



Citation for published version:

Standing, G 2010, 'The international labour organisation', *New Political Economy*, vol. 15, no. 2, pp. 307-318.
<https://doi.org/10.1080/13563460903290961>

DOI:

[10.1080/13563460903290961](https://doi.org/10.1080/13563460903290961)

Publication date:

2010

[Link to publication](#)

This is an electronic version of an article published in: Standing, G., 2010. Global monitor: The International Labour Organisation. *New Political Economy*, 15 (2), pp. 307-318. . *New Political Economy* is available online at: <http://www.informaworld.com/openurl?genre=article&issn=1356%2d3467&volume=15&issue=2&spage=307>

University of Bath

Alternative formats

If you require this document in an alternative format, please contact:
openaccess@bath.ac.uk

General rights

Copyright and moral rights for the publications made accessible in the public portal are retained by the authors and/or other copyright owners and it is a condition of accessing publications that users recognise and abide by the legal requirements associated with these rights.

Take down policy

If you believe that this document breaches copyright please contact us providing details, and we will remove access to the work immediately and investigate your claim.

GLOBAL MONITOR

The International Labour Organisation

GUY STANDING

The ILO has reached a venerable old age. In 2009 it celebrated its ninetieth birthday, having been established in the wake of the First World War by the Treaty of Versailles that recognised the imperative to meet social needs and in response to a fear of bolshevism and the socialist movement spreading across Europe.

Since 1919, the ILO has gone from its objective of standard setting to an agonised status in which it seems to be constantly lamenting the state of the world but without offering a coherent vision of what should be done or what role it could play in realising it. A global labour market is taking shape around it, and the ILO is pleading for relevance.

Few people are listening. The huge sprawling bureaucracy, with its headquarters in Geneva and over 40 offices around the world, has drifted into the margins of international influence. This article, building on an earlier critique (Standing 2008), argues that this is due mainly to a refusal to offer a model of work suitable for the twenty-first century. This reflects not just weak politicised leadership but an antiquated ‘tripartite’ governance structure that is singularly unsuited to a world in which tertiary work is displacing industrial labour as the modal form of activity. The article traces the road that led to this impasse and proposes directions for change that could revive the ILO or guide a possible successor organisation.

Building the labourist model

The story of the ILO can be told in four acts, or periods – 1919-44, 1944-69, 1970-98 and 1999-2009. The first two encompassed what Karl Polanyi (1944/1957) called the Great Transformation, the establishment of a regulated national market society based mainly on industrial labour. The latter two have encompassed the collapse of that society and the first phase of a Global Transformation – the painful forging of a global market society – that came to an abrupt halt with the financial crisis of 2008. Polanyi’s thesis was that a period of domination by financial markets leads to a crisis, followed by a search for new forms of regulation, redistribution and social protection.

A. The legitimising era: 1919-44

The ILO was set up on a ‘tripartite’ basis – involving trade unions and employer bodies as well as governments - to establish labour standards. These have taken the form of legally binding Conventions, negotiated by ILO members, on specific aspects of labour relations or social policy. Once approved, a Convention is open for ratification by member governments; ratification commits the country to respect its terms, to submit regular reports demonstrating compliance to the ILO Committee of Experts, and to accept investigation of alleged breaches.

Coupled with Conventions are less formal and non-binding Recommendations, which are usually more detailed guidelines on decent practices.

Between 1919 and 1939, the ILO established 67 Conventions, oriented to protecting employees against exploitation and oppression. The very first committed ratifying governments to respect a 48-hour working week. The second was a remarkably brief one on unemployment. All the Conventions and Recommendations in this period represented a movement to spread decent labour practices.

Alongside the standard-setting activities, the ILO became a modest knowledge-gathering agency. It became a repository for family budget surveys that were an early precursor of poverty studies, and in 1935 it set up a *Yearbook of Labour Statistics*, helping to define labour concepts as a dominant way of looking at what counts as work and what does not. Through its official journal, the *International Labour Review*, the ILO was also one avenue for debate around the ideas of Keynes and those working in a similar vein.

The period cemented a labourist and sectoral way of looking at the world of work and economic activity. The key point was that the Great Transformation taking place was about shaping and regulating *national* markets. In that respect, the ILO was a way of taking labour out of international trade, steering countries to raise non-wage labour costs in the form of social protection and limits on exploitation rather than compete by undercutting such costs. As Polanyi (1944/1957: 27-28) put it, the ILO was set up ‘to equalise conditions of competition among the nations so that trade might be liberated without danger to standards of living.’ However, this was predicated on a model of industrial employment, consisting predominantly of men in full-time wage labour, and a static international division of labour, in which the ‘colonies’ and ‘primitive economies’ produced and exported primary goods, such as food and minerals, while the ‘advanced’ countries traded industrial goods between themselves.

A feature of this phase was the equivocal position of the USA. It was an influence, hosting various ILO meetings. But it only joined in 1934. From the outset, successive US administrations felt disinclined to ratify ILO Conventions, even though they urged other countries to do so. This awkward position was to continue into the twenty-first century.

B. The industrial citizenship era: 1944-69

Historically, 1944 was pivotal for the ILO. In that year, three documents were published that were to shape its future. Polanyi’s *Great Transformation* provided a framework for understanding how societies could recover from the horrors that stemmed from financial market hubris and the Great Crash of 1929. He depicted a ‘double movement’ by which the state re-embedded the economy in society through systems of regulation, redistribution and social protection. The ILO was ready to assist in this particular Transformation, since it was geared to national industrial labour markets.

The Organisation took up one of Polanyi’s themes in its Philadelphia Declaration of 1944, which was endorsed by a meeting of government ministers, union leaders and employer representatives

from countries on the winning side of the Second World War. Committing the ILO to tripartite collective bargaining, it included a defining one-line paragraph, ‘Labour is not a commodity.’

Meanwhile, a third document was to ignite an intellectual fire that led to a counter-attack on the ILO three decades later, as globalisation took off amid a new phase of domination by financial capitalism. This was Friedrich Hayek’s *The Road to Serfdom* (1944), which inspired a generation of libertarian thinkers opposed to social democracy, Keynesianism and the variants of ‘collectivism’ and ‘welfare state’ that predominated in the post-1945 decades.

In 1946 the ILO became the first specialised agency of the newly formed United Nations. Standard setting accelerated. The ILO established no fewer than 43 Conventions between 1946 and 1951, nearly three times as many per year as in its first twenty years. The aim of spreading these national standards to developing countries was coupled with a determination to reduce the commodity character of labour. But, in tune with the emerging welfare states and the Leninist model in the Soviet bloc, the ILO inadvertently ushered in an era of ‘fictitious decommodification’. The money wage shrank as a share of employee remuneration while state and enterprise benefits grew, making employees (and their families) *more* dependent on wage labour for their economic security.¹ Essentially, the ILO became a mechanism for advancing an agenda of labour-based security, overwhelmingly for those in what was to be called the Standard Employment Relationship, in full-time, stable, unionised wage jobs.

As for redistribution, the ILO put its faith in sectoral or centralised collective bargaining and the impact of a high level of employment in strengthening the bargaining position of employees. Like others at the time, it presumed that ‘Full Employment’ could be maintained and that it would induce a reduction in inequality. The notion of Full Employment was a misnomer; the labour statistics and social policies of the era largely focused on ‘male breadwinners’, treating women as secondary workers expected to drop conveniently out of the labour market in recessions.

The labourist model took shape through standard setting.² The defining Conventions were those espousing freedom of association for employees and employers (C87 of 1948) and freedom of those groups to bargain collectively (C98 of 1949), several on discrimination, notably C111 of 1958, which focused exclusively on horizontal redistribution, or equity, notably on gender equality of treatment, and the Social Security Convention No.102 of 1952. There was nothing on vertical redistribution, that is, the reduction of income or wealth inequality.

Convention No.102 was particularly significant since it espoused a particular model of social security, in which nine contingency risks were identified as deserving compensatory state benefits. It is the way in which the Convention was written that is so revealing. It was thoroughly labourist – all benefits being linked to the performance of labour – and thoroughly sexist, referring to male breadwinners and dependent wives. Remarkably, that Convention was declared by the International Labour Conference in 2001 to be one of 71 ‘up-do-date’ Conventions.

Finally, the labourist model crystallised in the Employment Policy Convention No.122 of 1964, which committed ratifying countries to maintaining ‘full, productive and freely chosen

employment’, including ‘freedom of choice of employment’. In this, the ILO over-reached itself, reflecting the Keynesian smugness of the time and ignoring the sexist notion of Full Employment. It was never able to hold countries to this Convention. One problem was that it did not deal with trade-offs. For instance, should ‘full’ be given greater weight than ‘free’?

Nevertheless, it was largely as a result of its impressive edifice of Conventions and Recommendations that the ILO received the Nobel Peace Prize in 1969, its fiftieth anniversary. It happened to be the year that could be described as the zenith of the model of labourism that the ILO had helped to shape. Things were about to go badly wrong.

There had been earlier signs that the model was in trouble. For instance, the Japanese government had been upset by criticism of its policy on freedom of association by an ILO Committee of Enquiry. Japan was then forging an alternative system that was challenging the international division of labour, gaining distinct trading advantages. The ‘NICs’ (newly industrialising countries) were beginning to emerge.

Partly reflecting concern that its traditional standard-setting role was under strain, the ILO embarked on what was to become a feature of all international agencies, technical co-operation – providing assistance and advice on policy and institution building. This opened up a source of internal tension: decisions had to be made on the relative allocation of funds and expertise to standard setting and technical assistance. To some extent, the tension was postponed, since in those early days there were governments and funding organisations prepared to support technical assistance. But henceforth the ILO was to rely increasingly on ‘soft money’ from donors for specific projects or causes.

The dynamics matter. The regular budget process provides scope for setting and adhering to an institutional direction and forging a strategy to pursue it. With soft money, the payers call the tune. Internally, reliance on soft money induces conflicting behaviour and attitudes, with staff pressured to tailor their statements and actions so as not to offend donors or potential donors. These conflicts were to enfeeble the ILO’s response to the coming ideological onslaught.

C. Labourism disembedded: 1970-98

Immediately after the Nobel accolade, David Morse, the long-serving American ILO Director-General, launched a grandiose concept, the World Employment Programme (WEP), and then promptly retired. This new structure obviously suggested to outsiders that the ILO was setting itself up as a mechanism to promote employment all over the world. But, even though the Pope and many political leaders participated in its launch, the reality was that there was no money to do anything grandiose.

So, the WEP had to raise soft money and build a research base. A new generation of academically qualified economists and sociologists came in on short-term precarious contracts. Considerable energy and dynamism were generated. But the activities contributed to the structural tensions, between what were now three pillars of the organisation – standard setting, technical assistance and ‘knowledge development’. The tension was aggravated by the WEP’s

‘subversive’ agenda. Instead of concentrating on employment as the objective, it shifted focus to poverty reduction, which crystallised in two pioneering development concepts – ‘basic needs’ and ‘the informal sector’. The shift took the ILO into uncharted territory, while challenging some of the basic tenets of the labourist model. It was a gift to external critics.

Those critics were gathering strength. Dramatically, and compounding the ILO’s financial problems, in 1970 the USA suspended its contributions to the regular budget, having already allowed substantial arrears in payment of its dues to build up. Since the USA contributed about a quarter of the primary budget, the effect was sharp. Worse was to come. In November 1975, Henry Kissinger, US Secretary of State, sent a letter to the ILO Director-General giving the mandatory two-year notice of intention to withdraw. The reasons given are reviewed elsewhere (Standing 2008).

Two points are relevant to our later discussion. First, the letter was drafted by John Dunlop, then the doyen of American industrial relations, with strong backing by the AFL-CIO (the US trade union body). Second, the US position reflected the ideological shift taking place in the USA, and the ascendancy of Hayek’s disciples in and around Chicago, in what became known as the Chicago School of law and economics. Its adherents regarded most of what the ILO promoted as anathema and the source of the rising ‘stagflation’ of the 1970s.

Tension reached a peak over events in Chile following the Pinochet coup, which included the assassination of many trade unionists. Kissinger and prominent Chicago economists backed the Pinochet regime. The ILO was constitutionally bound to investigate complaints that Conventions ratified by previous Chilean governments were being viciously abused. Little could be done. But tempers were frayed.

Eventually, the USA did withdraw. It did not return until 1980, by which time the ILO leadership was prepared to go along, uneasily, with the emerging hegemonic doctrine, to be known soon after as the Washington Consensus. By then, most of the WEP had been wound up; ‘basic needs’ was a fading memory, and the knowledge-gathering agency role was beginning to blur into safer support for technical assistance projects or into underfunded fringe research.

The period that followed was dominated not just by the agenda set by the Washington Consensus, which repudiated several of the crucial elements of the ILO model, but also by the steady encroachment of the World Bank and International Monetary Fund into spheres hitherto regarded as the domain of the ILO, notably through the structural adjustment programmes that were coming into vogue.³

The ILO was faced with an existential challenge. Should it stand up robustly for its old regulatory model and contest the claims and ‘mission creep’ of the international financial agencies, and the neo-liberal model in general? Should it acquiesce? Or should it set out to forge a new model? It could not make up its mind, although it made occasional gestures in all three directions that earned little respect. Expedience became the rule. But in reality, the ILO was losing its historic role of setting the parameters of national labour markets.

One factor in its shrinking capacity was the growing reliance on soft money. For instance, when the collapse of the Soviet system briefly gave the ILO renewed legitimacy, technical departments were torn between criticising the neo-liberal ‘shock therapy’ policies being promoted by US academics and the international financial agencies, and seeking World Bank funds. The contradiction came to a head over the Bank’s campaign to reform pension schemes around the world in favour of individual private schemes. The ILO’s senior officials in the Social Security Department were hostile to what the Bank was doing, but needed Bank funds for projects. One could give numerous other examples. The effect was a weary focus on survival.

As the knowledge-agency function shrivelled, the technical assistance work was increasingly imbalanced, with growing emphasis on what external funders wanted, or were thought to want. From being marginal to the mainstream of the ILO, child labour became easily the biggest programme. This was ‘low-hanging fruit’, since nobody could oppose the abolition of abusive forms of child labour. But too much money was allocated, which vastly exceeded the Organisation’s capacity to spend efficiently.

With research in the doldrums and technical assistance losing direction, the third strand of the ILO was about to undergo a metamorphosis. Standard setting in the 1990s reflected the strains of defending the labourist model as globalisation strengthened and as other international agencies - most notably the IMF, World Bank and the Organisation for Economic Cooperation and Development (OECD) - advanced the neo-liberal model. The march of labour market flexibility was at full strength. In developing countries, the old presumption of a steady transfer of people labouring informally into formal employment was clearly going into reverse. In addition, almost everywhere, there was a shift to more precarious and indirect forms of labour, unreached by ILO Conventions. Privatisation of social and labour market policy was making matters more complicated.

The ILO tried to respond by talking about ‘extending’ social security to groups outside the standard employment relationship, and it dabbled with ideas of two-tier regulation, with lighter-touch protection for the so-called informal sector. It established a Private Employment Agency Convention (C181 of 1997), repudiating its long-held opposition to privatisation enshrined in Conventions No.88 of 1948 and No.96 of 1949. It passed a Homework Convention (C177 of 1996) to try to reach outworkers that was remarkable for its brevity and for the fact that it dealt only with wage workers doing homework. This was greeted with disdain by member countries, only five ratifying it, none of them major.

Meanwhile, the ILO was busy ‘withdrawing’ many of its older Conventions, 20 in its Conference of 2002 and 16 in 2004, for instance. But most symbolic of the end of the ‘forward march of labour’ conventions, a protracted attempt to produce a Convention on Contract Labour failed in the face of opposition from the Employers on the Governing Body and the tortuous attempts in successive drafts to define what was being covered. This epitomised the disarray of the labourist model in a world of rapidly evolving work patterns. Ironically, shortly after this unprecedented rebuff, the most senior ILO official dealing with Conventions declared victory, saying that the body of international labour standards had been completed (Sweepston 2005: 11).

Seeing labour standards in difficulty, Michel Hansenne, a Belgian Christian Democrat politician who was ILO Director-General in the 1990s, developed a self-prescribed mission to preserve them in more voluntaristic mode. He crafted a Declaration of Fundamental Principles and Rights at Work, which after long negotiations was adopted in 1998. It was hailed as a triumph, and welcomed effusively by the US administration, the AFL-CIO and the international trades unions. Since then, it has attracted an infusion of financial resources. But it was a pyrrhic victory.

The Declaration represented a major retreat from the standard-setting agenda of the previous 80 years. It stipulated that henceforth all member countries had to subscribe to the Declaration, which enshrined eight Conventions as 'fundamental'. The commitment was declamatory in character; countries could say they were committed to the principles, and could choose to call on the ILO to help realise them. This was far from the original idea of Conventions as legally binding and subject to critical investigation. Moreover, the Declaration implicitly rejected a fundamental principle established in 1948 in the UN's Universal Declaration of Human Rights, that all rights are indivisible and interdependent. Here was the ILO establishing a core, ostentatiously turning the other 180 Conventions into low-priority matters. And scarcely noticed was the fact that all the eight core Conventions related to civil and common law; they were 'negative' rights, not substantive progressive rights that could be used to forge a new model of work and social policy. Finally, in place of a legally binding 'social clause' in the World Trade Organisation, for which there had been pressure, the Declaration sidelined the issues, since trade and other sanctions were ruled out for breaches of the commitments. Soft law was replacing binding law.

Just as the defeat of the Contract Labour Convention was the end of the road for employment regulation, so the Declaration was the end of the road for the labourist model. It symbolised the zenith of the triumph of the neo-liberal model.

D. The populist era: 1999-2009

Juan Somavia, a former Chilean diplomat, succeeded Michel Hansenne in 1999 determined to make the ILO a more visible participant on the international stage. To help, he brought in a stream of outsiders with no previous experience of the ILO or record of work relating to it.

Among the most symbolic changes, he abolished the Industrial Relations Department, a sphere that almost defined the essence of the social democratic labourist model. In its place, he set up a Social Dialogue Sector, headed by an ex-staffer from Bill Clinton's White House. The term 'social dialogue' had been developed in the OECD, partly to indicate distance from models of adversarial collective bargaining and labour law constructed through the twentieth century. Social dialogue was utterly vague, with no sense of bargaining and no implication for redistribution. The death of industrial relations melded perfectly with the Third Wayism of the political community that the new Director-General wished to join, in which inequality was regarded as unimportant.

The essence of modern populism is to leave structures intact while developing a rhetoric that is non-threatening to powerful interests while seeming to be on the side of the poor, vulnerable and

disadvantaged. This was embodied by what was to become the mantra of the new ILO – ‘decent work’ (ILO 1999). Said to combine rights with opportunities, the formula was rich in potential, but soon turned into a stream of platitudes. A platitude is a statement to which one could not imagine any rational person disagreeing. Subsequent attempts to define and measure decent work in terms of actual policies and practices, at the level of firms and at the level of government policy, were condemned and suppressed, at the behest of both Employers and Workers on the Governing Body.

The term ‘decent work’ fed into all ILO reports, and millions of dollars were devoted to its promotion as a slogan around the world.⁴ In its timidity to define and measure what was meant, the first casualty was ‘work’; it soon became apparent that the labourist model was sufficiently alive to transform the meaning to ‘decent jobs’, whatever ‘decent’ meant. Care work, and voluntary and community work, all remained invisible and neglected, even though these are done by more people for more time than any other form of work.

The personalised commitment to decent work marked a costly diversion from the need to forge a renewed role for the ILO in responding to the changing world of work in the twenty-first century and the second phase of the Global Transformation. The malaise has gone deep inside the organisation. Staffing policy has been increasingly politicised, and its capacity for independent research has been compromised. Vast funds have been devoted to glossy reports that are not subject to independent peer review. Standard-setting work has fallen into a state of disrepair. In these circumstances, could the ILO be revived? What sort of international body is needed?

Restructuring the global regulator

There is one reason for being pessimistic, or realistic, about the chances of reviving the ILO. It is stuck in an antiquated governance structure that was once relatively ‘democratic’ but has become woefully unrepresentative and atavistic in its orientation. The 182-country Organisation is ruled by a Director-General, elected by the Governing Body for a renewable five-year term, and a 52-strong ‘tripartite’ Governing Body made up of 28 government representatives (10 countries with permanent seats, the others revolving), 14 representatives of Workers (trades unions) and 14 representatives of Employers (members of the International Organisation of Employers). Neither Workers nor Employers are representative of the interests their names would suggest. A tiny fraction of people who work belong to trades unions. And it is doubtful whether many employers know anything about the IOE.

Both of these blocs could make the counter-claim that they are more representative than any other possible body, although Chambers of Commerce might beg to disagree on the employers’ side and occupational bodies could do so on the workers’ side. But the more worrying problem is that the blocs represent the two sides of just one way of looking at work and labour, two sides of one type of relationship that prevailed for less than 100 years of two millennia. They are stuck in the middle decades of the twentieth century, and have been clinging to the wreckage of the labourist model. It is hardly likely they would willingly surrender their position on the podium of the one international body that has allowed them to play their parts on the world stage.

The Workers in particular probably only survive because of the financial and other support gained from the ILO, making the relationship inherently subject to moral and immoral hazards. Favoured officials seamlessly slip into senior positions in the ILO, with some going back to senior positions in the International Trade Union Confederation. This is institutionally unhealthy.

Imagining a revival of the Organisation in the face of the governance structure is to allow hope to triumph over experience. The turkeys will not vote for Christmas. The problem is compounded by the fact that within the Office, the Director General can act without due process on key matters, including the appointment and transfer or dismissal of senior officials. When Kofi Annan was UN Secretary General, there was an unwritten rule that nobody could be a head of a UN body for more than two terms. But the current ILO Director General managed to be re-elected for a third term in November 2008, with leading governments abstaining. There were murmurs of discontent, and a loose agreement has been reached that in the future nobody should have more than two terms. There is surely an argument for saying that in a global body, with so many people and countries from which to choose senior officials, nobody should have more than one term of, say, five years. There should also be a rigid rule that nobody on or connected with the Governing Body should be employed by the ILO within, say, three years of being on it. The system as it stands is too open to potential abuse.

Reform of the governance structure is probably a prerequisite before much progress could be made towards altering the character and level of the ILO's performance. However, it is possible to sketch an agenda that the ILO, or another body dealing with global labour and work issues, could develop over the next decade.

We should begin by recalling the context. The financial crisis of 2008-09 was the crisis of the Global Transformation, just as the crisis of 1929-32 was the collapse of a period of financial market domination that eventually led to the embedded phase of Polanyi's Great Transformation. The world's citizens and interest groups will want to see emerging from the first global recession new systems of regulation, redistribution and social protection more attuned to an open global market economy. This may take years to take shape, and could even usher in a period of political extremism before a new model is established. But whereas the Great Transformation led to decades of *industrial citizenship*, based on labour-related social 'rights' (or entitlements), the Global Transformation may lead to a period of *occupational citizenship*, in which rights and work practices are built around the pursuit of an occupational existence (Standing 2009).

For most of its existence since 1919, the ILO has concentrated on labour and industrial relations around collective bargaining. It has treated occupational issues and work issues outside labour as irrelevant or marginal. But reality has swept on. Care work, the work done by more people than any other, is not the subject of any ILO Convention. More people are covered by occupational licensing in the USA than are members of trades unions. Bodies representing the world's great professions are not involved in the ILO at all. The ILO has completely ignored the sphere of occupational regulation. The governance structure has blocked any move in that direction, making sure that no organisation representing any profession is a member of the Governing

Body or given a status at the annual International Labour Conference, which is attended by over 3,000 people each June.

The Employers' and Workers' blocs have avoided forms of bargaining around work that do not fit the labourist model of collective bargaining. And their interpretation of freedom of association has been narrow. What rules, for instance, should apply to associations of 'independent contractors' if they seek to bargain with potential employers or the government? Under standard competition rules, they would run up against anti-trust provisions, whereas under ILO-inspired labour law, employees are given special status by virtue of their dependency and the presumption that they are weaker than the representatives of capital.

The globalising labour process needs an international body that can forge a framework for occupational regulation and for what I have called 'collaborative bargaining'. Some of the most sensitive work issues take place between occupations, for example, between doctors and nurses and auxiliaries. There may be oppression, suppression or contrived splintering of occupations by dominant groups, sometimes aided by the state. International bodies of professions are taking shape. But they are doing so haphazardly, with little accountability or transparent rules. What is happening in the occupational sphere has profound implications for reinterpreting such hallowed ideas as 'the right to work' or, as libertarians put it, 'the right to practise'.

A renewed ILO, or an International Work Rights Organisation, would have to confront some of the most threatening undercurrents of labour and social policy, which the current leadership has conspicuously avoided. For instance, there is the global drift to forms of 'workfare' that make entitlement to state benefits conditional not only on means tests but on increasingly coercive behaviour tests. Many governments now require the unemployed to take jobs determined for them if they want to receive any 'insurance' benefits or any benefits at all. But workfare is strikingly at odds with Convention No.122 of 1964, which claims employment should be 'freely chosen'.⁵

Rules are also needed to regulate the growing use of labour subsidies, particularly as many are a form of subsidy protectionism. To some extent, they may be taken up, reluctantly, by the World Trade Organisation but its jurisdiction in this area is limited.

Then there are the increasingly ominous matters surrounding surveillance and 'dataveillance', the incursion of employers and others into realms of privacy (on these issues, see Clarke 2006). Information technology and a rhetoric of 'security' are being used to discriminate and penalise in ways that threaten liberty in and around work. The world needs an organisation that fights resolutely to curb the global trend.

Above all, the world needs a body that can set rules of decency for all forms of work and for labour mobility, including international migration. Here the ILO has been pusillanimous; as of early 2009, it had just five professionals dealing with migration, out of some 2,500 officials.

The ILO's future should be re-evaluated as part of the restructuring of the international regulatory architecture in the aftermath of the financial crisis. All three aspects of its work –

standard setting, technical assistance and knowledge gathering – are in disrepair and many of its pronouncements lack substance, leaving it open to criticism from all political directions.⁶ The UN should set up an independent commission of experts to propose a way forward. The world of work requires it.

References

Clarke, R. (2006), *Introduction to dataveillance and information privacy, and definition of terms*, Chapman, ACT, Australia: Xamax Consultancy. Available from: <http://www.rogerclarke.com/DV/Intro.html#DV> [accessed 11 Apr 2009].

Hayek, F. (1944), *The road to serfdom* (Chicago: University of Chicago Press).

ILO (1996 et seq.), *International Labour Conventions and Recommendations* (Geneva: International Labour Organisation).

ILO (1999), *Decent work: Report of the Director-General*, International Labour Conference, 87th Session (Geneva: International Labour Organisation).

ILO (2009), *The financial and economic crisis: A decent work response* (Geneva: International Institute for Labour Studies).

Polanyi, K. (1944/1957), *The Great Transformation: The political and economic origins of our time* (Boston: Beacon Press).

Ponticelli, C. (2009), *Can the ILO be saved from itself?*, Heritage Foundation lecture 1106 (Washington, DC: Heritage Foundation).

Standing, G. (2007), 'Labour Recommodification in the Global Transformation', in A. Buğra and K. Ağartan, eds., *Reading Karl Polanyi for the twenty-first century* (New York and Basingstoke: Palgrave Macmillan), pp. 67-94.

Standing, G. (2008), 'The ILO: An Agency for Globalization?', *Development and change*, 39 (3), pp. 355-84.

Standing, G (2009), *Work after globalization: Building occupational citizenship* (Cheltenham: Edward Elgar).

Swepton, L (2005), 'Adoption of standards by the International Labour Organisation: Lessons and limitations', paper presented to workshop organised by the International Council on Human Rights Policy and International Commission of Jurists, Geneva, 13-14 February.

World Commission on the Social Dimension of Globalisation (2004), *A fair globalisation: Creating opportunities for all* (Geneva: International Labour Organisation).

¹ For an elaboration of this argument, see Standing (2007).

² For the full texts of all Conventions and Recommendations, see ILO (1996 et seq.). The ILO produces an annual *Report of the Committee of Experts on the Application of Conventions and Recommendations*.

³ For those involved in the efforts to resist the liberalisation agenda of the international financial agencies, it was a source of bitter irony that, in 2009, in response to the nemesis of the model they had done so much to promote, the G20 leaders gave them vastly more resources to make them more powerful. One of the policies they had spread around the world was pension privatisation, with disastrous effects. In the 1990s, the Bank took over responsibility for pension reform, without the mandate or expertise, while the ILO, previously the agency dealing with social security, was marginalised.

⁴ The most conspicuous example was the multi-million dollar exercise that led to a *Fair Globalisation* report, ostensibly written by a 'World Commission' of prominent individuals (World Commission on the Social Dimension of Globalisation 2004).

⁵ While writing this article, an ILO document came to hand that advocated workfare (ILO 2009: 32). There is no ILO Convention that could justify that. It also reiterated legitimacy for Convention 102 on social security (ILO 2009: 36).

⁶ For a critique from the right, coming from a former senior official of the US Department of Labor's Bureau of International Affairs (and representative to the ILO), see Ponticelli (2009).