
ETHICS OF THE ILO

KOHLBERG'S UNIVERSAL MORAL DEVELOPMENT SCALE¹

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Abstract: International institutions such as the International Labour Organization (ILO) have been examined from various industrial relations viewpoints. This article seeks to discuss the ILO from the standpoint of moral philosophy. Traditionally, philosophy has not been concerned with industrial relations (IR) and IR writers have not engaged with ethics either. Nonetheless, all IR agents and institutions, international or otherwise, are moral agents. Being part of the United Nations (UN), the ILO follows the Universal Declaration of Human Rights (1948). In philosophical terms, the ILO carries connotations of the German moral philosopher Kant's (1724-1084) concept of universalism. Ethical universalism is also the core of American psychologist and philosopher Laurence Kohlberg's developmental model that allows an assessment of moral values and ethical behaviours. To ascertain the ILO's morality, an empirical study (n=121) was conducted at a regional University. The study indicated that most respondents (68%) saw the ILO as a reflection of the morality of "defending everyone's right to justice and welfare, universally applied while applying well-thought principles and being ready to share and debate these openly and non-defensively with others". In line with the ILO's self-understanding, survey respondents also viewed it as a thoroughly moral agent committed to the advancement of humanity as a whole. Respondents also thought that the ILO goes beyond the confinements

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of the standard industrial relations framework, actively engaging with the universality of all people. The overall conclusion is that the way the ILO is perceived to act along the scale of Kohlberg's text matches the ILO's actual existence and work. For the first time, the ILO's moral status has been tested using Kohlberg's scale of morality. This provides a significant contribution to our understanding of the morality of a very important universal institution that has virtually all countries as members.

Keywords: *Universalism, applied ethics, empirical research, Kohlberg, moral development.*

INTRODUCTION. ETHICS AND THE ILO

As a result of 19th century international trade union movements, the International Labour Organization (ILO) was created in 1919 to reflect the conviction that universal social justice can be achieved (Hilgert, 2009; Servais, 2009; Carasco & Singh, 2008; Penfold, 2008; Burgess & Connell, 2008; Maul, 2007; ILO, 2007; Adams, 2006; Berg & Frost, 2005; Dupre, 2005; Fields, 2005; Pember & Lawrence, 2004). The ILO has a tripartite setup consisting of state representatives, employers and trade unions, and is committed to spreading humane working conditions and combating injustice, hardship, and poverty (Maul, 2007, 478; Carasco & Singh 2008, 360). The ILO does not see labour as a commodity (Declaration of Philadelphia, 1994) and sets out basic human and economic rights under the moral principle of "poverty anywhere constitutes a danger to prosperity everywhere". In 1969, the ILO was awarded the Nobel Peace Prize. From its inception, the ILO has positioned itself as a moral institution and ethical agent. To ascertain this, the article briefly outlines core concepts of ethics and provides a summary of Kohlberg's model that touches on many philosophical ideas on morality. This section includes an overview of Kohlberg's seven moral stages. Before concluding, core findings will be presented.

The origins of morality date back to a time when humans began to organise societal forms that reached beyond the animal kingdom demanding some code of conduct to shape human existence. Today, the philosophy of ethics is well established, primarily discussing: virtue ethics, utilitarianism, and Kantian ethics. Kant's moral universalism carries not

only the strongest connotations for the UN and the ILO, but also for Kohlberg's moral stage model (Kohlberg, 1971, 1981, 1984; Gilligan, 1982; Singer, 1994; Wiggins, 2006; Driver, 2007; Martin, 2007; Shafer-Landau, 2007; Samson & Daft, 2009; Klikauer, 2008 & 2010).

But morality's core questions "How do I live an ethical life? What is a good life? What should we do in order to be good?" can, for example, also be answered through utilitarianism, which reflects positively on the well-being of all persons as outlined in its *happiness principle* (Francis Hutcheson, 1694-1746, Jeremy Bentham 1748-1832, John Stewart Mill 1808-73, and Moore's *Principia Ethica* 1873-1958). These thinkers saw the maximisation of good and happiness as the task of morality, creating the principle of the "greatest happiness for the greatest number of people. Consequentialism" (Rawls, 1921-2002) on the other hand, is ethics that judges purely the consequences of human action. Rawls' *Theory of Justice* (1972) emphasises that inequalities can only be justified if they benefit the worst-off in society. Otherwise inequalities are to be avoided. For deontologists, *what is right* exists independently of what is good.

The notion of what is good, as defined by Kant (1724-1084), for example, belongs to a *categorical imperative*. One of Kant's key moral concepts states that "one should never treat someone else only as a means but always as an end" (Klikauer 2010:74). For Kant, this is expressed in two formulas: "act only according to that maxim whereby you can at the same time will that it should become a universal law" and "act in such a way that you treat humanity, whether in your own person or in the person of another, always at the same time as an end never simply as a means" (Klikauer, 2010, 74; cf. Driver, 2007, 87-90).

Aristotle's development of *virtue ethics* includes intellectual and moral virtues. For Aristotle, humans bear two main intellectual virtues: theoretical wisdom and practical wisdom (cf. Burgess & Connell, 2008, 409). Kant transferred parts of Aristotle's morality to a universal level. The ILO can be seen as an institution that represents Aristotle's virtues and Kant's universalism because the ILO continues to denote that morality is universal and belongs to all humanity. The clearest and most powerful expression of Kant's universalism has been the United Nations' *Declaration of Universal Human Rights* (Maul, 2007, 481; Carasco & Singh, 2008, 350). The post-World War II declaration of human rights also reflected Kohlberg's core question: "what caused the inhumanity of Nazi Germany?" (Bauman, 1989). Kohlberg's psychological and philosophical research focused on how humans develop universal moral judgement.

KOHLBERG'S STAGES OF ETHICS

Here the author should explain the goal of this section: presentation of Kohlberg's stages and application to... management? organizations? ILO?

Kohlberg's stages of morality have been applied to many institutions, business and political organisations, and other forms of organised conduct that involve human beings (*cf.* most strongly in education). In the following section, this process is carried out in relation to one of the United Nation's prime institutions, the ILO, because the ILO involves human-to-human conduct, has an extensive record of providing assistance for human problems, and has taken more than a political and economic stance; it is a fully developed moral agent. As such, Kohlberg's stages are applicable to the ILO.

To understand morality, Laurence Kohlberg developed a seven-stage model of moral development (Kohlberg, 1971, 1981, 1984; Mumby, 1988, 1997, 2000, 2001; Deetz, 1992 & 2001; Habermas, 1990; Blum, 1988; Reed, 1987; Goodpaster, 1982).

These stages provide a universalistic foundation as well as a moral structure. In order to understand morality, Kohlberg's scale has been applied to actors and agents in the realm of education, society, workplaces, management, psychology, and philosophy (Linstead, Fulop & Lilley, 2004, 260-264; Martin, 2007, 80-81; Samson & Daft, 2009, 179; Klikauer, 2008, 162ff & 2010; Shaw & Barry, 2010; Trevino & Nelson, 2011).

The seven stages are depicted in Table 1.

Table 1 shows that there are, in fact, eight stages. Kohlberg regarded the stage of zero (0) as somewhat irrelevant to morality arguing that newborns cannot develop moral understanding and therefore morality is not possible at this stage. But their relationship to others, primarily to a mother, still carries moral issues.

Table 1: Kohlberg's Stages of Morality

Stage	Orientation	Moral Motives
0	· Impulsive and amoral	· None
1	· Obedience and Avoidance of punishment	· Irrational dread of punishment · Fear of those in authority
2	· Personal benefits & rewards · Getting a good deal for oneself	· How to get most pleasure and gain for oneself · Calculating the personal risk and payoffs of an action
3	· Conforming to social expectations · Gaining approval	· Avoiding disapproval by associates and close ones · Wanting to be praised, liked & admired, rather than shamed
4	· Protecting law and order · Maintaining the existing system of official social arrangements	· Performing formal duties and responsibilities · Meeting official standards · Working for the best interest of an institution
5	· Promoting justice and welfare within a wider community, as defined in open and reasonable debate	· Following principles that serve the best interest of the great majority · Striving to be reasonable, just and purposeful in one's action
6	· Defending everyone's right to justice and welfare, universally applied	· Applying well-thought principles · Being ready to share and debate these openly and non-defensively with others
7	· Respecting the cosmos as an integral whole · An openness extending well beyond humanity	· Respecting the intrinsic value of the cosmos · This is seen within its wider harmonies and paradoxes reflecting on animal and plant life

AT STAGE ZERO: IMPULSIVENESS

The core principle of stage “0” is “whatever I want at any time” is seen as right, regardless of the consequences and without any form of social concern. This stage cannot be applied to organisations such as the ILO because it deals with fully developed adult human beings and their institutions (states, employers, and trade unions) matured beyond the stage of non-existing moral values. However, at the height of industrialism’s conception (the early years of Taylor’s Un-Scientific Management (Klikauer 2007, 151ff.)) management in many western countries expected from their workforce something that resembled impulsive, reflexive, stimulus-response centred, and child-like behaviour. Today, such child-like behaviour is still misused and exploited in forms of child-labour and child-slavery that has been largely outsourced to developing countries (ILO, 2002; unicef.org; childlaborphotoproject.org; antislavery.org). Present day managerial capitalism attempts to push such highly unethical forms of work out of the spotlight of corporate mass media. But during the early years of Taylorism, “widely adopted systems were totally dehumanising, reducing skilled work to tedium”. A report in the American Machinist suggested “the ideal workers for them would be the mentally retarded. The author advocated a mental age of 12” (Roper, 1983, 73; Marglin, 1974; Klikauer, 2007, 147-148).

Today, all IR agents have a developed, mature and moral understanding when entering into social arrangements (Carasco & Singh, 2008, 347). Nevertheless, even morally conscious behaviour can be targeted by what has been called *scripted behaviours* when child-labour and work tasks have to be carried out with little or no conscious awareness. Essentially, they are made to follow a pre-organised script, almost like a movie script. Highly routine activities conducted in extremely familiar settings that provide clear schemata for well-developed work patterns (just as prescribed by Taylor) are carried out in an absent-minded or mindless fashion. The reason for conducting such actions is often deeply embedded in *scripts*; at least that is what individuals are made to believe. Rational reasoning is seen as being enshrined in managerial processes. Those on the operative side, children and adult workers, are made to feel that they do not need to monitor the morality of an action conducted as *scripted behaviour*.

AT STAGE ONE: OBEDIENCE AND PUNISHMENT

Obedience and punishment play a powerful role in human lives (Kafka, 1919; Adorno, 1944, 74; Milgram, 1974; Bauman, 1989; Hilgert, 2009, 26f.). Behavioural scientists such as Skinner have applied punishment to animals (e.g. rats and pigeons) and humans in an attempt to equalise animals with humans under the false equation *animal behaviour* = *human behaviour*. Linguists such as Chomsky have sharply criticised this practice, noting that animals and humans are not the same (Chomsky, 1959 & 1971). Punishment, along with positive and negative enhancement, has been one of the core elements of Skinner's theory on conditioning that can be found in virtually every management, workplace and organisational psychology textbook (Schultz, 2010; Landy, 2010; Levy, 2009; Matthewman, 2009; Marin & Pear, 2007; Lemov, 2006; Baum, 2005; Arnold, 2005, 614ff.; D'Agostino, 1986; Mackintosh, 1983; Katz & Kahn, 1966; Chomsky, 1959, 1971). In his critique, Chomsky writes (1971, 33): "except when physically restrained, a person is the least free or dignified when he is under threat of punishment". While management hardly ever restrains workers physically at workplaces, the threat of punishment (wage deductions, loss of employment, etc.) has not ceased. Inside Skinner's model of obedience for punishment avoidance, management would be seen as highly dictatorial if it allows people in authority to use punishment. In this model, rules are set in a non-democratic, managerial, authoritarian, and dictatorial way and they must be precisely obeyed. Disobedience will lead to punishment such as fines, warnings, demotion, etc. This is to be avoided (Bauman, 1989; Chomsky 1971, 33; Arendt, 1951, 1958 & 1994; Reich, 1946). Managerialism as "Management by Fear" conveys exactly that (Monk, 1997, 57; cf. Jerico, 2009, Klikauer, 2008, 164; Parker, 1998, 2002, 2003; Adorno, 1944, 22).

At this stage, an organisation's authority (the power associated with the position of an organisation) is enshrined in what constitutes the hierarchical relationship. Without hierarchy, authoritarian relationships are hardly possible. Agents within hierarchical structures have a clearly defined position and those at the bottom are still made to believe that they have subordinates, even though these might be externalised (wives, husbands, children, pets). The patterns of such cemented hierarchies are authoritarian, asymmetrical, aggressive, violent, unequal, and domineering relationships. In hierarchies that produce authoritarian relationships, each level has authority over the level immediately below and all subsequent

levels. The structure is pyramid shaped. For an organisation's internal dialogue, for example, such settings would mean that a pyramid is designed to generate authority and to create narrow pathways to the top even though these remain illusory for the vast majority at lower levels (Katz & Kahn, 1966, 352, Klikauer, 2008, 161-165). Within the hierarchy of authoritarianism, conformity is directed towards the stability and sustainability of authority. This is not based on pay, praise, and promotions but on obedience and the avoidance of punishment (Marcuse, 1966; Foucault, 1995; Leslie, 2000; Jerico, 2009).

AT STAGE TWO: BENEFITS AND REWARDS

At stage two, essentially an organisation acts in its own interest (Delaney, 2005). It acknowledges that making deals with others may be necessary in certain situations; however such deals are governed purely by self-interest (Chomsky, 1994, 9). If an organisation deems a working relationship with others to be absolutely necessary, it is conducted through *give and take* bargaining (Hilgert, 2009, 31). Relationships with other agents only take place when they serve organisational interests and, if at all necessary, are reduced to win-lose strategies. Any information provided to others is viewed as an organisational loss. Relationships are reduced to a mere instrumental tool without having any intrinsic value and end in-itself (Kant). Consequently, organisations tend to ignore their own members and others external to the organisation. Internally, employees at lower levels are made to feel like cogs in a machine. Organisations frame these lower cogs as *objects of power*, forcing them into a framework in which they are reduced to aspiring to be a bigger cog (Bauman, 1989). This has been called career and performance management.

At this Machiavellian stage, the key to success is the desire to manipulate others for one's own benefit representing a *me-myself-and-I* view of social dialogue settings (Schrijvers, 2004). In *all against all* (Hobbes, 1651), the use of strategy, deception of the enemy, is the order of the day and forms of deviousness and deception may be applied whenever required to get ahead (Klikauer, 2007, 130ff.). Machiavellian personalities can be found working successfully in professional occupations, particularly those that deal with people (Schwartz, 1990; Jackall, 1988 & 2010). They excel at bargaining and (even more so) at negotiating a better deal for themselves.

AT STAGE THREE: CONFORMING TO EXPECTATIONS

Organisations at this level tend to force others to be supportive to them to prevent these three agents from assuming any critical or contradictory positions. Avoiding such criticism ensures that an organisation's self-interests are not exposed and hurt. Other agents are made to show loyalty and live up to an organisation's expectations. Relationships at this stage are based on seeking approval and endorsement. Social relationships and interpersonal communication are highly distorted and monopolised. Stage three is also the stage where an organisation no longer directly attacks others (Adorno & Horkheimer, 1944, 12). Instead, compliance is constructed around the use of trust portrayed as a one-dimensional interest to convey an organisational image of "we are all in the same boat" (Stewart, 2007, 73; Klikauer, 2007, 198; Korczynski, 2000).

Organisations use inclusive language to support compliance or social exclusion for non-compliance, forcing others to value an organisation for its own sake (Maul 2007, 477). Organisational thinking becomes a self-image for everyone who believes in a shared interest. By identifying themselves with an ideology that defines all interest as organisational interest, everyone becomes part of managerialism. Such identification only serves organisational submissiveness and conformity. Individuals who have been socialised towards managerial work regimes "carry institutional roles as conforming workers to transient settings that simulate the authority setting for more permanent organisations" (Katz & Kahn, 1966, 304). If employees move from primary socialisation (parents and schooling) into work regimes they carry authority-conforming elements and will continue to do so (Klikauer, 2008, 132 & 166; Lemov, 2006; Jex, 2002, 62 & 87; Alvesson, 2002). After years of primary socialisation, employees recognise the symbols of authority that demand conformity within work regimes. In short, the school principal's office becomes the work supervisor's office (Bowles & Gintis, 1976; cf. 1981 & 2001; DeVitis, 1974).

Acceptance of authority and conformity is policed through hierarchical structures that mirror the structures previously adopted at school (Bowles & Gintis, 1976). In primary and secondary socialisation processes expulsion or the threat of expulsion for non-conformers has been part of the system (Klikauer, 2007, 183-204). In managerial regimes, individuals are converted from human beings to human resources to create organisational rather than human behaviour. These organisational human resources tend to carry with them a tremendous amount of conformity-enhancing

attitudes (Klikauer, 2010, 81 & 101). Since the ILO is not a profit-making company this does not apply to its organisational members. In companies, however, everyone is made to behave within the conforming boundaries set by organisations and accept these boundaries as legitimate; thus the structure of authoritarian conformity lives on. To a very limited extent, this may also apply to the ILO because its internal structure is, by definition, multi-cultural due to its status as a United Nations agency.

AT STAGE FOUR: RULES, LAWS, AND ORDER

At stage four, employees are made to see their role by performing operative duties as designed, overseen, and enforced by management (Scott 2005, 173ff., Laffer 2005, 274-276). At this level, organisations such as the ILO would focus on creating and enforcing roles and duties seeking to uphold policies, formal regulations, rules, directives, conventions, laws, and procedures (Knowles, 1955; Atleson *et al.*, 2008, 50-109). These are means-ends generalisations as they tell state representatives, employers, and trade unions what to do and how to behave using a technical and bureaucratic language that enforces rule compliance. Inevitably, however, rules must be linked to those who are supposed to follow them in order to be follow-able so that others can be made to comply with such rules and follow them rather than break them. Secondly, rules are prescriptive as they direct actions towards what *ought to be* and away from what *ought not to be*. Thirdly, rule-governed behaviour must be adjustable so that those who do not conform can be exposed to rule-adjustment initiatives. In general, rule-deviance is evaluated negatively while conformity and compliance are evaluated positively.

Organisations set impersonal rules to decrease the visibility of power relations. Rule-based patterns of behaviour are portrayed as being free from power and conflict. They take on a neutral and natural appearance. Everyone only needs to adapt to the natural force of the managerial rule. All others are made to subscribe to properly formulated rules and procedures that are more serious to those being ruled over than to the rule-creators. People are captured in the ideology of rule-obedience because they “immovably insist on the very ideology that enslaves them” (Adorno & Horkheimer, 1944, 12). This ideology strongly conveys to them that sectarian (i.e. management) goals are universal goals. Social relationships and communication represents distortions and instrumentalism that takes

place within instrumental rationality directed towards system integration (Lockwood, 1996; *cf.* Hilgert, 2009, 35; ILO, 2006).

AT STAGE FIVE: JUSTICE AND WELFARE

At this stage, an organisation such as the ILO shows a strong interest in the betterment of social affairs, human, civil, political, and economic justice, and human welfare (Budd & Scoville, 2005, 5; Bowie, 2005, 61ff.). Ethics is largely internalised so that insiders and outsiders understand the ILO as being an ethical agent with *corporate social responsibilities* (Windsor, 2006; Subhabrata, 2007). Internally, ethics is not reduced to having in place an ethics policy, an ethical code of conduct, and ethical issues are not created as an add-on. Instead ethics and morality take centre stage. Moralities are never reduced to being a surplus, a kindly afforded substitute to the process that adds value to the operation (McWilliams's 2006, 1, Clegg, *et al.*, 2006). Instead, ethics is an inherent part of all activity representing the exact opposite of what Watson (2003, 48) has expressed thus: when those who speak the managerial language

wish to demonstrate their concern for the less fortunate or the less profitable, or the community at large, they speak of addressing the triple bottom line through corporate social responsibility known as CSR...Principally...their language has been stripped of meaning. They don't have words like generous, charitable, kind, and share... welfare, wealth transfer, social service, social benefit, social policy, and social contract (Maul, 2007, 478).

At stage five, all agents are able to move beyond organisational confinements. Participatory forms of relationships are opened up to enable all IR agents including the ILO to remove distorted and asymmetrical relationships and challenge domination and hierarchies. This process lays the foundations for positive communicative relationships directed towards social dialogues that are governed by the basics of *participatory democracy* (Klikauer, 2008; Eriksen & Weigard, 2003, 112; Habermas, 1997). The ILO's tripartite setup of state representatives, employers, and trade unions is a classic example of an organisation that has not only internalised undistorted communication but also has it as its basic organisational principle. But at stage five, two different concepts of relationship still collide.

There are still remnants of non-democracy and instrumentalism enshrined in earlier stages (2-4) that are held up by some organisational members. However, the formal structure and moral attitude of the ILO and IR participants support forms of *participatory deliberative democracy*, encouraging non-instrumental and open dialogue that is not confined to efficiency and means-ends ideologies. Instead, this allows all agents to find communicatively established agreements directed towards human rights and principles of participatory democracy. These are seen as ethical even if some existing institutions (employers, management, business, and some states) do not support them.

Stage five also denotes that concern for the greater good is developed over and above the organisational needs of the ILO. The ILO serves a wider public interest when universal principles of basic justice and human rights are followed (Hilgert, 2009, 35; Burgess & Connell, 2008, 413; Carasco & Singh, 2008, 363f.). The influence reaches far beyond present forms of system-stabilising rules, conventions, and laws. Political and communicative relationships between all IR agents start to shift away from instrumentalism. All three agents are no longer confined to the instrumental purpose of limiting constituencies. Instead social action directed towards truth, mutual understanding, and democracy is encouraged and organisationally secured.

AT STAGE SIX: UNIVERSALLY APPLIED JUSTICE AND WELFARE

Stage six starts with the application of well-thought-out moral principles. The ILO and all three IR agents are ready to share and debate these openly and non-defensively with each other. Relations become less distorted and move away from self-serving goals (Klikauer, 2007, 55). Social relationships and communication are established in a trustful way based on principles concerning respect for the other's side as an end in itself. Respectful, non-distorted, and open discussions are established to enable all IR agents including the ILO to adopt a reflective and self-critical approach in ethical decision-making. Under these provisions, participants are constantly asked to review all forms of discourse and consistencies in decision-making processes. Distorted instrumentalism is rejected once all participants start to move towards combined action under symmetric conditions. As a result, all asymmetrically distributed power relations that prevented *Ideal Speech* (Habermas, 1997; Klikauer, 2008, 160-178) and

all forms of communication that had been dominated by power can now be overcome. Under management's domineering power, relationships between agents are externally directed. The aim of such *other*-directed forms of communication is to make other modes of thought impossible. This constitutes TINA: there is no alternative (Klikauer, 2007, 145 & 2008, 8-9). However, in sharp contrast to TINA, stage six is directed not only towards enabling such thoughts but actively encouraging them.

This is also the stage where "defending everyone's right to justice and welfare is universally applied". Rather than limiting initiatives to organisational goals, special subject areas such as IR, and the wider society, these principles are, for the first time, universally applied. Institutions at this level truly operate at the level prescribed by Kant's universal categorical imperative. For Kant, this means that nobody should be treated as means to achieve an end. Kantian morality denotes: "act in such a way that you treat humanity, whether in your own person or in the person of another, always at the same time as an end never simply as a means" (Klikauer, 2010, 75). Human beings are viewed as an *end in themselves* (Kant) rejecting all means-ends ideologies. But Kant's categorical imperative has a further formula: "act only according to that maxim whereby you can at the same time will that it should become a universal law" (Klikauer, 2010, 69). Kant demands that all actions taken by organisations have to be transferable to a universal level. These ethical demands have to be categorical imperatives and not hypothetical imperatives. This means that they are moral imperatives that *have to be* or *must be* established without hypothetical if-then constructions, ifs, buts, maybes, etc. Kantian ethics simply do not leave any room for limiting conditions and moral relativism (Klikauer, 2010).

AT STAGE SEVEN: BEYOND UNIVERSAL HUMANITY

At stage seven, ethical rights are extended beyond issues that are immediately useful to IR, ILO, state representatives, employers, and trade unions. They are established and directed towards humanity as such. Human rights are applied to a wider context rather than being restricted to humans alone. Ethical awareness goes beyond fellow humans. It embraces other forms of life such as animal species and ecological systems regardless of their social utility (Singer 1993, 1994, 2000). At stage seven the relationship between all IR agents includes relationships directed towards the inclusion

of issues related to nature, environment, plant life, and animals. At that level, the ILO and IR agents need to develop an awareness of the integrity of the environment and other systems. Ethics at stage seven is linked to human society, animal existence, and plant life outside the confines of industrially determined usefulness. All human-nature links have to gain in importance if ethics is to be achieved irrespective of their immediate importance for *Homo sapiens*.

ASSESSING THE ILO'S MORALITY

Empirical research for positioning the ILO along these seven levels of morality was conducted during July 2009. The study comprised 121 respondents of mostly third-year undergraduate university students in the field of IR/HRM. Approximately, 3/5 were employed in non-IR/HRM related positions whilst 2/5 held IR/HRM positions of mostly between 5 and 15 years in public and private organisations such as AAPT, Ainsworth Game Technology, AMWU, ANZ, APRA, ATO, Barclays Bank, Boral, Citi-Band, Coles, Commonwealth Bank, Credit Suisse, Customs, Dell, EDS, IKEA, Goldman-Fiedler, Hal Group, Macquarie Group, Mission Australia, NetX, NSW Police, NTEU, P&O, Qantas, RailCorp, Sungard Software, Westmead Hospital, Woolworths, etc. Respondents were asked the following question:

In International and Comparative Employment Relations we find the ILO (International Labour Organization) as the core international agent. The ILO's structure reflects Dunlop's Three Agent Model (1958) of: a) workers and trade union representatives, b) management and employer representatives, and c) representatives of states. It has a truly tripartite setup dedicated to "the universal improvement of the working lives of all people". Assess the ethics of the ILO. In your answer, you are strongly encouraged to refer to: Kohlberg's seven stages (1-7) of morality (Linstead *et al.*, 2004; Book of Readings, 2009).

Respondents were domestic students at a regional university enrolled in a subject called International and Comparative Employment Relations who had completed the prerequisite of Managing People at Work, a generic introduction into IR and HRM as part of their Bachelor of Business and Commerce (BBC) degree. Respondents were able to attend lectures on the ILO and on Universal Ethics/Human Rights where Kohlberg's scale was discussed in detail. This familiarised them with the model. The survey was

not a multiple-choice questionnaire. Instead, respondents were asked to justify their choice. Survey results are based on textual analysis of written responses. In four cases respondents allocated stages *five to six*, *five and six*, *between five and six*, and *five or possible six*, two numbers (5+6). These very few respondents mentioned, for example, that the ILO covers areas such as its internal democratic processes, its external commitment to human betterment, and work for universal social welfare as simultaneous aspects of the ILO covering more than one of Kohlberg's stages (5 & 6). The results of the survey are shown in figure 1 (n=121):

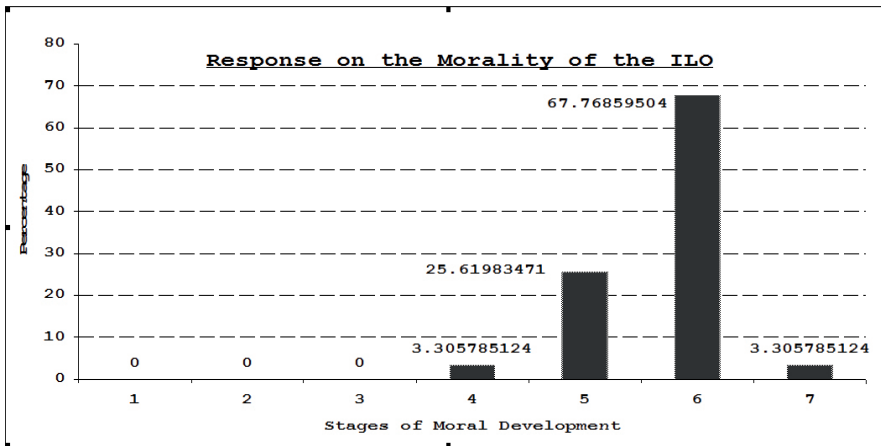


Figure 1 shows that the vast majority of respondents thought that the ILO's morality is reflective of stages 5 and 6. No respondent thought that the ILO's morality is located at stage zero (impulsive behaviour), stage 1 (obedience and avoidance of punishment), stage 2 (personal benefits & rewards and getting a good deal for oneself), or stage 3 (conforming to social expectations and gaining approval). In other words, the ILO is seen as a moral agent that does not act out of sheer obedience to others (e.g. UN, state representatives, employers, trade unions). The ILO is also not seen as acting out of self-interest. It does not act for its own benefit and is not interested in receiving rewards and getting a good deal. None of these are moral motives for the ILO.

Similarly, only 3.3% of respondents thought that the ILO's moral motives are to be found at stage 4 (protecting law and order and maintaining the existing system of official social arrangements). Furthermore, the

ILO is not seen as an institution whose primary occupation should be to maintain law and order. Instead, it is seen as being located beyond the confinements of *law and order*. In other words, when country specific laws and IR practices endorse violations of labour rights and human rights, the ILO is seen as an institution that goes beyond such laws in favour of morality and human rights.

Finally, the ILO is not perceived as an organisation that has achieved the moral level of 7 (beyond humanity directed towards animal rights and plant life). In other words, respondents thought that the ILO is an institution that is primarily concerned with human affairs.

The overwhelming majority of respondents allocated level 5 and 6 to the ILO, accounting for 93.4% of all responses. The distribution between 5 and 6 represents 25.6% for stage 5 and 67.7% for stage 6. At least $\frac{1}{4}$ of all respondents thought that the ILO's morality represents the morality of "promoting justice and welfare within a wider community". Undoubtedly, the ILO is seen as a moral agent that goes beyond the confinements of traditional IR issues. In other words, it is widely accepted that the ILO acts on behalf of society and does so universally. The ILO is not seen as an institution that restricts itself to issues exclusively relevant to state representatives, employers, and trade unions. The task of the ILO, as seen by respondents, is to go beyond such restrictions. The ILO is seen as a universal institution with a universal moral stand, and a universal area of involvement. The ILO has not been viewed as an institution that primarily conserves and maintains law and order. Instead, it is a moral force that reaches beyond the confinements of *what is* to engage in *what ought to be* (Kant). It is not seen as an institution that strives to maintain, preserve and conserve the status quo, but rather a progressive, outgoing and challenging institution that has positive social change at its heart.

In addition to Kant's categorical imperatives and universalism, morality at level six also includes a number of other philosophical provisions. Its core is to be found in "defending everyone's right to justice and welfare, universally applied". Firstly, the idea of rights carries connotations of Hegel's *Philosophy of Rights* (1821). In other words, human beings have rights. For example, the protection of children from the labour process is a right that children have and not something that employers and management can grant or withdraw. Secondly, the right to justice also relates to Rawls' philosophy of justice (*Theory of Justice*, 1972) arguing that perhaps justice is the single most important issue for ethics. Finally, this is to be applied universally. Universalism is strongly associated with Kant,

advocating that morality is not something that is dependent on individual groups and cultures but something that applies to all (Alvesson, 2002).

Morality is universal, not individual, regional, cultural, and societal. This strongly negates the cultural argument and philosophical relativism. It also demands from IR institutions such as the ILO that it should not just be concerned with the wider society as outlined in the morality of stage five but that it should instead direct its attention towards a universal approach. Stage six supersedes stage five just as universalism supersedes the wider society. In other words, child labour, for example, cannot depend on a specific culture, society, or employer. It is to be condemned universally. In sum, there is a strong correlation between the actions of the ILO and the responses that have allocated the ILO at stage six. The ILO's morality on child labour, for example, reflects exactly the stage it has been assigned by the overwhelming majority of respondents. The ILO has condemned child labour universally, worked endlessly towards that goal, and respondents have assigned the moral stage of six to the ILO reflecting exactly that.

In addition, the ILO is thought to apply well-thought-out principles. It is seen as an institution that not only acts on a tripartite policy and structure but also has it as a well-thought-out principle (Dunlop, 1958). In short, such a well-thought-out principle does not see the world of work through managerialism and HRM with managerial hierarchies within a top-down command structure that originated in the military (Klikauer, 2007, 132ff.; cf. Johnson, 2007). Instead, it sees the world of work as an outcome of interplay between three agents. The ILO is also seen as an institution that discusses issues in open and reasonable debate. The ILO is not seen as arranging its affairs in a non-public way but debating its issues openly. The ethical demand of an open and reasonable debate carries strong connotations of communicative ethics (Habermas, 1997) as applied to the world of work (Klikauer, 2008). This, for example, demands that the ILO engages with state representatives, employers, and trade unions without favouring one side over the other.

Communicative ethics demand that a domination-free forum has to be set up in order to strive towards truth and common agreement. In other words, communication has to be freed from asymmetrical power relationships and it has to be defended against all forms of communicative distortions and instrumentalism that redirect speech acts away from truth and reaching common agreement. All communication has to be conducted in an "open and non-defensive way with others". This demands that ILO

discourses have to be honest and non-hostile. In other words, participants in communication must adhere to four basic principles of comprehensibility, sincerity, legitimacy and truthfulness (Klikauer, 2008, 156). These moral principles of communicative ethics underwrite all forms of communication in the realm of the ILO. All of this is, of course, directed towards the universal betterment of all, reaching beyond the confinements of industrial relations, individual societies, and countries.

CONCLUSION: THE MORALITY OF ACTING BEYOND IR CONFINEMENTS

After having briefly outlined core ethical and moral philosophies ranging from virtue ethics, utilitarianism, and Kantian Moral Universalism including Kohlberg's stages of morality, and having conducted an empirical study on the morality of the ILO, the following conclusion can be drawn from the combination of moral philosophy, Kohlberg's moral model, and empirical assessments. The study has shown that there are deep connections between the ILO and ethical philosophy. The ILO's actions and moral intentions are thought to have consequences that can be judged ethically. These moral judgements do not carry connotations of moral relativism. Instead, they can be seen as being reflective of Kantian Universalism and to a lesser extent utilitarianism. Still, $\frac{1}{4}$ of respondents saw the ILO's morality as reflective of the utilitarian idea of creating "the greatest good and happiness for the greatest number of people".

Overall, the survey was limited geographically (e.g. Australia) and structurally (e.g. university students) it did provide some evidence in support of a possible conclusion that the ILO's main area of moral actions was not seen as being strongly linked to utilitarianism. This is also supported by the ILO's mission that goes beyond the two core elements of utilitarianism: firstly, the ILO represents more than the *Greatest Happiness Principle* and secondly, the ILO's active and preventative role goes beyond the *No Harm Principle*. On the other hand, respondents did not view the ILO as an agent that goes below utilitarianism (stage 1-4). The ILO was not considered to be immoral, running punishment regimes, being motivated by personal benefits, and it is not social conformity that drives the ILO. Yet, the ILO's morality is not reflective of the highest levels of morality (stage seven). In other words, it does not enter the realm of plant life and animal existence (stage seven) but remains focused on human affairs

(cf. Singer 1993, 1994, 2000). This is not only the self-stated goal of the ILO but is also supported by the majority of respondents. But rather than negatively defining the ILO's morality (what it is not) the ILO's morality can also be defined positively (what it is).

On the positive side, the ILO represents a fully developed and morally conscious existence that includes all human affairs beyond the standard areas of IR. Universalism demands the inclusion of all subject areas and of all people. The ILO has been strongly associated with a universally applied drive towards protecting and advancing human beings. In the final assessment of the ILO's morality, most respondents saw it as corresponding to Kantian universal ethics (stage 6) rather than to utilitarianism (stage 5).

As an overall conclusion, the ILO's morality has been strongly associated with areas that reach beyond traditional IR issues. As such, the ILO is seen as a moral agent that surpasses not only national boundaries but also the boundaries of traditional industrial relations. The UN's and Kant's Universalism demands both. This is supported by the empirical study. Finally, the ILO is seen as being anchored in the UN's Universal Declaration of Human Rights and as an institution that carries these ethical demands towards the improvement and betterment of humanity, not just IR, universally applied.

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