

# International Labor Rights and the Decent Work Agenda

---

Steffen Jenner  
[Steffen.Jenner@uni-tuebingen.de](mailto:Steffen.Jenner@uni-tuebingen.de)

Institut für Politikwissenschaft  
Professur für politische Wirtschaftslehre  
Melanchthonstr. 36  
72074 Tübingen  
<http://www.wip-online.org>

EBERHARD KARLS  
UNIVERSITÄT  
TÜBINGEN



## **The author:**

Steffen Jenner is currently studying Political Science, Economics, and Sociology at the Eberhard Karls University of Tuebingen.

---

**ISSN 1614-5925**

© Tübingen 2009

Steffen Jenner

## Hinweis zu den Nutzungsbedingungen:

Nur für nichtkommerzielle Zwecke im Bereich der wissenschaftlichen Forschung und Lehre und ausschließlich in der von der WiP-Redaktion veröffentlichten Fassung – vollständig und unverändert! – darf dieses Dokument von Dritten weitergegeben sowie öffentlich zugänglich gemacht werden.

# Vorwort: Internationale Sozialpolitik

---

Mit zunehmender Globalisierung - und angesichts der aktuellen Finanzkrise vermehrt - wird der Ruf nach einer „Zähmung“ der Weltwirtschaft immer lauter. Einer der Forderungen bezieht sich auf die sozial- und arbeitspolitischen Verwerfungen; Internationale Sozialpolitik ist daher ein politisches Handlungsfeld im Entstehen und mit einer hohen Dynamik.

In Bezug auf die Probleme und normativ-politischen Kontexte aktualisiert Internationale Sozialpolitik durchaus einen Teil der klassischen Wohlfahrtsstaats-Debatten. Es geht auch hier um Sicherheit, Gerechtigkeit, Fairness – ja teilweise sogar um „Dekommodifizierung“ (Esping-Andersen) und um Grenzen der Ausbeutung der Ware Arbeitskraft. Im Bezug auf die Instrumente und Akteure spielt sich allerdings das Meiste jenseits des nationalen Wohlfahrtsstaats, in den weiten Räumen der internationalen Beziehungen ab.

Das Beispiel der „Decent-Work-Agenda“ zeigt, dass zudem weniger Geld als Steuerungs-, Transfer- und Kompensationsmedium im Vordergrund steht, sondern ansatzweise rechtliche und vor allem ethische Normen. Relevante Akteure bilden hier Vertreter aus dem breiten Spektrum an Non-Governmental Organisations im UN-System.

Gleichwohl lassen sich Erkenntnisse aus der Forschung über den Wohlfahrtsstaat mit Ergebnissen der Internationalen Beziehungen kombinieren; hier dominiert der Rückgriff auf die klassischen Ansätze zur Erklärung internationaler Politiken. Gleichwohl zeigt sich damit auch ein integratives Feld für die Politikwissenschaft, das Aktualität, politische und praktische Relevanz verbindet.

**Prof. Dr. Josef Schmid**

*Lehrstuhl für Politische Wirtschaftslehre und Vergleichende Politikfeldanalyse  
Institut für Politikwissenschaft  
Eberhard-Karls Universität Tübingen*

# Abstract

---

This paper's aim is to examine the reasons why the United States refuse to ratify international labor standards. Taking Utilitarian Liberalism as the appropriate approach tackling domestic-international entanglements, Robert D. Putnam's Two-Level Game Theory clearly bears some explanatory value. In short, the U.S. faces domestic constraints not to adopt the ILO conventions at the international level. Other states, backed by International Organizations, effectively push forward the Decent Work Agenda. This tempted persuasion to shift the U.S. domestic table from abroad is analyzed within the work's second step. However, due to clashing interests, future challenges occur. A broad range of theoretical approaches, reaching from Putnam, Atkinson and Coleman, to Global Social Policy, represented by Bob Deacon, are thoroughly addressed throughout the occasional paper.

# Content

---

<b>I.</b>	<b>Introduction</b> .....	<b>6</b>
<b>II.</b>	<b>Schools of Thought in International Relations</b> .....	<b>8</b>
2.1	Realism .....	8
2.2	Constructivism .....	9
2.3	Complex Interdependence .....	10
2.4	Utilitarian Liberalism .....	10
<b>III.</b>	<b>Two-Level Game Theory</b> .....	<b>13</b>
3.1	Previous Research on Domestic-International Entanglements.....	13
3.2	Two Tables and One Broker .....	13
3.3	The Process of Negotiation .....	14
3.4	Win-sets and the Case they Overlap.....	17
3.5	The U.S. Win-set does not Span Ratification.....	18
3.6	Circumstances which Affect the Size of Win-sets .....	18
	<b>3.6.1 Putnam’s First Thesis</b> .....	<b>18</b>
	<b>3.6.2 Putnam’s Second Thesis</b> .....	<b>23</b>
	<b>3.6.3 Putnam’s Third Thesis</b> .....	<b>24</b>
<b>IV.</b>	<b>Deacon’s Consideration on the Struggle between Capital and Labor</b>	<b>24</b>
<b>V.</b>	<b>Ways to Extend the U.S.’ Win-set</b> .....	<b>25</b>
5.1	Theoretical Considerations .....	26
5.2	The International Labor Organization .....	26
5.3	The Decent Work Agenda .....	27
	<b>5.3.1 The Development of the Decent Work Agenda</b> .....	<b>27</b>
	<b>5.3.2 The Draft Resolution “Promoting Full Employment and Decent Work for all”</b> .....	<b>29</b>
	<b>5.3.3 Follow-up and Challenges</b> .....	<b>30</b>
<b>VI.</b>	<b>Conclusion</b> .....	<b>31</b>
<b>VII.</b>	<b>Appendix</b> .....	<b>33</b>
<b>VIII.</b>	<b>Bibliography</b> .....	<b>37</b>

# Illustrations

---

Illustration 1	<i>ILO Conventions and their Ratification Status</i> .....	6
Illustration 2	<i>Putnam’s Two-Level Game Theory</i> .....	16
Illustration 3	<i>Effects of Reducing the Win-set Size</i> .....	17
Illustration 4	<i>The U.S.’ Win-set</i> .....	18
Illustration 5	<i>The Development of the Decent Work Agenda</i> .....	28
Illustration 6	<i>Labor Standards and associated ILO conventions</i> .....	33

## Introduction

Fostering social development, the International Labor Organization, a United Nations specialized agency, prompts its member states to implement and ensure basic rights and principles at work. These labor rights and principles, in diplomat jargon more commonly known as “Core Labor Standards”, contain four pillars: The freedom of association, the elimination of all forms of forced or compulsory labor, the effective abolition of child labor and the elimination of discrimination in respect of employment and occupation. In order to award them the universality they deserve the Core Labor Standards are expressed in covenants which range from the Universal Declaration of Human Rights in 1948 to the 1995 Copenhagen Declaration on Social Development.

Illustration 1 *ILO Conventions and their Ratification Status*

<b>Core Labor Standards</b>	<b>No.</b>	<b>related ILO Conventions</b>	<b>Ratified by</b>	<b>Germany</b>	<b>USA</b>
1. Freedom of Association and the effective recognition of the right to collective bargaining	<b>C087</b>	Freedom of Association and Right to Organize Convention (1948)	States: 148 Share:81%	✓	✗
	<b>C098</b>	Right to Organise and Collective Bargaining Convention (1949)	158 87%	✓	✗
2. Elimination of all forms of forced or compulsory labor	<b>C029</b>	Forced Labour Convention (1930)	172 95%	✓	✗
	<b>C105</b>	Abolition of Forced Labour Convention (1957)	172 95%	✓	✓
3. Effective abolition of child labor	<b>C138</b>	Minimum age Convention (1973)	168 92%	✓	✗
	<b>C182</b>	Worst forms of child labour Convention (1999)	165 91%	✓	✓
4. Elimination of discrimination in respect of employment and occupation	<b>C100</b>	Equal Remuneration Convention (1951)	164 90%	✓	✗
	<b>C111</b>	Discrimination (Employment and Occupation) Convention (1958)	166 91%	✓	✗
Own illustration, data from ILO 2008b			<b>CLS</b>	<b>100%</b>	<b>25%</b>
			<b>Total</b>	<b>72</b>	<b>14</b>

The ILO converted the Core Labor Standards into feasible conventions, however, the USA and others are, to put it mildly, reluctant to sign. A rather general claim, such as the effective abolition of child labor, cannot easily be ratified by states. Hence, the ILO translated each standard into two conventions. This step specifies the standards' detailed content and makes them juristically tangible. The reader will find the related convention as well as their status of ratification listed above. From the forth column, it is remarkable that the conventions are far from being ratified by each of the 182 ILO member states. In contrary, some refused to do so. Case in point, the union freedom which is sited in C087 has not been adopted by China, India, the USA, and 31 other countries, yet.

It is worth the effort to dip a little deeper into the United States' record. The overall ratification status quo of the eight conventions which are closely linked to the Core Labor Standards reaches levels from 81%<sup>1</sup> at the lowest point (C087) to 95% (C029, C105) at the top of the scale. That means the respective conventions were adopted by 81% to 95% of the ILO membership. Some front-runners, e.g. Germany, achieve a 100% score. Even some states from whom the reader would not have expected it show up with proper records. The United States are a striking exception. Their 25% record is far and away from the European Union states' percentages and even from Syria's and Iran's records. What about the adopted two conventions? At the 1991 International Labor Conference, The U.S. delegation signed Convention 105, 34 years after Great Britain adopted it, 32 years later than Germany. Secondly, the U.S. ratified the 1999 convention 182. But with regard to the Core Labor Standards, that is basically it.

In total, the U.S. signed up to 14 out of 188 conventions. The average ratification rate among the 182 members reaches 41 conventions per state (Deacon 2007, p. 64). Germany and other European states achieve records which almost double the average. Besides the Core Labor Standards and their eight associated conventions, the remaining 180 ones cover employment policies, protection of women, social policies, labor administration, industrial relations, wage-fixing machinery, and much more (Deacon 2007, p. 64).

Tackling the phenomenon using different theoretical approaches, this

---

<sup>1</sup> 148 ILO member states adopted "Convention 087", divided through the total amount of 182 ILO member states and afterwards multiplied by 100, results in approximately 81%.

paper will find answers to the question why the United States refuses to adopt the conventions. Additionally, the paper covers how other states endeavor to persuade the U.S. In chapter II, the schools of thought in International Relation studies are briefly overviewed. In-depth, the author covers Utilitarian Liberalism and argues in advance of this school. In chapter III, the paper will take on Robert D. Putnam's liberalist approach of domestic-international entanglements in order to explain the United States' behavior. In fourth chapter, the relationship between capital and labor in times of globalizations is considered more generally. Finally, in chapter V, the paper examines ways how other states endeavor to persuade the U.S.

## **II. Schools of Thought in International Relations**

Main schools of thought are dominating the theoretical discussion on International Relations (Krell 2004). In the following, the paper overviews the core features of Realism, Utilitarian Liberalism, and, not least, Constructivism. Although, each theory certainly has profound evidence explaining the U.S.' behavior, the author argues for one: Utilitarian Liberalism, in this specific case, comes closer to reality than does any other approach.

### **2.1 Realism**

Classic realists, think of Hans Joachim Morgenthau (1946), see a world shaped by fear and danger. Violence characterizes the Hobbesian anarchic reality and even yields to devastating wars (Rittberger 2004, p. 3). States, the core actors, are barely able to secure peace in the long run (Morgenthau 1946). Neorealism, prominently represented by Kenneth Waltz (1979), concedes that the relationship between actors, called the "international system", effects how states behave (Waltz 1979).

Accordingly, power relations are the key variable, security is the overall issue, and power itself serves as the essential medium in realist studies of International Relations (Hasenclever et al. 1997, p. iii; Keohane et al. 1977, p. 23). Hard politics, such as security and military ones, range at the top of the hierarchy of issues. Soft politics, economic, social and other ones, remain in dependence to what matters most. In realist terms, the state is a coherent unit (Keohane et al. 1977, p. 23). Furthermore, he is permanently concerned about his relative standing, his relative gains in international relations and respective power-related changes are perceived as zero-sum-games (Hasenclever et al. 1997, p.6).

Since states' inherent worry is the uncertainty they live in, international cooperation is not the first option they think about when securing their survival. However, cooperation is not unconceivable. In fact, states cooperate, yet, they are always aware of the inevitable possibility that their neighbor's harmonious intentions today will not be the ones of tomorrow (Rittberger 2004, p. 3–4). Hence, cooperation is hardly an option in the long run. Instead of being unnecessarily constrained by international cooperation, such as agreements, organizations, and regimes, states rather rely on self-help.

Through realist glasses, an actor facing any kind of choice rationally calculates the expectable benefits and costs. Afterwards, the actor chooses the option which maximizes its utility (Keohane 1984, p. 27). To put it in other words, the actor intends to maximize its benefits while minimizing its costs. Utility is measured with regard to the actor's preferences and constraints, respectively. In ideal types, this behavior outlines what the "homo oeconomicus" stands for (Downs 1967, p. 3-20; Buchanan/ Tullock 1962, p. 17-39).

## **2.2 Constructivism**

Constructivists, e.g. Alexander Wendt (1992, 1999), strictly oppose the goal-oriented "homo oeconomicus". Instead, their cognitive school of thought bases its assumptions and prediction on actors playing social roles, in short, they act like "homo sociologicus". In detail, the actor's social environment heavily influences its behavior (March and Olsen 1989). Embedded in his social surrounding, actors relate what they do to what others have done and what they have learnt during the process of socialization (Rittberger 2004, p. 9). Case in

point, states are permanently aware of their action's impact on others and that they might face re-actions. Therefore, actors care about responsibilities and intend to behave appropriately.

In contrast to already mentioned realism as well as following liberalism, constructivism emphasizes norms, beliefs, perceptions, in a word: "the role of ideas" (Rittberger 2004, p. 6). These ideas affect actors' policy in international relations due to homo sociologicus' norm-consistent behavior. According to this most recent approach, it is not power which shapes international relations, it is norms and knowledge (Hasenclever et al. 1997, p. iii). As the core medium they lead to individual identity. Thus, states reflect their behavior to what they actually stand for in terms of social norms. Cooperation between states occurs due to compatible norms and shared ideas.

### **2.3 Complex Interdependence**

In 1977, Robert O. Keohane, a professor from Princeton University, and Josef S. Nye, a professor from Harvard University, challenged realist presumptions. In publishing a remarkable book, "Power and Independence" (1977), the authors basically turned Realism upside down. Following their examinations of international relations, there occur actors beside the previous core unit of the state. Moreover, force becomes inappropriate to solve problems, and issues step out of classic hierarchy among them (Keohane et al. 1977, p. 24).

Keohane and Nye are right in pointing out Realism's inadequate capability to explain economic integration (Keohane et al. 1977, p. vii). Needless to say, by introducing the approach of "Complex Interdependence" they deliver a greatly sophisticated way to look upon the creation of power by manipulating interdependences in international relations. Thus, they examine the ways and instruments actors use in order to achieve their goals. Nevertheless, searching for causal reasons why states adopt certain preferences still needs Utilitarian Liberalism to be understood.

### **2.4 Utilitarian Liberalism**

Liberalism reflects the influence and interest of rationally acting domestic groups. Neither power and structure, nor norms and ideas are the variables which

matter fundamentally. Instead, it is an interest-centered theory (Bienen et al. 1999, p. 2). States, agents in foreign policy, are affected and even steered by principals, namely organized and assertive domestic groups. May these groups be political, private or bureaucratic, they pressure the states by formally or informally speaking out their preferences and goals. Accordingly, the theory' explaining variable consist of dominant societal interest (Rittberger 2004, p. 11, p. 19). The impact of structure and norms on foreign policy is not completely denied, however, these realist and constructivist presumptions step back and lose importance.

Utilitarian Liberalism, think about Andrew Moravcsik (1992, 1997), keeps homo oeconomicus on board, but drops the idea of states as coherent units. Actors remain goal-oriented, in this case, there is no big shift from realism. However, other main presumptions are challenged. First, states are neither immutable entities nor do they speak with a united voice (Haas 1968, p. 4–5, Moravcsik 1997, p. 517). In contrast to other theories' opinion, voters, parties, corporations, individual politicians, and others below the national surface do decisively influence foreign policy. It is not the state, as a unified entity, which solely determines the foreign policy. At the international stage, states, the agents, represent the preferences of their principals. These persist of individuals and groups which are most capable to influence interest intermediation (Bienen et al. 1999, p. 4). Second, the hierarchy of issues is released. Thus, issues stretch from social to military, equally ranked. Third, relative gains are replaced by absolute gains. Accordingly, cooperation between actors might yield to shared gains, taken for granted that the pivotal domestic groups agree with it (Hasenclever et al. 1997). Forth, "survival" is perceived differently. If state representatives depend on the goodwill of the dominant societal groups, securing their survival means to protect the groups' interests. Otherwise, polls will slope down and elections will exchange people in charge.

In order to explain states' behavior within international labor rights negotiation, such as the ILO's struggle to get the conventions adopted, Utilitarian Liberalism is best equipped and therefore the appropriate approach. Looking at the negotiations, it becomes obvious, that states are far from being the natural units (Haas 1968, p. 4–5). The ILO's tripartite structure which facilitates the

interconnection of representatives of all three relevant parts - governments, workers, and employers – is proofed evidence. The ILO brings together the one governmental and two domestic actors which are most affected by the negotiations' outcome (ILO 2008c).

Especially in case of economic and labor issues, “foreign and domestic policies (...) are becoming difficult to disentangle” (Keohane et al. 1977, p. viii–ix). A liberalist approach, as seen above, is capable to integrate both. Susanne Strange, cutting-edge in international political economy, literally strives to wake up her realist colleagues. Analyzing economic issues, she drops the idea of state unity (Strange 1994; p. 218; Deacon 1997, p. 7). Peter J. Katzenstein, examining advanced industrial states, agrees to the importance of domestic interest in international political economy (Katzenstein 1978, p. 4). And also Rittberger et al. (2006) mention, that in explaining economic and trade issues, taking the WTO as an illustration, neo-realism's validity to explain outcomes falls back behind other approaches (Rittberger et al. 2006, p. 24).

Atkinson and Coleman (1989), just to name two of the outstanding scholars, establish expedient criteria which figure out the domestic societal groups, their level of mobilization and their respective influence on government's foreign policy (Atkinson et al. 1989; p. 53, Bienen et al. 1999, p. 10). Nevertheless, at this point, it would go beyond the scope of this paper to deal with network analysis in depth. As mentioned above, in the study of Labor Standards, the ILO's tripartite structure as well as logical derivation narrows the focus onto three actors, already. Henceforth, it is sufficient and sound to margin on government, employers and workers. Later on, this paper comes back to Atkinson and Coleman's valuable method. It will support analyzing the societal actors' assertiveness and level of mobilization.

### **III. Two-Level Game Theory**

In order to explain the rejected adoption of basic ILO conventions by the United States, Robert D. Putnam's two-level game theory is appropriate because he meticulously dissects the interaction between domestic and international level, as well as the state's role as the so-called "broker" (Putnam 1988, p. 10). By taking the domestic groups' influence seriously, Putnam, a professor from Harvard University, measures up to liberalist assumptions. Comparing "win-sets", finally, he submits the explanation that the U.S. delegation refuses ratification on the international level due to restricting domestic level.

#### **3.1 Previous Research on Domestic-International Entanglements**

Forefathers of research on entanglements between the domestic and international level are, among others, James Rosenau (1973), Karls Deutsch and Ernst Haas (1958). While Rosenau primarily sees the conflict part of the linkage, Deutsch and Haas, doing research on the European integration, stress the reciprocity of domestic and international developments (Rosenau 1973, p. 49; Deutsch et al. 1958). Putnam goes along with these concepts and adds the perception of the government as decision-maker at the international level, closely meshed with domestic actors (Putnam 1988, p. 433). Obviously, this is a point of view shared by Liberalism just like that. He illustrates his thesis by quoting Mr. Strauss, a Tokyo Round U.S. Special Trade Representative, who "spend as much time negotiating with domestic constituents (both industry and labor) and members of the U.S. Congress as [he did with] foreign trading partners" (Twiggs 1987, p. vii). Thus, Putnam introduces the two-level game theory "as a metaphor for domestic-international interactions" (Putnam 1988, p. 433).

#### **3.2 Two Tables and One Broker**

In accordance to Putnam, negotiations fall into the national and the international level. At the national level, domestic groups come together, bargaining and pressuring the government in favor of their interests. This "domestic table", to say it in Putnam's words, consists of the spokespersons of the key interest groups, such as the leaders of trade unions or industry lobbyists.

Keeping in mind their interests, pressures, as well as constraints, the government, the national political leader so to speak, appears at the “international table”. At this level, the national political leader, henceforward just called “broker”, seeks to achieve an equilibrium between domestic and international demands. For one thing, the broker pursues to satisfy the domestic actors’ interests, for another, he aims to meet the international requests as far as possible (Putnam 1988, p. 434).

### **3.3 The Process of Negotiation**

The process of negotiation spans three phases. Although Putnam labels just two of them, the author argues in favor of three so that the whole process can exactly be specified. Firstly, the participating domestic actors announce and communicate their interests to the broker. In turn, the broker will listen, talk and even bargain about which preferences he is capable to advocate. Secondly, the broker sits at the international table bargaining with brokers representing other states’ domestic tables. They will find a result, somehow or other. Negotiations might finish with agreement or disagreement, ratification or non-ratification, joint statement with or without great *éclat*. With regard to Putnam, this sums up under the term “negotiation phase” (Putnam 1988, p. 436).

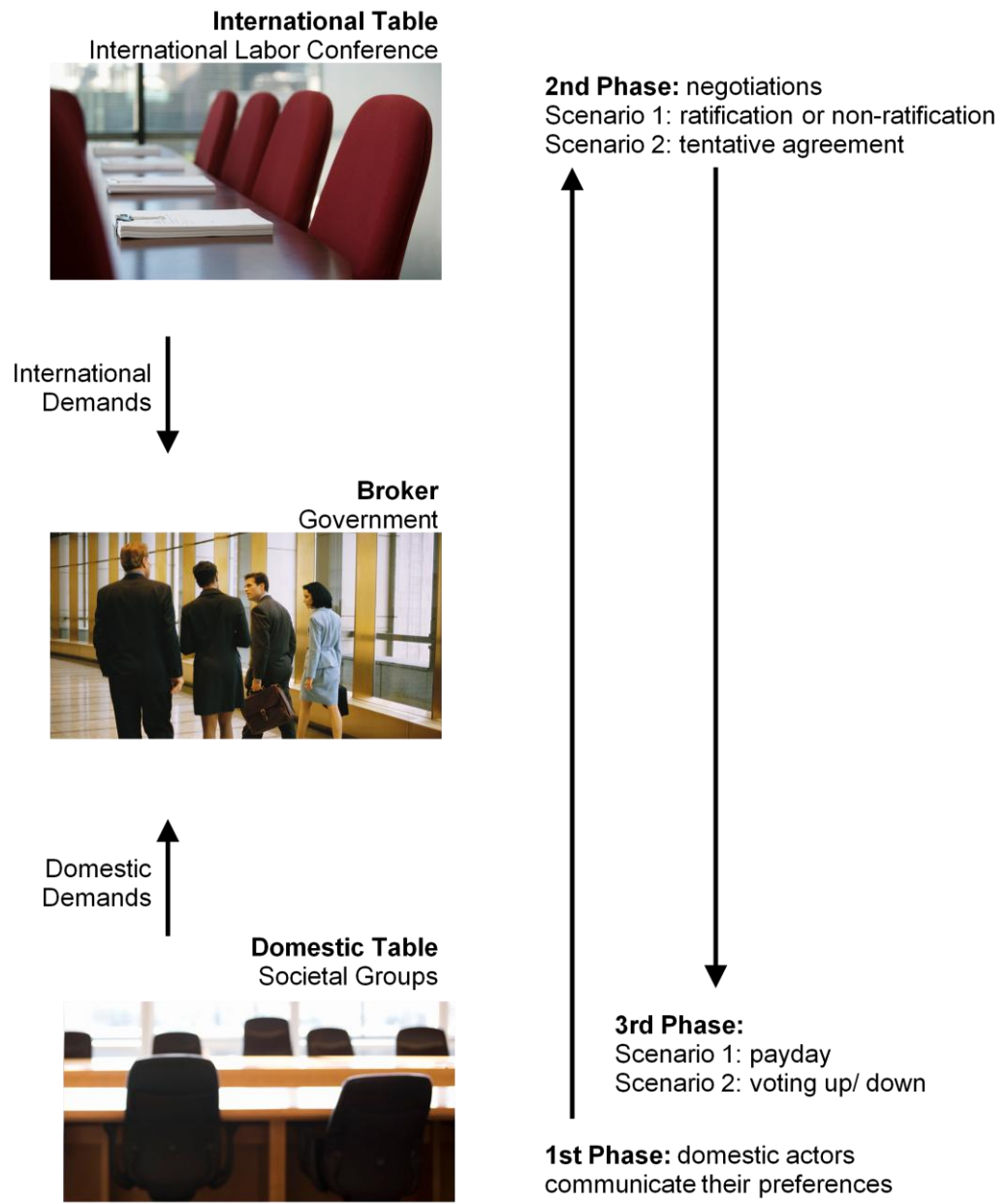
In the end, what this paper’s author calls “payday”, the domestic table participants, except the broker of course, measure and judge the international table’s outcome. If their interests are satisfied and the broker sufficiently represented their point of view, they will back the government further on. Otherwise, in case that the broker has failed meeting their demands, they start using all the mean instruments available. According to their capability to mobilize, dissatisfied groups will give the broker a hard time (Atkinson et al. 1989, p. 53). There exist various ways, just think about switching election endorsements to other parties, stop financing private or political purposes, running media campaigns or finally blatant attempts questioning and exchanging the broker. Opposition will certainly be eager promising much more favorable outcomes being in charge.

There is another crucial scenario. The previous paragraph assumed that the national level hands over the ratification right to the broker. At payday, they just respond *ex post* to what the broker has done at the international level. In cases of

international agreements, there is another scenario and the third phase, according to Putnam the “ratification phase” (Putnam 1988, p. 436). After the broker bargained about a certain policy at the international level, the domestic table has the final say. Case in point, national Parliament holds signatory power. Thus, the broker will bring back a tentative agreement, achieved at the international table and finally, this agreement can be voted up or down by Congress (Putnam 1988, p. 437). In this scenario, the national level maintains a safety net not to be sold down the river. Obviously, this has far-reaching consequences to the key interest groups. In second scenario, their addressee is national legislature, such as Congressmen and Senators and barely the broker in person of a diplomat.

From a theoretical point of view, however, a synthesis of both scenarios is possible. Just take into consideration, the instruments, pointed out at the previous paragraph’s end, work onto the Congressmen and Senators, as hitherto, onto the broker. From first to second scenario, the addressee has changed and the broker will step gently, not promising more than he can deliver domestically (Putnam 1988, p. 439). Nevertheless, the principles of interest intermediation remain the same. Therefore, Atkinson and Coleman, remain proofed throughout both polity models.

Illustration 2 Putnam's Two-Level Game Theory



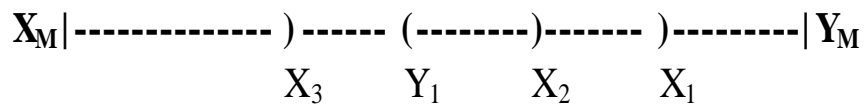
(own illustration)

### 3.4 Win-sets and the Case they Overlap

Putnam depicts the two-level game introducing “win-sets”. The win-set  $(X_M-X_1, Y_M-Y_1)$  is the range between the most desirable outcome  $(X_M, Y_M)$  at the international table from the domestic table’s point of view and the very least acceptable solution  $(X_1, Y_1)$ . If an agreement is made at the international table located outside the domestic table’s win-set, the domestic actors will mobilize against the broker in first scenario or vote down the bill in second scenario, respectively. In general, they will feel betrayed by the broker, thus, further cooperation will be questioned with all its thinkable consequences. If the international outcome is situated within the win-set, peacefully, the domestic table will be satisfied. In this case satisfaction is guaranteed, moreover, it increases with decreasing distance to maximal outcome (Putnam 1988, p. 441).

Overlapping win-sets  $(X_1-Y_1)$  make joint gains possible. If the brokers at the international level sound each other’s win-set, they may ascertain overlapping win-sets. Probably, they will negotiate an outcome which fulfills both domestic tables’ demands. Hence, “agreement is possible” (Putnam 1988, p. 438). If there exist more than two brokers, the ones with overlapping win-sets may agree bi- or multilaterally, dismissing the ones sitting at the international table providing insufficient win-sets.

Illustration 3 *Effects of Reducing the Win-set Size*



(Putnam 1988, p. 441: applied to this paper’s case).

Putnam draws conclusions about the model. First, large size win-sets increase the probability of successful agreement (Putnam 1988, p. 437). Second, “small [-sized] domestic win-sets can be bargain advantages” (Putnam 1988, p. 440). Simply because the broker can alert his colleagues at the international table that in case of an outcome farther his suggested minimum  $X_1$  his domestic table would burst the whole negotiations, either by attacking him regarding the first scenario, or vetoing in second scenario, respectively. What consequences does this thesis imply onto the broker’s bargain strategy? This paper will answer the



employers are the most relevant interest groups. That is what the ILO's tripartite structure determines. But which one is the internationalist force and consequently supports the ratification? Vice versa, which actor opposes the international agreement and therefore stands for the isolationists? The interests need to be examined. Bienen et al. (1999) argues that the empirical-inductive approach to ascertain interests has many disadvantages (have a look at them in Bienen et al. 1999, p. 13). Therefore, the author chooses the theoretical-deductive approach to figure out the groups' preferences (Zürn 1997, p. 299). In accordance to Zürn, preferences, especially economic ones, can be deduced logically from the theoretically assumed fundamental interests (Zürn 1997, p. 300). Haas agrees and recommends singling out the interest groups' attitude top down by defining the position of the political elite, instead of bottom up using opinion and attitude surveys (Haas 1968, p. 16f).

### **Who is Who at the Domestic Table?**

Bienen et al. (1999, p. 18f) elaborated a comprehensive chart which categorizes societal actors, lists their core interests, makes operationalization possible, and finally derives their foreign policy preferences seen from a utilitarian liberalist angle of view. Trade unions fall in the category "economic pressure groups". Their fundamental interests are increasing financial resources. In context of trade unions, this interest can be operationalized into the maximization of membership contributions. Finally, the members will gladly donate, if their material gains are maximized (Bienen et al. 1999, p. 18f). Definitely, they benefit if the U.S. signs conventions concerning collective bargaining (e.g. C11, C84, C87, etc.), wages (e.g. C94, C95, C99, etc.), working time (C01, C14, C30, etc.) or social security entitlements (e.g. C19, C24, C102, etc.).<sup>2</sup> To sum up, trade unions will take on an internationalist position due to the fact that potential benefits of international agreement would exceed possible costs.

Reversing the side, employers fall in the category "companies." Like economic pressure groups, their fundamental interest lies in increasing financial resources, furthermore the operationalization just slightly differs from the one seen above. Seeking to maximize profits, companies' foreign policy preferences

---

<sup>2</sup> There is a chart attached to the appendix which lists each ILO conventions associated with one of the Labor issues just mentioned.

attach importance to “action[s] involving the best opportunities for material profit, taking competitiveness into account” (Bienen et al. 1999, p. 18–19). To cut a long story short, companies favor international policies that neither cost nor constrain them in any case. ILO conventions in fact pressure employers to safeguard employee’s rights and to provide social security entitlements. Anyways, that could be expensive and tie flexibility. In general, employers will oppose both, costs and unrealized profits. Following Farnsworth and Deacon, business favors reducing expenditure and low social security costs (Deacon, 2007, p. 97; Farnsworth 2005, p. 210). With regard to the ILO’s labor conventions, conclusively, companies prefer non-agreement.

### **Who is the Most Assertive Group at the Domestic Table?**

#### **a) Putnam’s Considerations**

Concerning the second question posed above, the paper avails two approaches. To begin with, Putnam ascertained that in “more self-sufficient countries, like the United States” (Putnam 1988, p. 443) isolationists probably have a greater share than internationalists. Compared to small states, the U.S. are rather self-sufficient than depend. Consequently, “the costs of no-agreement are generally lower” (Putnam 1988, p. 443). In short, from Putnam’s point of view, the U.S.’ relatively less dependent international position increases the size of isolationist groups at the domestic table which in turn reduces the size of the win-set.

Due to this statement’s rather general validity, it is inevitable to have a closer look at the U.S.’ domestic table, which means the American ILO delegation. At the International Labor Conference, the U.S. delegation, such as all the others, consists of three parts: In June 2008, the U.S. government, taking on the position of the broker, was represented by Ms. Charlotte Ponticelli, Deputy Under Secretary of the Department of Labor. “The American Federation of Labor and Congress of Industrial Organizations” (AFL-CIO), which is the U.S.’ trade union association, was deputized by Mr. Jerald Zellhoefer. Not least, on behalf of the U.S.’ employer association, the so-called “U.S. Chamber of Commerce”, Mr. Edward Potter, Director of Global Labor Relations of the Coca-Cola Company, advocated the employers’ interests. (ILO 2008a). While the government will finally switch the tables in order to meet the other brokers at the international

level, the three parts of the delegation stand for Putnam's domestic table. Now, the key question is which interest group outcompetes the other?

**b) Atkinson and Coleman's Approach**

In order to answer the question, the paper comes back to Atkinson and Coleman. According to the authors, societal groups' relative assertiveness is expressed in their level of mobilization. Defining this capability, Atkinson and Coleman frame four criteria which in turn enhance the structural level of mobilization (Atkinson et al. 1989, p. 53).

1. the level of representation
2. the level of concentration of actors
3. the hierarchy level
4. the capability to produce information

The union density rate is a valid operationalization in order to measure the first criteria. Taking account of recent data (U.S. Bureau of Labor Statistics 2008a), every tenth worker in the 2007 labor force is a member of a trade union, a figure which has almost halved during the last two decades and is still sloping downwards. Today, the trade unions cover 15.7 of the 155 million people labor force (Bureau of Labor Statistics 2008a, 2008b). The AFL-CIO counts a membership of approximately 10 million workers. Second, as previously written, the level of concentration is about two-third.<sup>3</sup> Third, the hierarchical order is rather stretched horizontally than vertically. Actually, the 10 million members are engaged in their local trade unions which just voluntarily federate (AFL-CIO 2008). Governing top down is barely possible.

In comparison, the U.S. Chamber of Commerce stands for more than 3 million employer firms of all sizes (U.S. Chamber of Commerce 2008). In the U.S., there exist roughly 5.5 million of such small, medium or large firms (U.S. Dept. of Commerce 2008). Considering the first criteria, that makes a level of representation of somewhat better than 54%. Around 3.000 local chambers and approximately 100 liaisons from abroad submit themselves to the U.S. Chamber of Commerce. In doing so, they build up the world's biggest employer federation. Obviously, such a broad network of associated fragments can hardly be governed hierarchically. However, there are two remarkable objections which slightly shift

---

<sup>3</sup> 10 out of the 15.7 million union members.

the second and third criteria in advantage of the U.S. Chamber of Commerce. First, the board of directors is permitted to set the programs with regard to international politics. Second, interacting with the U.S. legislature, the board holds the U.S.' most powerful and best featured staff consisting of Washington's top lawyers, lobbyists and policy experts (U.S. Chamber of Commerce 2008). That is what the U.S. Chamber of Commerce says about itself.

OpenSecrets.org, a highly credible and profound nonpartisan research center, adds authority, especially to the fourth criteria, the ability to produce information, the ability to provide things politicians are eager to get, to earn or to avoid others receiving them. Within their studies, OpenSecret.org rates the U.S. Chamber of Commerce as the U.S.' financially strongest lobby group. Since 1998, the Chamber invested almost \$400 million in order to back or combat benevolent or stubborn members of parliament, respectively. Trusting in OpenSecrets.org, therefore, the Chamber of Commerce is the all-year top spender, more than doubling the amount contributed by the second (Opensecrets.org 2008).

“The autonomy of political and administrative actors will be all the greater, the less they depend on private actors' contributions in order to be able to fulfill their tasks” (Bienen et al. 1999, p. 23). In times of elections, a politician's “task” is to get the electorate casting the ballot in his or her favor. The cash on hand, provided by the U.S. Chamber of Commerce, henceforward, can be decisive due to politicians' dependence on financial funding, particularly, while campaigns are heating up people's mind.

### **c) Conclusions on the First Thesis**

Conclusively, the U.S. Chamber of Commerce is more assertive than the AFL-CIO. Besides Putnam's research mentioned previously, examining the level of mobilization brought to light that the employer lobby is financially and structurally better equipped than its counterpart, the trade unions. Coming back to Putnam's first thesis, the relative size and assertiveness of isolationists at the U.S.' domestic table exceeds the internationalist strength. That is a first reason why the U.S. win-set is so small.

### 3.6.2 Putnam's Second Thesis

The size of a win-set depends on the institutions at the domestic level. Sometimes, thesis can nicely be illustrated by turning the study's case upside down. A horrendous dictatorship, flipping over this paper's case of the U.S., cannot push forward a kinky win-set, claiming that its domestic table urges it ratifying this and that. The dictator's cards have already been put on the table. Indeed, the reason is that his counterparts at the international table pretty much know about the state of the dictator's domestic pressures (Putnam 1988, p. 449). They are negligible.

The U.S., having nothing in common with such scary states at all, are as contrary as someone could be. From abroad, it is hardly possible to keep track of the U.S.' domestic table. Thus, other brokers will be wary to negotiate with their U.S. colleagues, because their complex but powerful separation of powers "raises the odds for involuntary defection" (Putnam 1988, p. 448) after sending back the tentative international agreement. This happens due to "a tighter constraint on the American win-set than (...) in many other countries" (Putnam 1988, p. 448). The U.S. political system makes *ex post* vetoing or bursting the whole negotiation more likely than in other states. In fact, internal unity and coherence decline with a state's size. Far more often in big states, such as the U.S., difficulties and conflicts are carried out (Keohane et al 1977, p. 19). Thus, focusing on the international stage, big states quit rarely speak with one voice.

In 1974, the Trade Expansion Act indented to "reduce the likelihood of congressional tampering" (Putnam 1988, p. 449). The newly implemented private-sector committees should have brought light into the entanglements of international and domestic table as well as the role of the broker. But still, and even less comprehensible, these committees remain highly ambiguous about their strong influence on congressional decision-making. The 1974 Act did even worse in opening the floodgates for assertive interest groups (Putnam 1988, p. 449; Twigg 1987). Counterparts at the international table are still aware of the vagueness of future vetoing and stopping the negotiations by U.S.' parliamentary chambers.

To summarize, the U.S. political system of separated powers, the powerful private influence through private-sector committees, and the complexity of

congressional decision-making increase the probability of mobilizing against the politician or vetoing the bill. As a second reason, in the end, the institutional ambiguity reduces the size of the U.S. win-set.

### **3.6.3 Putnam's Third Thesis**

The size of the win-set depends on the strategy of the chief negotiator. In subchapter 3.4, this paper highlighted that “small [-sized] domestic win-sets can be bargain advantages” (Putnam 1988, p. 440). The upcoming question was about the consequences this phrase implies onto the broker's bargain strategy. Now then, the broker will play double tracked. At the domestic table he will perceive himself constrained by international demands while he refers to his narrow “negotiation room” when sitting at the international table (Putnam 1988, p. 440).

In other words, the broker will pretend to be bound to the very last passable outcome limit  $X_2$ . If he overreaches himself, such as understating as far as  $X_3$ , he risks breaking down the negotiation. Not only in WTO Tokyo Round negotiations, but also during recent Doha Round agrarian strife, U.S. negotiators not seldom refer to their constrains at home, understating their win-set and consequently achieving bargain advantages. That is a third reason why the U.S. win-set is so small.

## **IV. Deacon's Consideration on the Struggle between Capital and Labor**

Bob Deacon, publishing on global social policy since more than ten years, takes up what was said before. He says that during recent neo-liberal globalization, which means the liberalization of markets, capital gained power while labor lost it. Capital can freely cross borders, while labor, at least industrial one, remains bound the national economies. As a consequence, trade unions were weakened by neo-liberal globalization (Deacon 2007, p. 20). On the other hand, transnational corporations are enabled to shift production around the globe, forcing wages down and consequently loosening labor standards and social security entitlements (Deacon 2007, p. 97). To summarize, globalization has tipped the equilibrium between capital and labor to the capital's side (Farnworth 2005).

Keeping these considerations in mind, it is easy to understand why the driver of neo-liberal globalization, the U.S., rather supports efforts taken by the neo-liberal Bretton Woods Institutions, World Bank and International Monetary Fund, than fostering the social-democratically biased ILO. Following Deacon, the ILO reflects the “global class struggles” while the Bretton Woods Institutions, backed by the U.S., accelerate capital dominance over labor (Deacon 2007, p. 21).

Deacon distinguishes furthermore between the U.S.’ “desire for neoliberal policies and the European-influenced desire for global social democratic policies” (Deacon 2007, p. 22) – a distinction which underlines the differences also on this paper’s Labor issue. And finally, he gets to the point in calling the relationship between World Bank, IMF and ILO a “titanic struggle between the dominant neoliberal tendency (...) and the more social-solidarity tendency” (Deacon 2007, 90). The U.S. is clearly placed on the Bretton Woods side of the game.

## **V. Ways to Extend the U.S.’ Win-set**

States which have adopted the conventions already are still able to enlarge the size of the U.S.’ win-set in order to make them ratify some conventions. Obviously, states willing to broaden the U.S.’ win-set, can neither alter the U.S. institutions nor change the chief negotiator’s strategy. However, international pressure can take effect onto the U.S.’ domestic table. "Given the pervasive uncertainty that surrounds many international issues, messages from abroad can change minds, move the undecided, and hearten those in the domestic minority" (Putnam 1988, p. 445). Thus, international “politicization” of an issue clearly bears some explanatory value (Putnam 1988, p. 445). Tying up to politicization, “agenda setting” becomes powerful due to a missing straight hierarchy of issues in a media driven society (Keohane et al. 1977, p. 32). “Domestically based groups (such as trade unions) (...) will tend to use politicization (particularly congressional attention) against their transnational mobile competitors” (Keohane et al. 1977, p. 33).

At a glance, other states politicize from abroad, while domestic minorities raise the issue’s attention domestically, but still, it is up to this paper to examine how a global agenda is shaped, which milestones it has accomplished, and finally,

which challenges it is still facing. First, the paper tackles the R-states vehicle, the International Labor Organization. Second, the Decent Work Agenda, an international campaign seeking to get the ILO conventions adopted, will be analyzed. This chapter starts with some theoretical considerations about International Organizations.

## **5.1 Theoretical Considerations**

International Organizations help small states setting the agenda. Especially, the UN one-state-one-vote system enhances coalitions among the small. Keohane and Nye claim international institutions, “arenas for political initiatives” (Keohane et al. 1977, p. 36), to catalyze agenda setting by coalitions of relatively weak states. Rittberger et al. (2006) mention, taken for granted “powerful states maintain an interest in collective decision-making”, that “international organizations offer smaller or weaker states additional opportunities of influencing decisions in their favor (Rittberger et al. 2006, p. 81)

International Organizations, such as UN specialized agencies, evolve governing structures as time goes by. In general, UN agencies create policy programs but many of them barely imply binding nature. They are properly characterized as guidelines. Nonetheless, the ILO is an eye-catching exception. Its conventions are legally binding on the membership and therefore require ratification (Rittberger et al. 2006, p. 105). Besides generating norms and monitoring their accomplishment, sanctions are needed in order to insist credibly on norm compliance (Rittberger et al. 2006, p. 210). Sanctions range from naming and shaming, to excluding in the case of non-compliance, to arms or trade embargos (Rittberger et al. 2006, p. 110–112). Certainly, the very last option will not seriously be considered debating labor issues. However, the ILO’s ability to set up an agenda and name its supporters while shame its preventers, is a remarkable tool to emphasize governing capabilities.

## **5.2 The International Labor Organization**

The International Labor Organization is the UN specialized agency which is particularly assigned with labor issues. It complements the UN Economic and Social Council (ECOSOC) in offering services which are unique within the UN. Coming back to what was said before, the ILO is the only tripartite structured UN

agency. It facilitates the interconnection of representatives of all three parts - governments, workers, and employers (ILO 2008c). Within this frame, the agency dedicates its effort the ratification of the ILO conventions which partly were mentioned above.

“The ILO strategy has been to persuade governments by peer and moral pressure to sign up and ratify conventions (...) in labor standards” (Deacon 2007, p. 63). Besides, the ILO Decent Work Agenda essentially assists the ECOSOC promoting labor standards. Vice versa, the ILO also relies on the ECOSOC because it lacks a viable sanction mechanism judging non-ratification states, such as the U.S. Using the ECOSOC’s frame, its resolutions, the ILO and its international cooperation with trade unions all over the world, the Decent Work Agenda was started ten years ago to highlight the importance of work quality and therefore the Labor Standards.

## **5.3 The Decent Work Agenda**

### **5.3.1 The Development of the Decent Work Agenda**

Acknowledging that social development is not just about creating a higher quantity of jobs but also of a higher quality, the concept of Decent Work was brought into the discussion, mainly by European states, such as Germany which have adopted the ILO conventions long time ago. The Decent Work Agenda seeks to call attention in order to create international pressure onto the domestic tables that refuse ratification of Labor Standards. The expression Decent Work is hardly more than the Core Labor Standards put together under a memorable and sweeping slogan. Decent Work embraces productive and secure work, labor rights, adequate wages, social protection, and freedom of association. These fragments yield to the concern that although people do have jobs, their wages and working conditions do not ensure them a life above the poverty line.

The campaign, further on called “Decent Work Agenda”, and accompanying the ratification of the ILO conventions, still have a long way to go. Nevertheless, the Agenda has already taken several remarkable steps which are listed below.

Illustration 5 *The Development of the Decent Work Agenda*

<p style="text-align: center;"><b>1995</b> Copenhagen World Summit for Social Development</p>	<p>The UN member states agree on ten commitments concerning social issues. None of them covers the Decent Work issue.</p>
<p style="text-align: center;"><b>1999</b> International Labor Conference</p>	<p>Decent Work's initial idea is brought into the discussion by the ILO Director-General, Mr. Juan Somavia.</p>
<p style="text-align: center;"><b>2000</b> Millennium Summit</p>	<p>In September, the UN membership adopts the Millennium Declaration without mentioning the Decent Work issue.</p>
<p style="text-align: center;"><b>2000</b> Copenhagen +5 Summit</p>	<p>In December, reviewing the process achieved so far, the summit proceeds focusing on quantity not quality of employment creation.</p>
<p style="text-align: center;"><b>2005</b> ECOSOC</p>	<p><b>Break Through:</b> The ECOSOC determines the theme "Promoting Full Employment and Decent Work for All" for the 2007 and 2008 cycle of its Commission for Social Development.</p>
<p style="text-align: center;"><b>2007</b> MDG #1 targets</p>	<p>The Millennium Declaration's first goal, poverty reduction, falls into two targets. Taking on the Secretary-General's 2006 report, the General Assembly adds Decent Work as a third target.</p> <p><i>original targets (2000)</i></p> <ol style="list-style-type: none"> <li>1. Halve, between 1990 and 2015, the proportion of people whose income is less than one dollar a day</li> <li>2. Halve, between 1990 and 2015, the proportion of people who suffer from hunger</li> </ol> <p><i>recently added target (2007)</i></p> <ol style="list-style-type: none"> <li>3. Achieve full and productive employment and decent work for all, including women and young people</li> </ol>
<p style="text-align: center;"><b>2008</b> Commission for Social Development</p>	<p>For final adoption, the Commission for Social Development forwarded its draft resolution to the ECOSOC in March 2008. It treats "Promoting full employment and decent work for all" in detail.</p>

### **5.3.2 The Draft Resolution “Promoting Full Employment and Decent Work for all”**

Due to the newly implemented policy cycle, that splits the two-year working cycle into a 2007 review and a 2008 policy phase, expectations onto the ECOSOC’s Commission for Social Development were considerably high. Even so, the ambition was accomplished. The Commission addresses each Decent Work related stakeholder. National Governments, NGOs, the public as well as the private sector, the ILO and finally the UN itself, are called to proceed enhancing Decent Work.

The Commission for Social Development refers to the 1995 Copenhagen World Summit. Recalling the Declaration, it recommends refocusing social development strategies in putting people at the centre. While full employment remains on the agenda, social development approaches will be enabled to tackle poverty from the side of the workers’ income and working conditions.

The draft resolution’s 3<sup>rd</sup> paragraph calls upon these states to fully adopt the ILO conventions. It is the first resolution pointing out the non-compliance of states such as the U.S. And the draft goes even beyond, because the EU achieved adding its special aim, the “social floor” issue. In general, the expression “social floor” means access to basic social services, such as affordable education, healthcare, and housing. Furthermore, guaranteed income for older people as well as social assistance for the poor are common parts of the concept. Although, the draft resolution does not include the social floor as a label, the issue was picked up within six paragraphs. If adopted, the ECOSOC would urge governments to offer universal access to basic social security (paragraph 14), education, healthcare (15), and lifelong learning (30). Further, they would be called to take on initiatives to reduce illiteracy (29) and advance social integration (22). Moreover, the countries would be advised to offer social security services to people working in the informal sector as well (31). In sum, this is an outstandingly labor standard lasting resolution, dominated by the small states, pointing out the big ones non-compliances.

### **5.3.3 Follow-up and Challenges**

The Commission for Social Development will continue reviewing “full and productive employment and decent work for all.” In addition, the Secretary-General is requested to give feedback to the Commission for Social Development about the implementation’s state and shortcomings in February 2009. Half a year later, at the General Assembly in September 2009, the Secretary-General will present his report on the outcome of the implementation of the Copenhagen World Summit and the twenty-second special session of the General Assembly. Into this feedback report, he will include a report on the implementation of the Labor Standards.

#### **a) The General Assembly**

In accordance to a suggestion which has not been agreed on, the Decent Work issue also could have been elevated to the General Assembly. Prior to the drafting, this highly controversially debate was launched by the G77, a group of developing countries. While just 46 members are sitting at the Commission for Social Development’s table, the G77 countries attempt to get every UN member state on board. Apparently, the General Assembly is the proper level to reach all-embracing participation, broader attention, and higher profile. Nevertheless, there are two sides to every question. Due to this argument’s regular emergence, mainly the EU countries show oppositional points of view. Backed by the ILO, they argue that two basic questions have not been answered yet.

First, it is uncertain which General Assembly Committee should be addressed. Apparently, the automatic place would be the Third Committee. Its areas of operation are social and humanitarian issues. However, this decision might be crucial because some countries are keener on addressing Decent Work in terms of its economic implications. In contrast to the Committees, the ECOSOC satisfies each of these biases. Second, the General Assembly’s efficiency is questionable. In retrospect, former General Assembly resolutions missed the teeth and straightforwardness. On a yearly basis, the Committees would continue to adopt the old resolutions or just slightly change few nuances. Additionally, the General Assembly needs plenty of time to bargain a consensus because 192 members are involved. To put it in a nutshell, the opposed countries are

downplaying the whole attempt. Because each time when a new issue is on the rise, there are coming up voices who seek to elevate it immediately.

**b) The Implementation**

Definitely, international standard setting is important but sometimes the actual realization is out of reach. Nevertheless, the implementation part of the policy cycle is pivotal for the policy's success or failure, respectively. Both, the ILO as well as the International Trade Union Confederation (IUTC), offer solutions at the field level. Above all, the IUTC could evolve as a strong partner using its excellent structures to promote labor rights at the business level. Emulating successful examples such as the UN Gender Toolkit, several UN agencies launched a toolkit to mainstream Decent Work within the UN and foster the self-assessment. Refocusing Decent Work in favor of its economic dimension is another step. Having people understand Decent Work's implications on other issues such as trade and the environment let Decent Work become a cross-cutting issue and not just an entity in itself.

**c) The Annual Ministerial Review (AMR)**

Though, the issue's elevation to the General Assembly is currently less likely to be realized, in the long run, the AMR that is one new function of the ECOSOC, could lift it up. First the issue could thoroughly be debated in the ECOSOC. To go a step further, Decent Work could be addressed at an AMR beyond 2012. With taking such a next step, the issue would gain profile. The AMR could publish a frank and comprehensive report concluding on more than ten years of work and knowledge. Against this background, the AMR could finally recommend to elevate the issue to the General Assembly.

## **VI. Conclusion**

The paper started with a brief overview of the schools of thought in International Relations Studies. Utilitarian Liberalism was chosen to be the appropriate approach, best equipped to tackle the paper's main question why the United States refuse to adopt the ILO Labor Standards which are expressed in various conventions. Robert D. Putnam's Two-Level Game Theory went into detail about the ILO negotiations. The approach figured out, that the United States

provide a insufficiently small win-set which does not reach ratification. In other words, the domestic pressures onto the U.S. delegation are too high to ratify.

Domestic interest groups constrain the delegation at the international level not to sign. The domestic table, a metaphor for assertive societal groups, is shaped in advance of the employer lobby which favors low costs and low legally binding international labor standards. Due to Congressmen's dependence on private funding, they decide in favor of business spenders. Putnam also emphasizes that unlike in many European countries, in the U.S., trade unions step behind other pivotal groups in front such as the business lobby. OpenSecrets.org assisted to empirically prove the claims. Other reasons for U.S. reluctance with regard to labor rights were found in the institutional ambiguity of American separation of powers and private-sector committees, which opened the floodgates for private interest in 1974 and the Trade Expansion Act. Also the chief negotiators double track strategy plays its part, reducing the win-set size.

In a second step, the paper embraced how other states endeavor to persuade the U.S. With a little help of International Organizations, in this case the International Labor Organization as well as the ECOSOC, small states can effectively prompt their aims against powerful states. Politicization and thoughtful agenda-setting create pressure onto the U.S. domestic table and therefore may tip the balance towards international compliance one day. The Decent Work Agenda, a campaign introduced approximately ten years ago in order to foster the Core Labor Standards is such an initiative. Analyzing this campaign's effectiveness and success could be future worthwhile research.

## VII. Appendix

Illustration 6 *Labor Standards and associated ILO conventions*

Labor Standard	ILO Conventions
Freedom of Association, Collective Bargaining, and Industrial Relations	C11 Right of Association (Agriculture) Convention, 1921 C84 Right of Association (Non-Metropolitan Territories) Convention, 1947 C87 Freedom of Association and Protection of the Right to Organise Convention, 1948 C98 Right to Organise and Collective Bargaining Convention, 1949 C135 Workers' Representatives Convention, 1971 C141 Rural Workers' Organisations Convention, 1975 C151 Labour Relations (Public Service) Convention, 1978 C154 Collective Bargaining Convention, 1981
Forced Labor	C29 Forced Labour Convention, 1930 C105 Abolition of Forced Labour Convention, 1957
Elimination of Child Labour and Protection Children and Young Persons	C5 Minimum Age (Industry) Convention, 1919 C6 Night Work of Young Persons (Industry) Convention, 1919 C10 Minimum Age (Agriculture) Convention, 1921 C15 (Shelved) Minimum Age (Trimmers and Stokers) Convention, 1921 C33 Minimum Age (Non-Industrial Employment) Convention, 1932 C59 Minimum Age (Industry) Convention (Revised), 1937 C60 (Shelved) Minimum Age (Non-Industrial Employment) Convention (Revised), 1937 C77 Medical Examination of Young Persons (Industry) Convention, 1946 C78 Medical Examination of Young Persons (Non-Industrial Occupations) Convention, 1946 C79 Night Work of Young Persons (Non-Industrial Occupations) Convention, 1946 C90 Night Work of Young Persons (Industry) Convention (Revised), 1948 C123 Minimum Age (Underground Work) Convention, 1965 C124 Medical Examination of Young Persons (Underground Work) Convention, 1965 C138 Minimum Age Convention, 1973 C182 Worst Forms of Child Labour Convention, 1999
Equality of Opportunity and Treatment	C100 Equal Remuneration Convention, 1951 C111 Discrimination (Employment and Occupation) Convention, 1958 C156 Workers with Family Responsibilities Convention, 1981
Employment Policy and Promotion	C2 Unemployment Convention, 1919 C34 (Shelved) Fee-Charging Employment Agencies Convention, 1933 C88 Employment Service Convention, 1948 C96 Fee-Charging Employment Agencies Convention (Revised), 1949 C122 Employment Policy Convention, 1964 C159 Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 C181 Private Employment Agencies Convention, 1997
Labour Administration and Inspection	C63 Convention concerning Statistics of Wages and Hours of Work, 1938 C81 Labour Inspection Convention, 1947 C85 Labour Inspectorates (Non-Metropolitan Territories) Convention, 1947

	<p>C129 Labour Inspection (Agriculture) Convention, 1969  C150 Labour Administration Convention, 1978  C160 Labour Statistics Convention, 1985</p>
Tripartite Consultation	C144 Tripartite Consultation (International Labour Standards) Convention, 1976
Vocational Guidance and Training	<p>C140 Paid Educational Leave Convention, 1974  C142 Human Resources Development Convention, 1975</p>
Employment Security	C158 Termination of Employment Convention, 1982
Wages	<p>C26 Minimum Wage-Fixing Machinery Convention, 1928  C94 Labour Clauses (Public Contracts) Convention, 1949  C95 Protection of Wages Convention, 1949  C99 Minimum Wage Fixing Machinery (Agriculture) Convention, 1951  C131 Minimum Wage Fixing Convention, 1970  C173 Protection of Workers' Claims (Employer's Insolvency) Convention, 1992</p>
Working Time	<p>C1 Hours of Work (Industry) Convention, 1919  C4 (Shelved) Night Work (Women) Convention, 1919  C14 Weekly Rest (Industry) Convention, 1921  C20 (Shelved) Night Work (Bakeries) Convention, 1925  C30 Hours of Work (Commerce and Offices) Convention, 1930  C31 (Withdrawn) Hours of Work (Coal Mines) Convention, 1931  C41 (Shelved) Night Work (Women) Convention (Revised), 1934  C43 (Shelved) Sheet-Glass Works Convention, 1934  C46 (Withdrawn) Hours of Work (Coal Mines) Convention (Revised), 1935  C47 Forty-Hour Week Convention, 1935  C49 (Shelved) Reduction of Hours of Work (Glass-Bottle Works) Convention, 1935  C51 (Withdrawn) Reduction of Hours of Work (Public Works) Convention, 1936  C52 Holidays with Pay Convention, 1936  C61 (Withdrawn) Reduction of Hours of Work (Textiles) Convention, 1937  C67 (Shelved) Hours of Work and Rest Periods (Road Transport) Convention, 1939  C89 Night Work (Women) Convention (Revised), 1948  C101 Holidays with Pay (Agriculture) Convention, 1952  C106 Weekly Rest (Commerce and Offices) Convention, 1957  C132 Holidays with Pay Convention (Revised), 1970  C153 Hours of Work and Rest Periods (Road Transport) Convention, 1979  C171 Night Work Convention, 1990  C175 Part-Time Work Convention, 1994</p>
Occupational Safety and Health	<p>C13 White Lead (Painting) Convention, 1921  C45 Underground Work (Women) Convention, 1935  C62 Safety Provisions (Building) Convention, 1937  C115 Radiation Protection Convention, 1960  C119 Guarding of Machinery Convention, 1963  C120 Hygiene (Commerce and Offices) Convention, 1964  C127 Maximum Weight Convention, 1967  C136 Benzene Convention, 1971  C139 Occupational Cancer Convention, 1974  C148 Working Environment (Air Pollution, Noise and Vibration) Convention, 1977  C155 Occupational Safety and Health Convention, 1981  C161 Occupational Health Services Convention, 1985  C162 Asbestos Convention, 1986</p>

	<p>C167 Safety and Health in Construction Convention, 1988  C170 Chemicals Convention, 1990  C174 Prevention of Major Industrial Accidents Convention, 1993  C176 Safety and Health in Mines Convention, 1995  C184 Safety and Health in Agriculture Convention, 2001  C187 Promotional Framework for Occupational Safety and Health Convention, 2006</p>
Social Security	<p>C12 Workmen's Compensation (Agriculture) Convention, 1921  C17 Workmen's Compensation (Accidents) Convention, 1925  C18 Workmen's Compensation (Occupational Diseases) Convention, 1925  C19 Equality of Treatment (Accident Compensation) Convention, 1925  C24 Sickness Insurance (Industry) Convention, 1927  C25 Sickness Insurance (Agriculture) Convention, 1927  C35 (Shelved) Old-Age Insurance (Industry, etc.) Convention, 1933  C36 (Shelved) Old-Age Insurance (Agriculture) Convention, 1933  C37 (Shelved) Invalidity Insurance (Industry, etc.) Convention, 1933  C38 (Shelved) Invalidity Insurance (Agriculture) Convention, 1933  C39 (Shelved) Survivors' Insurance (Industry, etc.) Convention, 1933  C40 (Shelved) Survivors' Insurance (Agriculture) Convention, 1933  C42 Workmen's Compensation (Occupational Diseases) Convention (Revised), 1934  C44 (Shelved) Unemployment Provision Convention, 1934  C48 (Shelved) Maintenance of Migrants' Pension Rights Convention, 1935  C102 Social Security (Minimum Standards) Convention, 1952  C118 Equality of Treatment (Social Security) Convention, 1962  C121 Employment Injury Benefits Convention, 1964  C128 Invalidity, Old-Age and Survivors' Benefits Convention, 1967  C130 Medical Care and Sickness Benefits Convention, 1969  C157 Maintenance of Social Security Rights Convention, 1982  C168 Employment Promotion and Protection against Unemployment Convention, 1988</p>
Maternity Protection	<p>C3 Maternity Protection Convention, 1919  C103 Maternity Protection Convention (Revised), 1952  C183 Maternity Protection Convention, 2000</p>
Social Policy	<p>C82 Social Policy (Non-Metropolitan Territories) Convention, 1947  C117 Social Policy (Basic Aims and Standards) Convention, 1962</p>
Migrant Workers	<p>C21 (Shelved) Inspection of Emigrants Convention, 1926  C66 (Withdrawn) Migration for Employment Convention, 1939  C97 Migration for Employment Convention (Revised), 1949  C143 Migrant Workers (Supplementary Provisions) Convention, 1975</p>
Seafarers	<p>C7 Minimum Age (Sea) Convention, 1920  C8 Unemployment Indemnity (Shipwreck) Convention, 1920  C9 Placing of Seamen Convention, 1920  C16 Medical Examination of Young Persons (Sea) Convention, 1921  C22 Seamen's Articles of Agreement Convention, 1926  C23 Repatriation of Seamen Convention, 1926  C53 Officers' Competency Certificates Convention, 1936  C54 Holidays with Pay (Sea) Convention, 1936  C55 Shipowners' Liability (Sick and Injured Seamen) Convention, 1936  C56 Sickness Insurance (Sea) Convention, 1936  C57 Hours of Work and Manning (Sea) Convention, 1936  C58 Minimum Age (Sea) Convention (Revised), 1936  C68 Food and Catering (Ships' Crews) Convention, 1946  C69 Certification of Ships' Cooks Convention 1946  C70 Social Security (Seafarers) Convention, 1946  C71 Seafarers' Pensions Convention, 1946  C72 Paid Vacations (Seafarers) Convention, 1946</p>

	<p>C73 Medical Examination (Seafarers) Convention, 1946  C74 Certification of Able Seamen Convention, 1946  C75 Accommodation of Crews Convention, 1946  C76 Wages, Hours of Work and Manning (Sea) Convention, 1946  C91 (Shelved) Paid Vacations (Seafarers) Convention (Revised), 1949  C92 Accommodation of Crews Convention (Revised), 1949  C93 Wages, Hours of Work and Manning (Sea) Convention (Revised), 1949  C108 Seafarers' Identity Documents Convention, 1958  C109 Wages, Hours of Work and Manning (Sea) Convention (Revised), 1958  C133 Accommodation of Crews (Supplementary Provisions) Convention, 1970  C134 Prevention of Accidents (Seafarers) Convention, 1970  C145 Continuity of Employment (Seafarers) Convention, 1976  C146 Seafarers' Annual Leave with Pay Convention, 1976  C147 Merchant Shipping (Minimum Standards) Convention, 1976  C163 Seafarers' Welfare Convention, 1987  C164 Health Protection and Medical Care (Seafarers) Convention, 1987  C165 Social Security (Seafarers) Convention (Revised), 1987  C166 Repatriation of Seafarers Convention (Revised), 1987  C178 Labour Inspection (Seafarers) Convention, 1996  C179 Recruitment and Placement of Seafarers Convention, 1996  C180 Seafarers' Hours of Work and the Manning of Ships Convention, 1996  C185 Seafarers' Identity Documents Convention (Revised), 2003  MLC Maritime Labour Convention, 2006</p>
Fishermen	<p>C112 Minimum Age (Fishermen) Convention, 1959  C113 Medical Examination (Fishermen) Convention, 1959  C114 Fishermen's Articles of Agreement Convention, 1959  C125 Fishermen's Competency Certificates Convention, 1966  C126 Accommodation of Crews (Fishermen) Convention, 1966  C188 Work in Fishing Convention, 2007</p>
Dockworkers	<p>C27 Marking of Weight (Packages Transported by Vessels) Convention, 1929  C28 (Shelved) Protection against Accidents (Dockers) Convention, 1929  C32 Protection against Accidents (Dockers) Convention (Revised), 1932  C137 Dock Work Convention, 1973  C152 Occupational Safety and Health (Dock Work) Convention, 1979</p>
Indigenous and Tribal Peoples	<p>C50 (Shelved) Recruiting of Indigenous Workers Convention, 1936  C64 (Shelved) Contracts of Employment (Indigenous Workers) Convention, 1939  C65 (Shelved) Penal Sanctions (Indigenous Workers) Convention, 1939  C86 (Shelved) Contracts of Employment (Indigenous Workers) Convention, 1947  C104 (Shelved) Abolition of Penal Sanctions (Indigenous Workers) Convention, 1955  C107 Indigenous and Tribal Populations Convention, 1957  C169 Indigenous and Tribal Peoples Convention, 1989</p>
Specific Categories of Workers	<p>C83 Labour Standards (Non-Metropolitan Territories) Convention, 1947  C110 Plantations Convention, 1958  C149 Nursing Personnel Convention, 1977  C172 Working Conditions (Hotels and Restaurants) Convention, 1991  C177 Home Work Convention, 1996</p>

(data source: ILO 2008b)

## VIII. Bibliography

American Federation of Labor and Congress of Industrial Organizations (AFL-CIO) (2008): Unions of the AFL-CIO. Online available: <http://aflcio.org/aboutus/unions/>.

Atkinson, Michael M.; Coleman, William D. (1989): Strong States and Weak States. Sectoral Policy Networks in Advanced Capitalist Economies. In: *British Journal of Political Science*, Jg. 19, H. 1, p. 47–67.

Bienen, Derk; Freund, Corinna; Rittberger, Volker (1999): Societal interests, policy networks and foreign policy. An outline of utilitarian-liberal foreign policy theory. Tübingen: Inst. für Politikwiss. (Tübinger Arbeitspapiere zur internationalen Politik und Friedensforschung, 33a).

Buchanan, James M.; Tullock, Gordon (1962): *The Calculus of Consent. Logical Foundations of Constitutional Democracy*. Ann Arbor: University of Michigan Press.

Deacon, Bob (1997): *Global social policy. International organizations and the future of welfare* /. London: Sage Publ.

Deacon, Bob (2007): *Global social policy & governance*. Los Angeles, Calif.: SAGE.

Deutsch, Karl W. (1957): *Political Community in the North Atlantic Area. International Organization in the Light of Historical Experience*. Princeton: Princeton University Press.

Downs, Anthony (1967): *Inside Bureaucracy*. Boston: Little, Brown.

Farnsworth, Kevin (2005): International Class Conflict and Social Policy. In: *Social Policy and Society*, Jg. 2005, H. 4, p. 217–226. Online available: <http://journals.cambridge.org/action/displayAbstract?fromPage=online&aid=293070>.

Haas, Ernst B. (1968): *The uniting of Europe. Political, social, and economic forces 1950 - 1957*. reissued. Stanford, California: Stanford Univ. Pr.

Hasenclever, Andreas; Mayer, Peter; Rittberger, Volker (1997): *Theories of international regimes*. Cambridge: Cambridge University Press; Cambridge Univ. Press (Cambridge studies in international relations, 55).

International Labor Organization (1999): *Decent Work. Report of the Director-General*. published by International Labor Organization. Online available: <http://www.ilo.org/public/english/standards/relm/ilc/ilc87/rep-i.htm>.

International Labor Organization (2007): *Policy Coherence among International Organizations*. Issue Paper for session 5. Geneva.

International Labor Organization (2008a): *Final List of Delegations*. International Labour Conference Ninety-seventh Session. published by International Labor Organization. Online available: [http://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---relconf/documents/meetingdocument/wcms\\_094135.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_094135.pdf).

International Labor Organization (2008b): *ILOLEX. Database of International Labor Standards*. published by International Labor Organization. Online available: <http://www.ilo.org/ilolex/english/newratframeE.htm>.

- International Labor Organization (2008c): The ILO at a Glance. published by International Labor Organization. Online available: [http://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---webdev/documents/publication/wcms\\_082367.pdf](http://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---webdev/documents/publication/wcms_082367.pdf).
- Katzenstein, Peter J. (1986): *Between power and plenty. Foreign economic policies of advanced industrial states.* Madison: Univ. of Wisconsin Press.
- Keohane, Robert O.; Nye, Joseph S. (1977): *Power and interdependence. World politics in transition.* New York: Longman; Little Brown and Comp.
- Keohane, Robert Owen (1984): *After hegemony. Cooperation and discord in the world polit. economy.* Princeton, NJ: Princeton Univ. Press.
- Krell, Gert (2004): *Weltbilder und Weltordnung. Einführung in die Theorie der internationalen Beziehungen.* 3., ext. Baden-Baden: Nomos (Studienkurs Politikwissenschaft).
- March, James G.; Olsen, Johann P. (1989): *Rediscovering Institutions. The organizational basic of politics.* 3. print. New York: Free Press.
- Mearsheimer, John J. (2001): *The Tragedy of Great Power Politics.* New York: W. W. Norton & Company.
- Moravcsik, Andrew (1992): *Liberalism and International Relations Theory.* Cambridge: Harvard University Press (Working Paper Series, Harvard University, 92-6).
- Moravcsik, Andrew (1997): *Taking preferences seriously. A Liberal Theory of International Politics.* In: *International Organization*, H. 51, p. 513–553.
- Morgenthau, Hans (1946): *Scientific Man vs. Power Politics.* Chicago: University of Chicago Press.
- OpenSecrets.org (2008): *Top Spenders.* published by: OpenSecrets.org. Online available: <http://www.opensecrets.org/lobby/top.php?indexType=s>.
- Putnam, Robert D. (1988): *Diplomacy and Domestic Politics. The Logic of Two-Level Games.* In: *International Organization*, Jg. 1988, H. 42, p. 427–460.
- Rittberger, Volker (2004): *Approaches to the study of foreign policy derived from international relations theories.* Tübingen: Center for International Relations; Abt. Internat. Beziehungen Friedens- und Konfliktforschung Inst. für Politikwiss. Univ. Tübingen (Politik und Friedensforschung, 46).
- Rittberger, Volker (2004): *Weltregieren zwischen Anarchie und Hierarchie.* In: Rittberger, Volker; Boeckh, Andreas; Bertram, Christoph (Hg.): *Weltpolitik heute. Grundlagen und Perspektiven /* 1. Aufl. Baden-Baden: Nomos-Verl.-Ges. (Theodor-Eschenburg-Vorlesungen, 2), p. 245 - 270.
- Rittberger, Volker; Boeckh, Andreas; Bertram, Christoph (Hg.) (2004): *Weltpolitik heute. Grundlagen und Perspektiven /* 1. Aufl. Baden-Baden: Nomos-Verl.-Ges. (Theodor-Eschenburg-Vorlesungen, 2).
- Rittberger, Volker; Zangl, Bernhard; Staisch, Matthias (2006): *International organization. Polity, policy and politics.* HoundmillsPalgrave Macmillan.
- Rosenau, James (Hg.) (1969): *Linkage Politics. Essays on the Convergence of National and International Systems.* New York: Free Press.

Rosenau, James (1969): *Toward the Study of National-International Linkages*. In: Rosenau, James (Hg.): *Linkage Politics. Essays on the Convergence of National and International Systems*. New York: Free Press .

Rosenthal, Gerd (2005): *The Economic and Social Council of the United Nations. An Issue Paper; Occasional Paper*, Friedrich-Ebert Foundation, New York.

Strange, Susan (1994): *Wake up, Krasner. The World has Changed*. In: *Review of International Political Economy*, H. 1, p. 209–219.

Twiggs, Joan E. (1987): *The Tokyo Round of Multilateral Trade Negotiations. A Case Study in Building Domestic Support for Diplomacy*. Georgetown: Georgetown University Institute for the Study of Diplomacy.

U.S. Bureau of Labor Statistics (2008a): *The Employment Situation*. August 2008. published by: U.S. Department of Labor. Online available: <http://www.bls.gov/news.release/pdf/empsit.pdf>.

U.S. Bureau of Labor Statistics (2008b): *Union Members in 2007*. published by: U.S. Department of Labor. Online available: <http://www.bls.gov/news.release/pdf/union2.pdf>.

U.S. Chamber of Commerce (2008): *About Us*. published by: U.S. Chamber of Commerce. Online available: <http://www.uschamber.com/about/default>.

U.S. Department of Commerce (2008): *Economic Census*. Online available: <http://www.census.gov/econ/census02/>.

United Nations Commission for Social Development (2008a): *Promoting Full Employment and Decent Work for all*. E/CN.5/2008/L.8, Draft Resolution.

United Nations Commission for Social Development (2008b): *Chairperson's Summary of the panel discussion on the Priority theme. Promoting full employment and decent work for all*. 46th session of the Commission for Social Development. published by United Nations Commission for Social Development. Online available: <http://www.un.org/esa/socdev/csd/csocd2008/Documents/summary1.pdf>.

van Evera, Stephen (1997): *Guide to methods for students of political science*. 5. printing. Ithaca: Cornell Univ. Press.

Waltz, Kenneth N. (1979): *Theory of international politics*. 1. ed. Boston: McGraw-Hill.

Wendt, Alexander (1992): *Anarchy is what States Make of it. The Social Construction of Power Politics*. In: *International Organization*, Jg. 46, H. 2, p. 391–425.

Wendt, Alexander (1999): *Social theory of international politics*. Cambridge: Cambridge Univ. Press (Cambridge studies in international relations, 67).

Zürn, Michael (1997): *Assessing State Preferences and Explaining Institutional Choice*. . *The Case of Intra-German Trade*. In: *International Studies Quarterly*, Jg. 41, H. 2, p. 295–320.