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Why do states commit to international labour standards? The importance of “rivalry” and “friendship”

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Abstract

Ratifying conventions adopted by the International Labour Organization creates legal obligations to improve labour standards in the domestic economy. Why do states choose to ratify them? Two influential theoretical approaches offer contrasting explanations. Rational institutionalist theory expects states to use institutions such as the ILO to improve or consolidate their preferred standards while reducing the risk of suffering competitive disadvantages in world markets. In this view, ILO conventions are devices for the prevention and mitigation of regulatory “races to the bottom” among trade rivals. By contrast, sociological institutionalism expect states to ratify ILO conventions if doing so conforms to a norm of appropriate behaviour that is prevalent in the states’ respective peer groups. The paper develops observable implications of the two explanations and tests them by applying spatial regression models to seven core ILO conventions, 187 countries, and 40 years. The paper finds some evidence in support of both explanations, but sociological institutionalism is supported more strongly than rational institutionalism.

DRAFT – COMMENTS WELCOME

Introduction

Created in 1919 by the Treaty Versailles, the International Labor Organization (ILO) survived World War II and became a specialized agency of the United Nations in 1946. Over the past ninety years, the ILO has adopted 188 conventions on topics such as freedom of association, collective bargaining, forced labor, child labor, gender discrimination, social security, working time, and occupational health and safety. ILO conventions are international treaties that are legally binding for states that have ratified them. They occupy a peculiar position among international treaties. In policy domains such as trade and arms control, treaties are often signed in the expectation of reciprocal behaviour: for instance, a state may grant access to its domestic market in exchange for access to foreign markets for its own producers; or it may commit to refrain from developing certain kinds of weaponry in order to secure a similar commitment by other states. The expectation of reciprocity has a number of implications. For instance, states are likely to react to persistent non-compliance by suspending compliance themselves, in ways that may or may not be authorized by the relevant treaty. But reciprocity cannot be considered a key driver in all policy domains. Most notably, human rights treaties are unlikely to be ratified, and complied with, on the basis of direct reciprocity. As Beth Simmons notes, “[n]o government is likely to alter its own rights practices to reciprocate for abuses elsewhere.”¹ An implication of this difference is that, while domestic politics plays a role in all kinds of treaties, its role is likely to be greater in human rights treaties than elsewhere.

The conventions adopted by the ILO should be particularly interesting for IR scholars because they have features of both kinds of treaties: those that are negotiated primarily on the basis of reciprocity and those that are not. On the one hand, at least some of the ILO conventions are designed to mitigate regulatory competition in labour and social standards. The ILO itself points at this motivation in its promotional material:

“An international legal framework on social standards ensures a level playing field in the global economy. It helps governments and employers to avoid the temptation of lowering labour standards in the belief that this could give them a greater comparative advantage in international trade ... Because

¹ Simmons 2009: 129.

international labour standards are minimum standards adopted by governments and the social partners, it is in everyone's interest to see these rules applied across the board, so that those who do not put them into practice do not undermine the efforts of those who do."²

The logic described in this quotation implies reciprocity: states are expected to commit to the international labour standards primarily to get other states to commit to, and comply with, those same standards.

On the other hand, the ILO and many other actors present commitment to core labour standards as having intrinsic normative value: the same ILO document quoted above stresses that adherence to international labour standards is imperative because work "is crucial to a person's dignity, well-being and development as a human being".³ Several conventions, such as those on freedom of association, child labour, forced labour, discrimination, migrants, and domestic workers are explicitly presented as protecting "fundamental human rights".⁴ In this logic, states are expected to ratify conventions as way to endorsing and expressing a public and legally binding commitment to a universally valid conception of human dignity.

So, why do states ratify ILO conventions? More precisely, why do some states choose to ratify certain core conventions and others do not? To the extent that they want to avoid regulatory competition, their decision to ratify should be influenced by the ratification behaviour of their economic competitors. To the extent that they want to show support for a norm they believe in, we should expect ratification by those states whose values and practices in labour and social policy are consistent with ILO norms. The latter expectation corresponds to the theory of "rationally expressive ratification" proposed by Simmons in relation to human rights treaties.⁵ But the values that state agents choose to affirm by making international commitments are not entirely endogenous: they are likely to be influenced by the norms expressed by other states, particularly by states that they consider to be "peers".

This suggests that we should expect ratification decisions to be interdependent not only insofar as they reflect competitive considerations but also insofar as they reflect

² ILO 2009: 10-11.

³ ILO 2009: 10.

⁴ ILO 2009.

⁵ Simmons 2009.

a desire to belong to a normative community of states. But *who* is influenced *by whom* is likely to be different in the two cases. The aim of this paper is to develop hypotheses about interdependent ratification and provide empirical tests. The hypotheses are derived from two major approaches to IR, rationalist institutionalism and sociological institutionalism.

It has to be stressed at the outset that a state's decision to ratify an ILO convention is to a significant extent determined by factors unrelated to ratification decisions in other states. For instance, we might expect that commitment is more likely when the convention embodies values supported by the political parties in power, when pro-ratification coalitions (notably labor unions) are strong, when a state has already implemented the policies mandated by the convention, when a state can afford to implement the required policy adjustments, when ratification does not face major legal and constitutional hurdles, and when the state is in a vulnerable international position. Bernhard Boockmann, Nancy Chau and Ravi Kanbur, and Richard Flanagan have examined these factors and found evidence about their relevance or irrelevance.⁶ Our work builds on their efforts but focuses on an aspect that has been largely neglected by them: strategic and normative interdependence of ratification decisions. Among the other scholars who carried out quantitative studies of ILO ratifications, Chau and Kanbur have hypothesised "peer effects" and found some evidence that they matter. In this paper, we operationalize peer effects differently and estimate them through a different method that is particularly well suited for capturing spatial interdependence: spatial autoregressive models.

This paper is structured as follows. The next section discusses international labour regulation, focusing on its historical background and anecdotal evidence on the relevance of competitive logics and social peer pressure. The third section develops a theoretical framework for the study of interdependent ratification of labour conventions and presents testable hypotheses. The fourth section introduces the spatial model and explains the methodology. The fifth section shows the empirical results of the econometric analysis. The sixth section provides some robustness checks. Then some conclusions and directions for future research are offered.

⁶ Chau and Kanbur 2001, Boockmann 2001, 2006, Flanagan 2003, Horny et al. 2008. Earlier studies about the ratification of ILO conventions are Haas 1962, Dahl 1968 and Frakt 1977.

Creating and ratifying international labour standards

Political leaders, labour unionists, social reformers and scholars have been aware of the international dimensions of labour and social legislation for at least two centuries.

The French statesman and financier Jacques Necker wrote in 1788 that

“the country which, out of barbarian ambition, would abolish the day of rest prescribed by religion, would probably attain a certain degree of superiority if it were the only country to do so; but as soon as other nations follow the lead, this advantage would be lost, and shares in sales would return to what they had been prior to the change. The same reasoning demonstrates that countries where days of rest are multiplied beyond the norm will have a disadvantage with respect to countries that have selected as days of rest only the holy days imposed by the church.”⁷

Throughout the nineteenth century, opponents of legislation aimed at improving working conditions routinely invoked the harm that such measures would inflict on the international competitiveness of domestic industries.⁸ From the 1830s onwards, advocates of social reform and labour legislation argued that damaging regulatory competition could be overcome by means of international treaties establishing minimum standards with regard to hours of work, days of rest, night work of women, employment of children, and other practices. The most energetic campaigner for international labour treaties was Daniel Legrand who, in an appeal addressed to the governments of all industrial countries in 1855, argued that

“In modern industrial Europe there are certain matters that individual nations cannot regulate except in the form of an agreement between the interested powers ... An international labour law is the only possible solution to the great social problem of granting moral and material well-being to the working class without working a hardship upon the manufacturers or upsetting the competitive balance between the industries of these countries”⁹

In the writings of Legrand and other supporters of international labour treaties, references to competitive pressures were often intertwined with appeals to the duties

⁷ Cited by Bairoch 1999: 161.

⁸ Engerman 2003.

⁹ Cited by Follows 1951: 38.

of governments to improve the condition of the working classes as an essential requirement of civilization, often with reference to the promotion of Christian values. For instance, Édouard Ducpétiaux, who first suggested the establishment of an international labour organization, urged in 1843: “Let nations unite for social reform instead of frustrating one another’s efforts ... All civilized nations should concur in this truly holy alliance which should open to humanity a new era of well-being and universal satisfaction”.¹⁰ This quotation highlights two themes that permeated debates on international cooperation on labour issues in the nineteenth and twentieth centuries: the protection of core labour standards is a moral obligation for any state that wants to belong to the club of “civilized nations” (later: the community of states respecting human rights and social justice); and international cooperation is necessary to protect states fulfilling those moral obligations from economic harm.

During the second half of the nineteenth century, the issue of international labour regulation moved from the pamphlets by social reformers, the resolutions of workers’ associations and academic treaties onto the agenda of governments. For instance, in response to a motion brought in 1885 to the German parliament in favour of the international regulation of labour standards, Chancellor Bismarck said that

“A normal workday could be established for Germany alone if Germany were surrounded by a Chinese wall and were economically self-sufficient. Such is not the case. It would be necessary to establish a universal workday union analogous to the postal union, as well as a universal wage union. This would have to embrace the United States, England, and every industrial country”.

Bismarck pointed out that “this is impossible in the world in which we live”¹¹. However, the 1880s and 1890s witnessed the first attempts by European governments to negotiate international labour treaties and create an international labour organization. Two international labour conventions were adopted in 1906 and twenty-eight bilateral treaties on labour issues had been concluded by 1914.

The decisive breakthrough came at the end of World War I. The British government took the lead in designing the new international labour regime as it reasoned that,

“from the British economic point of view, it was clearly to the advantage of a country that was among the most advanced in the regulation of conditions of

¹⁰ Cited by Follows 1951: 46.

¹¹ Cited by Follows 1951: 91.

employment to encourage the movement to that end. Once free competition had been restored it would be very difficult to raise the general standard of wages or condition or even to maintain the present minimum in industries which depended on foreign markets, unless similar standards were applied in all competing markets”.¹²

The preamble to the Constitution of the ILO, approved in 1919 as Part XIII of the Treaty of Versailles, summarized the reasons for regulating labour conditions through international cooperation. On the one hand, it stated that universal “peace can be established only if it is based upon social justice” and that “conditions of labour exist involving such injustice, hardship and privation to large numbers of people as to produce unrest so great that the peace and harmony of the world are imperilled”. On the other hand, it stated that “the failure of any nation to adopt humane conditions of labour is an obstacle in the way of other nations which desire to improve the conditions in their own countries”.¹³ As in the nineteenth century, appeals to “social justice” and “humane” policies were intertwined with concerns about international competitiveness.

The contracting parties to the Treaty of Versailles decided that the plenary body of the ILO, the International Labour Conference (ILC), could adopt conventions with a two-thirds majority. There were a range of views on how conventions should become legally binding on states. Some labour unions would have preferred international regulations to become immediately applicable in member states. The Italian representatives in the commission that drafted the ILO Constitution proposed conventions to be automatically binding, but with the right of governments to appeal to the League against decisions of the ILC. The British representatives in the commission wanted conventions to be ratified automatically within one year of adoption, unless specifically rejected by national legislatures.¹⁴ These proposals were rejected as too intrusive on state sovereignty, and the ILO Constitution only requires governments to submit conventions to the competent authorities (normally parliaments) within a year. As long as the competent authorities do not ratify the convention, the state has no legal obligation to implement them.

¹² Alcock 1971: 19, 27.

¹³ 1919 version of text in Wilson 1934.

¹⁴ Alcock 1971: 28.

The crucial role of ratification was highlighted by the vicissitudes of the very first convention adopted by the ILO, the Hours of Work (Industry) Convention, 1919 (C1, in ILO shorthand). Labour movements in various countries had achieved limitations on working hours by legislation or contract during or in the aftermath of World War I, but they were aware that this achievement could easily have been reverted under pressure from employers and pro-business governments. The relaxation of working time rules by a major state would have put other states under pressure to do the same, and hence trade unions and socialist parties attached great importance to the adoption of a legally binding agreement covering this matter. C1 was adopted by large majority at the first meeting of the International Labour Conference in 1919. India, Czechoslovakia, Greece, Rumania, and Bulgaria ratified the convention within three years of adoption,¹⁵ but then the ratification process stalled. The main transnational network of labor unions, the International Federation of Trade Unions (IFTU), campaigned for ratification throughout the 1920s, but with limited success.¹⁶ The failure to ratify did not simply reflect the partisan composition of governments: socialist parties were in power in Denmark, Germany, Great Britain, Norway and Sweden and yet those countries did not ratify.¹⁷ As Antony Aldcock noted, “The chief obstacle was the unwillingness of States to ratify unless their economic competitors did the same, and here the key country was Britain.”¹⁸

Britain’s failure to ratify C1 was due to a number of factors.¹⁹ Some of them were domestic: opposition from employers, and opposition by a powerful labour union representing British railway workers, which lead the secretary general of the IFTU to complain bitterly that “many million workers were unable to benefit from the provisions of the Eight-hour Convention because two million British workers did not

¹⁵ The Bulgarian government, in bringing up C1 for ratification before its legislature, declared: “We must take into account what has been done by our nearest neighbours; we cannot expose ourselves to the charge that our country interferes with the policy of other states which wish to better the conditions of the workers”. Périgord 1926, 177.

¹⁶ Van Voss 1988.

¹⁷ Van Voss 1988, 540.

¹⁸ Aldcock 1971, 56. On the debilitating effect of Britain’s failure to ratify C1 on ratification campaigns in other countries see also Van Voss 1988, 541.

¹⁹ Lowe 1982. Another state that, by failing to ratify, affected the decision of other countries was Germany, where the employers mounted a particularly aggressive offensive against the eight-hour day.

desire its application.”²⁰ But British decisions on ratification were also influenced by international factors. To illustrate them, it is useful to quote extensively from a debate held in the House of Commons on 9 April 1925, which was one of several occasions where members of the Conservative Party government were urged to ratify ILO conventions by members of the Labour and Liberal opposition parties.²¹ Rhys Davies (Labour) restated the familiar argument on international cooperation being the only solution to damaging regulatory competition:

“During the last few weeks, in fact almost every week during the past year, we have had debates in this House as to sweated goods and tariffs, and the menace to our industries because people are working long hours for very low wages on the Continent and elsewhere. It does seem to me that in the discussions regarding Free Trade and tariffs and sweated goods, there is only one way out, and that is to so arrange the conditions of labour throughout the world that they will be standardised as far as possible”.

Herbert Fisher (Liberal) reiterated this point:

“Nobody can look at the industrial landscape of the world without feeling that this country will be in an increasing measure exposed to the competition of sweated goods coming from other countries which have not our factory legislation, which have not our standard of life, which have not our conditions, and which are consequently able to undersell us in the markets of the world. I do not see how we can possibly maintain the standard of life of our population unless we give our support to an institution [the ILO] which stands for the levelling up of industrial conditions throughout the world.”

Fisher also stressed that Britain’s ratification should depend on ratification in other states:

“if we do ratify the Convention, and I hope we may find a means of doing so, we should make it a condition that Germany and one or two other great industrial powers who have at present not ratified it should also do so. I understand there is now a feeling in Germany in favour of ratification, and that the German Minister of Labour actually indicated that the late German Government would have been willing to ratify ... [T]his Eight Hours

²⁰ Cited by Van Voss 1988, 527.

²¹ Hansard, House of Commons Debates, 9 April 1925, vol. 182, cc2475-560.

Convention, if ratified by us—and we must remember that Italy, Austria and Belgium are willing to ratify if other Powers do so—will have a great effect in levelling up industrial conditions all over the world. There is no Convention of all those which have been discussed and passed at these Conferences which will have so great an effect in realising the object we all have in view, namely, the protection of the standard of life in this country from the competition of sweated goods from outside.”

Conservative speakers were more guarded. The Home Secretary Joynson-Hicks said that “[w]e must, in spite of the appeal which [Rhys Davies] has made for international agreement, put the interests of British commerce and trade first.”²² Guy Molesworth Kindersley (Conservative) referred to the ratification status of all ILO conventions adopted up to that point and noted:

“Of the great European industrial countries, France and Germany have ratified none, Holland has ratified two, Belgium six, Czechoslovakia seven, Great Britain seven, and Italy ten. Outside Europe, Argentina, Australia, Brazil, and Canada have ratified none, South Africa two, Japan five, and India eight. Our record in regard to ratification is, therefore, as good as that of anybody, except Italy and India. Now the whole scheme of the organisation surely is this: that you ought to get, in order to achieve your object, coincident ratification. Everybody ought to ratify at the same time, but this has clearly not been realised, and in the result this organisation has accentuated rather than reduced the differences in the standard of industrial legislation as between the different countries, because if you get one country ratifying and another country not ratifying, you accentuate the differences between those countries.”

Thomas Shaw, who had chaired the subcommittee that drafted C1 in 1919 and had been minister of labour in the Labour government of 1924, rejected Kindersley’s account of the behaviour of other governments. He argued that Germany was about to ratify C1, that France would ratify it as soon as Germany ratified, and that the Belgian

²² One month before this debate, Joynson-Hicks had listed several reasons why the Conservative government should resist ILO conventions, including “We are the only country who ever adopts them” and “The result is that we fetter our industry and our competitors remain free”; cited by Lowe 1982: 265.

government was willing to ratify C1 if it could have the assurance that Great Britain, France and Germany would also ratify.

“We have to find who has been the most backward member. Is it France? No. Is it Belgium? No, because both France and Belgium have got 48-hour Bills. Germany? We know the condition she has been in. This country, which took the leading part, and which ought to take the leading part—this country, which, before the War, was infinitely ahead of the other countries in labour conditions, has held back. I do not want to make a personal accusation, but I cannot help saying that when I meet, as I do meet frequently, representatives of industry on both sides of the table in nearly every European country, I rather blush for our capacity for putting ourselves on a pedestal, and assuming virtues that we do not possess ... The nation which used to be proud to lead the world in labour conditions is the nation in Europe which is sinking most rapidly into a backward place.”

The Minister of Labour, Arthur Steel-Maitland, pointed at domestic obstacles to ratification but also at the behaviour of Britain’s main competitors:

“we are not satisfied that as much has been done by way of the ratification of conventions by other countries as could have been done ... It has been said that, with the exception of France and Germany, other countries were in front of us in the matter of ratification. I put it to the House that to say that "with the exception of France and Germany" such is the case is like playing "Hamlet" without the Prince of Denmark. The attitude of France and Germany is of vital importance to this Country ... We want to try to see that ratification should go, as far as possible, concurrently, not necessarily in every country that is a member of the League, because that would be quite impracticable, but, at any rate, in the great countries that are concerned with the progress of one another in any particular great industry.”

This parliamentary debate highlights a number of aspects of the ratification decision that deserve to be examined systematically and across a large number of countries. First, the ratification behaviour of other states may play a role in promoting domestic support for, or opposition to, ratification. Second, what other states do may be relevant in two different but compatible ways. On the one hand, foreign ratification matters because it provides a benchmark for assessing compliance with norms of appropriate behaviour. For instance, one of the speakers in 1925 House of Commons debate

quoted above condemned Britain's failure to ratify by contrasting its past "pride" in leading the world in labour conditions with its current "sinking" into a "backward" place, and by stating that attitude of British leaders made him "blush" when he met foreign colleagues.²³ On the other hand, foreign ratification matters because it mitigates the economic cost of labour regulation for domestic industries. This is why several speakers in the House of Commons debate stressed the importance of "concurrent", i.e. simultaneous, ratification.

It is certainly possible that in this and other parliamentary debates references to the behaviour of foreign governments were used strategically, i.e. to support rhetorically positions that had domestic roots. This does not rule out that such arguments may have "tipped the balance" in some cases. It is therefore necessary to develop precise hypotheses on how ratification decisions may be interdependent, and a research design that is able to determine the existence and size of such effects. These tasks are undertaken in the next two sections respectively.

This section has shown that European countries played a crucial role in the emergence of international labour regulation. Before World War II, for those countries the set of social and cultural peers largely coincided with the set of main economic competitors. This coincidence makes it more difficult to separate empirically the effect of social mechanisms from the effect of economic mechanisms. However, the emergence of new states after World War II created a potential divergence between sets of social peers and sets of economic competitors, which facilitates the assessment of the relative importance of the social and economic mechanisms described in the next section.

Theories of interdependent ratification

Several approaches in IR theory would expect the decision to ratify ILO conventions to be influenced by the ratification behaviour of other states. In this paper we focus on two such approaches: rational institutionalism and sociological institutionalism. While both approaches would predict the interdependence of ratification decisions, they stress different sets of causal mechanisms and thus would expect different patterns of

²³ Also German trade unions made domestic use of the fact that Germany was "shamed" at the ILO for endangering the eight-hours days in other European countries (Van Voss 1988: 534).

interdependence to emerge. This section spells out these expectations and the remainder of the paper tests them empirically.

Rationalist institutionalism in IR theory conceives states as unitary actors that pursue their own interests as if they were rational utility-maximisers, in an environment characterized by the absence of an external enforcer of agreements and variable degrees of uncertainty about the interests and behaviour of other states.²⁴ Rationalist institutionalism focuses on situations of strategic interdependence, in which the benefits accruing to each state are determined not only by its behaviour but also by the behaviour of other states. In such situations, often states have mixed motives: they have a common interest in cooperating, but also incentives to cheat and/or shift the distribution of gains from cooperation to their advantage.²⁵ As a result, the outcomes of state interaction are often inefficient, as potential gains are “left on the table”. The key thesis of rationalist institutionalists is that states are able to mitigate the risk of inefficiency by manipulating the context of their interaction and specifically by creating and sustaining international institutions and organizations. International institutions and organizations can alleviate distributional and enforcement problems by providing information about state preferences, constraining bargaining strategies, providing focal points in negotiations, facilitating issue linkages, reducing ambiguity about what constitutes compliance and non-compliance, monitoring compliance, and coordinating decentralized sanctioning.

The previous section suggested that international labour regulation in general and ILO conventions in particular are traditionally perceived as solutions to problems of strategic interdependence. The expectation is that, by agreeing on and implementing common standards, states would be able to improve labour conditions according to domestic preferences without compromising the ability of their industries to compete with foreign producers. There is some debate on whether strategic interdependence in the labour standards has the form of a “prisoner’s dilemma” (PD) game or an

²⁴ Keohane and Martin 2003. Prominent contributions to this literature include Stein 1982; Keohane, 1984; Martin, 1992; Oye, 1986; Fearon 1998; Wallander, 1999; Koremenos et al. 2001.

²⁵ Some analyses focus on “pure” types of cooperation problems that states may face, such as the prisoner’s dilemma, the battle of the sexes, etc. See for instance Stein 1982, Snidal 1985, Oye, 1986, Martin, 1992. Other analyses examine how bargaining and enforcement problems combine and interact. See for instance Garrett and Weingast 1993, Morrow 1994, and Fearon 1998.

assurance game. Thomas Palley, for instance, models it as a PD.²⁶ Alan Hyde, by contrast, argues that at least some types of labour standards give rise to a stag hunt, or assurance game.²⁷ The key difference is that in an assurance scenario mutual cooperation is a stable equilibrium because each state prefers to keep high labour standards in its jurisdiction provided that other states do the same, whereas in a PD scenario mutual collaboration is more fragile because states are tempted to defect from cooperation and use low standards to gain competitive advantages. What is common to both PD and assurance situations is the worst outcome that states want to avoid, i.e. to implement high standards while its competitors lower theirs or fail to raise them. This is because the welfare losses caused by the loss of market shares are perceived to be higher than the welfare gains of improved labour standards.²⁸ When states are uncertain about whether their counterparts prefer mutual cooperation to unilateral defection or vice versa, in order to avoid the worst-case outcome they may decide not to cooperate even if they themselves prefer mutual cooperation to unilateral defection.

Rationalist institutionalism expects states to design institutions that “fit” with specific types of cooperation problems. Specifically, institutions meant to address assurance problems are likely to be different from institutions aimed at solving PDs.²⁹ The key task of the latter is to reduce the temptation to cheat, notably by monitoring compliance and helping states to use strategies of decentralized sanctioning that would sustain cooperation in a repeated game. By contrast, institutions addressing assurance problems must make it easier for states to assure each other that they indeed prefer mutual cooperation to cheating. When states are highly uncertain about the preferences of other states, monitoring institutions may need to be as robust and

²⁶ Palley 2004.

²⁷ Hyde 2006, 2009.

²⁸ This paper is concerned only with the perceptions of decision-makers and not with the important but separate question of whether in reality higher standards raise labour costs sufficiently to reduce international competitiveness, all else being equal. Recent econometric studies on the effect of ratification of core ILO conventions and other indicators of core labour standards on export and FDI performance reach mixed conclusions. Rodrik 1996, Mah 1997, Hasnat 2002, Busse 2002, Flanagan 2003, Busse and Brown 2003, 2004, Banks 2004, Busse and Spielmann 2006, Kucera and Sarna 2006.

²⁹ Martin 1992.

intrusive as they would be in a PD. This means that, under conditions of uncertainty, the institutional implications of the two situations may be quite similar in practice.

The ILO has several of the features that rationalist institutionalists would expect to find in an organization aimed at addressing PD and assurance problems. The often detailed content of ILO conventions reduces ambiguity about what constitutes compliance and makes it easier to determine whether a state has complied or not. States are subject to demanding reporting obligations, and the supervisory system of the ILO processes information on national labour laws and practices that originates not only from governments but also from private organizations, notably labour unions. States that are found to be in violation of their obligations are “named and shamed”. While the ILO itself does not apply sanctions, its findings about, and criticism of, serious violators of ILO norms can be used by other states to legitimize sanctions that they may decide to impose.³⁰

As noted above, both in the assurance and in the PD scenario the worst outcome for each state is to implement high labour standards while its competitors lower theirs or fail to raise them. The implication of this is that the decision to ratify ILO conventions should be affected by whether other states, and specifically direct trade competitors, have ratified or not. Ratification by trade rivals does not guarantee effective implementation of ILO standards, but it creates domestic and international costs that may be sufficient to reassure states that other states are willing to comply.³¹ The hypothesis derived from rationalist institutionalism is thus the following:

Hypothesis 1: A state is more likely to ratify ILO conventions when its economic competitors have ratified them.

Nancy Chau and Ravi Kanbur have examined this hypothesis on the basis of an expectation of “strategic complementarity”, by which “the adoption of high labor standards in one country raises the net benefits of raising standards in another

³⁰ For instance, in 2003 the United States Congress enacted the “Burmese Freedom and Democracy Act”, which banned imports from Myanmar and cited the ILO’s condemnation of Myanmar for its use of forced labour.

³¹ On the potential importance of the legal commitment expressed by ratification of treaties see Simmons 2009.

country.”³² They find no evidence for this hypothesis with regard to two of the four conventions they consider (C111 and C138) but significant support with regard to the other two (C98 and C105). This result was obtained by counting how many states in a group of competitors have ratified the relevant conventions, where such groups are identified on the basis of type of exports (exporters of manufactures, primary products, fuel, services, and diversified exporters) and level of economic development (developed vs developing).

The second major approach that expects ratification decisions to be interdependent is sociological institutionalism. Even more than rationalist institutionalism, sociological institutionalism is a complex body of theories, which cannot be reviewed in any depth here. These theories depart from rationalism, as they expect states to be guided not only by a “logic of consequentialism” but also by a “logic of appropriateness”³³ and possibly a “logic of arguing”³⁴; and from materialism, since even when states consider expected consequences, often these consequences have a social character, such as a sense of belonging, esteem, and shame. For sociological institutionalists in IR, the goals, values, normative constraints, and cognitive maps of policy-makers are not endogenous to the process of interaction with their foreign counterparts, but are at least partly constructed in a social process that transcends state boundaries. A particularly influential version of sociological institutionalism has been developed by the so-called “Stanford School”, according to which there is a world culture that shapes conceptions of appropriate social actors, collective goals, and public policies, and a world polity constituted by organizational linkages that transmit this world culture to all states.³⁵ This world culture defines social expectations in a wide range of policy domains, such as human rights, gender equality, science, education, economic policies, environmental protection, where state agents seek normative legitimacy by adopting “policy scripts” that are widely perceived as being integral to the identity of a “modern” or “good” state.

The ratification of international treaties can be interpreted as one of the ways in which states affirm their adherence to norms and thus membership in a normative

³² Chau and Kanbur 2001.

³³ March and Olsen 1998.

³⁴ Risse 2000.

³⁵ Thomas et al. 1987, Finnemore 1996a, Meyer et al. 1997.

community.³⁶ The conventions adopted by the ILO can certainly be seen as embodying global norms with universalistic scope and moral content. As noted above, the preamble to the ILO constitution justifies its activities with reference to “social justice”. The Declaration of Philadelphia of 1944 reaffirmed this goal and stated that “all human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity.” The Declaration added specificity to those commitments by highlighting the role of full employment and raising standards of living, a just distribution of “the fruits of progress”, a minimum living wage, the right of collective bargaining, social security and a basic income for all, comprehensive medical care, workplace safety, child welfare, and equal opportunities. Labour rights are sometimes presented as integral part of human rights and sometimes as a distinct normative complex with its own roots in a conception of human dignity,³⁷ but the ILO and other actors routinely frame the conventions as normative models that all legitimate states should adopt or at least strive to be in a condition to adopt.³⁸

The ratification of ILO conventions can thus be interpreted as an action that affirms a state’s membership in a normative community: the community of states committed to promoting a conception of social justice. Three points are crucial for the assessment of this interpretation. First, the international diffusion of ILO norms can be the result of a range of different social mechanisms. For instance, in a prominent text of sociological institutionalism Paul DiMaggio and Walter Powell argued that institutional (as opposed to competitive) isomorphism could take three forms: coercive, mimetic and normative.³⁹ Building on sociological and psychological research, IR scholars have identified a range of micro-mechanisms that can produce socialization, i.e. the induction of actors into the norms and rules of a given community. Alastair Iain Johnston distinguishes between mimicking, social influence

³⁶ Frank 1999, Cole 2005, Wopitka and Ramirez 2008, Wopitka and Tsutsui 2008.

³⁷ Leary 2003, Fudge 2007-2008.

³⁸ The Declaration of Philadelphia stated that “all national and international policies and measures, in particular those of an economic and financial character, should be judged in this light and accepted only in so far as they may be held to promote and not to hinder the achievement of [the] fundamental objective” stated in the Declaration.

³⁹ DiMaggio and Powell 1983.

and persuasion;⁴⁰ Jeffrey Checkel distinguishes between strategic calculation, role playing, and normative suasion;⁴¹ Ryan Goodman and Derek Jinks between coercion, persuasion and acculturation.⁴² While compliance with norms as a result of material sanctions and rewards does not normally qualify as socialization, *social* sanctions and rewards – back-patting, esteem, well-being resulting from personal consistency, shaming, shunning, etc – can be considered a form of socialization even if the norm in question is not fully internalized by the actor. Furthermore, as Martha Finnemore and Kathryn Sikkink have noted, different mechanisms may be operative at different stages of the norm life cycle.⁴³ In recent years there has been significant progress in understanding under what scope conditions such mechanisms work or not.⁴⁴

The second important aspect highlighted by recent research is the variety of channels through which norms can “travel” from one country to another, notably the media, transnational advocacy networks and international nongovernmental organizations (INGOs), epistemic communities, transgovernmental networks, bilateral diplomacy, and intergovernmental organizations (IGOs). For a variety of reasons discussed by Alastair Iain Johnstone,⁴⁵ IGOs understood as social environments have provided a particularly fertile ground for research on international socialization.⁴⁶

Third, the population of IGOs (and INGOs) has grown massively over the course of the twentieth century and thus opportunities for socialization and norm diffusion have multiplied dramatically. However, contrary to what world polity theorists imply when they maintain that the world is “a unitary social system, increasingly integrated by networks,”⁴⁷ patterns of membership in IGOs and possibly in other environments of state socialization are increasingly fragmented and heterogeneous. The issue is not simply that some states have stronger connections to the world polity than other states

⁴⁰ Johnston 2001, 2008.

⁴¹ Checkel 2005,

⁴² Goodman and Jinks 2004.

⁴³ Finnemore and Sikkink 1998, 898.

⁴⁴ Finnemore and Sikkink 1998, Zürn and Checkel 2005. On domestic scope conditions: Cortell and Davis 2005.

⁴⁵ Johnston 2008, 26-32.

⁴⁶ For instance, Finnemore 1996b, Ghenciu 2005, Johnston 2008, Bearce and Bondanella 2007, Greenhill 2010.

⁴⁷ Boli and Thomas 1997, 172.

– in fact, inequality in the number of IGO memberships per state has decreased considerably. The issue is rather that, as Jason Beckfield points out, “while states are growing more even in the number of IGOs they belong to, they increasingly belong to different IGOs.”⁴⁸ Beckfield applied network analytic techniques to the complete population of intergovernmental organizations since 1820 and calculated changes in several structural properties (density, centralization, heterogeneity, cohesion, and clustering). He found that, since 1945, the network of IGOs has become more fragmented, more heterogeneous, less cohesive, and less “small-worldly” in its structure – a trend that is due mainly to the growing importance of exclusive and regionalized IGOs.

The regionalization of the world polity has substantial implications for transnational norm diffusion. In a case study of ASEAN, for instance, Amitav Acharya showed that because of the prior principles it was founded on, this institution either promoted the adoption of global norms in a substantially transformed (“localized”) form, as happened in the case of the cooperative security norm; or promoted resistance to transnational norms, as happened in the case of the humanitarian intervention norm. In the same vein, David Capie shows how ASEAN mediated between global norm entrepreneurs promoting norms about small arms control in the region and state agents that opposed many of their goals.⁴⁹

Scholars who apply world polity theory to the analysis of patterns of treaty ratification accept that states are likely to differ as to the timing of ratification. For instance, Christine Min Wotipka and Francisco Ramirez identify three factors that should affect the timing of the ratification of human rights treaties: the availability of global conferences that promote the relevant treaty, the behaviour of other states in the world and in their region or other “reference groups”, and the degree to which a state is embedded in the wider world that supports the relevant norm.⁵⁰ However, in the light of the uneven and fragmented patterns of IGO involvement shown by Beckfield, and the resulting fragmented character of social relations through which socialization mechanism can operate, it is advisable to develop more fine-grained hypotheses about the interdependence of ratification decisions. If social peer groups are defined as

⁴⁸ Beckfield 2010.

⁴⁹ Capie 2008.

⁵⁰ Wotipka and Ramirez 2008.

states with frequent and intense opportunities for socialization – that is, opportunities to persuade each other, express opprobrium or approval, undermine or boost self-esteem, etc – then the relevant hypothesis can be formulated as follows:

Hypothesis 2: A state is more likely to ratify ILO conventions when its social peers have ratified them.

Chau and Kanbur examined whether the ratification of ILO conventions is affected by regional peer effects, by counting how many states in a regional grouping have ratified the relevant conventions (they found a positive effect for two of the conventions they considered).⁵¹ Also ratification studies on other types of treaties often include the proportion of states in a state's region that have ratified the treaty in question among the explanatory variables.⁵² However, this may be not the best quantitative indicator of socialization effects. As Beth Simmons has stressed, regional effects may be due to purely strategic "social camouflage": if many neighbouring states have ratified human rights treaties, persistent non-ratifiers are more likely to "stand out" and be targeted by NGOs and other advocacy organizations, which often take a regional perspective. If, on the contrary, a government is surrounded by other government that have not ratified, then the risk of being singled out for criticism is much lower and the incentive to ratify is correspondingly reduced. In her study of human rights treaties, Simmons interprets her finding that regional effects are much weaker in regions with more persuasion opportunities as evidence that regional clustering is caused by strategic calculation rather than localized socialization.⁵³ Rather than taking this rather indirect route, this paper aims at measures the extent of socialization opportunities more directly. As we explain below, we measure the degree to which states see each other as belonging to the same social peer group by looking at the number of IGOs of which any two states are joint members. We expect

⁵¹ Chau and Kanbur 2001.

⁵² For instance, Simmons 2000, Goodliffe and Hawkins 2006, Hathaway 2007, von Stein 2008, Wopitka and Ramirez 2008, Neumayer 2008, Vreeland 2008, Bernauer et al. 2010.

⁵³ Simmons 2009, 88-96. Simmons seems to equate socialization with what Johnson considers a subtype of socialization, i.e. persuasion. In Johnston's conceptualization, if the sanctions that states want to avoid are *social* rather than *material* – shame, loss of esteem, shunning, etc – then strategic behaviour would not exclude socialization.

ratification choices of a state to be influenced by the ratification behaviour of another state in proportion of their opportunities to interact within IGOs. This indicator provides a more fine-grained picture of socialization networks than regional belonging, although we expect relevant regional effects to be captured by our measure as well.

Our focus on joint IGO memberships allows us to examine three additional implications of hypothesis 2. The first implication results from the distinction between two routes to socialization. The first route involves actual interaction within institutionalized contexts, and the resulting presence of social rewards, social sanctions and persuasion. As noted above, IGOs are a prominent context for such interactions among policy-makers. The second route is more indirect and diffuse, and occurs when policy-makers copy the policy decisions made in countries that are perceived as culturally similar to their own country. This may take place independently of actual interactions aimed at promoting shared goals. To assess the relative importance of those two routes, in the next sections we examine the effect of proxies of cultural similarity (shared language, shared religion, shared colonial heritage) on the interdependence of ratification, alongside the shared IGO membership measure that is better suited to capture the intensity of social interactions. The second implication is that the extent to which ratification is influenced by interaction with *specific* states needs to be assessed separately from the effect of occupying a central position in the IGO network of states. To do this empirically, in the next sections we examine the effect of the absolute number of IGO memberships of countries on ratification behaviour. If *joint* IGO memberships are found to have an effect even after controlling for the *absolute* number of IGO that a country is member of, then this would provide particularly strong support for our specific socialization hypothesis.

The third implication of hypothesis 2 is that, if IGOs function as socializing environments that may facilitate the diffusion of labour standard norms among their members, then we should expect the effect of joint IGO membership on ratification to be stronger for IGOs that provide better opportunities for socialization. In the next sections we test this implication by comparing the effect of joint membership in *any* IGO with the effect of joint membership in a subset of IGOs that may provide particularly fertile grounds for socialization.

So far we have argued that there are at least two reasons why we should expect decisions to ratify ILO conventions to be spatially interdependent: competition and socialization. Of course, many other factors are likely to play a role in ratification decisions. Some of them stem from domestic (economic, political, legal, or cultural) features of the states contemplating ratification, while others factors stem from their position in international (economic, political, legal, or cultural) structures. Some of these factors are included as control variables in the analysis we present below, and because of space constraints can only be mentioned briefly here. Bernhard Boockmann and his co-authors found that ratification of ILO conventions is positively influenced per capita income, democracy, and left majority in parliament, whereas they found no evidence that development aid received, IMF lending and World Bank credits, and exports towards industrialized democracies play a role in ratification decisions.⁵⁴ Chau and Kanbur found that per capita income, political freedom, education, urbanization and trade openness have no effect on the probability of ratification of core conventions on average, whereas the type of legal system matters.⁵⁵ Robert Flanagan found that low levels of child labour, high life expectancy at birth, prevalence of certain religions and certain legal systems raise the likelihood of ratification of conventions; in addition, ratification of noncore conventions is positively influenced by respect for civil liberties and negatively influenced by high levels of trade, whereas core conventions display no such effect.⁵⁶ Kim finds that higher levels of democracy, per capita income, political globalization (number of embassies, participation in UN activities and international organizations) and cultural globalization increase the likelihood of ratification of ILO conventions on unemployment benefits, and that countries in Asia and Latin America are less likely to ratify them than countries in Europe and North America.⁵⁷

⁵⁴ Boockmann 2001, Horny et al. 2005. In a separate analysis limited to industrialized democracies, Boockmann finds that the unemployment rate, trade openness and average labour costs have a significant impact on ratification under right-wing, but not under left-wing, labour ministers. Boockmann 2006.

⁵⁵ Chau and Kanbur 2001.

⁵⁶ Flanagan 2003.

⁵⁷ Kim 2010.

Research Design

We estimate a model including a spatial lag of the variable that captures whether a country ratifies an ILO convention, weighted by the number of joint IGO memberships between two countries and by the competitive distance between them. We also include several alternative spatial lags and control variables for country characteristics and potential external shocks.⁵⁸ In line with earlier research, we estimate a Cox proportional hazards model, with standard errors adjusted for clustering on countries.⁵⁹ The advantage of using the Cox model, among the various survival models on offer, is that it does not require us to make assumptions about the shape of the underlying survival distribution.⁶⁰ Moreover, when a spatial term is included, the use of the Cox model over parametric survival models is suggested by recent studies.⁶¹ The test based on Schoenfeld residuals indicates that the proportional-hazards assumption holds. We thus estimate the following equation:

$$h_{i,t} = h_0(i,t) \exp[\beta x_{i,t-1} + \delta w_{ij,t-1} y_{i,t-5} + \varepsilon_{i,t}] \quad (1)$$

where h_{it} is the hazard rate for country i at time t , h_0 is the baseline hazard, β and δ are the coefficients, $x_{i,t-1}$ is a vector of control variables that are lagged by a year, and $w_{i,t-1} y_{i,t-5}$ is a vector of spatial lag terms. We base significance tests on Huber (robust) standard errors.⁶² These standard errors control for possible heteroskedasticity (serial correlation) or *intra-group* correlation of the data.

⁵⁸ As recommended by Ward and Gleditsch (2008), we calculate the Moran index, using the total number of ILO conventions ratified by each country. The result confirms that there is statistically significant spatial correlation among countries. Thus the inclusion of spatial lags is appropriate here.

⁵⁹ Survival analysis is an elegant way to model our empirical analysis because we are dealing with both right-censored data and left-censored data (Beck 2002; Darmofal 2009). See the study by Elkins *et al.* (2006) on the diffusion of bilateral investment agreements for a widely cited application of spatial econometrics in a survival setting. For other applications of the Cox model in the literature on the ratification of ILO conventions see Boockmann (2001; 2006) and Chau and Kanbur (2001).

⁵⁹ Beck 2008, 486.

⁶¹ Golub, 2008.

The unit of analysis is country-year. We analyze 187 countries across 40 years, from 1960 to 1999. The period after 1999 is not considered here because in that year the seven core ILO conventions included in the analysis (see below) became subject to a special regime established by the 1998 ILO Declaration on Fundamental Principles and Rights at Work. The Declaration commits ILO member states to respect and promote the principles and rights stated in those Conventions, whether or not they have ratified them, and established a formal Follow-up procedure based on periodic reporting by states and global reports issued by the International Labour Office. Given the changed implications of non-ratification after 1999, we only consider the pre-1999 period. With respect to country coverage, some (mostly very small) countries had to be excluded because of data limitations. Many countries enter the database in the year of their independence, which is often after 1960. Our dataset is therefore *unbalanced*.

Dependent Variable

For each country in the dataset we coded whether it ratified an ILO convention in a specific year, which allowed us to calculate the time (in terms of years) that a country went without ratifying a convention, that is, the hazard rate. We focus on seven conventions: Convention 29 (C29), C87, C98, C100, C105, C111, and C138. We selected these seven conventions on the basis of two criteria. First, they were designated “core conventions” by the ILO and their prominent status was formally established by the 1998 Declaration (C182 was later added as eighth core convention). The ILO as well as independent observers recognize their paramount importance in the ILO normative system. Second, those seven conventions have been ratified by a large number of countries, which is an important condition for the application of spatial econometric analysis.

Two core conventions protect labour union rights. These are C87 Freedom of Association and Protection of the Right to Organise Convention, adopted in 1948 and ratified by 150 states; and C98 Right to Organise and Collective Bargaining Convention, adopted in 1949 and ratified by 160 states. Two core conventions mandate the elimination of all forms of forced or compulsory labour. These are C29 Forced Labour Convention, adopted in 1930 and ratified by 174 states; and C105 Abolition of Forced Labour Convention, adopted in 1957 and ratified by 169 states. One core convention mandates the abolition of child labour: C138 Minimum Age Convention, adopted in 1973 and ratified by 156 states (another core convention,

C182 Worst Forms of Child Labour Convention, was adopted in 1999 and is not included here). Finally, two core conventions prohibit discrimination in respect of employment and occupation. These are C100 Equal Remuneration Convention, adopted in 1951 and ratified by 168 countries; and C111 Discrimination (Employment and Occupation) Convention, adopted in 1958 and ratified by 169 countries.

Several countries, mainly developed economies, ratified some of the seven conventions before 1960. These observations are therefore left-censored. Specifically, 67 countries are left-censored for C29, 56 countries for C87, 70 countries for C98, 39 countries for C100, 43 countries for C105, and 19 countries for C111. We analyze each convention independently from the others, and therefore countries drop from the dataset when they ratify a convention. Finally, some observations are left censored since around one third of the countries ratified these ILO conventions after 1999. Data are taken from the ILOLEX Database of International Labour Standards.⁶³

Spatial Variables

The main independent variables are $N \times N \times t$ spatial weight matrices. A spatial weight matrix measures the impact of a policy change in a country on all other countries. It uses specific factors, such as spatial proximity or degree of economic interdependence, to weigh the importance of a policy change in one unit for other units. In our case, the policy change is whether a state has ratified an ILO convention during the previous five years. The variable is lagged by one year to avoid simultaneity bias. For instance, Afghanistan ratified C105 in 1963 and thus our lagged dependent variable scores 1 from 1964 to 1968. It should be noted that this may lead to underestimating the spatial effect, if a state's announcement of the intention to ratify is sufficient to trigger a reaction in other states. The reason for the five-year cut-off point is that, after some time, the external effects of ratification should disappear, with other countries either having ratified the same ILO conventions or having decided not to "react".⁶⁴

⁶³ Database available at <http://www.ilo.org/ilolex/english>.

⁶⁴ As reported below, we check the robustness of our results when changing this value to three and seven years respectively. The five-year cut-off point is also consistent with the operationalization used by Egger and Larch 2008 in a spatial econometric analysis on the proliferation of trade agreements.

We weigh the influence of policy change on other states in a way that approximates as closely as possible the theoretical logics of rational institutionalism and sociological institutionalism. Hypothesis 1 generates the expectation that the degree to which state A will respond to B's ratification by ratifying the same convention itself depends on the degree of economic competition between A and B. To measure the degree to which two countries compete in the same market we follow Elkins, Guzman and Simmons.⁶⁵ Specifically, we disaggregate trade flows to the sector level and then assessed whether countries export the same basket of goods. We used data from the World Bank's World Development Indicators database, which allows disaggregating exports by 12 sectors (agricultural raw materials, arms, communications equipment, food, fuel, high-technology goods, insurance and financial services, international tourism, ores and metals, other commercial services, transport services, and travel services). To arrive at an index of export similarity, we correlated the export mix of all countries.⁶⁶

Formally, the spatial weight of the variable ECONOMIC COMPETITION for state A is:⁶⁷

$$ECONOMIC_COMPETITION_A = \sum_{B,C,D,\dots} \left[EXPORT_SIMILARITY_{A,B,C,D} * ILO_CONVENTION_{B,C,D,\dots} \right] \quad (2)$$

Where ILOCONVENTION is a dummy variable that takes the value of 1 if country B (C, D ...) ratified a given ILO convention during the previous five years and C and EXPORT SIMILARITY is the variable described above that ranges between -1 and 1.

Hypothesis 2 generates the expectation that state A is more likely to ratify a convention if it has been ratified by states with whom it interacts within socializing environments. We capture the concept of socialization opportunities by treating IGOs

⁶⁵ Elkins et al. 2006, 830.

⁶⁶ This provides a more fine-grained analysis than Chau and Kanbur (2001), who classified countries into five categories: exporters of manufactures, primary products, fuel, services, and diversified exporters, on the basis of 1988-1992 data.

⁶⁷ The spatial matrices have been calculated using the software MATLAB 7.0, whereas estimations are computed using the software STATA 11. We do *not* row-standardize our weighting matrix because of theoretical and methodological reasons. Indeed, in line with our theory we are interested in the absolute pressure on a country independently of the pressure on another country. Moreover, row-standardization does not come without consequences and may impact inference (Plümper and Neumayer 2010, 428-31).

as social environments and counting the number of shared memberships in IGOs. The empirical implication is that, if state A has a high number of joint memberships with country B, A is more likely to ratify an ILO convention if B has ratified it already. Data are from the dataset on dyadic memberships in intergovernmental organizations COW, Version 2.0.⁶⁸ Formally, the spatial weight of the variable *SOCIALIZATION* for a country A is:⁶⁹

$$SOCIALIZATION_A = \sum_{B,C,D,\dots} \left[IGOs_MEMBERSHIP_{A,B,C,D} * ILO_CONVENTION_{B,C,D,\dots} \right] \quad (3)$$

In the previous section we noted several additional implications of the socialization hypothesis. One of them is that states could be influenced by other states not (only) because they have many actual opportunities for social interaction within IGOs, but (also) because they feel to be culturally similar in some way. In other words, the effect of a peer-specific logic of appropriateness may be more diffuse and indirect. To capture these diffuse effects, we examine whether the probability that state A ratifies a convention increases if it has already been ratified by a state B that is culturally close to country A. Building on work by Elkins, Guzman and Simmons,⁷⁰ we construct three different spatial weight matrices measuring cultural proximity to capture this effect. Each of the matrices uses a different proxy for cultural distance: whether two countries share the same predominant LANGUAGE, predominant RELIGION, and a COMMON COLONIAL HERITAGE. The correlation among these three spatial terms is quite low, i.e. $\rho < 0.3$.

Another additional implication noted above is that we should expect the effect of joint IGO membership on ratification to be stronger for IGOs that provide better opportunities for socialization. We test this implication by examining a subsample of IGOs, which consists of IGO that are classified as "structured" or "interventionist" by Ingram, Robinson and Busch and excludes those they classify as "minimalist" (and those they separately classify as "industry specific").⁷¹

⁶⁸ Pevehouse et al. 2004.

⁶⁹ We use the natural logarithm of this spatial term to minimize the impact of outliers. Note: results do not change substantively if the log transformation is omitted.

⁷⁰ Elkins et al. 2006.

⁷¹ Ingram et al 2005.

Control Variables

Beyond spatial terms, other factors are likely to influence a state's decision to ratify an ILO convention. Hence we include several economic and political control variables in our model to avoid overestimating the effect of the main explanatory variables. Indeed, the ratification of the same conventions may happen due to correlated unit-level factors or exogenous shocks that are common to various country countries. Most of these variables are lagged by one year to avoid endogeneity problems.

In the baseline model, we include GDPPC and (the logarithm of) POPULATION, which measure economic development and country size respectively.⁷² We also control for the type of political regime. Specifically, the variable REGIME ranges between -10, perfect autocracy, and +10, perfect democracy. Data are from Polity IV (2009). LEGAL TRADITION is a dummy variable that scores 1 if a country has a common law system; 0 otherwise.⁷³ We add a dummy that scores 1 during the Cold War period, i.e. before 1989. Finally, we include a variable counting the number of countries that have already ratified the relevant convention in previous years and another variable counting the number of countries that have ratified that convention in t-1. These variables control for external shocks that might affect the decision of countries to ratify. We label these variables CUMULATIVE RATIFICATIONS and RECENT RATIFICATIONS respectively. Table 1 summarizes the univariate statistics. For the reasons explained in the previous section, we control also for the number of ABSOLUTE IGO MEMBERSHIPS that states have individually (as opposed to joint memberships at the dyadic level).

Findings

We run a regression of the baseline model including only a small number of control variables. First, we evaluate the overall model fit using Cox-Snell residuals.⁷⁴ Figure 1 shows that there are no concerns of lack of fit by comparing the jagged line to the

⁷² Data are from IMF (2008) and World Bank (2008), respectively

⁷³ Data are from Ayyagari et al. (2006).

⁷⁴ Cox and Snell 1968.

reference line.⁷⁵ When plotting the Nelson-Aalen cumulative hazard estimator for Cox-Snell residuals, some variability is still expected, especially in the right-hand tail. This is because of the reduced effective sample caused by prior failures and censoring (Cleves et al. 2008: 216). Problems of prior failures and censoring are particularly severe in case of C29, since the vast majority of countries ratified this convention before 1990. This is the reason why there is some variability in the right-hand tail of Figure 1a. Moreover, the Harrell's C concordance statistics is 0.67 for both C29 and C138.⁷⁶ Overall, the predictive power of our baseline model is therefore rather good.

TABLE 3 AND TABLE 4 ABOUT HERE

Table 2 and Table 3 report the results of this exercise for each of the seven core conventions. There is strong support for Hypothesis 2. Indeed, coefficients of *SOCIALIZATION* are positive and statistically significant at 95 per cent level for all conventions except C87 and C105. This indicates that, if state A has a large number of joint memberships in IGOs with another state that has previously ratified an ILO core convention, country A is more likely to ratify the same convention. Support for Hypothesis 1 is much weaker. *ECONOMIC COMPETITION* is positive and statistically significant at 95 per cent level only in the case of C105. For all other ILO core conventions, the probability of ratification by state A does not increase if A's competitors have ratified.

The impact of *SOCIALIZATION* on the dependent variable is not only significant, but also substantively large. Figures 2a and b, Figure 3a and b, and Figure 4 illustrate the magnitude of the effects of *SOCIALIZATION* on the probability of ratification. We focus on the conventions for which this variable is statistically significant. Moving from a standard deviation below the mean to a standard deviation above the mean of *SOCIALIZATION* makes a country substantially more likely to ratify an ILO convention. Specifically when the value of *SOCIALIZATION* is a standard deviation *above* the mean, over the 40 year period a country's survival rate falls to 0.2 for C29, to 0.4 for C98, to almost 0 for C100 and C111, and to less than 0.6 for C138. Overall, therefore, this

⁷⁵ Figure 1 refers to the goodness-of-fit of C29 and C138 that are similar to the goodness-of-fit of the other conventions.

⁷⁶ Harrell et al. 1982.

model provides major support for the argument that socialization is an important driver of the diffusion of ILO conventions.

FIGURE 2 AND FIGURE 3 ABOUT HERE

Our findings are also relevant for the three additional implications noted in the previous sections. First, there is no evidence that cultural proximity matters in the diffusion of ILO convention. The spatial term capturing cultural proximity is never statistically significant in the six models.⁷⁷ This suggests that direct and institutionalized channels of socialization are more effective than diffuse and indirect ones. Second, as expected and as showed by Figure 5, joint membership in the subsample of "structured" and "interventionist" IGOs has an even stronger impact on ratification than in the overall IGO population.⁷⁸ Third, joint IGO memberships have an effect even after controlling for the ABSOLUTE IGO MEMBERSHIPS of countries, which confirms that the spatial effect is separate from the fact of possessing more connections to the global IGOs network.

Among the other control variables, LEGAL TRADITION, POPULATION, and RECENT RATIFICATIONS seem to be important predictors of the probability of ratifying ILO conventions. These results are in line with previous studies.

Robustness Checks

To check the robustness of the results, several other analyses have been performed. First, to avoid the omitted variable problem, we added additional control variables that might influence the probability of ratifying ILO conventions. We did not include them in the main model because these variables contain numerous missing data, thus dramatically reducing our sample. We control for the FOREIGN AID (as percentage of GDP) received by a country, the presence of CONSTITUTIONAL HURDLES for the

⁷⁷ We report the results of culturally proximity based on shared COMMON COLONIAL HERITAGE. Results with common LANGUAGE and RELIGION are very similar.

⁷⁸ We report the survival curves in relation to C98 and C138. Results for the other conventions are similar and are available upon request.

ratification of international treaties, and the NUMBER OF NGOs with membership in the country. Moreover, we control for the political orientation of the government (PARTISANSHIP). It would be advisable to include a measure of the bargaining power of labour in the domestic economy, but such measures are available only for a small subset of countries. As imperfect proxies for the power of labour we use ILLITERACY RATE, PRIMARY SCHOOL ENROLMENT, and UNEMPLOYMENT RATE.⁷⁹ The results of our main variables do not change and are available upon request.⁸⁰

Second, we analyze whether our decision to have a five-year cut-off point for the effect of the lagged dependent variable influences our results. Specifically, we lagged the dependent variable by three years and seven years. Third, following the suggestion by Plümper and Neumayer⁸¹, we include year controls in the model. Finally, we re-estimate the previous models using other parametric accelerated failure-time model such as Exponential regression and Gompertz regression. For all these analyses, the results are roughly comparable to these presented above and are available upon request.

Conclusion

Two themes have been voiced again and again by proponents of international labour standards, from the origins of the debate in the early nineteenth century, to the creation of an institutional machinery by the Treaty of Versailles and the revitalization of the ILO at the end of World War II, to recent debates about the social impact of economic globalization. The first theme is that the protection and promotion of labour standards is a normative obligation that sorts “good” from “bad” states – where goodness is, depending on the period and the ideology of the proponent, variously defined in terms of “Christian precepts”, “humanitarianism”, “civilization”, “social justice”, “human rights”, or other foundational values. The second theme is that doing

⁷⁹ Data on foreign aid, illiteracy rate, primary school enrolment, and unemployment rate are from WDI dataset (2010). Constitutional hurdles data are from Simmons (2009) and the data on the number of NGOs data are from Hafner-Burton and Tsutsui (2005). We are grateful to Emilie Hafner-Burton for sharing those data with us.

⁸⁰ The correlation between control variables and spatial variables is low, so multicollinearity does not seem an issue here.

⁸¹ Plümper and Neumayer 2010: 425.

what is right exposes states to the risk of suffering competitive disadvantages in international markets, and that cooperation among potentially competing states is necessary to minimize that risk.

From the point of view of most countries before World War II, states that were considered economic competitors were also perceived as “peers” in an “international society” with shared norms of appropriate behaviour. Decolonization and other processes over the past sixty years reduced the overlap between sets of social and normative peers on the one hand and sets of economic competitors on the other hand. This paper has exploited this divergence in order to assess the absolute and relative importance of social and economic determinants of interdependent decisions to ratify labour rights conventions. This has allowed us to contribute to the growing body of literature that aims to explain the decision to, and timing of, ratification of international treaties by states.⁸²

We based our hypotheses on two influential approaches in IR theory: rational institutionalism and sociological institutionalism. A duration model with spatial lags was applied to a large number of countries over 40 years (1960-1999). Our findings provide strong support for the hypothesis derived from sociological institutionalism. For five of the seven core conventions examined, we found that states are more likely to ratify a given convention if it has already been ratified by states with which it has a large number of joint IGO memberships. This association is not only statistically significant but also substantively important. By contrast, the hypothesis derived from rationalist institutionalism receives much weaker support. For only one of the seven core conventions (C105 on forced labour) there is evidence that states are more likely to ratify that convention if it has already been ratified by its economic competitors. Our findings suggest that (a) states are influenced by what other states do in their ratification decisions; and (b) interdependent ratification is affected more by social norms than by economic incentives.

These findings raise the question of why forced labour stands out in terms of sensitivity to issues of international competition. Forced labour has been the focus of intense controversies throughout the history of the ILO. Before 1960, forced labour was discussed mainly in relation to coercive practices by colonial governments and by governments of the Soviet bloc. After 1960, controversies revolved around the claim

⁸² See for instance Cole 2005; Neumayer 2006; 2007; Simmons 2009; Vreeland 2008.

by post-colonial states that they needed the freedom to “exercise extraordinary powers in their role as emergency regimes in the development effort.”⁸³ Practices such as compulsory “youth labour services” in African countries were widely perceived as necessary to mobilize national resources for development goals, and to this day the ILO’s promotion on forced labour as a human rights issue continues to be resisted by governments that privilege authoritarian methods for economic development.⁸⁴ While the International Labour Office has traditionally stressed the developmental benefits of abolishing force labour (and C105 explicitly prohibits forced labour for purposes of economic development), it also notes that, in a globalized economy, “competitive pressures can have an adverse impact on conditions of employment and, at their extreme, can lead to forced labour”.⁸⁵ A rare cross-national statistical study on the international economic impact of forced labour found that there is a positive relationship between forced labour and comparative advantage in unskilled-labour-intensive goods.⁸⁶ States that are wary of losing that comparative advantage may thus take into account the ratification behaviour of other states in a similar economic condition before deciding whether to ratify.

We would like to point at two main directions for further research. On the one hand, we plan to strengthen the findings of the statistical analysis by considering further possible causes of ratification and by operationalizing the causes already included here in different ways. A few examples must suffice. First, we plan to build on our analysis of a subsample of IGOs and analyse other subsamples in order to assess further theoretical expectations about socialization paths. Second, we intend to examine more thoroughly a hypothesis for which this paper provided some preliminary empirical support, that is, interaction among states within IGOs is more consequential than the absolute level of connections (memberships) that a state has to the IGO network. Third, as we noted above, IGO are only one of possible environments for socialization among policy-makers, and in future research we will attempt to estimate the effect of other relevant venues. Fourth, we will examine the

⁸³ Maul 2007.

⁸⁴ Maul 2007

⁸⁵ ILO 2005: 63.

⁸⁶ Busse and Braun 2003. Links between global economic competition and forced labour are also discussed on the basis of case studies, for instance van den Anker 2004; Lerche 2007.

effect of economic competition further by using alternative ways of operationalizing it, notably the measures developed by Polillo and Guillén and by Cao.⁸⁷ Fifth, we will assess whether spatial effect differ across levels of economic development and historical periods. Sixth, we intend to examine whether the ratification of non-core ILO conventions follows the same logic as the seven core conventions analysed here. On the other hand, our paper has identified broad patterns of association between socialization opportunities within IGOs and ratification behaviour, which are consistent with theoretical arguments developed by sociological institutionalists and other authors working within the Constructivist research agenda. It would be fruitful to complement this large-N work with a detailed process tracing of how interaction within IGOs helps promoting the belief that committing to international labour standards is the “appropriate” thing to do. Such work may also identify the relative importance of social pressure and persuasion as mechanisms of socialization in individual cases. By having shown that IGO networks matter for treaty ratification, we hope to stimulate further and more fine-grained research about *how* they matter.

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⁸⁷ Polillo and Guillén 2005 and Cao 2009.

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Data Appendix

Variables		Mean	Std. deviation	Minimum	Maximum	No. Obs.
Economic Competition	<i>CONVENTION 29</i>	0.49	1.79	-11.7	12.9	3442
	<i>CONVENTION 87</i>	0.49	1.65	-6.54	12.43	3952
	<i>CONVENTION 98</i>	0.43	1.67	-7.19	8.92	3493
	<i>CONVENTION 100</i>	0.70	1.59	-5.82	8.35	4575
	<i>CONVENTION 105</i>	1.17	3.02	-12.33	20.03	4146
	<i>CONVENTION 111</i>	0.80	2.03	-7.91	15.08	5326
	<i>CONVENTION 138</i>	0.51	1.17	-5.63	5.87	4084
Socialization	<i>CONVENTION 29</i>	4.45	1.09	0	6.59	3442
	<i>CONVENTION 87</i>	4.53	1.08	0	6.64	3952
	<i>CONVENTION 98</i>	4.68	1.04	0	6.48	3493
	<i>CONVENTION 100</i>	5.26	0.67	0	6.43	4575
	<i>CONVENTION 105</i>	5.09	1.49	0	7.54	4146
	<i>CONVENTION 111</i>	5.24	0.84	0	6.93	5326
	<i>CONVENTION 138</i>	4.83	1.48	0	6.82	4084
Common Colonial Heritage	<i>CONVENTION 29</i>	1.02	2.03	0	14	3442
	<i>CONVENTION 87</i>	1	1.73	0	11	3952
	<i>CONVENTION 98</i>	1.23	1.80	0	9	3493
	<i>CONVENTION 100</i>	1.25	1.71	0	8	4575
	<i>CONVENTION 105</i>	1.83	2.93	0	12	4146
	<i>CONVENTION 111</i>	1.16	1.56	0	9	5326
	<i>CONVENTION 138</i>	0.59	1.07	0	8	4084
Control Variables	GDPpc	6.75	1.52	3.63	10.83	3442
	Population	14.28	1.71	10.35	20.94	3442
	Legal Tradition	0.26	0.44	0	1	3442
	Cold War	0.70	0.46	0	1	3442
	Regime	-2.32	7.06	-10	10	3442
	IGO	38.37	18.34	1	111	3442
	Cumulative Ratification	87.89	13.98	44	112	3442
Recent Ratification	1.56	2.71	0	19	3442	

Table 1 Descriptive statistics.

VARIABLES	(1)	(2)	(3)
	Convention 29	Convention 87	Convention 98
Socialization	0.610** (0.299)	0.275 (0.252)	0.614** (0.273)
Economic Competition	0.0600 (0.0722)	0.0510 (0.0651)	0.0130 (0.0599)
Common Colonial Heritage	0.131 (0.0869)	0.0954 (0.105)	-0.0343 (0.0838)
GDPpc	0.279* (0.168)	-0.142 (0.143)	-0.176 (0.178)
Population	-0.248** (0.112)	-0.157 (0.116)	-0.186* (0.110)
Legal Tradition	-0.370 (0.405)	-0.824** (0.399)	-0.171 (0.380)
Cold War	0.463 (0.874)	-1.281* (0.746)	0.281 (0.657)
Regime	0.0293 (0.0219)	0.0571** (0.0243)	0.0359 (0.0251)
IGO Membership	-0.0649*** (0.0210)	-0.0121 (0.0167)	-0.0202 (0.0199)
Cumulative Ratifications	0.0276 (0.0240)	-0.0218 (0.0193)	0.0151 (0.0114)
Recent Ratifications	0.182*** (0.0645)	0.172*** (0.0644)	0.248*** (0.0902)
Number of Subjects	79	93	76
Number of Failures	44	45	49
Observations	1128	1721	1229

Robust standard errors in parentheses: *** p<0.01, ** p<0.05, * p<0.1.

Table 2 Cox Proportional Hazard Model: robust standard error clustered by country.

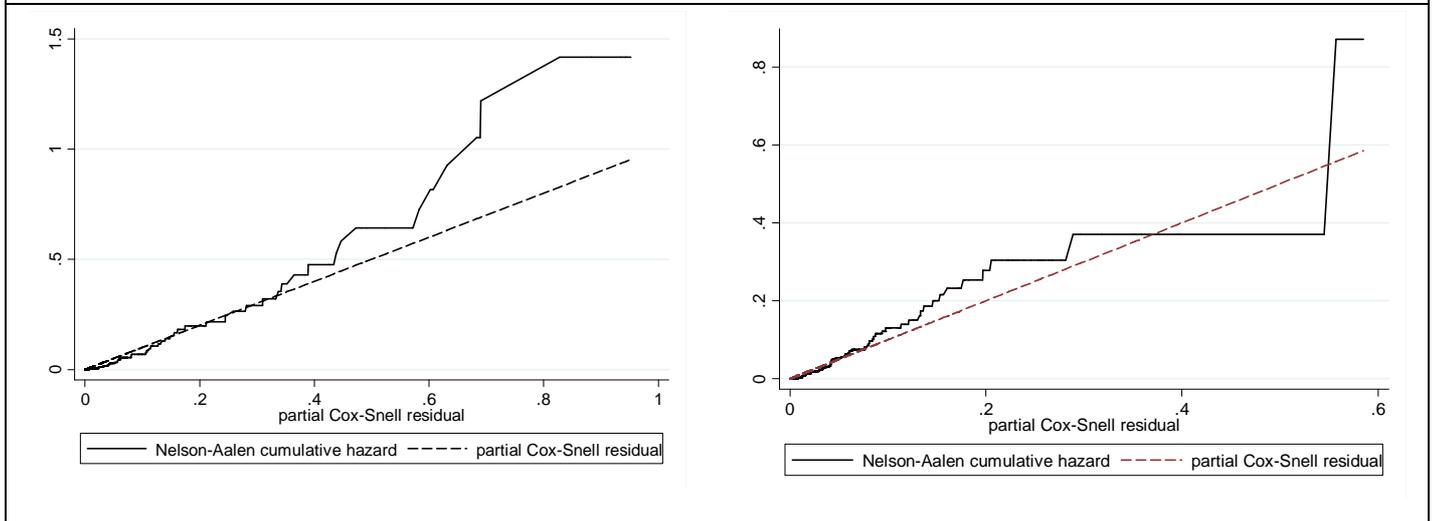
VARIABLES	(4) Convention 100	(5) Convention 105	(6) Convention 111	(7) Convention 138
Socialization	0.742** (0.354)	-0.235 (0.228)	0.547** (0.235)	0.767*** (0.279)
Economic Competition	-0.0110 (0.0642)	0.0737** (0.0295)	-0.0738 (0.0521)	-0.092 (0.120)
Common Colonial Heritage	0.0247 (0.0599)	0.0266 (0.0476)	-0.00288 (0.0654)	-0.045 (0.086)
GDPpc	-0.00555 (0.126)	0.0901 (0.118)	0.0464 (0.116)	0.068 (0.101)
Population	0.0415 (0.0856)	-0.247*** (0.0876)	-0.162 (0.101)	-0.110 (0.098)
Legal Tradition	-0.802*** (0.278)	-0.135 (0.338)	-0.753*** (0.275)	-0.761** (0.349)
Cold War	1.031 (0.702)	-0.662 (0.486)	1.011* (0.557)	-2.36** (1.03)
Regime	0.000583 (0.0178)	0.00450 (0.0202)	-0.0158 (0.0188)	0.024 (0.021)
IGO Membership	-0.00276 (0.0144)	0.0218* (0.0122)	-0.00179 (0.0102)	0.002 (0.010)
Cumulative Ratifications	0.00213 (0.00475)	-0.00992 (0.00872)	0.00487 (0.00568)	0.051 (0.090)
Recent Ratifications	-0.0273 (0.0840)	0.152*** (0.0450)	0.0379 (0.0523)	-0.039 (0.028)
Number of Subjects	101	97	112	142
Number of Failures	69	66	76	61
Observations	1548	1381	1713	2600

Robust standard errors in parentheses: *** p<0.01, ** p<0.05, * p<0.1

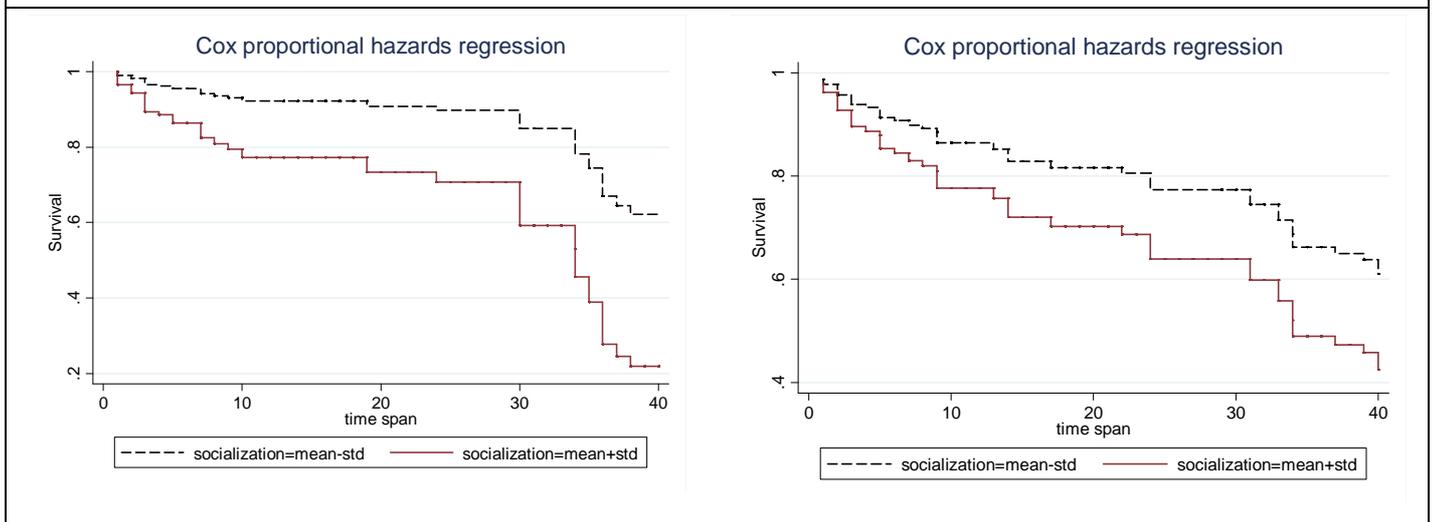
Table 3 Cox Proportional Hazard Model: robust standard error clustered by country.

Note: C138 was adopted in 1973.

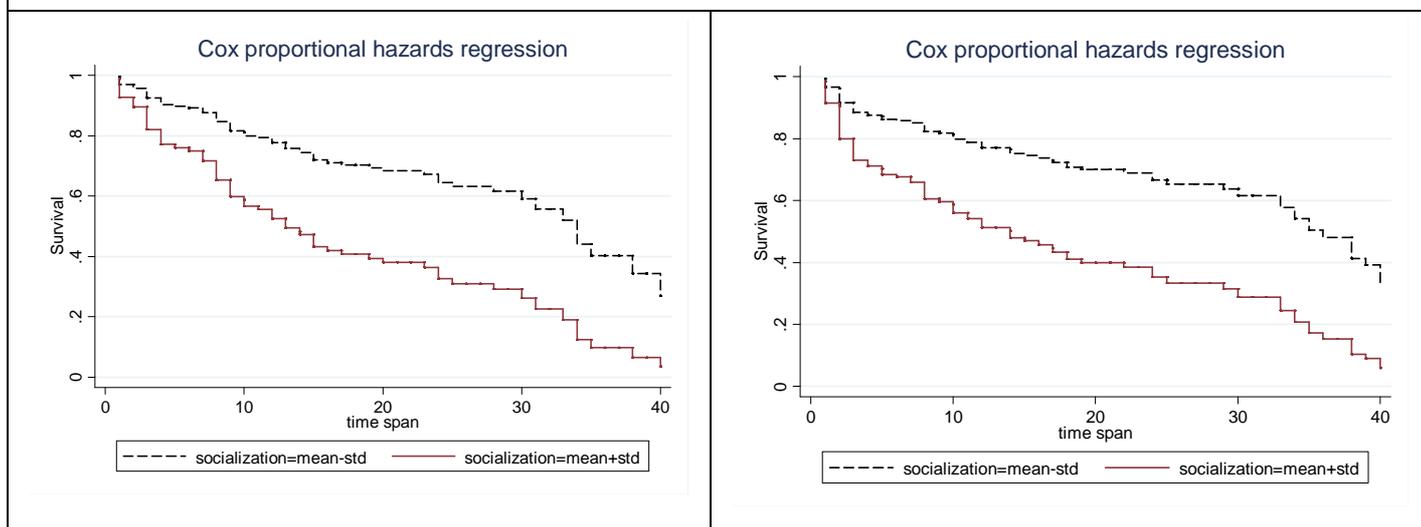
Figures 1a, b. Goodness of fit: Convention 29 and Convention 138.



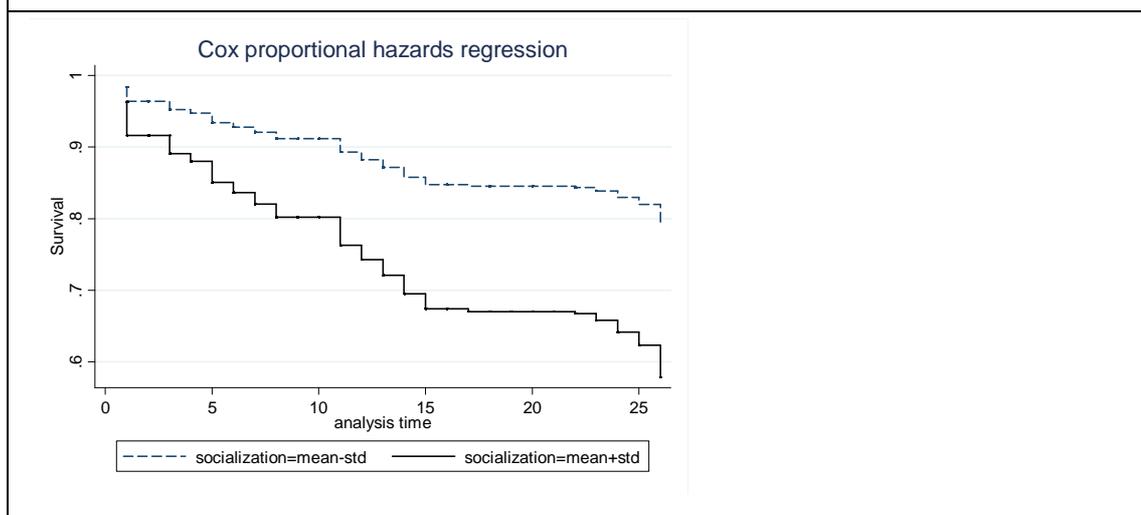
Figures 2a, b. Cox model clusters on countries: survival estimates for Socialization: Convention 29 and Convention 98.



Figures 3a, b. Cox model clusters on countries: survival estimates for Socialization: Convention 100 and Convention 111.



Figures 4, Figures 3. Cox model clusters on countries: survival estimates for Socialization: Convention 138.



Figures 5a, b. Cox model clusters on countries. Survival estimates for Socialization (Convention 98 and Convention 138): only structured, interventionist IGOs.

