonded labourers, but the problem obviously extended beyond the children solely, with estimates ranging from 17,000 (govt. figure) to 40,000 (INSEC), depending on whether individuals or families are counted. Both individual and family bondage was practised in the affected districts. The system was apparently expanding beyond the original local communities.

Other NGOs work with urban-based children. Concern for Children and the Environment (CONCERN), established in 1993, worked with children from carpet factories and squatter communities in order to prevent them from becoming street children. With funding from Western NGOs and UNICEF, children were given education and regular health check-ups at the CONCERN compound and four external centres. In this way, 150 children had been reached and the cost of sending them to regular schools was borne 60-40 per cent by CONCERN and the parents. Under IPEC funding, CONCERN had targeted child porters.<sup>388</sup> Activities comprised simple vocational training, for instance bicycle repairs and flowerpot making, and access to a small, mobile health clinic with a full-time nurse and a part-time doctor. In addition, family reconciliation and home village visits were included in the

---

<sup>388</sup> Concern for Children and Environment, *Burden on Childhood. Child Porters in the Kathmandu Valley* (Kathmandu: CONCERN, 1997).

action programme, as many were migrants from rural areas.

Child Protection Centre (CPC), on the other hand, had worked with children in a quartz mine in an inaccessible area in Eastern Nepal. Fifty children had been reached, of which two-thirds had been given basic education, the remaining being put in day-care centres. Both of these targeted types of work coming under the worst forms of child labour in the sense that they are hazardous to the health, safety and morals of children.

All of the above examples attest to the crucial role of civil society organisations in addressing issues raised by the Worst Forms of Child Labour Convention. However, they had not been given any formal role in determining what types of hazardous work come under the Convention, which monitoring mechanisms should have been put in place and which action programmes should be designed, though their views might have been taken into consideration on the last point.<sup>389</sup> Although the involvement of these organisations was pushed by several of government members of the industrialised countries during the drafting of the Convention, it was ultimately not included in the Convention, which only provided for tripartite consultations of government, employers and workers. This fact indicates that the institutional environment of the ILO is at odds with its technical environment within which funders and implementing agencies have other channels and sources to pursue. Nepali NGOs may have direct funding from Western governments or from sister NGOs and may have established better working relations with UNICEF than with the ILO despite the undisputed mandate of the ILO in the field of child labour.

The preceding paragraph should not be construed so as to suggest that the tripartite partners had only a marginal role to play in IPEC, although they were certainly not dominating the action programmes. The Nepali Trade Union Congress (NTUC) was running 20 schools, eight of which funded by IPEC, targeting working or out-of-school children in the 8-12 age bracket, the objective being to induce them to re-enter school at the third grade. Morning and evening classes were held with three hours of teaching in each session over a period of nine months. Altogether 3,000 children were planned to be covered in this manner. Selection was done through NTUC members in industrial towns and rural areas. The NTUC felt that although the IPEC monetary contribution was very small, it did

---

<sup>389</sup> See articles 4-6 of the Convention in the Appendix below.

create a positive impression and atmosphere.

The General Federation of Nepalese Trade Unions (GEFONT) had undertaken a survey of children on tea estates, though no funding for follow-up activities had materialised at the time of the author's visit to Nepal (May 1998). GEFONT had also worked with the garbage cleaners' community in Kathmandu and provided non-formal education to children of sweepers, 400 in total under 12 years of age, half of whom had received formal education, as well as providing day-care centre placement for the youngest. Initially concentrated in Kathmandu, activities were envisaged to spread out to Lalitpur and Bhaktapur in the second phase. Regarding IPEC, the GEFONT representative felt that resources were spread too thinly on too many implementing agencies and that more attention should be given to the rural areas where the majority of working children resided – approximately 2 million, of whom 1.5 million were in service and organised sectors.

On the part of the employers, the Federation of Nepalese Chambers of Commerce & Industry – Employers' Council (FNCCI) had an advocacy role in relation to their members. Regional workshops had been held for all employers, studies related to specific sectors (tea, brick kiln, leather, rice mill) had been commissioned, and members had been encouraged to contribute to a permanent fund under the Ministry of Labour. Apart from a contribution from the Ministry, the Central Carpet Industries Association and the Wool Development Board had contributed funding, though the Fund was still far from reaching the required projected volume; a little less than half remained to be committed.

The intention of the FNCCI was to induce employers to contribute to a sustainable institution consisting of a training centre with infrastructure, land, trainers and a rehabilitation centre. The latter had been implemented by the National Society for the Protection of Environment and Children (NASPEC), which had accommodated 700 children below 14 years of age in a rehabilitation centre, accounting for an estimated 5 per cent of the total working child population of 15,000 in the carpet industry. About 200 had received vocational training while more than 1700 had been through non-formal education courses. Implementation problems were encountered, such as fake birth certificates, compensatory pay demands for loss of working time due to attending non-formal education classes, and frequent shifts from one factory to another. Sustainability was not



assured as funding continued to be sought for rehabilitated children attending school. NASPEC is an NGO which, while receiving support from government and employers, also co-operated with other NGOs, notably CWIN.

Finally, the Ministry of Labour has also received funding to enhance its capacity to undertake action against child labour. In particular, budget and manpower was needed for inspection tasks, which at the time did not match the requirements. Furthermore, the Ministry was also engaged at the local level through Village Development Councils to seek out child labour prone families, and to provide training in local skills and marketing skills.<sup>390</sup>

The above has given snapshots of IPEC activities in the field of child labour. Most of these were typical direct action or downstream projects whereby different types of NGOs are drafting action programmes and given funding for specific tasks. In this setting, we do not have information on outcomes, but we do have information on inputs, activities and outputs. Tasks were too scattered to enable us to say much about the institutional environment, but from what can be gathered, the environment appears to be positive. Evaluation criteria were in this instance procedural - means adopted to stated objectives as per the project document - and instrumental - objectives and causal linkages are clear enough to determine the extent of effectiveness. However, some interventions have had a more lasting effect.

The presence of bonded labour, particularly among the Kamaiyas in the southern plains (terai) of Nepal has propelled interventions, particularly as it comes under the purview of prohibition of forced labour. IPEC projects have addressed bonded labour both among adults and children. The projects have an educational component (children) and an income-generating component (adults). The educational component appears to have been successful in inducing children to enter school, but this success has created its own problem as classes are overflowing and capacities overstretched with not enough teachers to cope. The income component has yielded varying success. Training has not provided

---

<sup>390</sup> The evaluation of the time-bound programme found that the Ministry of Labour and Transport Management “needs to demonstrate its own commitment to it in terms of political commitments and allocations of resources”. This is a common observation across several evaluations that the commitment at the national level is wanting.

beneficiaries with adequate skills to venture into off-farm employment, but on-farm employment has fared relatively better. The allowance given for training may have more than the quality of training as such. Unionisation of Kamaiyas and minimum wage guarantee has progressed against baseline, but end figures are uncertain and appear to be below target. Credit has been provided, but as is often the case with very poor people, it is used for personal needs and consumption. The focus on the poorest in terms of ownership and assets may have created a degree of intra-group resentment as others less poor have not benefited from project activities and even if formally freed, there is still a high degree of dependency within the group. This throws doubt on whether the results from the project interventions can be sustained.

There has been a multitude of agencies with projects for the Kamaiya community, and while coordination was weak at the outset, it is reported to have improved. While bonded labour might have sorted under the Ministry of labour, the lead Ministry has been the Ministry of Land Reform and Management, demonstrating that the Ministry of Labour is not necessarily the obvious government partner for ILO field operations and with regard to child labour, other Ministries may be as relevant, if not more. Local structures appear to have performed better, such as Child Labour Monitoring Committees, but as pointed out by one evaluation, without continued support they are unlikely to perform actively in the medium term. Advocacy and upstream activities do not appear to have been actively promoted and supported as knowledge of bonded labour is reported to be low<sup>391</sup>.

As we have seen in this and the last chapter, the social environments of standard-setting and technical co-operation differ in critical respects. In the framework of standard-setting, the established and tested procedures are well suited to the task. However, if applied in the world of technical co-operation, the same procedures may not measure up to the task. In particular, the tripartite framework, which has served standard-setting well, may appear too confining for technical co-operation in the field of child labour. While NGOs have an obvious part to play as implementing agencies, only employers' and workers' organisations

---

<sup>391</sup> See ILO/IPEC, *Sustainable Elimination of Bonded Labour in Nepal*. A Mid-Term Project Evaluation by an independent evaluation team, July 2004; ILO/IPEC, *Sustainable Elimination of Bonded Labour in Nepal*. An independent final evaluation by a team of external consultants (September 2005); and ILO/IPEC, *Sustainable Elimination of Child Bonded Labour in Nepal. Phase 2*. An independent final evaluation by a team of external consultants (August 2010).

have a recognised role as stakeholders to be consulted in policy-making process relevant for implementing the provisions of the Convention, even though the IPEC objectives are more open-ended on this point.

Secondly, the centralised administrative structure of the ILO may not be conducive to establishing the long-term partnerships that may be necessary to achieve results over the long haul. These partnerships were often sought by NGOs, but the ILO may not be in the best position to respond, given its administrative and budgetary inflexibilities. Thirdly, the available funding, although large by ILO standards, may not at all be adequate to come to grips with the magnitude of the problem. Efforts appear too diverse and scattered to allow for a clear ordering of priorities, given scant resources. However, dispersed allocation of funds may further underline the importance of the social environment of the programme. It may be an objective in itself that most constituents feel they have a share in the programme as strict prioritisation means selectivity in the choice of implementing agencies.

## 10.6 Multi-purpose interventions in Anglophone Africa

In the sections above, we have been primarily concerned with direct action or downstream projects. In this section, we shall turn to evaluations of a small number of projects with a slightly different purpose.<sup>392</sup> Whereas the Bangladesh garment manufacturing projects were decidedly *down-stream* in the sense of initiating micro interventions at the enterprise level with the objective of removing child labour and offering alternatives and the Nepal projects were targeting children in different economic sectors, the African interventions are examples of *up-stream* interventions in the sense of influencing the macro environment, though combined with local direct action components. However, as observed above, one important macro effect of the Bangladesh intervention was to put the issue of child labour on the public agenda and to create awareness, debate and public acknowledgment of the existence of child labour and what was to be done about it. As the African interventions are multi-purpose and multi-level, the problem of evaluating effectiveness is not as easy as in the Bangladeshi case in which objectives and results were measurable and hence more

---

<sup>392</sup> This section is based on Hugo Stokke, "Standardised Practice - From International Labour Standards to Development Practice," 205-210.

tangible.

Regarding *project countries*, the IPEC programme is quite clearly of global scope. The African, Latin-American and Asian countries are well covered by programme activities. While child labour was in issue in Europe at the beginning of ILO as an international organisation, it is no longer so. European countries are these days sponsors of ILO activities, and not beneficiaries. Above we looked in detail at a single project in Bangladesh and had an extensive look at the country programme in Nepal. For this section we have selected project countries in Anglophone Africa, specifically three single country projects in Kenya, Malawi and Zambia and one regional project comprising Ghana, Kenya, Nigeria, Uganda and Zambia. While the sample is small, it may be sufficient to make observations about the group of countries making up Anglophone Africa.<sup>393</sup>

The *donor* for these selected projects was the Department of Labour of the United States. As recalled above, the US was active in aiding countries in reducing and eliminating child labour in the export sector, particularly for products exported to the US. While trade thus may be a reason for US engagement in the elimination of child labour, the pattern of support covered all types of IPEC projects, also those with no links to export markets which was the case for the selected projects. Apart from the US, the major donors are European countries, among them Netherlands, Norway and Italy.

IPEC projects cover all *types* of interventions and some distinctions may be made at this point. Some projects target a *sector* of economic production, such as garments, soccer, surgical instruments, gravel production, fireworks and pyrotechnics and other sectors. These interventions, due to being well defined, have more specific objectives tied to the situation prevalent in the localities selected. The Bangladesh project was an example. Other

---

<sup>393</sup> The primary documents are ILO/IPEC, *Building the Foundations for Eliminating the Worst Forms of Child Labour in Anglophone Africa*. An independent final evaluation by a team of external consultants (May 2006); ILO/IPEC, *Support to Development and Implementation of Time Bound Measures Against Worst Forms of Child Labour in Zambia*. An independent mid-term evaluation by an external consultant. (August 2008); ILO/IPEC. *Country Programme to Combat Child Labour in Malawi*. MLW/05/50/USA. An independent final evaluation by a team of external consultants; ILO/IPEC (February 2009); ILO/IPEC. *Supporting the National Plan of Action for the Elimination of the Worst Forms of Child Labour in Kenya*. An independent expanded final evaluation by a team of external consultants (May 2009).

projects target *vulnerabilities* associated with child labour, such as HIV/AIDS, trafficking or domestic labour. Some of these come under the definition of worst forms of child labour, to the extent they deal with forced labour, drugs, prostitution and hazardous types of labour. IPEC has increasingly, after the adoption of the Worst Forms of Child Labour Convention, come to prioritise projects that attack these egregious forms as a matter of urgency. While less worse forms are to be progressively eliminated, the worst forms should be immediately eliminated. *National programmes* or support to time-bound programmes is another category, usually combining more general policy-making with targeted interventions in the form of Action Programmes. These are less area- and sector-specific and the four selected projects clearly fall within this category. In the following I shall assess project performance on a number of key terms designed to capture the upstream and downstream components of the projects.

*Project design* is a factor that can have a decisive influence on project outputs. It should be cut to the bounds of feasibility and realistically match objectives to committed resources. The design has an in-built programme theory in the sense of linking desired outcomes to planned inputs and outputs. The danger is often that the design is too ambitious given the resources, both in terms of the time and funding available. The regional evaluation noted that the capacity-building component was not clear and generated diverging expectations.<sup>394</sup> The project design did not aim at enhancing overall institutional development and management, but only those skills that had a direct bearing on the ability to fight the worst forms of child labour. Hence it was not clear what agencies would come under this definition and what agencies would not. While the design was appropriate and feasible, it was not realistic within the time frame identified. The issue of sustainability was not adequately addressed. The evaluation noted that “while the easier indicator is quantitative (referring to the number of children), a number of the other indicators are qualitative which is more difficult to identify and assess”<sup>395</sup>, referring to the policy-making objectives of the project. This is an indication that social tests would be more appropriate for these objectives.

The Malawi evaluation found that the up-stream components could have been improved

---

<sup>394</sup> ILO/IPEC, *Africa*, 16.

<sup>395</sup> ILO/IPEC, *Africa*, 19.

by reducing the number of objectives and by focusing on policy preparation, capacity-building of administrative and implementing agencies and developing monitoring systems. Down-stream interventions could also have been made more effective by specifying objectives around withdrawal, prevention and rehabilitation. The evaluation also noted the tight time frame and that most activities occurred only in the second half of the project, the first half given to identifying implementing agencies, developing proposals and getting them approved.<sup>396</sup> The Kenya evaluation emphasized as a lesson learnt that “launching a range of individual action programmes without a clear political commitment from the Ministry of Labour, engaged national structures, and a confirmed Child Labour Policy to inform and drive these downstream activities put the cart before the horse.”<sup>397</sup>

A related issue on the input side is *relevance*. This means the fit between the project and the situation in the target area, objectively and as perceived by the beneficiaries, from the state to the locality. Generally, projects should be relevant in this sense and most projects were. The Zambia review found the project to be relevant, both in terms of government and donor policies. The Kenya evaluation did not address relevance explicitly, but given Kenya’s long association with IPEC, it can be safely assumed that the relevance criterion is satisfied. The Malawi and the regional evaluations did not take an explicit position on relevance.

An indication of relevance is *government commitment* which is also a good indicator of success and sustainability of project outputs. The evidence we get from the various evaluations is not very encouraging. The regional evaluation found that the Child Labour Units had not functioned effectively and had not been an instrumental structure to coordinate child labour activities with the exception of Kenya which had a Child Labour Division. Another institutional anchor point was the National Steering Council and the overall impression was that the NSC had not met regularly and had not provided the guidance and leadership as could be expected, possibly due to the CLU not functioning properly. A wider question, as pinpointed by the evaluation, was the stature and leverage of the Ministry of Labour inside the government structure and whether it had the clout needed to exercise influence across ministries and departments.<sup>398</sup> The Kenya evaluation

---

<sup>396</sup> ILO/IPEC, *Malawi*, 29f.

<sup>397</sup> ILO/IPEC, *Kenya*, 7.

<sup>398</sup> ILO/IPEC, *Africa*, 4ff.

found that the Ministry of Gender, Children and Social Development demonstrated more leadership in pushing to eradicate WFCL and in getting children back to school. The Inter-ministerial Coordinating Committee never met and the National Steering Committee only met twice during the four-year period of the programme. District Child Labour Committee performance was uneven and the practical activities largely fell to the directly funded NGOs, leaving the DCLCs to take a more passive role. The evaluation found that the weak institutional grounding gradually led to a breakdown of cooperation.<sup>399</sup> The Malawi evaluation also found that the upstream activities were not successful due to the weak capacity of the Ministry of Labour and its slow and delayed involvement in the implementation of the country programme.<sup>400</sup> The Zambia review noted that the greatest challenges were faced in areas where government institutions had taken the lead.<sup>401</sup>

*Tripartism*, meaning the cooperation of governments with employers' and workers' organisations, is officially hailed as the ILO chief means of action and what makes it different from other international organisations. Surveying the sample of projects, tripartism was not a predominant feature in them. This could be due to the fact that many projects were not in the formal sector of the economy which is where trade unions normally exert influence. Some projects may be with employers and their organisations, but trade unions are in these cases notably inconspicuous. Tripartism may play a minor role in some projects as employers and workers may be targets of advocacy or included in training components, but normally not in a role as key actors.

The Malawi evaluation reported the engagement of the Tobacco Association of Malawi in direct action activities, but there was no report of involvement from the Malawi Congress of Trade Unions, though the Teachers Union of Malawi did produce a child labour training manual.<sup>402</sup> In Zambia, both employers' and workers' organisations were participating in awareness-raising activities and in adopting recreational centres for children, but no resources had been committed at the time of reporting.<sup>403</sup> The Kenya did not list specific initiatives by these organisations, though both were briefly acknowledged for providing

---

<sup>399</sup> ILO/IPEC, *Kenya*, 13ff.

<sup>400</sup> ILO/IPEC, *Malawi*, vii

<sup>401</sup> ILO/IPEC, *Zambia*, vii

<sup>402</sup> ILO/IPEC, *Malawi*, 10f.

<sup>403</sup> ILO/IPEC, *Zambia*, 22.

expertise and actions. The regional evaluation said that the choice of implementing agencies extended beyond the traditional partners and primarily included NGOs which generally were more successful in implementing projects, despite some capacity constraints.<sup>404</sup> Generally, tripartism did not appear to be as prominent a means of action as it is officially purported to be.

Knowledge of national and local conditions are an advantage in preparing well designed project activities, but *surveys* do not appear to be a regular feature of the projects surveyed. For surveys to be useful, they would to be done early in the project cycle, so that down-the-line activities can benefit from the accumulated knowledge. In some cases, surveys may be too late to be anything other than a mere correcting device and in other cases, they may be found to be faulty and hence misleading for designing interventions. Surveys in the form of baseline studies have an essential role in assessing outcomes. In order to judge changes in the aftermath, a solid sense of the situation prior to the intervention is a *sine qua non* for so doing. The Kenya evaluation noted that the 1998/99 Labour Force Survey and the 2005 Household Budget Survey were important for establishing baselines. However, surveys conducted as part of the programme were of limited utility in designing project interventions.<sup>405</sup> The Malawi evaluation stated briefly that knowledge of child labour was still low and did not mention any baseline study carried out. The Zambia evaluation listed a couple of studies but did not say whether they played any role in informing project interventions. The regional evaluation provided no information about studies, but as the programme largely featured upstream activities, surveys might have been less relevant.

As child labour and its conceptual and normative underpinnings may not be known to the beneficiaries, *advocacy* is a means of creating awareness of a problem that may not have been conceived as such. Advocacy is a means towards creating an enabling environment which is deemed to be essential for generating activities aimed at reducing child labour. Generally, advocacy has functioned as such and paved the way for subsequent action, but it could also be the case that advocacy may not be necessary, as projects are fully aligned with state priorities.

---

<sup>404</sup> ILO/IPEC, *Africa*, 23f.

<sup>405</sup> ILO/IPEC, *Kenya*, 16.



Advocacy was part and parcel of all evaluated programmes, but common to all was the difficulty of drawing clear conclusions about its effectiveness. For the regional programme, partners were certain that advocacy had an effect on withdrawal and prevention, a measure of which was that targets were fully met. While sensitisation and mobilisation of communities were regarded as successful, follow-up was essential as there was a tremendous amount of work left undone.<sup>406</sup> The Malawi evaluation found that while advocacy activities were part of the programme, there was not a clear strategy on how to use advocacy for policy influence.<sup>407</sup> The Kenya evaluation noted that many survey respondents thought that child labour was more prevalent now than before which might indicate higher sensitivity to the issue. The effects of advocacy were seen to vary among target groups with students and parents being closest to the issues and therefore most likely to be impacted by advocacy campaigns. However, the two Knowledge, Attitudes and Practices surveys conducted in 2007 and 2009 did not show a clear change among respondents over the period and respondents were not clear about the distinction between child work and child labour. The evaluation made the ethical point that children should not themselves be advocates.<sup>408</sup>

An indication of an enabling environment is government commitment in the form of *law and policy*. Legislation may be required to prohibit or at least regulate forms of child labour and national plans of action are signs of commitment from the government, at least nominally. But there may not be any necessary connection between policy and project performance. For highly targeted interventions, policy may be a plus, but not a determining factor.

All three country programmes had explicit law and policy elements. The Zambia evaluation doubted whether a national plan of action would be in place by the time of programme completion and advised the Ministry of Labour and Social Services to combine efforts with other ministries to be able to fulfil its mandate. The listing of hazardous child

---

<sup>406</sup> ILO/IPEC, *Africa*, p. 28f.

<sup>407</sup> ILO/IPEC, *Malawi*, p. 13.

<sup>408</sup> ILO/IPEC, *Kenya*, p. 26f. For more on advocacy in Kenya, see Philista Onyango, *The Role of Advocacy against Child Labour* (Nairobi: ANPPCAN Regional Office, 2014). This organisation took part in several IPEC projects and has also petitioned the government to put together a national Child Labour Policy.

labour was not yet official. This list provides an important direction to combat the worst forms of child labour and it is up to the individual state to determine what constitutes hazardous child labour, according to the ILO Convention.<sup>409</sup> Kenya was somewhat better situated as there was a Children's Act in place and the programme managed to include child labour provisions in the legislative revision process. However, there is as of yet no National Child Labour Policy despite a draft having been circulated for many years. Child labour concerns have been incorporated into the teachers' education curriculum, but very few teachers have been trained.<sup>410</sup> In Malawi, a list of hazardous occupation has been compiled and was being reviewed by the Ministry of Justice, but so far no Child Labour policy or National Plan of Action had been drafted and approved.<sup>411</sup>

Projects usually involve *direct action* of one sort or another. These are activities directly targeted at specific beneficiaries and most projects do have one action programme or more. Many projects seek a combination of activities targeted at the enabling environment and activities targeted at working children, their parents and the community more widely. As for direct action results, most projects achieved a reduction in the number of child labourers, significantly or marginally, but elimination is rare. These results are outputs, not outcomes and the evaluations rarely have the information on the extent to which this has changed the life chances within the target group and among community members. For those benefiting, schooling and vocational training must generate possibilities for alternative employment in the future and for parents, alternative income opportunities that differ significantly from what they earned before. These outcomes are decisive in turning reductions in child labour into permanent solutions.

The Malawi programme reported full achievement of outputs such as withdrawal, prevention, education and vocational training and income-generating activities, but not for repatriation which was only feasible for urban areas of Lilongwe. While targets were thus achieved, follow-up of children was less satisfactory and the evaluation advised to concentrate on food and other immediate needs and only aim for longer-term prospects once these basic needs were adequately safeguarded<sup>412</sup>. As the Zambia evaluation was a so-

---

<sup>409</sup> ILO/IPEC, *Zambia*, p. 40.

<sup>410</sup> ILO/IPEC, *Kenya*, 18f.

<sup>411</sup> ILO/IPEC, *Malawi*, 10f.

<sup>412</sup> ILO/IPEC, *Malawi*, 15-21.

called mid-term review, the report could only indicate whether progress towards targets was on track and opined that there was no doubt that the programme would implement the remaining direct action programmes on time.<sup>413</sup> For the Kenya programme, targets were exceeded for withdrawal and prevention, but only three-fourths of families targeted for income-generating activities were reached.<sup>414</sup> The regional evaluation observed that the most tangible results had been in direct action programmes in which children had been withdrawn, prevented and enrolled in schools and in vocational training. The effects of income-generating activities were harder to measure and in most instances seemed minuscule.<sup>415</sup>

*Effectiveness* in evaluation terminology is the ability to reach the objectives the project has been set to accomplish. It is not to be confused with efficiency, which captures the ratio between resources and results. Projects may be effective, yet inefficient in its use of means to get there. From the surveyed programmes and projects, one main finding that emerged from reading the evaluations was that the downstream activities have been more effective than the upstream activities. It has been easier to achieve the targets for withdrawal, prevention, placement in school or in vocational training than for upstream activities. This may be so because downstream activities were more tangible, easier to measure and hence more conclusive than issues relating to the enabling environment. Another factor may be that ILO/IPEC was more in control of downstream activities than of upstream activities where it is more reliant on government commitment and initiative. With programmes shifting to upstream, there is the danger that results may be more difficult to document given the relatively short time-span of the programmes which might require considerable extensions for tangible results to surface and the regional programme was recommended extended for another three to five years.<sup>416</sup>

*Monitoring* is a means for determining how well the project is performing with regard to its objectives and most projects have a monitoring capacity, though in some cases not adequate to the task. The opposite problem may also occur; reporting requirements are too complicated, cumbersome or inflexible, becoming a straitjacket rather than a device to aid

---

<sup>413</sup> ILO/IPEC, *Zambia*, 18ff.

<sup>414</sup> ILO/IPEC, *Kenya*, 21.

<sup>415</sup> ILO/IPEC, *Africa*, 34f.

<sup>416</sup> ILO/IPEC, *Africa*, 37.

staff in implementation. It is a matter of project design to strike the right balance between inadequacy and overkill. The regional programme found that monitoring mechanisms remained weak due to lack of skills and proper systems. A Child Labour Monitoring System had been designed for tracking the fate of the withdrawn children, but the evaluation viewed it as complex and over-ambitious within the scope of the programme and recommended an entire separate programme precisely for this activity.<sup>417</sup> The Kenya evaluation noted that a CLMS was still at the ideas stage and that there was no unified monitoring and evaluation framework for the many action programmes, making comparisons and conclusions about good practices more difficult.<sup>418</sup> The Malawi evaluation noted that the CLMS was implemented late in the programme and was not fully tested beforehand, yet was fairly optimistic about the Ministry of Labour adopting it.<sup>419</sup> The Zambia evaluation found that the Direct Beneficiary Monitoring Report, though useful and comprehensive, might be complicated, bulky and not very user-friendly for volunteers at the community level.<sup>420</sup>

As stated under the above heading of effectiveness, an important result of a project is the extent it has changed the life opportunities of the beneficiaries. This can only happen if project achievements are somehow sustainable. *Sustainability* is the longer term effect of the project's achievements. The overarching danger for any intervention is that the achievements are dependent on continued funding from the project sponsors and that conditions will revert to the pre-project status in the absence of continued funding. Project results are likely to be sustainable when there is a government commitment to the project and a solid intent to take over once the project is completed.

The regional programme saw the best opportunities with local Child Labour Committees and with child rights clubs in schools and with linking up with District Councils and Assemblies.<sup>421</sup> The Kenya evaluation did not address sustainability issues explicitly, but did point to long-term fundamental issues such as safety net support for families, school-feeding programmes, cash transfers for orphans and psycho-social rehabilitation for

---

<sup>417</sup> ILO/IPEC, *Africa*, 7

<sup>418</sup> ILO/IPEC, *Kenya*, 13.

<sup>419</sup> ILO/IPEC, *Malawi*, 27

<sup>420</sup> ILO/IPEC, *Zambia*, 30

<sup>421</sup> ILO/IOPEC, *Africa*, 26ff.

children having suffered abuse.<sup>422</sup> The Malawi evaluation found the best prospects for sustainability to be at district and community levels with the Community Child Labour Committees probably continuing work, though at a reduced pace. The report also argued that income-generating activities that address medium to long-term needs were not sustainable unless immediate food and income requirements are satisfied and that the school environment may be too poor to sustain education-related interventions.<sup>423</sup> The Zambia evaluation also recommended strengthening district level structures contingent, however, on government decentralisation.<sup>424</sup>

## 10.7 Summing up

One main conclusion that emerges from the programmes and projects surveyed is that the institutional or enabling environment has not been very supportive. Another conclusion is that direct action programmes have by and large been able to achieve their targets, whether for the garment sector in Bangladesh or for programmes in Anglophone Africa. These two conclusions throw light on the theory of change elucidated at the beginning of this chapter. One theory of change, typical for the task environment, argues that the best way to approach an issue is to take direct action in order to achieve tangible results. Another theory of change, typical of the institutional environment, is to approach an issue indirectly by creating or promoting an enabling environment so as to put key institutions in a position to take action. The first is results-oriented, while the latter is procedurally driven.

The conclusion from our review, though from a small sample, is that the former appears to be more effective. This has also to do with the fact that direct action is more measurable and hence more tangible in terms of results. However, this is a correct conclusion only if one adopts the myopic view that fulfilling project targets is all that matters and that the longer-term effects can be left out of purview. But as long as change processes are conceived as time-limited projects, expectations may have to be adjusted to what can realistically be achieved within a time-bound budget.

While outcome indicators are rarely used for evaluations of the type we reviewed, process

---

<sup>422</sup> ILO/IPEC, *Kenya*, vii

<sup>423</sup> ILO/IPEC, *Malawi*, 26f.

<sup>424</sup> ILO/IPEC, *Zambia*, 40.

indicators are being used and structural indicators are used at least implicitly as assumptions are made about capacity which with the benefit of hindsight may turn out to be unrealistic<sup>425</sup> One conclusion emerging from the review is that more attention should be given to the whole question of capacity. Projects often promise changes at the macro level which are hard to accommodate within the standard project cycle. Political, legislative and cultural processes rarely operate according to project logic and structural indicators could be used to assess the options and constraints in launching projects aimed at change in macrostructures or in creating and influencing an enabling environment.

As interventions have shifted from downstream towards upstream activities, due to the realisation that direct action projects are not enough to rid the world of child labour, the ILO has seen its role more and more as one of support for government policy and actions, assuming government commitment and capacity. That assumption is not borne out by the review in this chapter. The national structure has not functioned well and the method of tripartism, a hallmark of ILO means of action, is conspicuous by its absence. The prospects for lower-level governmental engagement appear to be better than for national engagement. There may be many reasons for this state of affairs, one of which may be that the ILO is mandated to work with the Ministry of Labour which may not carry enough clout at the cabinet level.

Furthermore, child labour is an issue that may have to be tackled at an inter-ministerial level, involving ministries with responsibility for children as well as education, and with industries and commerce. A more holistic approach may be called for. In other words, standard procedure may turn out to be more of a straitjacket than an enabling tool. In sum, while the ILO has a core mandate to set standards on child labour, it is not certain that this mandate will by necessity translate into a distinct technical co-operation advantage in the field. As the organisation is reliant on extra-budgetary resources in order to implement projects in the field, it may not have the institutional presence and clout required in order to effect changes at the macro level. These processes take place beyond the confines of the project cycle, and projects that seek to combine both upstream and downstream may be overstretched. If different change theories are presumed, it may be an uphill task to

---

<sup>425</sup> On the use of indicators, see Gauthier DeBeco, "Human Rights Indicators and MDG Indicators. Building a common language for human rights and development organizations," in Paul Greedy and Wouter Vandenhoele, *Human Rights and Development in the new Millennium* (London: Routledge, 2014), pp. 50-69.

combine them successfully.

Looking at the last two chapters together, the social environments of standard-setting and technical co-operation differ in critical respects. In the framework of standard-setting, the established and tested procedures are well suited to the task. However, if applied in the world of technical co-operation, the same procedures may not measure up to the task. In particular, the tripartite framework, which has served standard-setting well, may appear too confining for technical co-operation in the field of child labour. While NGOs have an obvious part to play as implementing agencies, only employers' and workers' organisations have a recognised role as stakeholders to be consulted in policy-making process relevant for implementing the provisions of the Convention, even though the IPEC objectives are more open-ended on this point. As we have seen from the surveyed projects, tripartism is not an integral part of projects generally, though consultations may be part of implementation. Some projects do involve employers directly, but not necessarily trade unions.

In sum, whereas the ILO has a core mandate to set standards on child labour, it is not certain that this mandate will translate into a distinct technical co-operation advantage in the field.

## 11. Conclusions and the road ahead

In this dissertation we have aimed to study the ILO from a multitude of perspectives, from the macro perspective of organisational emergence and change to the micro perspective of project evaluation. We started out by defining an international organisation and then set the emergence of the ILO in the context of industrial change in the latter part of the 19<sup>th</sup> century. The period saw a plethora of international organisations, Public International Unions, emerging to facilitate the advance of industrial capitalism, by innovations within infrastructure, technology and communication, and others to manage social conflicts arising out of these rapid changes. The ILO fits the above description, but was also designed to prevent rapid political change, most pointedly of the kind coming from the Soviet Union.

The period saw processes of regulation, standardisation and multilateralisation as challenges that could no longer be resolved purely at the national level. The ILO represented an organisational response to these environmental processes. The main functions of the ILO was hence *regulative* at the outset, but also as became apparent later, we would argue, *technical/developmental*. The environments are characterised as being variously *institutional* and *task/technical*. Regulative functions are coupled with the institutional environment in the sense of concern with what the organisation should do; what is its mandate; what is its core; what is its overall purpose? Technical functions are joined with the task environment in concern about how well the organisation is doing whatever it is doing. In the task environment, results matter more, in the institutional environment rules and procedures are of higher importance.

We have taken an extended look at the International Labour Organisation, one of the specialised agencies of the United Nations family, but predating the UN. The main thesis was that an organisation with different functions and relating to divergent and potentially conflicting expectations from its environments cannot be rational in the usual sense of the term. Its rationality would rather reside in its being able to adapt to the expectations of the environments to ensure its continued survival. This could be accomplished by (a) changing the statutes and objectives of the organisation so as better to reflect the expectations of its environment or (b) changing its operational codes and practices. The thesis advanced here



is that adaptation is largely achieved through (b), a type of adaptation which, according to the literature on this topic, does not result in organisational learning. For organisational learning to take place, statutes and objectives would similarly have to be changed so as better to reflect environmental expectations. Organisations with strong regulative functions and a strong institutional environment are less likely to change in the face of changing expectations than organisations with strong technical functions and strong task environments. It was argued that the ILO fits the first type rather than the second. Consequently, an organisation that is strong in the institutional environment may not necessarily be as strong in the task environment. Proper procedures do not necessarily translate into better action in the field.

We started with a survey of the literature on international organisations with an emphasis on *international*. The survey found that the literature has shifted from an initial focus on contemporary organisations and their formal rules of governance and operations to a focus on more generic forms of international cooperation. Research has either been basic research concerned with generic types of multilateralism or applied research concerned with the actual operations of multilateral organisations, but little in the way of bridging the two. What it may have gained in academic sophistication may have been lost in policy relevance. There are signs that the international relations literature has moved somewhat in the direction of investigating institutional approaches, but it has not fully penetrated the mainstream approaches. But there is a move towards methodological pluralism which means that cognitivism or constructivism is no longer a fringe position and there is a corresponding move away from purely state-centric positions and the view of international society as anarchic to global governance. The turn to global and transnational governance and the functions of international organisation is a step in the right direction, but there is a bias towards examining international organisation as functional tools for global governance rather than examining their inner workings and exchanges with the environment.

The dissertation proceeded to ask whether organisation theory can better account for the objectives and modes of operation of organisations. While chapter 2 looked at international organisations as *international*, chapter 3 looked at international organisations as *organisations*. It was noted that organisational research has moved from a focus on organisations as *closed* systems to organisations as *open* systems in which relations between

organisations and environments are explicitly addressed. Within this branch of the organisation literature, research has been conducted on how organisations are influenced by their environments and how different environments exert different types of pressures on organisations evoking different types of response. One important result is that different and divergent expectations are reproduced inside organisations, creating tensions as to what are the proper objectives and modes of operation. Other branches of organisation theory has taken the opposite approach in examining how actors have influenced institutions by types of institutional entrepreneurship, reflecting the never ending academic debate about the relative weight of structure and agency. To pursue this issue, the dissertation used the concepts of *institutional* and *task* (or *technical*) environments corresponding to the organisation's regulative and technical functions and the concept of decoupling and (re)coupling. Tight coupling, ensuring that the environments provide a clear sense of direction for the organisation, has never really succeeded. Taking the wider view, however, the sociological research programme on world society or world polity along with constructivist approaches within political science epitomise a trend towards seeing international organisations as teachers of states rather than servants of states and seeing norms and standards as independent drivers of state behaviour. The purpose of international organisations is to be agents of rationality and modernity and to create and disseminate ideas. The survey ended with a model combining agency with structure, outlining organisational responses to environmental expectations and listing relevant features of each environment.

The thesis was built around a case study and it aimed to study the specific organisation from a variety of angles. It did not explicitly compare the organisation with others within its mandate and mode of operation as there is hardly anyone that is directly comparable. Consequently, the potential for generalisation is limited in this instance. Its governance structure and its combination of regulative and technical/developmental functions is relatively rare among international organisations. Organisations are usually one and the other; either setting standards or operating as a development agency in order to achieve changes on the ground, but rarely both. In terms of methodology, this work represents a multi-method approach combining qualitative judgement with quantitative measurement. The former is evident in synthesising long historical sequences and in evaluating time-

bound projects and the latter in careful analysis of programming and budgeting, synchronically and diachronically.

Whatever the combination of functions and expectations of the environment, arenas have to be identified to explore these potential tensions. The thesis proposed to explore the tensions at the levels of *policy*, *programme* and *project*. At the policy level, the main concern was with the overall mandate and purpose of the organisation. At the programme level, the concern was with how resources are allocated, whether they are regular resources such as budgets or extra-budgetary resources such as funding for technical cooperation and whether these sources cohere in the sense of providing a clear direction for the organisation to follow. Finally, at the project level, the concern was with how well projects are furthering the organisation's mandate for action on the one hand and how effective the organisation was in achieving results on the other.

At the *policy* level, the dissertation accounted for how and why the organisation and its environments emerged and developed in the first place. Functionalist theory assumes that organisations emerge in response to perceived problems demanding specific organisational solutions. However, in contrast to what the theory would predict, solutions may not at all emerge in response to problems and there may also be instances of mismatch between demand and response. Organisations and environments are created in a continuous process of exchange, interaction and negotiation. The ILO was created for a purpose for which there was a demand at the time, but often the temptation is to conclude from the fact of its establishment to the presumed fact of a demand for it. A careful narrative demonstrated that it was the First World War and its aftermath that was the 'tipping point' that created the organisation as governments 'awarded' the workers and employers for their war effort. The war was also responsible for the unique governance structure of governments, workers' and employers' organisations. This distinction remains today, as the ILO is the only one of the major UN agencies that is not strictly inter-governmental.

However, once created, demands may change for which the ILO is not necessarily the best solution. Alternatively, once its structures are established, they may be very hard to change. This is an insight of the institutional school that organisations are harder to change than many management theorists would have us believe. The dissertation tracked this process

over time with the help of the concepts of regulative and developmental functions. The regulation approach is strongly associated with the set of international labour standards originally fashioned for countries with a strong industrial base. On the other hand, the developmental approach operates from a base in which the material and ideational requisites for the regulatory approach may not be in place and where regulation is found to be unfeasible. Developmentalism stresses the need to build the foundations on which a regulatory approach may be appropriate at some future date. These divergent expectations may leave the organisation in a fix as to what are its primary objectives and modes of operation and how to adapt to these expectations. It leaves the organisation with a choice between stressing continuity and adaptability, between having ready-made answers and arguing their relevance to the actual world. By tracking written sources at key points in the organisation's history, it can be established whether it has changed in accordance with changes in the environment or whether it has essentially remained the same.

With the help of institutional theory, the review concluded that at the *policy* level, the organisation has essentially remained the same and that changing circumstances have only marginally influenced the organisation's mandate and purpose. This is attributable to the strong institutional environment of the ILO which has prevented it from departing from its original course set out in 1919. Attempts to position itself as a general development agency anchored in research and practical action did not succeed and accusations of politicisation and straying beyond its mandate generated controversies at different points in time. The institutional environment and the governance structure were guardians of the mandate, conservative forces resistant to change. Hence the propensity to adapt rather than to learn. When the answers are given in advance, what is there to learn?

At the *programme* level, the dissertation looked in detail at resources or inputs, specifically the regular budget and the so-called extra-budgetary resources. The first is the core budget needed to run the organisation, the second additional resources to finance projects, but also contributing to the regular budget. More specifically, the first arena is the biannual discussions of the ILO's programme and budget. This discussion takes place in the context of the Governing Body with representatives from member governments and employers' associations and trade unions. This is the institutional environment of the ILO core constituency. The analysis scrutinised the transition from a line budget to a budget by

strategic objectives. This transition was motivated by control, transparency and a stronger accent on achieving results and was manifested in adopting the so-called logical framework or results-based management which deals with the formulation of strategic objectives. However, the analysis bore out that the new style of budgeting had no particular impact on what the organisation was doing. It did not lead to any major reorientation of programming and secondly, it did not lead to more resources being committed to strengthening what the organisation was best at doing. It did not provide any guidance as to how the organisation was going to perform more effectively and efficiently. Following the logic of a task-oriented environment, this would have been the obvious conclusion, but in an institutional environment, the focus is on the core mandate, not on effectiveness of practical action. The logics simply do not meet. If the purpose was coupling, it did not succeed. What has been put in place is an elaborate, rigorous system of reporting with strategic objectives, operational objectives and a wilderness of indicators which in the final analysis proved to be unwieldy, all at the urging of Governing Body members. This is fully in line with John Meyer's observation that organisations become holding companies of institutionally defined packages.

The second arena of extra-budgetary resources is the interaction of the organisation with individual donor governments through project funding. These governments also happen to be members, but not in the capacity as governors. An analysis was undertaken of the pattern of project funding over the life-time of the organisation. In this task environment, the interaction is with donors and clients, not with members of the governance structure. Here the accent is on developmental functions and less on regulative, more on results than on procedures. The analysis presumed a decoupling in that this arena developmental functions would be of higher importance. For many years, this was indeed the case. Funding came from the UN mostly, though ultimately from individual governments of industrial countries, and reflected the priorities of the recipient countries. However, from the 1990s bilateral donors have come to dominate project funding and as bilateral donors also are the members of the organisation, we might expect a greater degree of coupling in that the priorities in the regular budget would match the priorities within the extra-budgetary resources. But the analysis showed that there is no such uniformity among the major donors.

Looking at project funding in recent years, the priorities among donors vary considerably within the four major fields of ILO work, whether it is international labour standards, employment, social dialogue or social protection. If there was a strong coupling between the two environments as we have defined them, there would have been a stronger coherence among donors in their project funding, but that is not borne out by the data. Furthermore, as the extra-budgetary resources increase relative to the regular budget, the scope for strategic budgeting is similarly compressed. When a large part of the budget is outside the control of the Governing Body, there is bound to be rather less coherence than more. The data show quite clearly that there is a mismatch between priorities in the regular budget and in the extra-budgetary allocations. As the ILO has stated in a recent document, only about half of the resources contributes directly to country-level decent work outcomes as they have been defined by the organisation itself. This is yet another sign of decoupling which is not surprising given that the two environments, the institutional and the task/technical, are significantly different and remain so.

While programming is concerned with inputs, budgetary and extra-budgetary resources, *projects* aim at outputs. From the macro-historical overview and the middle-level research on programme decisions, the dissertation moved on to investigate standard-setting and project implementation. The selection criterion for identifying appropriate projects was the combination of the regulative and developmental functions. Regulation is signified by being guided by existing labour standards and developmental by putting material resources of various sorts in place for these standards to apply fully on the ground. On the basis of these criteria, the International Programme for the Elimination of Child Labour (IPEC) was selected for study. This study was done by perusing documents, country visits and by examination of evaluation reports drawing on standard evaluation criteria. In other words, what can be reasonably be expected in terms of accomplishments? For a programme with multiple objectives, how can performance on each be assessed and how are they to be weighed against each other?

First, it is quite evident that the procedures for standard-setting are quite different than for project implementation. In the former, the tripartite environment of governments, employers and workers determines the content of standards solely. In the latter, the setting is quite different as the organisation employs NGOs as partners in operational activities.

But NGOs have no official role in setting standards and in monitoring them, differently from other parts of the UN system. The tripartite partners may not have a significant role in project implementation and in some cases may even be rejected, as for example trade unions in Bangladesh.

It was argued above that regulative criteria would stress technical cooperation that is close to the organisational mandate whereas technical criteria would stress performance irrespective of considerations of core mandate. Various measures and indicators were discussed and an argument was made in favour of social validation based on intersubjective consensus-seeking. With a programme of multiple objectives and ambiguous cause-effect relations, social validation may be the preferred alternative, in particular when programme interventions are guided and implemented by ILO constituents in the country concerned. While individual projects may be evaluated using standard measures, problems of evaluating legislative and policy issues may make standard measures more difficult to apply. Projects have increasingly come to embrace two objectives - first to create an enabling environment and secondly, to take direct action to reduce child labour in the country or sector concerned. The second objective can be measured in terms of numerical targets while the first is considerably harder to quantify. The argument may be made that its achievements as perceived by its institutional environment through social validation may be ultimately more important than performance as measured by standard technical criteria. If the projects are deemed to be successful by the institutional environment, then conceivably no further validation may be needed.

Secondly, it is a question of some importance whether standard time-bound projects are adequate for the requirements of creating an enabling environment. Legislation and policy-making work along a different time scale than targeted projects and it may take a decade or even more before the type of institutional changes are becoming evident as envisaged in project documents. By then, the project is long over. This raises a question of sequencing of whether an enabling environment is a sine qua non for successful project implementation or whether the process can be reversed. Would that be putting the cart before the horse?<sup>426</sup>

---

<sup>426</sup> For more on this, see the section on field perspectives in Wouter Vandenhoele et al, "Some cross-cutting issues and their policy implications", in *Human Rights and Development in the New Millennium*, ed. by Paul Gready and Wouter Vandenhoele. London, Routledge, 2014, 272-299.

The analysis, though limited to a small sample, points to a mixed picture as far as results were concerned. Most projects have achieved results in terms of reducing child labour, but there are uncertainties about how significant these reductions are or whether they are sustainable. Projects frequently lack baseline data against which to set project achievements, monitoring may be lacking or on other occasions, too complex and cumbersome for project staff to fulfil. A centralised administrative structure may make the lines of contact between headquarters and project staff too long and slow as against organisations with more decentralised structures which requires that the organisation has the level and breath of field presence to have an impact on legislative and policy-making in recipient countries. In many countries there is not an ILO office at all, which means that policy influence is limited to project staff on time-bound projects. While the organisation has an undoubted competence in setting standards, it does not mean that this competence can be translated into an advantage in providing services in the field.

It has been a question for a long time how far the organisation should go into providing services by way of projects or whether it should confine itself to providing advice which was the prevailing practice in early years and which would be much less costly as well. These issues have come to a head in a recent evaluation commissioned by British DFID which concluded that ILO projects gave poor value for money.<sup>427</sup> While the implication is that British core funding for projects will be terminated, it has no implications for continued British membership or for British appreciation of ILO standard-setting or other functions related to position-taking on topical policy issues. Britain may still fund projects of their choosing, but the strings will be more tightly attached than hitherto.

This document is highly interesting and more so for the ILO response than for the critique in the review, because it forced the ILO to clarify its role as a development agency. While it would go too far to examine this document in detail, most of which are accounts of ILO technical cooperation programmes, some observations can be made. With regard to the

---

<sup>427</sup> See the Department for International Development (DFID), *Multilateral Aid Review: Assessment of the International Labour Organisation* (London: 2011) and ILO, *Multilateral Aid Review, ILO Response to summary assessment 2011* (Geneva, 2011) at <https://www.gov.uk/government/publications/multilateral-aid-review-assessment-of-the-international-labour-organisation-ilo>. This was a review of a number of multilateral agencies and most of the others produced a few pages in response. The ILO wrote a 59-page riposte to the review and its findings and methodology. It must have struck a nerve with the organisation.



debate on aid effectiveness, the ILO states that “(t)he creation of an enabling environment for development - through legal instruments, through social and economic policies, and through better functioning institutions - has won wide acceptance as an approach which, in the long run, is more sustainable and more apt to promote local solutions to development challenges.”<sup>428</sup> This indicates that the ILO sees its main role as working upstream creating an enabling environment, but as we found in chapter 10, this approach can be risky in a technical environment stressing immediate and tangible results. The review argues that tripartism “can be a great strength in many areas but can also be (the ILO’s) greatest weakness.”<sup>429</sup> As we saw in chapters 9 and 10, tripartism in standard-setting is not matched by tripartism in project implementation, in fact, might be explicitly rejected.

The ILO sees itself as “primarily a policy and standard-setting institution” and “its main focus is not development, not aid.”<sup>430</sup> That statement is effectively belied by the fact that an increasing proportion of its resources comes from aid budgets, as we found in chapter 8, and its focus on development would surely be hampered by the absence of funding for aid projects.

Further, “the lack of clarity as to what constitutes ‘contributions to results’ and apparent bias in the review towards programme activities that yield immediate results for beneficiaries (...) means that the MAR (Multilateral Aid Review) fails to reflect the importance of capacity building and upstream policy advice.”<sup>431</sup> But as we have stressed over and over again, tangible results are what matter in the technical environment and these are more likely to result from downstream and targeted interventions than from upstream activities, as they operate on different time scales. The MAR found that “the ILO lacks a technical and delivery capacity to match its policy advocacy successes” and the ILO admits that capacity in this respect “is to some degrees restricted by the resources available to match its political advocacy successes”, and this may be explained by lack of presence at the country level and centralised administrative and financial procedures.<sup>432</sup>

---

<sup>428</sup> ILO, *ILO response*, 3.

<sup>429</sup> ILO, *ILO response*, 4

<sup>430</sup> ILO, *ILO response*, 8

<sup>431</sup> ILO, *ILO response*, 12.

<sup>432</sup> ILO, *ILO response*, 19.

Reiterating that “the ILO is a policy and standard-setting organisation”, a couple of pages are given to its work on HIV/AIDS, on which there is no ILO standard and which might smack of mission creep, as does relief and rehabilitation from natural disasters, projects that appear more to be externally induced than internally generated.<sup>433</sup> At another page, the MAR is faulted for not recognising the ILO’s role in state-building which must surely be beyond the ILO core mandate.

Coming to governance functions, the MAR found that “ILO leadership is not effective at prioritisation” and that “the ILO has an inefficient governing body.”<sup>434</sup> The response is listing a number of administrative initiatives in this regard, but as we have highlighted above, the governance structure does not appear to have much impact on prioritisation, despite forcing through new procedures. As we saw, these have not resulted in reprioritisation of resources. Moreover, the extra-budgetary resources, including the supplementary account, are beyond the control of the Governing Body.

It is stated that “the ILO has for many decades been an example of the successful involvement of civil society in policy-making structures and the right to participate in ILO proceedings enjoyed by NGOs is unequalled in any other agency.”<sup>435</sup> The participation in standard-setting is limited to the social partners, but relevant NGOs are strongly involved in project implementation, again indicating the hiatus between institutional and technical environments. On the issue of transparency and accountability, the MAR found that “the ILO does not systematically encourage or pursue transparency and accountability in delivery partners and recipients.”<sup>436</sup> Accountability works both ways and an observation made during field work was that the ILO does not appear to share its evaluation reports with its delivery partners, thus reducing the scope for learning.

Finally, “the ILO is primarily a policy and standard-setting institution, and its technical cooperation serves this function. It operates within social, economic and political processes

---

<sup>433</sup> ILO, *ILO Response*, 20. On this point, see also Özen Erem, *The 90<sup>th</sup> Anniversary of the ILO: Hidden Dangers in Uncharted Waters*, paper for the 50<sup>th</sup> Annual Convention of the International Studies Association, New York, NY (15 - 18 February 2009).

<sup>434</sup> ILO, *ILO Response*, 46.

<sup>435</sup> ILO, *ILO Response*, 54.

<sup>436</sup> ILO, *ILO Response*, 56.

that are central to the implementation of its vision and policy proposals. Policy changes take time to have an impact, often long after the funding has ended.”<sup>437</sup> That is demonstrably true, but as we have argued throughout, this strategy can be risky in an environment where short-term results are what matter the most. And as we have also said, the development agenda, in particular the development agenda of one donor, may not overlap with the ILO’s own agenda, but under the material circumstances of resource dependence on external financial resources, the ILO is induced to demonstrate that it does.

The above points to tensions and frictions in the technical environment, but they actually go further to touch on other core functions. As we have documented, there has been a stream of criticism aimed at the organisation, from the inside as well as the outside. Philip Alston lamented the reversal on international labour standards from hard to soft law and the focus on core human rights standards to the detriment of the technical standards, still making up the brunt of the international labour code. That sentiment is not shared within the international law community and a different take is provided by Lawrence R. Helfer. To him, the blend of treaties, soft law instruments, and monitoring mechanisms and other legal innovations such as pruning of ‘outmoded’ conventions are “the result of ILO officials learning from the lawmaking and monitoring experiences of other IOs and from the mistakes of the ILO’s own past - most notably an overly ambitious social justice agenda that produced a jumble of under-adopted and normatively incoherent conventions and recommendations.”<sup>438</sup> In other words, retrenchment is a good thing in the current context: “(t)he ILO has learned from other IOs and from its own past the benefit of focusing on core values. Over the last decade, the ILO has adopted a strategy of retrenchment, narrowing its mandate to emphasize compliance with a limited group of fundamental labour rights.”<sup>439</sup> This reportedly disconfirms the neofunctionalist thesis that emphasizes the inherently expansionist tendency of IOs, but contraction in one arena does not necessitate contraction in other arenas, such as technical cooperation.

Louis Emmerij found that in the contest between the organizational structure and the development programme, the structure wins. Robert Cox wrote that to the ILO official “the

---

<sup>437</sup> ILO, *ILO Response*, 58.

<sup>438</sup> Lawrence R. Helfer, “Understanding Change in International Organizations: Globalization and Innovation in the ILO,” *Vanderbilt Law Review* 59, no.3 (2006): 721.

<sup>439</sup> Helfer, *Understanding*: 726.

essence of ILO is the work it does and this work can be thought of as responding to more or less objectively defined needs. Ideological cleavages and bargaining about representation seem to the ILO official hardly relevant to this work.”<sup>440</sup> On the other hand, “(s)ymbolic and representational issues are closely linked in the perception of many delegates as to what the ILO is about. Symbolic issues test the legitimacy of opposed views about the character and aims of the ILO.”<sup>441</sup> This is another way of contrasting the structure of the organisation with its programme. For the latter, “operational activities (...) provided an opportunity for the ILO to broaden its base (...) Collective bargaining among delegates, like the bargaining that determines the allocations among the major programs included in the regular budget, (...) has had little impact on operational decisions.”<sup>442</sup> This is an important instance of decoupling, where decisions in one area is disconnected from decisions in another.

Decoupling is reproduced inside the organisation as diverging segments: “While the technical and field segments tended to be essentially pragmatic in their outlook and did not share any common professional orientation, both the standards and developmental segments had coherent, and in some instances competing, ideologies. These two had distinct professional identities: the standards segment with the legal profession; the developmental, with economics.”<sup>443</sup> Thus, organisational functions are closely tied in with professional identities.

As we have seen, “the dramatic growth of service functions has been the principal impetus for the growth in size and capability of the ILO bureaucracy” which “itself contains a plurality of interests that are to some degree rival and in any case distinct, and the constituents’ control (mainly through the governing body) has the effect of perpetuating this pluralism within it.”<sup>444</sup> This plurality points to a separation of interests; the bureaucracy with the provision of services tied to aid programme and operational decisions

---

<sup>440</sup> Robert Cox, “Limited Monarchy,” in Robert Cox and Harold K. Jacobson, *The Anatomy of Influence: Decision-Making in International Organisation* (New Haven, Conn., Yale University Press, 1973), 109.

<sup>441</sup> Cox, *Limited Monarchy*, 110.

<sup>442</sup> Cox, *Limited Monarchy*, 113.

<sup>443</sup> Cox, *Limited Monarchy*, 123.

<sup>444</sup> Cox, *Limited Monarchy*, 136.

and the tripartite bodies with representational and symbolic issues. While this was written in the 70s, it still holds today and is likely to hold into the foreseeable future.

Guy Standing has more recently argued that the ideology of the organisation is out of sync with the world of work during the second great (and global) transformation (following the earlier analysed by Karl Polanyi).<sup>445</sup> For Standing, echoing the earlier criticism of Gus Edgren, “the tightening of the regular budget tilted the balance of work towards technical assistance because of the rise in the proportion of ‘soft’ money raised for projects funded by donors.”<sup>446</sup> This has hurt both the other main functions, standard-setting and monitoring, but also development research for rethinking and readjusting its development programme.<sup>447</sup> The short-termism associated with a squeezed regular budget and the turn towards technical assistance may have reduced the strength and quality of the two foremost professional identities within the organisation, those of lawyers and economists. This is reinforced by the decoupling of standard-setting from the ILO technical departments. In sum, the money drives the engine, deprofessionalization is ongoing, and “struggling to deal with standard-setting and with trying to upgrade its advisory work, the ILO has moved into the shadows of global rule-making.”<sup>448</sup> The institutional structure does not appear to be tolerant of intellectuals who don’t follow the orthodoxy, and one indication thereof may be the closing of the International Institute of Labour Studies, of which Cox was the first director. The ILO will probably survive to its centenary in 1919, as standards, Conventions and ‘codes of conduct’ are needed to cope with the new realities in the world of work, but it has lost the intellectual edge and expertise it once had, at least outside the areas of technical assistance most favoured by donors.

In conclusion, the dissertation has argued that promise lies in the study of interactions of organisations with their environments and that research should be sensitive to the

---

<sup>445</sup> See Guy Standing, *Work after Globalization. Building Occupational Citizenship* (Cheltenham, UK: Edward Elgar, 2009) and *The Precariat. The New Dangerous Class*. London, Bloomsbury Academic, 2011, but see also Ayse Bugra and Kayan Agartan (eds.), *Reading Karl Polanyi for the 21<sup>st</sup> Century. Market Economy as a Political Project*. New York and Basingstoke, UK, Palgrave Macmillan, 2007.

<sup>446</sup> See Guy Standing, “The ILO: An Agency for Globalization,” *Development and Change* 39, no. 3 (2008): 374.

<sup>447</sup> One observation from field work is that NGO partners of ILO technical cooperation projects tend to be unaware of ILO standards monitoring, even within their area of technical expertise

<sup>448</sup> Standing, *The ILO*, 381.

dynamics of these interactions. These dynamics tell us that multilateral organisations face environments whose demands and expectations change over time. From the study of the particular organisation concerned, it is concluded that organisations with strong regulative functions and a strong institutional environment is not likely to change drastically in view of shifting environmental expectations. They may adapt to changing circumstances by adding activities, but this is argued to only have a marginal impact on the general mandate and purpose of the organisation and conversely, the structure has similarly a marginal impact on operational decisions.

In the final analysis, a strong institutional environment may be a strong guarantee for organisational survival, even though it may not be the optimal course for expansion. Therefore, organisations may not follow the most rational course in terms of expanding their businesses or may even be prevented by their environments from doing so, but if survival is the ultimate success, a sub-optimal course of action may ultimately be the most rational objective to pursue. If expectations are multiple and diverse, an organisation cannot satisfy everyone all of the time, but ensure that many, or at least the most important members of the constituency, are satisfied most of the time. One way of doing so is through the organisation of hypocrisy.<sup>449</sup> By de-linking talk, decision and action, an organisation may at least find a critical mass of adherents of each, provided they don't overlap to a significant degree. Symbolic decisions and operational action may coexist along parallel tracks and a balance may be sought without one perturbing the other. In the case of the ILO, its symbolic constituency, its institutional environment, will persist, no matter what else happens and that may be its ultimate best chance at survival, if not at expansion.

Organisation theory has argued that questions of legitimacy are to be regarded as independent of performance: "Performance challenges occur when organizations are perceived by relevant actors as having failed to execute the purpose for which they are chartered and claim support. The values they serve are not at issue, but rather their performance in 'delivering the goods' and meeting the goals of their mission are called into serious question (...) Value challenges place the organization's mission and legitimacy for existence at issue, regardless of how well it has fulfilled its agreed-upon goals or

---

<sup>449</sup> See Nils Brunsson, *The Organization of Hypocrisy. Talk, decisions and action in organizations*. 2<sup>nd</sup> edition (Oslo: Abstrakt forlag, 2002).

functions.”<sup>450</sup> While both are serious challenges, the latter may be more serious than the former as it challenges the entire *raison d’être* of the organisation. But as long as the values of the organisation are aligned with those of its institutional environment, its main constituency, challenges of the former type may be effectively weathered.

---

<sup>450</sup> P.M. Hirsch and J.A.Y. Andrews, “Administrators’ response to performance and value challenges: Stance, symbols and behavior,” in T.J. Sergiovanni and J.E. Corbally (eds.), *Leadership and Organizational Culture* (Urbana, IL, University of Illinois Press, 1984), 170-185. See also David L. Deephouse and Mark Suchman, “Legitimacy in Organizational Institutionalism,” in Royston Greenwood, Christine Oliver, Roy Suddaby and Kerstin Sahlin-Andersson, *Sage Handbook in Organizational Institutionalism*. Los Angeles, Sage Publ., 2008, 49-77 and Marshall W. Meyer and Lynne G. Zucker, *Permanently Failing Organizations* (Newbury Park, Ca.: Sage Publ., 1989).

## Bibliography

### Primary sources

#### ILO general

*Appraisal of the ILO Programme, 1959-1964. Official Bulletin XLIII, No.1 (1960)*

*Child Labour. Targeting the Impossible. Geneva, 1996*

*Constitution of the International Labour Organisation and Standing Orders of the International Labour Conference. Geneva: ILO, 1988*

*Declaration on Social Justice for a Fair Globalization. Preliminary implementation plan. GB.303/SG/DECL/2. Geneva, 2008*

*Defending Values, Promoting Change. Social Justice in a Global Economy. An ILO Agenda. Report of the Director General. ILC 81st Session 1994. Geneva, 1994*

*Draft of a possible Declaration of principles concerning fundamental rights and its appropriate follow-up for consideration at the 86<sup>th</sup> Session (1998) of the International Labour Conference. Geneva, GB.271./3/1, 1998*

*Draft transitional strategic plan for 2016-17 and preview of the Programme and Budget Proposals for 2016-17, GB.322/PFA/1. Geneva, 2014*

*Draft Minutes. Programme, Financial and Administrative Section, GB.317/PFA/PV/Draft. Geneva, 2013*

*Employment, Growth and Basic Needs. A One-World Problem. Geneva: ILO, 1976*

*Establishing a central Research Department. (GB.319/INS/14.2). Geneva, 2013*



*Follow-up on the discussion of the Report of the Director General to the 85<sup>th</sup> Session (1997) of the International Labour Conference. (a) Inclusion on the Agenda of the 86<sup>th</sup> Session (1998) of the International Labour Conference of an item concerning a Declaration on workers' fundamental rights.* Geneva, GB 270/3/1, 1997

*Follow-up Action on the ILO Declaration on Fundamental Principles and Rights at Work.* GB.274/2. Geneva, 1999

*Future Policy, Programme and Status of the International Labour Organisation.* ILC 26<sup>th</sup> session. Montreal: 1944

*ILO programme implementation 2012-13.* GB.320/PFA/1. Geneva, 2013

*ILO Declaration on Social Justice for a Fair Globalization.* Adopted at the International Labour Conference at its Ninety-seventh Session. Geneva, 2008

*ILO Preparation of the Programme and Budget proposals for 2000-01.* GB.273/PFA/7. Geneva, 1998

*ILO technical cooperation programme: Trends and Perspectives since 2000.* GB. 319/POL/7. Geneva, 2013

*ILO Decent Work Country Programmes. A Guidebook. Version 3.* Geneva, 2011

*Independent Evaluation of the InFocus Programme on the Elimination of Child Labour (IPEC).* Geneva, 2004

*Indigenous Peoples: Living and Working Conditions of Aboriginal Populations in Independent Countries.* Geneva, 1953

*Meeting Basic Needs. Strategies for Eradicating Mass Poverty and Unemployment.* Geneva: ILO, 1977

*Multilateral Aid Review, ILO Response to summary assessment 2011.* Geneva, 2011

*Preparation of the Programme and Budget proposals for 2000-01.* GB.273/PFA/7. Geneva, 1998

*Preview of the Programme and Budget proposals for 2008-09 and related questions - (a) Strategy for continued improvement of results-based management in the ILO.* GB.297/PFA/1/1. Geneva, 2006

*Programme and Budget Proposals for 2000-1. Volume 1. Strategy and Orientation.*  
GB.274/PFA/9/1. Geneva, 1999

*Programme and Budget Proposals for 2000-01: Approval of the detailed budget and further development of strategic budgeting.* GB.276/PF/A/9. Geneva, November 1999

*Reply of the Director-General, 43<sup>rd</sup> Session of the International Labour Conference, Record of Proceedings (1959)*

*Report of the Director-General, International Labour Conference 1958*

*Report IV (2). Child Labour, ILC 87th session.* Geneva, 1999

*Report VI(I): Questionnaire. Child Labour, ILC 86th Session, 1998.* Geneva, 1996

*Report II. Draft programme and budget 1996-97 and other financial questions. ILC 82<sup>nd</sup> Session.*  
Geneva, 1995

*Report of the Committee on the Declaration of Principles. ILC 86<sup>th</sup> Session.* Geneva, 1998

*Report of the Committee of Child Labour. Submission, Discussion and Adoption, ILC 87th Session.*  
Geneva, 1999

*Report of the Director-General. Decent Work. ILC 87<sup>th</sup> Session.* Geneva, 1999

*Report VI (2). Child Labour, ILC 86th Session 1988. Geneva, 1998*

*Report of the Committee on Child Labour, ILC 86th session. Geneva, 1988*

*Report of the Director-General. Supplement. Fifth Report of the Working Party of the Governing Body of the International Labour Office on the Programme and Structure of the ILO. International Labour Conference. Fifty-Second Session. Geneva. 1968*

*Report of the Director General. Decent Work. Some Strategic Challenges Ahead. ILC 97<sup>th</sup> Session. Geneva, 2008*

*Report of the Director General. Reducing the Work Deficit: A Global Challenge. ILC 89<sup>th</sup> Session. Geneva, 2001*

*Reports of the Programme, Financial and Administrative Committee. Third Report. Programme and Budget Proposals for 2000-1. GB.276/9/3. Geneva, November 1999*

*Reports of the Programme, Financial and Administrative Committee. Third Report: Preparation of the Programme and Budget proposals for 2000-1. CB.273/7/3. Geneva, 1998*

*Reports of the Programme, Financial and Administrative Committee. GB.268/7/3. Geneva, 1997*

*Reports of the Programme, Financial and Administrative Committee. GB.268/7/3. Geneva, 1997*

*Strategic Policy Framework, GB.320/PFA/3. Geneva, 2014*

*Strategic Policy Framework 2010-15 and preview of the Programme and Budget Proposals for 2010-11. GB. 303/PFA/2. Geneva, 2008*

*Strategic Policy Framework 2010-15. Making Decent Work Happen. GB.304/PFA/2(Rev.). Geneva, 2009*

*Technical Assistance. ILC 37<sup>th</sup> session. Geneva, 1954*

*The International Labour Organisation and Technical Co-operation (including the role of the I.L.O. in the Industrialisation of Developing Countries. 1. The I.L.O. and Technical Co-operation. Report VIII.(Part 1). ILC 58<sup>th</sup> session. Geneva, 1967*

*The Director General's Programme and Budget Proposals for 2014-15. GB.317/PFA/1. Geneva, 2013*

*The Director-General's Programme and Budget Proposals for 1998-99. GB.268/PFA/6.2. Geneva, 1997*

*The Role of the I.L.O. in the Promotion of Economic Expansion and Social Progress in Developing Countries. ILC 45<sup>th</sup> session. Geneva, 1961*

*The role of the ILO in technical co-operation, Report VI. ILC 73<sup>rd</sup> Session. Geneva, 1987*

*The ILO, Standard Setting and Globalization. Report of the Director General. International Labour Conference. 85th Session 1997. Geneva, 1997*

*The ILO's Technical Cooperation Strategy and tripartism in the context of the United Nations reform process. GB.306/TC/1. Geneva, 2009*

*The ILO's technical cooperation programme 2007-08. GB304/TC/2. Geneva, 2009*

*The International Labour Organisation and Technical Co-operation (including the role of the I.L.O. in the Industrialisation of Developing Countries. International Labour Conference. Fifty-First Session. Geneva 1967*

*World Labour Report 1. Geneva, 1984*

ILO/IPEC

*Addressing Child Labour in the Bangladesh Garment Industry 1995-2001. A synthesis of UNICEF and ILO evaluation studies of the Bangladesh garment sector projects.* New York and Geneva, August 2004

*Building the Foundations for Eliminating the Worst Forms of Child labour in Anglophone Africa.* An independent final evaluation by a team of external consultants. May 2006

*Combined evaluation of ILO/IPEC garment sector projects as part of the "Memorandum of Understanding" Framework with the Bangladesh Garment Manufacturers and Exporters Association.* April 2004

*Country Programme to Combat Child labour in Malawi.* An independent final evaluation by a team of external consultants; ILO/IPEC. February 2009

*Evaluation Report. A Partnership Approach to Improving Labour Relations and Working Conditions on the Bangladesh Garment Industry.* Washington DC: Management Systems International , 2005

*ILO-IPEC Highlights of 1996-97 and Guidelines for Future Action.* Geneva, 1996

*Implementation Report. Review of IPEC Experiences 1992-95.* Geneva, 1995

*IPEC in India 1992-95: Looking Back.* New Delhi, 1996

*Marking progress against child labour. Global estimates and trends 2000-2012.* Geneva, 2013

*Support to Development and Implementation of Time Bound Measures Against Worst Forms of Child Labour in Zambia.* An independent mid-term evaluation by an external consultant. August 2008

*Supporting the National Plan of Action for the Elimination of the Worst Forms of Child Labour in Kenya*. An independent expanded final evaluation by a team of external consultants. May 2009

*Sustainable Elimination of Bonded Labour in Nepal*. An independent final evaluation by a team of external consultants. September 2005

Sustainable Elimination of Child Bonded Labour in Nepal. Phase 2. An independent final evaluation by a team of external consultants. August 2010

*Sustainable Elimination of Bonded Labour in Nepal*. A Mid-Term Project Evaluation by an independent evaluation team. July 2004

#### Secondary sources

Adler, Emmanuel and Peter M. Haas. "Conclusion: Epistemic Communities, World Order, and the Creation of a Reflective Research Program." *International Organization* 46, no. 1 (1992): 367-390

Ahrne, Göran and Nils Brunsson. *Meta-organizations*. Cheltenham, UK: Edward Elgar, 2008

Ahrne, Göran and Nils Brunsson (eds.). *Regelexplosionen*. Stockholm: Handelshögskolan i Stockholm, 2004

Alcock, Anthony. *The History of the International Labour Organisation*. London: Macmillan, 1971

Alford, Robert R. Alford and Roger Friedland. *The Powers of Theory. Capitalism, the State and Democracy*. Cambridge: Cambridge University Press, 1985

Alston, Philip and James Heenan. "Shrinking the International Labour Code: An Unintended Consequence of the 1998 ILO Declaration on Fundamental Principles and

Rights at Work?," in *New York University Journal of International Law and Politics* 36 (2004): 221-264

Axelrod, Robert. *The Evolution of Cooperation*. New York: Basic Books, 1984

Baldwin, David (ed.). *Neorealism and Neoliberalism. The Contemporary Debate*. New York: Columbia University Press, 1994

Barnett, Michael N. and Martha Finnemore. "The Politics, Power and Pathologies of International Organizations." *International Organization* 53, no.4 (1999): 699-732

Barnett, Michael N. and Martha Finnemore. *Rules for the World. International Organizations in Global Politics*. Ithaca, New York: Cornell University Press, 2004

Bennett, Andrew and Jeffrey T. Checkel (eds.). *Process Tracing. From Metaphor to Analytic Tool*. Cambridge: Cambridge University Press, 2015

Berger, Peter L. and Thomas Luckmann. *The Social Construction of Reality. A Treatise in the Sociology of Knowledge*. N.Y: Doubleday, 1966

Bhattacharya, Debapriya. *International Trade, Social Labelling and Developing Countries: The Case of Bangladesh's Garments Export and Use of Child Labour*. Dhaka: Bangladesh Institute of Development Studies, 1996

Blau, Peter M. and W. Richard Scott. *Formal Organizations*. San Francisco: Chandler, 1962

Boli, John and George Thomas. *Constructing World Culture: International non-governmental organizations since 1875*. Stanford: Stanford University Press, 1999

Boswell, Christina Boswell. *The Political Uses of Expert Knowledge. Immigration Policy and Social Research*. Cambridge: Cambridge University Press, 2012

Brunsson, Nils. *The Organisation of Hypocrisy*. 2<sup>nd</sup> Edition. Oslo: Abstrakt Forlag, 2002

- Brunsson, Nils. *The Irrational Organization*. 2<sup>nd</sup> Edition. Bergen: Fagbokforlaget, 1999
- Bugra, Ayse and Kayan Agartan (eds.). *Reading Karl Polanyi for the 21<sup>st</sup> Century. Market Economy as a Political Project*. New York and Basingstoke, UK: Palgrave Macmillan, 2007
- Caporaso, James A. "International Relations Theory and Multilateralism: The Search for Foundations". *International Organization* 46, no.3 (1992): 599-632
- Carlsnaes, Walter, Thomas Risse and Beth A. Simmons (eds.). *Handbook on International Relations*. London: Sage Publ., 2002/2012
- Carr, E.H. *The Twenty-Years' Crisis*. London: Macmillan, 1939
- Child Workers in Nepal Concerned Centre (CWIN), *State of the Rights of the Child in Nepal 1998*. Kathmandu: CWIN, 1998
- Claude Jr., Inis. *Swords into Plowshares*. 3<sup>rd</sup> edition. New York: Random House, 1964
- Coase, R. H. "The Problem of Social Cost", *Journal of Law and Economics* 3 (1960): 1-44
- Coase, R. H. "The Nature of the Firm", *Economica*, NS 4, no. 16 (1937): 386-405
- Concern for Children and Environment. *Burden on Childhood. Child Porters in the Kathmandu Valley*. Kathmandu: CONCERN, 1997
- Cornia, Giovanni Andrea , Francis Jolly and Frances Stewart. *Adjustment with a Human Face. Protecting the Vulnerable and Promoting Growth. A study by Unicef*. Oxford: Clarendon Press, 1987
- Cox, Robert. *Approaches to World Order*. Cambridge: Cambridge University Press, 1996



- Cox, Robert. "Limited Monarchy." In Robert Cox and Harold K. Jacobson, *The Anatomy of Influence: Decision-Making in International Organisation*, 102-138.. New Haven, Conn., Yale University Press, 1973
- Crone, Donald. "Does Hegemony matter? The Reorganization of the Pacific Political Economy." *World Politics*. 45, no.4 (1993): 501-524
- Cyert, Richard M. and James G. March. *A Behavioral Theory of the Firm*. Oxford: Blackwell, 1963/1992
- DeBeco, Gauthier. "Human Rights Indicators and MDG Indicators. Building a common language for human rights and development organizations." In Paul Gready and Wouter Vandenhoele, *Human Rights and Development in the new Millennium*, 50-69 (London: Routledge, 2014)
- Deephouse, David L. Mark Suchman. "Legitimacy in Organizational Institutionalism," in Royston Greenwood, Christine Oliver, Roy Suddaby and Kerstin Sahlin-Andersson (eds.). *Sage Handbook in Organizational Institutionalism*, 49-77. Los Angeles: Sage Publ., 2008
- Department for International Development (DFID), *Multilateral Aid Review: Assessment of the International Labour Organisation*. London: 2011
- Djelic, Marie-Laure and Kerstin Sahlin-Andersson (eds.), *Transnational Governance. Institutional Dynamics of Regulation*. Cambridge: Cambridge University Press, 2006
- Doughton, J.P. "ILO Expertise and Colonial Violence in the Interwar Years." In Sandrine Kott and Joëlle Droux, *Globalizing Social Rights. The International Labour Organization and Beyond*. Basingstoke, 85-97 Palgrave Macmillan, 2013
- Douglas, Mary. *How Institutions Think*. London: Routledge & Kegan Paul, 1986

- Drori, G., John W. Meyer and H. Hwang (eds.). *Globalization and organization: World society and organizational change*. Oxford: Oxford University Press, 2006
- Edgren, Gus Edgren and Birgitte Möller. "The Agencies at a Crossroads. The Role of the United Nations Specialized Agencies." In The Nordic UN Project, *The United Nations. Issues and Options*, 116-178. Stockholm: Almqvist and Wicksell International, 1990
- Emmerij, Louis. "The International Labour Organization as a Development Agency." In Jeffrey Harrod and Nico Schrijver (eds.), *The UN under Attack*. Aldershot: Gower, 1988
- Erem, Özen. *The 90<sup>th</sup> Anniversary of the ILO: Hidden Dangers in Uncharted Waters.*, Paper for the 50<sup>th</sup> Annual Convention of the International Studies Association, New York, NY (15 - 18 February 2009)
- Etzioni, Amitai. *A Comparative Analysis of Complex Organizations*. New York: Free Press, 1961/1975
- Finer, Herman. *The United Nations Economic and Social Council*. Boston, World Peace Council, 1946
- Finnemore, Martha. *National Interests in International Society*. Ithaca, NY: Cornell University Press, 1996
- Finnemore, Martha and Kathryn Sikkink. "International Norm Dynamics and Political Change." *International Organization* 52, no. 4 (1998): 887-917
- Follows, John W. *Antecedents of the International Labour Organisation*. Oxford: Clarendon Press, 1951
- Friedland, Roger and Robert R. Alford, "Bringing Society back in: Symbols, Practices, and Institutional Contradictions". In Walter W. Powell and Paul J. DiMaggio. *The New Institutionalism in Organizational Analysis*. Chicago: University of Chicago Press, 1991

- Galenson, Walter. *The International Labour Organisation. An American View*. Madison: University of Wisconsin Press, 1981
- Gerring, John. *Case Study Research. Principles and Practices*. Cambridge: Cambridge University Press, 2007
- Gerring, John. "What is a case study and what is it good for?", *American Political Science Review* 98, no.2 (2004): 341-354
- Gilman, Nils. *Mandarins of the Future: Modernization Theory in Cold-War America*. Baltimore, Md.: Johns Hopkins University Press, 2007
- Goldstein, Judith and Robert O. Keohane. "Ideas and Foreign Policy: An Analytical Framework", in Goldstein and Keohane (eds.), *Ideas and Foreign Policy. Beliefs, Institutions and Political Change*. Ithaca, N.Y: Cornell University Press, 1993: 3-30.
- Griffin, Keith. *The Political Economy of Agrarian Change: An Essay on the Green Revolution*. Cambridge: Harvard University Press, 1974
- Guthrie, Jason. "The ILO and the International Technocratic Class, 1944-1966", 115-136. In Sandrine Kott and Joëlle Droux, *Globalizing Social Rights. The International Labour Organization and Beyond*. Basingstoke: Palgrave Macmillan, 2013
- Haggard, Stephen and Beth A. Simmons. "Theories of International Regimes". *International Organization* 41, no. 3 (1987): 491-517
- Hammersley, Martin. *The Myth of Research-Based Policy & Practice*. Los Angeles: Sage Publ., 2013
- Hasenclever, Andreas, Peter Meyer and Volker Rittberger. *Theories of International Regimes*. Cambridge: Cambridge University Press, 1997

- Hausman, Daniel M. Michael S. Pherson, *Economic Analysis and Moral Philosophy*. Cambridge: Cambridge University Press, 1996
- Helfer, Lawrence R. "Understanding Change in International Organizations: Globalization and Innovation in the ILO." *Vanderbilt Law Review* 59, no.3 (2006): 649-726
- Hirsch, P.M. and J.A.Y. Andrews. "Administrators' response to performance and value challenges: Stance, symbols and behavior.," In T.J. Sergiovanni and J.E. Corbally (eds.), *Leadership and Organizational Culture*, 170-185. Urbana. Il.: University of Illinois Press, 1984
- Hollis, Martin and Steve Smith, *Explaining and Understanding International Relations*. Oxford: Oxford University Press, 1990
- Hughes, Steve and Nigel Haworth. *The International Labour Organisation. Coming in from the cold*. London and New York: Routledge, 2011
- Hurd, Ian. *International Organizations. Politics, Law, Practice*. Second Edition. Cambridge: Cambridge University Press, 2014)
- Haas, Peter M. "Introduction: Epistemic Communities and International Policy Coordination". *International Organization*. 46, no. 1 (1992): 1-35
- Haas, Peter M. and Ernst B. Haas. Learning to Learn: Improving International Governance. *Global Governance* 1, no. 3 (1995): 255-285
- Haas, Ernst B. *Beyond the Nation State. Functionalism and International Organization*. Stanford: Stanford University Press, 1964
- Haas, Ernst B. *When Knowledge is Power. Three Models of Change in International Organizations*. Berkeley: University of California Press, 1989

- Haas, Ernst. "Turbulent Fields and the Theory of Regional Integration." *International Organization* 30, no. 2 (1976): 174
- Johnson, Ailish. "EU-ILO Relations. Between regional and global governance." In Jan Orbie and Lisa Tortell, *The European Union and the Social Dimensions of Globalization. How the EU influences the World*, 81-97. New York: Routledge, 2009
- Jönsson, Christer. *An Interorganizational Approach to the Study of Multilateral Assistance*, paper presented at the seminar of the Research Programme on Multilateral Development Assistance, Oslo, 16-17 January 1995
- Katzenstein, Peter J., Robert O. Keohane and Stephen D. Krasner. "Preface: *International Organization at Its Golden Anniversary*." *International Organization* 52, no. 4 (1998): xv-zviii
- Katzenstein, Peter J. Katzenstein, Robert O. Keohane and Stephen D. Krasner. "International Organization and the Study of World Politics." *International Organization* 52, no. 4 (1998): 645-685
- Keohane, Robert "International Institutions: Two Approaches", in Robert Keohane, *International Institutions and State Power* (Boulder, Col., Westview Press, 1989
- Koremenos, Barbara, Charles Lipson and Duncan Snidal (eds.). "The Rational Design of International Institutions." *International Organization* 55, no. 4 (2001): 761-799
- Krasner, Stephen. "Structural Causes and Regime Consequences: Regimes as intervening Variables." *International Organization* 36, no. 2, (1982): 185-205
- Kratochwil, Friedrich and John Gerard Ruggie. "International Organization: a State of the Art on an Art of the State". *International Organization* 40, no. 4 (1986): 753-775
- Kratochwil, Friedrich. *Rules, Norms and Decisions*. Cambridge: Cambridge University Press, 1988

- Kuhn, Thomas S. *The Structure of Scientific Revolutions*. Chicago: University of Chicago Press, 1962/1979
- Kuznets, Simon. "Economic Growth and Income Equality," *American Economic Review* XLV , no. 1 (1955): 1-28
- Landman, Todd. *Studying Human Rights*. London: Routledge, 2006
- Lawrence, Paul R. and Jay W. Lorsch. *Organization and Environment: Managing Differentiation and Integration*. Cambridge, Mass.: Harvard University Press, 1967
- Lawrence, Thomas B., Roy Suddaby and Bernard Leca (eds.). *Institutional Work. Actors and Agency in Institutional Studies of Organizations*. Cambridge: Cambridge University Press, 2011
- Leavitt, Barbara and James G. March, "Organizational Learning," *Annual Review Of Sociology* 14 (1988): 319-340
- Leimgruber. Mathias. "The Embattled Standard-bearer of Social Insurance and Its Challenger: The ILO, The OECD and the 'Crisis of the Welfare State, 1975-1985.'" In Sandrine Kott and Joëlle Droux, *Globalizing Social Rights. The International Labour Organization and Beyond*, 283-309. Basingstoke: Palgrave Macmillan, 2013
- Levy, Jack S., "Learning and foreign policy: sweeping a conceptual minefield," *International Organization* 48, no. 2 (1994): 279-312
- Lieten, G.K. "The ILO Setting the Terms in the Child Labour Debate." In Jasmien Van Daele et al, *ILO Histories. Essays on the International Labour Organization and Its Impact on the World During the Twentieth Century*, 443-460. Bern: Peter Lang, 2011
- Lindblom, Charles E. "The Science of Muddling Through," *Public Administration Review* 19, no. 2 (1959): 79-88

- Luhmann, Ni klas. *Soziale Systeme. Grundriss einer Allgemeinen Theorie*. Frankfurt a.M.: Suhrkamp, 1984
- Luhmann, Ni klas. *Die Gesellschaft der Gesellschaft*. Frankfurt a.M.: Suhrkamp, 1998
- Mahoney, James and Kathleen Thelen, "A Theory of Gradual Institutional Change." In James Mahoney and Kahleen Thelen (eds.), *Explaining Institutional Change. Ambiguity, Agency and Power*. Cambridge: Cambridge University Press, 2010
- Malmann, Carlos A. and Oscar Nudler. *Human Development in its Social Context. A Collective Exploration*. London: Hodder and Stoughton in association with the United Nations University, 1986
- March, James G. and Herbert A. Simon. *Organizations*. New York: Wiley, 1958
- March, James G. and Johan P. Olsen. *Rediscovering Institutions. The Organizational Basis of Politics*. New York: Free Press, 1989
- Maul, Daniel Roger. "The 'Morse Years': The ILO 1948-1970." In Jasmien Van Daele et al, *ILO Histories. Essays on the International Labour Organization and Its Impact on the World During the Twentieth Century*, 365-400. Bern, Peter Lang, 2011
- Maul. Daniel Roger. *Human Rights, Development and Democratisation. The International Labour Organization, 1940-1970*. Palgrave: Macmillan, 2012
- Mayer, Jean. "International labour standards and technical co-operation: The case of special public works programmes." *International Labour Review* 128, no.2 (1989): 155-175
- McKillen, Elizabeth., "Beyond Gompers: The American Federation of Labour, the Creation of the ILO and US Labour Dissent." In Jasmien Van Daele et al, *ILO Histories. Essays on the International Labour Organization and Its Impact on the World During the Twentieth Century*, 41-66. Bern, Peter Lang, 2011

- McNeely, Connie L. *Constructing the Nation-State. International Organization and Prescriptive Action*. Westport, Conn.: Greenwood Press, 1995
- Meyer, John W. "Rationalized Environments." In W. Richard Scott, John W. Meyer and ass., *Institutional Environments and Organizations*. Newbury Park: Sage Publ. 1993: 28-54
- Meyer, John W. and W. Richard Scott and Terrence E. Deal. "Institutional and Technical Sources of Organizational Structure." In Meyer, John W. and W. Richard Scott. *Organizational Environments*. Newbury Park
- Meyer, John W. and Brian Rowan. "Institutionalized Organizations: Formal Structure as Myth and Ceremony," *American Journal of Sociology* 83, no. 2 (1977): 340-363
- Meyer, John W. and Brian Rowan. "Institutionalized Organizations: Formal Structure as Myth and Ceremony," *American Journal of Sociology* 83, no. 2 (1977): 340-363
- Meyer, Marshall W. and Lynne Zucker. *Permanently Failing Organizations*. Newbury Park: Sage, 1989
- Morse, David A. *The Origin and Evolution of the I.L.O. and its Role in the World Community*. Ithaca, NY: Cornell University Press, 1969
- Morse, David A. "The International Labour Organization in a Changing World," *The Annals* 310. No. 1 (1957): 31-38
- Mörth, Ulrika ed.). *Soft Law in Governance and Regulation*. Cheltenham, UK,:Edward Elgar, 2004
- Murphy, Craig N. *International Organization and Industrial Change. Global Governance sine 1850*. Cambridge: Polity Press, 1994



- Nedergaard, Peter. "The European Union at the ILO's International Labour Conference. A 'double' principal-agent analysis." In Knud Erik Jørgensen (ed.), *The European Union and International Organizations*, 149-166. New York: Routledge, 2009
- Ness, Gayl D. and Steven R. Brechin (1988), "Bridging the Gap: International Organizations as Organizations, *International Organization* 42, no. 2 (1988): 245-273
- Nye, Jr., Joseph S.. "International Relations: The Relevance of Theory to Practice," in Christian Reus-Smit and Duncan Snidal, *The Oxford Handbook of International Relations*. New York: Oxford University Press, 2008
- Onuf, Nicholas G. *World of Our Own Making: Rules and Rule in Social Theory and Internationally Relations*. Columbia: University of South Carolina Press, 1989
- Onyango, Philista. *The Role of Advocacy against Child Labour*. Nairobi; ANPPCAN Regional Office, 2014
- Padgett, John F. and Walter W. Powell (eds.). *The Emergence of Organizations and Markets*. Princeton: Princeton University Press, 2012
- Peters. B. Guy., *Institutional Theory in Political Science*. London and New York: Pinter, 1999
- Phelan, E. J. *Yes and Albert Thomas*. New York: Columbia University Press, 1949
- Picketty, Thomas. *Capital in the Twenty-First Century*. Cambridge, Mass.: Harvard University Press, 2014
- Polanyi, Karl. *The Great Transformation*. Boston: Beacon Press, 1944/1957
- Puchala, Donald J. and Raymond F. Hopkins. "International Regimes: Lessons from Inductive Analysis. *International Organization* 36, no. 2 (1982): 245-275
- Rawls, John. "Two Concepts of Rules". *Philosophical Review* 65, no. 1 (1955): 3-32

- Reus-Smit, Christian and Duncan Snidal (eds.). *The Oxford Handbook of International Relations*. Oxford: Oxford University Press, 2008
- Risse, Thomas, Stephen C. Ropp and Kathryn Sikkink (eds.). *The Power of Human Rights*. Cambridge: Cambridge University Press, 1998
- Rochester, J. Martin. "The Rise and Fall of International Organization as a Field of Study." *International Organization* 40, no. 4 (1986): 777-813
- Rostow, W.W. *The Stages of Economic Growth. A Non-Communist Manifesto*. 3<sup>rd</sup> Edition. Cambridge: Cambridge University Press, 1991
- Ruggie, John Gerard. "Multilateralism: The Anatomy of an Institution." *International Organization* 46, no. 3, (1992): 561-598.
- Schluchter, Wolfgang. *The Rise of Western Rationalism. Max Weber's Developmental History*. Berkeley: University of California Press, 1981
- Scott, W. Richard. *Organizations. Rational, Natural and Open Systems*. Third Edition. Englewood Cliffs, NJ: Prentice Hall, 1992
- Scott, W. Richard. *Organizations. Rational, Natural and Open Systems*. Fourth Edition. Englewood Cliffs, NJ: Prentice Hall, 1998
- Scott, W. Richard. *Institutions and Organizations. Ideas and Interests*. Third Edition. Los Angeles.: Sage Publ., 2008
- Scott, W. Richard. *Organizations. Rational, Natural and Open Systems Perspectives*. 5<sup>th</sup> edition. New Jersey: Pearson Education International, 2003
- Searle, John R. *The Construction of Social Reality*. London: Penguin, 1996

- Selznick, Philip. *Leadership in Administration*. New York, Harper & Row, 1957
- Selznick, Philip. *TVA and the Grass Roots*. Berkeley: University of California Press, 1949
- Shapiro, Ian. *The Flight from Reality in the Human Sciences*. Princeton: Princeton University Press, 2007
- Shotwell, James T. *The Origins of the International Labour Organization*. New York: Columbia University Press, 1934
- Skirbekk, Gunnar. *Rationality and Modernity*. Oslo: Scandinavian University Press, 1993
- Smith, Steve. "Six wishes for a more relevant discipline of international relations." In Reus-Smit et al, *The Oxford Handbook of International Relations*. Oxford: Oxford University Press, 2008: 725-731
- Standing, Guy, "The ILO: An Agency for Globalisation," *Development and Change*. 39, no. 3 (2008): 355-384
- Standing, Guy. *Work after Globalization. Building Occupational Citizenship*. Cheltenham, UK: Edward Elgar, 2009
- Standing, Guy. *The Precariat. The New Dangerous Class*. London: Bloomsbury Academic, 2011
- Stokke, Hugo. "Standardised Practice - From International Labour Standards to Development Practice." In Paul Gready and Wouter Vandenhile, *Human Rights and Development in the new Millennium*, 195-212. London: Routledge, 2014
- Strange, Susan. "Cave! Hic Dragones: A Critique of Regime Analysis." *International Organization* 36, no. 2 (1982): 479-496
- Taylor, Michael. *The Possibility of Cooperation*. Cambridge: Cambridge University Press, 1987

- Thomas, George M., John W. Meyer, Francisco O. Ramirez and John Boli (eds.). *Institutional Structure: Constituting State, Society and the Individual*. Newbury Park: Sage Publ., 1987
- Thompson, James D. *Organizations in Action*. New York: McGraw Hill, 1967
- Thornton, Patricia H., William Ocasio and Michael Lounsbury. *The Institutional Logics Perspective: A New Approach to Culture, Structure and Process*. Oxford: Oxford University Press, 2012
- Utenriksdepartementet (Ministry of Foreign Affairs). *Verdens sysselsettingskonferancse. ILO - Geneve 4. - 17. juni 1976. Rapport fra den norske regjeringsdelegasjon*. On file with the author.
- Van Goethem, Gert. "Phelan's War: The International Labour Organization in Limbo (1941-1948)". In Jasmien Van Daele et al, *ILO Histories. Essays on the International Labour Organization and Its Impact on the World During the Twentieth Century*, 293-311. Bern, Peter Lang, 2011
- Wallerstein, Immanuel. *The Modern World-System I: Capitalist Agriculture and the Origins of the European World-Economy in the Sixteenth Century*. New York: Academic Press, 1974
- Walzer, Michael. *Spheres of Justice*. Oxford: Blackwell, 1983
- Weick, Karl E. *The Social Psychology of Organising*. Reading, Mass.: Addison-Wesley, 1979
- Weiss, Thomas G. and Rorden Wilkinson, "International Organization and Global Governance. What matters and why," in *International Organization and Global Governance*, ed. Thomas G. Weiss and Rorden Wilkinson. London and New York: Routledge, 2014
- Weller, Nicholas and Jeb Barnes. *Finding Pathways. Mixed Methods Research for Studying Causal Mechanisms*. Cambridge: Cambridge University Press, 2014

Wendt, Alexander. "Anarchy is what States make of it." *International Organisation* 46, no. 2 (1992): 391-425

Wendt, Alexander. "The Agent-Structure Problem." *International Organization* 41, no. 3 (1987): 335-370

Wendt, Alexander. *Social Theory of International Politics*. Cambridge: Cambridge University Press, 1999

Wiig, Arne. *Trade and Labour Standards: Child Labour* (in Norwegian). Bergen: Chr. Michelsen Institute, Report R 1996

Williams, Douglas. *The Specialized Agencies and the United Nations. The System in Crisis*. New York: St. Martins Press, 1987

Williamson, Oliver E. *The Economic Institutions of Capitalism*. New York: Free Press, 1985

Williamson, Oliver E. *Markets and Hierarchies: Analysis and Anti-Trust Implications*. New York: Free Press, 1975

Young, Oran R. *Compliance and Public Authority*. Washington, D.C.: Resources for the Future, 1979

Young, Oran R. "International Regimes: Toward a New Theory of Institutions." *World Politics* 29, no. 1 (1986): 104-122

Convention 182

CONVENTION CONCERNING THE PROHIBITION  
AND IMMEDIATE ACTION FOR THE ELIMINATION OF  
THE WORST FORMS OF CHILD LABOUR

The General Conference of the International Labour Organization,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its 87th Session on 1 June 1999, and

Considering the need to adopt new instruments for the prohibition and elimination of the worst forms of child labour, as the main priority for national and international action, including international cooperation and assistance, to complement the Convention and the Recommendation concerning Minimum Age for Admission to Employment, 1973, which remain fundamental instruments on child labour, and

Considering that the effective elimination of the worst forms of child labour requires immediate and comprehensive action, taking into account the importance of free basic education and the need to remove the children concerned from all such work and to provide for their rehabilitation and social integration while addressing the needs of their families, and

Recalling the resolution concerning the elimination of child labour adopted by the International Labour Conference at its 83rd Session in 1996, and

Recognizing that child labour is to a great extent caused by poverty and that the long-term solution lies in sustained economic growth leading to social progress, in particular poverty alleviation and universal education, and

---

<sup>451</sup> The appendix reproduces the substantive provisions of both instruments. The formal provisions are not included.

Recalling the Convention on the Rights of the Child adopted by the United Nations General Assembly on 20 November 1989, and

Recalling the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up, adopted by the International Labour Conference at its 86th Session in 1998, and

Recalling that some of the worst forms of child labour are covered by other international instruments, in particular the Forced Labour Convention, 1930, and the United Nations Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, 1956, and

Having decided upon the adoption of certain proposals with regard to child labour, which is the fourth item on the agenda of the session, and

Having determined that these proposals shall take the form of an international Convention;

adopts this seventeenth day of June of the year one thousand nine hundred and ninety-nine the following Convention, which may be cited as the Worst Forms of Child Labour Convention, 1999.

### **Article 1**

Each Member which ratifies this Convention shall take immediate and effective measures to secure the prohibition and elimination of the worst forms of child labour as a matter of urgency.

### **Article 2**

For the purposes of this Convention, the term "child" shall apply to all persons under the age of 18.

### **Article 3**

For the purposes of this Convention, the term "the worst forms of child labour" comprises:

(a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict;

(b) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances;

(c) the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties;

(d) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.

#### **Article 4**

1. The types of work referred to under Article 3(d) shall be determined by national laws or regulations or by the competent authority, after consultation with the organizations of employers and workers concerned, taking into consideration relevant international standards, in particular Paragraphs 3 and 4 of the Worst Forms of Child Labour Recommendation, 1999.

2. The competent authority, after consultation with the organizations of employers and workers concerned, shall identify where the types of work so determined exist.

3. The list of the types of work determined under paragraph 1 of this Article shall be periodically examined and revised as necessary, in consultation with the organizations of employers and workers concerned.

#### **Article 5**



Each Member shall, after consultation with employers' and workers' organizations, establish or designate appropriate mechanisms to monitor the implementation of the provisions giving effect to this Convention.

#### **Article 6**

1. Each Member shall design and implement programmes of action to eliminate as a priority the worst forms of child labour.

2. Such programmes of action shall be designed and implemented in consultation with relevant government institutions and employers' and workers' organizations, taking into consideration the views of other concerned groups as appropriate.

#### **Article 7**

1. Each Member shall take all necessary measures to ensure the effective implementation and enforcement of the provisions giving effect to this Convention including the provision and application of penal sanctions or, as appropriate, other sanctions.

2. Each Member shall, taking into account the importance of education in eliminating child labour, take effective and time-bound measures to:

(a) prevent the engagement of children in the worst forms of child labour;

(b) provide the necessary and appropriate direct assistance for the removal of children from the worst forms of child labour and for their rehabilitation and social integration;

(c) ensure access to free basic education, and, wherever possible and appropriate, vocational training, for all children removed from the worst forms of child labour;

(d) identify and reach out to children at special risk; and

(e) take account of the special situation of girls.

3. Each Member shall designate the competent authority responsible for the implementation of the provisions giving effect to this Convention.

#### **Article 8**

Members shall take appropriate steps to assist one another in giving effect to the provisions of this Convention through enhanced international cooperation and/or assistance including support for social and economic development, poverty eradication programmes and universal education.

#### Recommendation 190

#### RECOMMENDATION CONCERNING THE PROHIBITION AND IMMEDIATE ACTION FOR THE ELIMINATION OF THE WORST FORMS OF CHILD LABOUR

The General Conference of the International Labour Organization,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its 87th Session on 1 June 1999, and

Having adopted the Worst Forms of Child Labour Convention, 1999, and

Having decided upon the adoption of certain proposals with regard to child labour, which is the fourth item on the agenda of the session, and

Having determined that these proposals shall take the form of a Recommendation supplementing the Worst Forms of Child Labour Convention, 1999;

adopts this seventeenth day of June of the year one thousand nine hundred and ninety-nine the following Recommendation, which may be cited as the Worst Forms of Child Labour Recommendation, 1999.

1. The provisions of this Recommendation supplement those of the Worst Forms of Child Labour Convention, 1999 (hereafter referred to as "the Convention"), and should be applied in conjunction with them.

#### I. Programmes of action

2. The programmes of action referred to in Article 6 of the Convention should be designed and implemented as a matter of urgency, in consultation with relevant government institutions and employers' and workers' organizations, taking into consideration the views of the children directly affected by the worst forms of child labour, their families and, as appropriate, other concerned groups committed to the aims of the Convention and this Recommendation. Such programmes should aim at, inter alia:

(a) identifying and denouncing the worst forms of child labour;

(b) preventing the engagement of children in or removing them from the worst forms of child labour, protecting them from reprisals and providing for their rehabilitation and social integration through measures which address their educational, physical and psychological needs;

(c) giving special attention to:

(i) younger children;

(ii) the girl child;

(iii) the problem of hidden work situations, in which girls are at special risk;

(iv) other groups of children with special vulnerabilities or needs;

(d) identifying, reaching out to and working with communities where children are at special risk;

(e) informing, sensitizing and mobilizing public opinion and concerned groups, including children and their families.

## II. Hazardous work

3. In determining the types of work referred to under Article 3(d) of the Convention, and in identifying where they exist, consideration should be given, *inter alia*, to:

(a) work which exposes children to physical, psychological or sexual abuse;

(b) work underground, under water, at dangerous heights or in confined spaces;

(c) work with dangerous machinery, equipment and tools, or which involves the manual handling or transport of heavy loads;

(d) work in an unhealthy environment which may, for example, expose children to hazardous substances, agents or processes, or to temperatures, noise levels, or vibrations damaging to their health;

(e) work under particularly difficult conditions such as work for long hours or during the night or work where the child is unreasonably confined to the premises of the employer.

4. For the types of work referred to under Article 3(d) of the Convention and Paragraph 3 above, national laws or regulations or the competent authority could, after consultation with the workers' and employers' organizations concerned, authorize employment or work as from the age of 16 on condition that the health, safety and morals of the children concerned are fully protected, and that the children have received adequate specific instruction or vocational training in the relevant branch of activity.

## III. Implementation

5. (1) Detailed information and statistical data on the nature and extent of child labour should be compiled and kept up to date to serve as a basis for determining priorities for national action for the abolition of child labour, in particular for the prohibition and elimination of its worst forms as a matter of urgency.

(2) As far as possible, such information and statistical data should include data disaggregated by sex, age group, occupation, branch of economic activity, status in employment, school attendance and geographical location. The importance of an effective system of birth registration, including the issuing of birth certificates, should be taken into account.

(3) Relevant data concerning violations of national provisions for the prohibition and elimination of the worst forms of child labour should be compiled and kept up to date.

6. The compilation and processing of the information and data referred to in Paragraph 5 above should be carried out with due regard for the right to privacy.

7. The information compiled under Paragraph 5 above should be communicated to the International Labour Office on a regular basis.

8. Members should establish or designate appropriate national mechanisms to monitor the implementation of national provisions for the prohibition and elimination of the worst forms of child labour, after consultation with employers' and workers' organizations.

9. Members should ensure that the competent authorities which have responsibilities for implementing national provisions for the prohibition and elimination of the worst forms of child labour cooperate with each other and coordinate their activities.

10. National laws or regulations or the competent authority should determine the persons to be held responsible in the event of non-compliance with national provisions for the prohibition and elimination of the worst forms of child labour.

11. Members should, in so far as it is compatible with national law, cooperate with international efforts aimed at the prohibition and elimination of the worst forms of child labour as a matter of urgency by:

(a) gathering and exchanging information concerning criminal offences, including those involving international networks;

(b) detecting and prosecuting those involved in the sale and trafficking of children, or in the use, procuring or offering of children for illicit activities, for prostitution, for the production of pornography or for pornographic performances;

(c) registering perpetrators of such offences.

12. Members should provide that the following worst forms of child labour are criminal offences:

(a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict;

(b) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances; and

(c) the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties, or for activities which involve the unlawful carrying or use of firearms or other weapons.

13. Members should ensure that penalties including, where appropriate, criminal penalties are applied for violations of the national provisions for the prohibition and elimination of any type of work referred to in Article 3(d) of the Convention.

14. Members should also provide as a matter of urgency for other criminal, civil or administrative remedies, where appropriate, to ensure the effective enforcement of national

provisions for the prohibition and elimination of the worst forms of child labour, such as special supervision of enterprises which have used the worst forms of child labour, and, in cases of persistent violation, consideration of temporary or permanent revoking of permits to operate.

15. Other measures aimed at the prohibition and elimination of the worst forms of child labour might include the following:

(a) informing, sensitizing and mobilizing the general public, including national and local political leaders, parliamentarians and the judiciary;

(b) involving and training employers' and workers' organizations and civic organizations;

(c) providing appropriate training for the government officials concerned, especially inspectors and law enforcement officials, and for other relevant professionals;

(d) providing for the prosecution in their own country of the Member's nationals who commit offences under its national provisions for the prohibition and immediate elimination of the worst forms of child labour even when these offences are committed in another country;

(e) simplifying legal and administrative procedures and ensuring that they are appropriate and prompt;

(f) encouraging the development of policies by undertakings to promote the aims of the Convention;

(g) monitoring and giving publicity to best practices on the elimination of child labour;

(h) giving publicity to legal or other provisions on child labour in the different languages or dialects;

(i) establishing special complaints procedures and making provisions to protect from discrimination and reprisals those who legitimately expose violations of the provisions of the Convention, as well as establishing helplines or points of contact and ombudspersons;

(j) adopting appropriate measures to improve the educational infrastructure and the training of teachers to meet the needs of boys and girls;

(k) as far as possible, taking into account in national programmes of action:

(i) the need for job creation and vocational training for the parents and adults in the families of children working in the conditions covered by the Convention; and

(ii) the need for sensitizing parents to the problem of children working in such conditions.

16. Enhanced international cooperation and/or assistance among Members for the prohibition and effective elimination of the worst forms of child labour should complement national efforts and may, as appropriate, be developed and implemented in consultation with employers' and workers' organizations. Such international cooperation and/or assistance should include:

(a) mobilizing resources for national or international programmes;

(b) mutual legal assistance;

(c) technical assistance including the exchange of information;

(d) support for social and economic development, poverty eradication programmes and universal education.