

UNIVERSITY COLLEGE DUBLIN

European Master's Degree in Human Rights and Democratisation

Academic Year 2016/2017

Freedom From Precarity: A Human Right

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Acknowledgements

The thesis is the culmination of an intense year of immersing myself in the vast field of human rights. I would like to thank my supervisor Dr. Graham Finlay for the enthusiastic support, the invaluable advice and the many encouragements without which I am certain that the final result would have been of lesser quality. I would also like to thank the entire E.ma staff, including the Teachers for this intensely stimulating journey that was the European Master's Degree in Human Rights and Democratisation.

I would also like to thank the E.Ma facebook support group which has provided me with more memes over the course of an academic year than I thought was possible. I would also be remiss if I failed to mention the nebulous collective within the European Master's Degree in Human Rights and Democratisation's Class of 2016/2017 known simply as the NW.

Finally, I must thank María Rodríguez Barreiro as the person without whom this project would have been doomed from the start. Her support was what made me retain my sanity in the darkest, most frantic hours of writing this work. Thank you from the bottom of my heart.

Abstract

It is a commonly held belief among contemporary, mainstream economists that higher labour protections may lead to an increase in unemployment. Unfortunately, as the asymmetry of power between employee and employer shifts in the latter's favour, capitalism's exploitative tendencies toward labour become increasingly pronounced. This is especially true for low skill labour as it is highly interchangeable, however, as of late, even more skilled workers have experienced a decline in job security and research suggests that this is a long time trend and that the socio-economic insecurity is set to get more severe in the future. As a growing number of middle and lower income workers are under increasing pressure from unemployment on one side, and overexploitation on the other, their well-being becomes increasingly independent from the efforts they make to preserve it as their livelihoods become subject to seemingly arbitrary reversals of fortune. This thesis will present the argument that such a precarious existence is incompatible with the idea of human dignity and that freedom from precarity must be a human right. This thesis will draw heavily on André Gorz's and Guy Standing's work. Furthermore, the thesis will use capabilities approach as normative framework to evaluate the effect of precarity.

Table of contents

I. Introduction	5
II. Labour Rights in the International Human Rights Regime	7
III. On the Nature of Work	10
III.A.Labour and the historical process	11
III.B.The Transition From Feudal to Bourgeois Society	14
III.C.Disciplining of the Workforce	19
III.C.1.Systemic Integration	19
III.C.2.Social Integration	24
IV. The Neoliberal Shift	30
V. Precarity	35
V.A.Effects of precarity	37
V.B.Capabilities theory	41
V.C.The Right to Freedom from Precarity	46
VI. Conclusion	49
VII. BIBLIOGRAPHY	52
VII.A.Official Documents and Reports	52
VII.B.Books and Articles	53
VII.C.Websites	57

I. Introduction

"We have come to a clear realization of the fact that true individual freedom cannot exist without economic security and independence. "Necessitous men are not free men." People who are hungry and out of a job are the stuff of which dictatorships are made¹."

"Dignity elevates man most, bestows a high nobleness to all his acts, all his endeavors, and permits him to stand irreproachable, admired by the crowd and above it. Only that position can impart dignity in which we do not appear as servile tools but rather create independently within our circle²."

Since its inception in the Charter of the United Nations in 1948 the international human rights regime has grown to be the most important tool for justice in international law. Human rights are usually divided into 5 categories which are Civil, political, economic, social, and cultural rights. These individual parts are proclaimed to form a totality of rights which is indivisible. However, despite this, economic, social, and cultural rights have remained consistently under-enforced, and hardly promoted by the international community, despite their inclusion in the UDHR, as well as subsequent, binding, human rights instruments. This paper will focus only on the category of economic rights as they relate to the right to work specifically it will argue for a right to freedom from precarity. The argument will be embedded in the socio historical context of capitalist society and will take into account the nature of work and its role in that society.

The Universal Declaration of Human Rights is arguably the most important document underpinning the international human rights regime. It is the human rights document signed by practically every nation on earth thus confirming the universal character of human rights at least in the context of international law. It is the first international document that elaborated in some detail on the concept of fundamental human rights as "the equal and inalienable rights of all members of the human family" the stated aim of which would be "the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want"³.

Mainstream economists rarely take into account the socio-cultural factors inherent in society, which includes the ideologies of work ethic and economic rationality, which underlie economic policy and which contribute to the emergence of destructive behaviours

¹ Roosevelt, State of the Union message to Congress, 1944.

² Marx, 1997, p. 38.

³ Preamble. Universal Declaration of Human Rights, 1948.

such as economic exploitation, over accumulation, and predatory practices based upon asymmetries of power. If acknowledged at all they will be chalked up to individual moral failings rather than being endemic to capitalist economy. That is why, this thesis will take a sociological perspective on the relationship between human rights and capitalist economy and its underlying tendencies in order to get at the root of the problem of economic rights violations. The aim of sociological critique is to identify, for a specific place, at a specific time, the structural conditions present in society that prevent people from leading a successful life. Recognising that any notion of what constitutes a successful life is itself culturally and historically grounded and functions as a guide for people's actions.⁴ In asking what it is in society that prevents us from leading a life worth living, sociological critique gets at the heart of what human rights are about as they are the primary instrument of contemporary society for providing all people with the conditions that would make it possible for them to lead a life of dignity.

It is a commonly held belief among contemporary, mainstream economists that higher labour protections may lead to an increase in unemployment. Unfortunately, as the asymmetry of power between employee and employer shifts in the latter's favour, capitalism's exploitative tendencies toward labour become increasingly pronounced. This is especially true for low skill labour as it is highly interchangeable, however, as of late, even more skilled workers have experienced a decline in job security and research suggests that this is a long time trend and that the socio-economic insecurity is set to get more severe in the future. As a growing number of middle and lower income workers are under increasing pressure from unemployment on one side, and overexploitation on the other, their well-being becomes increasingly independent from the efforts they make to preserve it as their livelihoods become subject to seemingly arbitrary reversals of fortune. This thesis will present the argument that such a precarious existence is incompatible with the idea of human dignity and that freedom from precarity must be a human right. Freedom from precarity here is not just understood as freedom from want as this does not fully account for the role that work plays in social integration and the psychological burden that joblessness places on individuals. Neither does the right to work serve people's needs as it has become anachronistic to economic reality.

The thesis will be divided into two major parts. The first part will deal with the question of the cultural and social meaning of work. This conception of work will be justified through a description of its historical development. With a clear understanding of the space that the

⁴ Rosa, 2015 , p. 108.

ideology of work occupies in our collective unconscious we may then more forcefully make an argument for freedom from precarity as a human rights issue. In doing so, the structural tendencies giving rise to precarity will be laid bare. In the second part, the focus will be on a detailed analysis of what defines precarity as a social condition, what the consequences are for human well-being and human dignity, and why it should be a human right to be free of it.

This thesis will draw heavily on André Gorz's "Critique of Economic Reason" to develop its conception of work and will rely on Guy Standing for his conception of precarity. Furthermore, the thesis will make use primarily, but not exclusively, of various Marxist writers as well as Marx himself for their incisive historical critique. Beyond that, Martha Nussbaum's version of the capabilities approach will serve as an appropriate normative framework to evaluate the effect of precarity on individuals as it provides a multidimensional conception of people's needs including both economic and social needs.

The thesis will begin with a brief description of the current international human rights framework with respect to labour rights in particular and then move on to giving a description of work which will ground a subsequent analysis of precarity. The thesis will proceed to make an argument for the right to freedom from precarity based on the capabilities approach. Finally, based on the preceding argument a conception of a right to freedom from precarity will be offered.

II. Labour Rights in the International Human Rights Regime

Several worker protections which appear regularly in the context of individual labour rights and which could be considered basic guarantees are the right to work, the right to freely choose one's work, the right to a minimum standard regarding working conditions, the right to a fair wage, and the right to non discrimination and equality in all aspects of work. These rights are not just a matter of economic justice as the Constitution of the ILO, in its preamble, poses the fulfilment of these labour rights as the precondition for universal and lasting peace and their violation as leading to "unrest so great that the peace and harmony of the world are imperilled"⁵.

The right to work is not to be understood in absolute terms. While the ICESCR, for example, in article 6, recognises the right to work it also states in article 2 that state parties obligations to fulfil with respect to the right to work is conditioned upon its available

⁵ International Labour Organization, 1919.

resources and is subject to progressive realisation. That is not to say, however, that states should not do everything in their power in order to fulfil these obligations. Unfortunately, as shall be discussed later, these conditionalities are all too often used to question the validity of economic rights. Similarly article 23 of the UDHR confirms the individual's right to work which is preceded by article 22 which states that the realisation of ESC rights can only be achieved "in accordance with the organization and resources of each state"⁶. A number of general comments shed light on how the ICESCR is to be interpreted and what state obligations are under it. In the introduction to General Comment No. 18, based on years of state party reporting on ESC rights underlines, unequivocally, the importance of the right to work for human dignity when it says that

*"The right to work is essential for realizing other human rights and forms an inseparable and inherent part of human dignity. Every individual has the right to be able to work, allowing him/her to live in dignity. The right to work contributes at the same time to the survival of the individual and to that of his/her family, and insofar as work is freely chosen or accepted, to his/her development and recognition within the community."*⁷

This statement confirms work's significance not simply as a means to achieving freedom from want, although that is certainly part of it, it poses the right to work unequivocally as an indispensable part of a dignified life and acknowledges its socialisation function in society. It follows from this that the negative consequences of precarity cannot be undone by having a robust well fare state as this only compensates for one aspect of the impact that precarity has on an individual, namely the impact on a person's capabilities for subsistence. Related to this is the obligation of state parties to strive for "full employment".⁸ In the ILO's 1964 Employment Policy Convention, ratified by 110 countries, it says likewise that "each Member shall declare and pursue, as a major goal, an active policy designed to promote full, productive and freely chosen employment"⁹. It must be noted here that the term "full employment" is somewhat deceptive within the context of capitalist economy as classical economists agree on the fact that market economies always experience a "healthy" level of unemployment denoted by the technical term "natural rate of unemployment". More worrisome is the fact that pressures on labour are only set to increase over the coming decades as development in technology and the productive forces continues to displace more and more sections of the working population.

⁶ Universal Declaration of Human Rights, 1948.

⁷ CESCR, 2006.

⁸ CESCR, 2006, p.3.

⁹ International Labour Organization, 1964.

Considered an essential part of the right to work is the notion that any work agreement should be entered into freely. The right to choose work of one's own volition, free from coercive influences such as threat or penalty tends to be part of any formulation of the right to work as it is in the UDHR "Everyone has the right to work, to free choice of employment (UDHR, Art. 23.1)", or the ICESCR "The States Parties to the present Covenant recognize the right to work, which includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts" (ICESCR, Art. 6.1), or the Charter for Fundamental Rights of the European Union "Everyone has the right to engage in work and to pursue a freely chosen or accepted occupation" (CFREU, Art. 15.1) with the latter also containing a separate article, article 5, related to the prohibition of slavery and forced labour. It follows from this that in recognising the right to work states are also under the duty to abolish any forms of forced labour. The ILO defines forced labour as "all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily"¹⁰ Unfortunately, neither this definition nor the previously mentioned human rights instrument take into account economic forms of coercion which may also lead individuals to enter into exploitative work schemes.

The right to fair and safe working conditions is first and foremost concerned with the health and safety of the worker and the reasonable limitation of working hours. These can be found in articles 7 of the CDESCR and 31 of the CFREU. The UDHR on the other hand merely mentions "favourable conditions of work" in article 23 of the declaration. Two additional rights, the right to a fair wage and the protection from arbitrary dismissal, are closely related to the idea of fair and safe working conditions and are essential to the protection of labour against exploitation. However, neither is as prevalent in human rights or labour rights instruments as the previous ones. While the right to a fair wage is incorporated in both the CDESCR and the UDHR it does not feature in the CFREU, and conversely, protection from unjust termination is incorporated in CFREU but not in the CDESCR or the UDHR. ILO Termination of Employment Convention 158 from 1982 defines certain reasons for termination which are not considered justified which include political activities, involvement in legal action against the employer, health related absences or absences during maternity leave, or discrimination based on race, colour, sex, marital status, family responsibilities, pregnancy, religion, political opinion, national extraction or social origin. In addition, if the termination is done based on a questioning of the worker's

¹⁰ CDESCR, 2006, p. 4.

capacity or conduct, he shall have opportunity to defend himself and if the employer's assessment is found to be faulty he has the right to redress. The UDHR, in article 23, guarantees the right to "just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity". Unfortunately, what exactly is considered to be "just and favourable" is not immediately clear which, in practice, opens the door for multiple interpretations with varying degrees of protection for the individual. In its weakest "minimum wage" interpretation the individual worker's ability to provide for himself is weighed against any perceived negative effects this might have on the labour market and economic development in general. This interpretation, which necessitates a strong welfare system to compensate for wages that may be below the threshold at which an individual could provide for himself, is the one most often found in practice. A second interpretation, is that of a "living wage" as mentioned in the preamble of the ILO constitution. This interpretation, which can be dated as far back as ancient Greece, aims to guarantee the individual's right to a wage that gives him the ability to provide a basic living standard for himself and his family. A living wage guarantees a quality of life which not only gives individuals the ability to live above the poverty threshold but also includes access to social and cultural life as well. While this interpretation does not balance individual needs with the needs of the wider economy, it does take into account a country's current level of economic development.¹¹ The corollary to this is that as a nation's wealth increases the threshold for what a basic life is also moves upwards. Finally, the strongest protection is provided for by the "fair wage" interpretation. A fair wage includes, but isn't identical to the concept of living wage. According to article 7 of the CESCR, a fair wage must guarantee equal pay for equal work, targeting in particular the gender pay gap, and provides the worker and their family with a "decent living". Thus, it includes notions of equality and non-discrimination in addition to the considerations about the needs of workers and their families for an adequate standard of living.

Finally, the right to non-discrimination is a fundamental human right which protects vulnerable and minority groups and informs the application of all other rights. This is exemplified by the fact that many rights actually incorporate the idea of non-discrimination.

III. On the Nature of Work

The preceding section provides an overview of the labour protections in existence today. Their proclaimed goal is not just to protect the individual's means of acquiring the

¹¹ Anker, 2011. p. 4.

resources necessary for survival, or even his right to not be discriminated against in pursuit of them, but it is the protection of work as a precondition for human dignity. Furthermore, in the formulation of those rights and in the elaboration on how they are to be understood, there are hints at a connection between work and a life worthy of human dignity that go beyond a purely economic understanding of it. It is this relation between work and what it means to be human, and the ways in which it is endangered, that underlies the concept of precarity. It is only in light of an adequate understanding of work as it relates to the human person on one hand and his relation to human society on the other, that the need for freedom from precarity can be fully appreciated.

III.A.Labour and the historical process

The material conditions of each age give rise to unique relations of production which in turn give form to the labour activity unfolding within this structure. Importantly, Marx's conception of "material" is very broad in that it incorporates not just the physical environment but also the social.¹² Thus, the material conditions encompass concepts, language, methods of production, etc. that exist at any given age.¹³ The moment the conditions for a given labour activity are social products, that activity becomes itself social and as such contributes to the active subject's socialisation.¹⁴ Marx rightly points out that each stage of historical development has "a sum of productive forces, an historically created relation of individuals to nature and to one another, which is handed down to each generation from its predecessor" which "prescribes for it its conditions of life and gives it a definite development, a special character."¹⁵ It should be noted here that the point is not the complete reversal of causality between the empirical and the ideal in favour of absolute primacy of the material conditions, at least not necessarily. A more modest reading concedes that human activity always takes place within a certain conceptual framework while, conceptions of work, its character and role in society, is derived from material practice as a historically rooted process.¹⁶ Indeed, the historical process should be viewed as a dialectical movement. The material life process, in which individuals engage with each other and with the material conditions which they encounter, at first, as pre-existing

¹² Roseberry, 1997, p. 27.

¹³ Thompson, 1979, p. 28.

¹⁴ Ibid.

¹⁵ Marx, 1970, p. 59.

¹⁶ Roseberry, 1997, p.30.

and independent as soon as they are born into society, is the source of consciousness and of all mental production but, at the same time, in their interaction, which happens on the basis of conscious activity, they shape their material conditions refuting the charge of a simple determinism.¹⁷ Thus knowledge is the result of, and the basis for, social activity. This knowledge manifests itself in concrete material terms as technology. However, this historical process does not unfold uniformly. It is marked by jumps in technology which substantially alter the material conditions so drastically and in such a short period of time that the social form is irrevocably thrown out of sync with its substance. These jumps are known as the three industrial revolutions.¹⁸ In their wake follow periods of intense productivity growth, which, when harnessed by capital, lead to increases in wealth production which had been unimaginable in ages prior. The productive forces that were set free by the first industrial revolution allowed capital to wrest power from the feudal lords during a period of turmoil. The victors of this struggle altered existing relations of power in their favour and in so doing charted the course human society would take in the coming age. Indeed every age has its dominant class which sets the parameters of mental production as Marx states “The ideas of the ruling class are in every epoch the ruling ideas, i.e. the class which is the ruling material force of society, is at the same time its ruling intellectual force.”¹⁹ While an exploration of the exact nature of power relations and how they operate would lead too far astray from the original project of this thesis and will not be explored further, suffice it to say that relations of power are closely linked to the dominant knowledge regimes in society. For an example of this one need only look at how, in the age of capitalism, economic rationality shapes scientific discourse within educational institutions which is then passed off as neutral.²⁰

The first industrial revolution was kicked off around 1750, with the introduction of machinery, most notably the steam engine. The effects on productivity growth were still felt until about 1830.²¹ The introduction of machinery into the production process is of an altogether different character compared to tool usage. Marx disputes the notion of machines as merely complex tools. This distinction does not simply rely on the machine having a “motive power” separate from its operator. What distinguishes the machine

¹⁷ Thompson, 1979, p.p. 30.

¹⁸ Gordon, 2012, p. 1.

¹⁹ Marx, 1970, p. 64.

²⁰ Loughran, 2015, p. 9.

²¹ Gordon, 2012, p. 3.

according to Marx is that it performs the tasks formerly done by a human worker, essentially replacing him. A single machine may operate many more tools in parallel than would be possible for the worker. This allows the operator of a machine to break free from the limits of a human form.²² While the tool enhances the worker in his task, the machine replaces him. As this revolution unfolded the invention of machinery also gave rise to the capitalist mode of production.

The object of labour in pre-bourgeois society was the fulfilment of specific needs, whether they were basic subsistence needs or other needs, in other words, the object of labour was the creation of use-value. Such modes of production are termed “natural” in marxist terminology. A natural mode of production places man at the centre of productive activity as its ultimate object. This stands in stark opposition to commodity production of which the primary driving force is the creation of wealth and which, through the creation of exchange-value, is to a certain extent disassociated from pre-existing needs.²³ Consequently, natural economies produced attitudes towards work which did not see it as a requirement if all needs were satisfied and, left free from coercion, individuals would only work as much as was necessary to meet their needs. Thus, Alexander Chayanov writes:

“Thorough empirical studies of the peasant farms in Russia and other countries have enabled us to substantiate the following thesis: the degree of self-exploitation is determined by a peculiar equilibrium between family demand satisfaction and the drudgery of labor itself.” (CHAYANOV, A.V. On the Theory of Peasant Economy, Manchester University Press, 1966 p. 6)

In the capitalist mode of production, on the other hand, work derives its purpose from the creation of surplus value meaning the worker is compelled to go beyond simply meeting his or her own needs or even the needs of those he stands in direct relation to. During the transition from feudalism to capitalism this would require a disciplining of the workforce, to make them follow the logic of economic rationalisation, in order for the capitalist to use their labour power as just another resource in commodity production.

In pre-bourgeois society the working subject exists as part of a community, and as such he or she has a relation to the natural conditions of his labour. This relation is called property and those natural conditions are comprised of the land, the rivers, the soil, and all the fruits of the earth contained within this plot of land for which Marx uses the term “inorganic body

²² Marx, 1909, p. 408.

²³ Marx, 1964, p. 84.

of the community”.²⁴ In his activity the subject’s primary engagement is with nature. Through his work he derives a product from his “natural instruments of production”. These natural instruments of production to which the producer is bound by property relation and by which he is subservient to nature. Thus, as demonstrable by the examples of the slave or the serf, “Property (landed property) appears as direct natural domination”.²⁵ This domination is described in terms of class conflict which pits a ruling class of property holders against the producer class who’s productive activity has been separated from its conditions of production. In the case of the serf, he is considered by the landlord as part of the land to which he is tied as “inorganic condition of production” which is why the latter may lay claim to the former’s person.²⁶

III.B.The Transition From Feudal to Bourgeois Society

According to Robert Brenner, explanations of changes in the socio-economic structure of society, such as the decline of feudalism, must first and foremost take into account the underlying class conflicts and the balance of forces between the classes. Class conflict holds valuable explanatory power for the objective economic forces at work during such transitions which on their own merely provide a descriptive account of events and may even derive opposite outcomes from what appear to be similar economic conditions at different points in time or place.²⁷ To put it another way:

“economic analysis deals with the questions how people behave at any time and what the economic effects are they produce by so behaving; economic sociology deals with the question how they came to behave as they do” (SCHUMPETER, Joseph A. History of Economic Analysis. Routledge. (1954) p. 21.)

Pre-bourgeois society was split in two: the countryside, ruled by feudal lords ruling over their peasant vassals exploiting them, as we have seen, and living off of the products of their labour. Thus, in the countryside, it is the conflict between peasant serfs and feudal lords and the strengthening of the former and the weakening of the latter’s position which holds primary explanatory power in the transformation of social structures. The city, which was inhabited by merchants and craftsmen who, unlike serfs, were free but who’s trade

²⁴ Ibid.

²⁵ Marx, 1970, p.68.

²⁶ Marx, 1964, p. 87.

²⁷ Brenner, 1976, p. 31.

was governed by custom saw the birth of the bourgeoisie class which, in time, would challenge the dominance of the aristocracy.

The countryside was characterised by a rigid, hierarchical class structure in which agricultural activity made up 80-90% of economic activity. Serfs were a class of producers who worked the land as peasants. They belonged to a village community through which they entered into relations with other peasants beyond their household. Through the village economy households could supplement their own productive activities to satisfy their individual needs if necessary.²⁸ They were given a plot of land which became for them a natural instrument of production and which, as such, provided them with a means of subsistence. However, they did not own this land. The land was provided to the serf by a landlord, belonging to the ruling class, who as a result of this property relation was able to claim dominion over his subject, the serf. The exact relation between feudal lord and serf is hard to pin down as there existed quite a bit of variation depending on place or period, and even from one manor to another. Some common characteristics of serfdom as a whole exist however. The lord received a fixed rent from his serf tenant which was determined by custom. That customary rent was to be payed in the form of the serf's own labour power underscores the fact that his labour activity was purely a use-value creating activity. This is also why the peasant had no need for wage-labourers as the "family labor norm" was sufficient for the amount of land he occupied. This marks the distinction between peasants and capitalist farmers as the latter did make use of wage-labours to cultivate their considerably larger holdings.²⁹ Beyond his rent claim on the serf the landlord also wielded a certain degree of extra-economic power over him. The serf, on the other hand, had very few rights, which had evolved by custom, to protect him from the whims of his lord. As such, this arrangement is by no means to be confused with a contractual agreement between free people. The landlord not only had the right to levy fines and tallages against his subjects with an extraordinary degree of discretion, his control sometimes extended so far that French historian Charles Seignobos would describe the serf's status in society as purely economic with no discernible political rights.³⁰ Similarly, in William Langland's poem *Piers Plowman*, written around 1370 villeins are described as "almost slaves without legal rights, and might neither make charters nor sell property

²⁸ Hilton, 1978, p. 5.

²⁹ Shanin, 1986.

³⁰ Coulton, 2010, p. 10.

without their lord's permission"³¹ Feudal lords were still bound by custom and so could not levy unreasonable fines against tenants nor could they usually forcibly remove the latter from their land. The serf was bound to his land by law which he was made to work in order to pay his rent.³² Thus, far from being a profession, freely chosen according to one's likes or abilities, labour relations under serfdom were characterised by an external imposition of forced labour. Although, the land he was given provided him with the natural conditions of his labour, the peasant's subjective activity was a solitary one and did not provide him with a sense of place in society unlike the contemporary notion of work as a basis of social cohesion.³³ Peasants were subjected to a condition Marx termed "personal unfreedom" in which they were subjected to extra-economic control by a feudal lord yet were in control of their means of production.³⁴ Apart from the coercion experienced at the hand of his lord, nothing about his activity would change were he to perform it outside of the relations of serfdom. Peasant life within the feudal system was by no means devoid of hardship but it did offer a certain freedom from precarity. While it is true that the peasant was at the whim of his feudal lord and there was some variance in the degree of exploitation he was subjected to, their relationship was nonetheless regulated by custom. The tendency of the peasant household to over-reproduce itself,³⁵ though it did lead to cyclical occurrences of famine with such regularity that it seemed almost like a natural law.³⁶ All that this means, however, is that resource distribution was so constrained, and so rigid that society was not able to sustain the population above a certain size, due perhaps to structural inadequacies of the feudal system. Despite this economic uncertainty experienced at regular intervals, which could be understood as a form of precarity, the peasant did experience some measure of stability with regards to his social identity. The threat of destitution which loomed over him outside of the noble's protection was nothing less than the destruction of his social identity the loss of which would have been equal to the loss of his human dignity. For "A person's dignity resides in his or her biologically and socially constructed psychosomatic self with an idiographic proper-named identity."³⁷ It is the peasant's attempt

³¹ Chadwick, 1922, p. 56.

³² Brenner, 1976, p. 38.

³³ Gorz, 2010, p. 14.

³⁴ Hobsbawm (Introduction) in Marx, 1964, p. 42.

³⁵ Hilton, 1978, p. 7.

³⁶ Brenner, 1976, p. 33.

³⁷ Rolston III, 2008.

to escape precarity in this sense which pushed him in the first place, under the practices of precarium and patrocinium, to sell himself and his land to the nobles who in return promised him stable social relations under his rule.³⁸

Over time, pockets of resistance established themselves in opposition to the oppressive feudal system which coagulated into towns and later, through trade, formed a network of towns. Thus was born the class of the bourgeoisie.³⁹ With the subsequent development of peasant enfranchisement which saw them gradually set free from serfdom, and with the rise of medieval towns which challenged the, heretofore undisputed dominance of feudal lords, the slow transition to bourgeois society could finally begin. Freedom from serfdom set the stage for the development of wage labour. It provided the two preconditions necessary for capital to be able to buy commodified labour. The first of which being that the labourer have possession over his own labour, which means he had to claim ownership of his own person, so as to meet the buyer as an equal before the law and freely offer his labour power to him on the market.⁴⁰ The second condition was that the labourer not be in control of his own means of production, so that he may be compelled, by his subsistence needs, to sell his labour power rather than to put it to use himself for the production of commodities which he then may sell for himself.⁴¹

A period of crises ravaging Europe throughout the 14th century and beyond, known today as the “crisis of feudalism”, saw the gradual breakdown of feudal relations and opened the door for Bourgeois society to assert itself against aristocracy. It’s causes were manifold including famines caused by fluctuations in peasant population⁴², stagnant productive capacities⁴³, and the cataclysmic consequences of the black death the 14th century to name a few.⁴⁴ A heavy dependence on the productivity and exploitability of his tenants also pushed the feudal lord further into debt,⁴⁵ especially in light of the growing importance of money relations which accompanied the rise of the bourgeoisie.⁴⁶ All of these were factors

³⁸ Westfall, 931, p. 252.

³⁹ Marx, 1964, p. 131.

⁴⁰ Marx, 1909, p. 186.

⁴¹ Ibid. p. 187.

⁴² Brenner, 1976, p. 38.

⁴³ Hilton, 1978, p. 11.

⁴⁴ Morris, 1915, p. 55.

⁴⁵ Hilton, 1978, p. 10.

⁴⁶ Engels, 1975, p. 392.

in weakening the feudal system until one by one reversals of power in antagonistic landlord-peasant relationships allowed the peasants to throw off the yoke of feudalism, ultimately leading up to the disappearance of serfdom altogether. The peasant enfranchisement liberated a huge reserve army of labourers as the serf had become doubly free. Free to enter into contracts of his own choosing but also free of the means of production which had, heretofore, guaranteed his ability to sustain himself.⁴⁷ The double freedom of the peasant created for him a market compulsion to enter into wage-labour.

In the cities, on the other hand, craftsmen and merchants, operating by customary rules and organised into guilds, enjoyed this freedom long before serfdom was abolished. However, what this freedom meant within the context of feudalism wasn't as clearcut as one might assume from a contemporary vantage point. Negative freedom had no place in a society in which one's rank defined for each person a set of rights and claims, or lack thereof, in accordance with the strictest hierarchical ordering.⁴⁸ The urban citizenry did not have a well defined place within the feudal hierarchy and in order to protect themselves from encroachment of nobility and freed peasantry alike they formed guilds. The guild served to protect the status and economic security of craftsmen who, though they were free, did not enjoy the definite rights of feudal lords.⁴⁹ Through the guilds, masters held a monopoly over their respective sectors of activity and were able to enforce strict labour and price controls as well as controls on technological development in order to prevent competitive dynamics to take hold. While day-labourers and unskilled workers would work for wages, the craftsman was not paid for his labour as such. Rather, he would be compensated for the products of his labour according to a price list fixed by the guilds.⁵⁰ In essence, he still was engaged in the production of use-value thus operating within the natural economy paradigm. As such, in his subjective activity, the craftsman did not follow the logic of economic rationality. Whatever works he produced, they were always created to serve the specific needs of his client. This stands in opposition to later commodity production in which the products of labour were created for the realisation of exchange-value and the servicing of a need was more or less incidental.

⁴⁷ Marx, 1909, p. 187.

⁴⁸ Rowley, 2014, p. 13.

⁴⁹ Morris, 1915, p. 54.

⁵⁰ Gorz, 1978, p. 16.

III.C.Disciplining of the Workforce

Capitalist production operates based on a single motive, the motive of maximisation of profit and which as such follows a purely economic rationality. In order for this to work however, one needs more than the material basis, more than the availability of free labour power. For capitalism to be able to reliably reinvest surplus value into the production of wealth, the ideology of economic rationality must be the dominant ideology in all those aspects of society that may affect the calculation of production output.⁵¹ This was particularly relevant in relation to the management of labour power. The disciplining of the workforce and its subjugation to economic rationality, if it was to be made successful, had to be achieved both in terms of an external regulation as well as an internal self-regulation of the worker himself. While the former could be achieved even without the worker's cooperation, the latter was only possible if workers had internalised the ideas on which capitalism relied.

III.C.1.Systemic Integration

By systemic integration worker's conduct is externally regulated, this regulation happens in ways both intentional and unintentional. Such external regulation is necessary as, left to their own devices, by their nature, people will strike a balance between labour requirements to fulfil their needs and leisure activity. However, even though they control his behaviour, these regulatory mechanisms are not directly visible to the worker.⁵² First and foremost, then, confronted with a working population operating on a kind of rationality which favours self-love over the maximisation of wealth and profit and is, as such, resistant to the idea of a "full time" working day, capitalists made use of the most immediate tools at their disposal in setting about the task of making this intransigent workforce compliant with economic rationality so as to safeguard their investments, those were the tools of incentive and coercion.⁵³ This subjugation would on the one hand, proceed by way of a division of labour which altered the nature of work and on the other, it was the result of political and economic coercion.

Prior to the mode of wage labour, neither craftsman in the cities nor peasant in the countryside, had worked for the production of exchange-value which, once realised, would be reinvested so as to confront him in his work as objectified labour. The worker becomes

⁵¹ Ibid, p. 31.

⁵² Ibid, p. 33.

⁵³ Ibid, p. 21.

alienated from the product of his labour. Within the historical process of social production this objectified labour will over time grow in proportion to living labour, in the form of machines, buildings etc. as the material conditions of production in the hands of the capitalist class, strengthening capital's dominion over workers.⁵⁴

By the division of labour each individual activity is functionally defined to fulfil a particular role within a greater totality of activities represented by the market institution. The market is a complex self-regulating system, as such the effects it has on work activity are unplanned and sometimes even unwanted. In addition to this, industrialisation has given rise to large scale subsystems in the form of organisations which pursue their proper interests and in doing so deliberately assume a regulating function with respect to labour activity. As the organisational machinery grows in size, it grows in complexity as well.

There were also more direct forms of coercion. Forced labour, had the same disciplinary effect as technological development in that it reduced the capitalist's reliance on free labour thus depressing wages.⁵⁵ Prison labour, for example, was considered by wage workers as a direct threat to their wages.⁵⁶ Similarly, making use of vulnerable groups with less bargaining power putting them in direct competition with the preexisting workforce allowed capitalists to exert coercive pressure. Children were, for example, considered quite pliable in their disposition to work, the extensive use of child labour in the early beginnings of factory work was considered a practical solution to the problem of a workforce who's prior socialisation process, under feudal conditions, had produced expectations from and attitudes to work which did not correspond to the conditions of capitalist manufacturing and which proved quite difficult to change.

While early capitalist manufacturing did not look that much different from the old artisanal mode of production apart from the use of capital to employ workers on a larger scale than had been possible before, this would gradually change with the division of labour.

The division of labour isn't particular to the capitalist mode of production, it naturally derives from the human tendency to cooperate in trade, which itself is a consequence of Man's nature as a social being. This division of labour is the cause for a division of skills the effect of which is a higher development of those skills than would be possible

⁵⁴ Musto et al., 2008, p. 55.

⁵⁵ Brass, 1999, p. 40.

⁵⁶ Foucault, 1980, p. 40.

otherwise.⁵⁷ It is no wonder then that, proceeding from capital's need to deploy labour power in the most efficient manner possible, the division of labour is dramatically increased. However, through it the capitalist separated workers from the product of their work.⁵⁸ The division of labour was not simply a technique aimed at greater uniformity and productivity of labour power but it also provided employers with a greater degree of control over individual workers. The division of labour took on a fundamentally different character under the capitalist mode of production becoming a method of domination.⁵⁹ As the division of labour becomes more pronounced subjective activity becomes more and more devoid of purposive meaning for the worker. However, neither does direct experience of work bear any tangible relation to the overarching aim of the market in the service of which it has been conceived, just as the movements of a machine's component parts do not reflect this machine's functioning as a whole.⁶⁰

The consequences of division of labour proceed in two overlapping and contradictory tendencies. The first, which is only transient and localised is the result of the limited rationality of short-term thinking of capitalist actors and has for effect the deskilling of workers. The second tendency, which stands in opposition to the first and which is characterised by a long term trajectory is based on actual economic needs, produces a shift towards increased specialisation in workers.⁶¹ As rationalisation takes over more and more spheres of society, it leads to a complexification of these spheres which in turn leads to ever higher degrees of division of labour requiring a more and more specialised workforce leading to skill upgrades.⁶² These tendencies correspond roughly to two distinct logics of profit maximisation. In its limited economic rationality, the first tendency corresponds to increased exploitation of labour power which attempts to squeeze a greater surplus out of the worker himself while the second corresponds to the development of the productive forces through technological innovation and other means which on the one hand increases the productive potential of each worker and in so doing increases the importance of objective labour, i.e. capital, relative to living labour in the production process.

⁵⁷ Smith, 2000, p. 29.

⁵⁸ Gorz, 2010, p. 51.

⁵⁹ Ibid.

⁶⁰ Ibid, p. 34.

⁶¹ Adler, 1990, p. 782.

⁶² Gorz, 2010, p. 32.

Economic rationality imposed on labour a scientific organisation of work by which the impact of individual differences between workers on productivity were to be minimised as much as possible. An obvious example of an early deskilling example is how scientific organisation proceeded to eliminate craftsmanship within the manufacturing process in favour of simple, repetitive motions, it seems inevitable that, for this minority of craftsmen at least, individual skill levels would decline before the needs of capital for ever more specialised activity would demand from these workers new kinds of skills, more abstract in nature. That is not to say, however, that the deskilling process is unique to those early days of capitalist development. It reoccurs in isolated instances whenever capitalists in their limited rationality neglect the investments necessary for long term growth in order to reap short term profits. According to capitalist rationality improvements in labour productivity are a matter of simple surplus calculation based on an increased workload accompanied by an incommensurately lower increase in wage. Abstracted in this way it makes no difference from a managerial point of view, at least in the short term, whether such an increase comes from greater domination and exploitation at the hand of a scientific rationalisation of work or whether it is the result of actual productivity gains for a more skilled, more motivated workforce.⁶³

The extreme rationalisation that labour was subjected reached its zenith in the scientific management practice of Taylorism in the 19th and 20th centuries. Using the scientific method, three guiding principles were meant to push the worker toward maximum efficiency. Firstly, work activity was engineered down to its most minute detail leaving no room for self-determination to the worker. The Taylorist approach furthermore pushed the division of labour to its extreme as it sought to make each activity as simplistic as possible so as to remove from work any skill requirements. Lastly, placed under complete supervision and control, conscious reflection by the worker was actively suppressed leaving no room for skill development. The worker's alienation from his work activity was complete.⁶⁴ In this way capitalist rationalisation removed the autonomy and dignity of work that had existed in earlier modes of production. This scientific organisation was crucially aided by technological developments which introduced machinery into the production process.⁶⁵

⁶³ Jakopovich, 2014, p. 6.

⁶⁴ Littler, 1978, p. 188.

⁶⁵ Gorz, 2010, p. 21.

Proceeding from the rationalisation of labour, which to the detriment of the worker is turned into a calculable quantity, the importance of living labour in the production process is gradually reduced. While it remains a necessary resource for production, the managerial class comes to view living labour as the extension of machinery.⁶⁶ As the process of technological advancement produces machinery of ever greater sophistication, the ultimate goal is the complete substitution of living labour for objectified labour. Thus, in terms of shaping the nature of labour the process constitutes a short term tendency as it results in the gradual fading out of unskilled labour as evidenced by the contractions in many of the unskilled labour categories.⁶⁷ Additionally, a general deskilling tendency, which would be fundamentally motivated by a desire for control over the labour process, is discouraged by the fact that, in the long run, it would harm the competitiveness of an organisation.

While it is certainly true that white collar workers, due to the division of labour, have lower skill levels relative to those required by their overall task in the absence of a distribution of competencies, individual tasks remain of sufficient complexity that the dramatic results of scientific organisation seen in the manual labour market are unlikely.⁶⁸

In the long term industrial development encourages upgrading of worker's capabilities by various aggregate effects, the nature of their highly specialised work lets workers hone their skills through practice, developments in science and technology equally drive increases in knowledge as every worker is able to draw on a pool of social knowledge that accumulates over time, as industry's need for a highly trained workforce increases this drives an expansion of public education, etc. Education serves the needs of industry as its educational goals are tuned to its practical needs.⁶⁹

While it is true that, across the board, skill levels tend to increase rather than decrease over time, this is not a uniform process for the workforce as a whole. This has given rise to a relative impoverishment effect for a large section of the workforce made up of unskilled workers. The impoverishment effect has been most uniformly pronounced for the class of worker's engaged in manual labour while non-manual, white collar work has seen the emergence of a core group of highly skilled workers who are afforded a certain level of

⁶⁶ Girtly, 2012, p. 405.

⁶⁷ Adler, 2007, p. 1316.

⁶⁸ Adler, 1990, p. 791.

⁶⁹ Ibid., p. 790.

autonomy in their work.⁷⁰ However, with the widening of their intellectual horizons these workers tend to have a more powerful political voice as well. This, along with the greater value that organisations place on them, has always been the source of their greater leverage against employers and has allowed them to resist both capital's "unhindered extraction of surplus labour" from them as well as the condition of precarity, at least until recently. It is for this reason also that their solidarity with the more vulnerable unskilled workforce is crucial to maintaining a strong labour power.

Ultimately this has resulted in a "Macro-social division of labour"⁷¹ which, in contrast with Taylorist division of labour for which the ideal character of labour activity is simple, repetitive and does not require the worker to have any special skillset, has raised the productivity of each worker by allowing them to specialise, that is, to acquire highly specialised knowledge within a narrowing scope of activity. This model of work organisation has permeated every aspect of industrial activity. It has allowed for the development of products which in their scale and their complexity are unrivalled by anything that came before and which could only be possible through the combined efforts of thousands of individual, highly specialised skillsets. In short, in an economic sense, modern industry has rendered the individual, private activity of craftsmanship obsolete and its disappearance irreversible.⁷²

III.C.2.Social Integration

The decoupling of mental production from material production, which in itself constitutes a division of labour, sets the stage for the capitalist form of production.⁷³ This is not to insinuate a break in the dialectical process between material and ideal conditions of production. What it means is that in controlling the material and mental means of production, capital has set the parameters within which mental production is possible. The domination of capital proceeds on the basis of economic rationality and sets economic rationality as the framework for social activity. Consequently, the subject becomes alienated from his or her own consciousness which is the product of a participation in social life whereby the ideas of the ruling class are reproduced in his own "thoughts and self-conception".⁷⁴ Thus, labour activity no longer is a process of externalising oneself but

⁷⁰ Jakopovich, 2014, p. 6.

⁷¹ Gorz, 2010, p. 55.

⁷² Gorz, 2010, p. 57.

⁷³ Marx, 1970.

⁷⁴ Wendling, 2009, p. 49.

one of internalising the dominant ideology. This process of social integration acts as an internal regulatory mechanism since the socialised individual no longer grasps these ideas as external to himself. This integration proceeds on multiple fronts in order to address the needs of capital.

Labour in pre-bourgeois society was a means to an end. Labour relations were governed by custom and neither worker nor employer felt a compulsion for the expansion of business or the maximisation of profit beyond that amount by which one could afford a comfortable existence.⁷⁵ While this aspect of labour is still present in today's society, hardly anyone will dispute that besides physical need, there is now a moral reason to engage in labour activity. Work, as a money-making activity, has gone from being in service of the duty of self-preservation, a duty owed to oneself, to being a duty in itself, owed to society, that is the need to work has acquired moral character. This shift was a key internal self-regulation mechanism for the disciplining of a workforce which had up to that point maintained a limit on the amount of time dedicated to labour activity. Attitudes toward labour and money-making are much different today. Traditionalist thinking, which prevailed at the time, did not confer any moral character on labour and as far as moral attitudes toward the accumulation of wealth go, if anything they were rather negative.⁷⁶ Work was considered a means to fulfilling one's needs, particularly the needs for subsistence. Meaning that once subsistence needs were met it was at each individual's discretion whether to sell a bigger share of his labour power in excess of that which allowed him to fulfil those needs that were necessary. Beyond just customary rules governing economic activity and limiting a purely profit maximising mindset of economic rationality, it was the worker's desire of wanting to maintain an equilibrium between economic rationality and other principles of rationality, making the availability of sufficient-labour power unpredictable, which limited the accumulation of capital.⁷⁷ This conflicted with the interests of an emerging capitalist class engaged in manufacturing which required substantial investments in the means of production. In order to mitigate the risks involved in such investments, capitalists sought a labour power that was just as predictable and reliable as the machines whose output could be measured with mathematical precision. In other words, labour power needed to obey the logic of economic rationality, it had to be calculable. Key in understanding this change in the way people thought work as a money-

⁷⁵ Fullerton, 1928, p. 167.

⁷⁶ Ibid, p. 163.

⁷⁷ Gorz, 2010, p. 18.

making activity is the emergence of what Max Weber called the “spirit of capitalism”.⁷⁸ The birth of this spirit of capitalism is found according to Weber in Luther’s unification of the religious precepts pertaining to secular and religious life which had up to this point been considered as separate. At the root of this unification lies Luther’s interpretation of calling as “Beruf” or vocation by which each individual, in his or her secular activity, becomes the conduit through which God acts. In doing so Luther confers a duty to God on secular activity by which every person is morally bound.⁷⁹

Though protestantism was generally a populist movement, one strain of protestantism in particular which became closely associated with the bourgeoisie, over their common political struggle against an absolutist state, was Calvinism.⁸⁰ While, the Lutheran concept of calling as God given vocation imbued subjective activity with a humanitarian motive, in Calvinism it is the glorification of God which takes centre stage. The good of society is desired only in as much as society, and the material world which it inhabits, are manifestations of God’s glory.⁸¹ Especially with respect to later calvinists, assurance of election, i.e. the knowledge of one’s own salvation, is not achieved through, inward looking, spiritual practice but by outward manifestations of a pious life which demonstrate the glorification of God. Calvinism brought an obligation of industriousness and asceticism to the duty of labour thus introducing the idea of economic rationality as a moral precept.⁸² This then represents the protestant work ethic which Weber claims lies at the heart of the spirit of capitalism. On the question of wealth accumulation, although Calvin accepts this as a natural consequence of the diligence associated with a pious life, it must always be subordinate to God’s will which poses justice and equity as constraints on capital accumulation.⁸³ Importantly, however, wealth in itself no longer has the negative moral status that it is given by Lutheran doctrine. On the contrary, it is even encouraged so long as it does not lead to laziness as this would represent the abandonment of pious life.⁸⁴ It is the moderating aspect of calvinism which will cause a rupture between it and the capitalist

⁷⁸ Fullerton, 1928, p. 167.

⁷⁹ Worden, 2010, p.128.

⁸⁰ Davidson, 2012, p. 571.

⁸¹ Fullerton, 1928, p. 175.

⁸² Ibid, p. 179.

⁸³ Worden, 2010, p.169.

⁸⁴ Fullerton, 1928, p. 186.

bourgeoisie⁸⁵ when, by the late 17th century, the bourgeoisie had asserted itself as the dominant class and in so doing would be the dominant force in mental production as well.

Besides the attitudes to labour in general, the nature of work activity fundamentally changes with the proliferation of at first the job simplification tendency of taylorist division of labour and subsequently the sophistication of work through macro-social division of labour. These diverging tendencies would slowly give rise to a “dualization” of society characterised by a core of highly skilled professionals who enjoyed job security and a mass of unskilled and semi-skilled peripheral workers suffering from very unstable employment schemes. This separation rests upon the conception of a class distinction between unskilled and skilled workers which posits the possibility of a proletarianisation, i.e. a deskilled, routinised, and supervised work activity, for the former but not the latter.⁸⁶ This development became especially pronounced after the 1970’s economic crisis which saw the introduction of new management principles and gave birth to the precariat class.⁸⁷ Prior to the crisis the proletariat, both skilled and unskilled, was still united in its opposition to the extreme rationalisation of work activity which robbed it of its individual meaning and to which workers could not relate. This abstract labour derived meaning only from coordination with the labour of others but this collaboration could never gain lived experience. The coherence of the totality of activity appeared to individuals as a matter of chance. Such an experience of work was far removed from Luther’s conception of work as a “calling” and workers found it hard to derive satisfaction from it.⁸⁸ More importantly, as long as workers can connect somehow to the product of their labour as an enduring social good from which to derive meaning, this work provides them not only with a wage, it is also the source of identity. The profession becomes the basis for worker’s self-idealisation. In it a common, social identity is reified. The profession as a collective symbol gives a concrete name to the abstract idea of a common subculture, bound together by shared experience, thereby bringing it into the world.⁸⁹ As meaning remained hidden from them workers lose this symbol of their common identity which, in the exercise of, what Jung called the “natural religious function”, is an expression of the collective unconscious. Denied its

⁸⁵ Davidson, 2012, p. 572.

⁸⁶ Smith et al., 1991, p. 22.

⁸⁷ Gorz, 2010, p. 65.

⁸⁸ Thompson, 1979, p. 28.

⁸⁹ Kroesen, 2014, p. 86.

expression in his profession the religious function must find other outlets.⁹⁰ Finding fulfilment neither in the product of his labour nor in labour activity itself, the active subject had to be motivated in other ways. Thus, organisations made use of incentive and coercive measures in order to render workers compliant, whether by their own volition in the former, or by force in the latter.⁹¹ Wages are the primary incentive measure. available to the organisation and insofar as this external incentive of monetary compensation replaced any inner conviction the worker might have had in engaging in work activity, he was transformed from a worker/producer into a worker/consumer.

The resulting disconnect between people's public and private lives appears almost pathological in nature, as both are extreme examples of two very distinct, and in many ways opposing, value systems. In the public sphere of work, individuals are expected to adhere to the values of the work ethic which demands of them strict monastic discipline and asceticism. It poses as its ideal the universal subject who unquestioningly and mechanically performs his given task devoid of intentionality.⁹² The private sphere of personal life, on the other hand, is governed by the fulfilment of frivolous needs. Motivated by a desire to escape from the rationalisation of the public sphere and propagated by the discourse of commercial advertising, consumerism advocates a hedonistic lifestyle in which needs no longer correspond to any kind of notion of the golden mean as desires expand infinitely outward in concert with one's economic means.⁹³ Individuals become socialised consumers as work stops being a space of social integration. In a sense, consumerism constitutes a neurosis, the result of an unconscious attempt to compensate for the narrow, one sided personal development based on economic rationality.⁹⁴ The success of commercial advertising in cultivating the notion of private, personal satisfaction through money soon made individualistic consumerism the dominant form of socialisation. Once, the ideology of consumption was internalised workers not only accepted functionalised work but sought it out so they could earn a wage.⁹⁵ However, their engagement with work activity was purely a matter of economic rationality. Workers sought

⁹⁰ Fordham, 1953, p. 70.

⁹¹ Gorz, 2010, p. 35.

⁹² Ibid, p. 36.

⁹³ Ibid, p. 45.

⁹⁴ Fordham, 1953, p. 78.

⁹⁵ Gorz, 2010, p. 46.

to maximise compensation for the least amount of effort expended.⁹⁶ As abstract labour appeared completely alien to him, the only identity left to the worker, and this was especially true for the unskilled worker, was that of the hedonistic consumer of which working life became the antithesis. As consumers, the proletariat as a class was divested of their common political agency. What matters for the consumer are cheap commodities and not common interests. The consumers are a group of individuals. What matters is individual interest even at the expense of the common good.⁹⁷

Humans are not machines and treating them as such yields poor work performance. In the early 1970s, as the limits of work rationalisation on productivity became clear capital responded to this realisation in differently for skilled and unskilled workers. For skilled labour, which was valuable to organisations as it was not easily replaceable, a new ideology began to emerge, the “ideology of human resources”, based on the principles that there are some essential human factors to productivity that aren’t measurable or calculable. This ideology became the basis for work and it still is to this day. Under this new ideology workers are given some measure of control over their means of production and work activity and are no longer subjected to an extreme form of rationalisation. They become aware of a meaning in their work as being for something lasting, something tangible a result which they produce in concert with others. For skilled workers the public sphere once again has become a site of social integration.⁹⁸ This fulfilling, emancipatory form of work which contributes rather than stifles personal development is meant to represent the bright future of work for everyone. However, in reality this kind of worker represents only a fraction of the overall workforce. Undifferentiated, abstract labour is still the reality for most workers. They toil away at sisyphian tasks disconnected from the greater purpose of their work. The unyielding, indefatigable nature of the industrial and administrative machinery, which are the material conditions of their work, impresses on them the inadequacy of their individual performance to accomplish the job. Yet, when provided with a space of relative autonomy, it is the need to collaborate with others that becomes the basis for social integration. It is in the relative autonomy of a team oriented towards a common task that workers, in their shared experience, find a sense of belonging and solidarity. Like organisms unto themselves, internally, these groups develop their own

⁹⁶ Gorz, 2010 p. 58.

⁹⁷ Offer, 2008, p. 13.

⁹⁸ Gorz, 2010, p. 60.

life rhythms, allowing workers to derive a sense of pleasure from their work.⁹⁹ It is only in the oppressive factory conditions of sweatshops in developing countries, which most of the world's manufacturing activity has been outsourced to, that the calculability of a scientifically organised workplace is still deemed beneficial. In moving away from a relationship of domination toward a “partnership of mutual confidence” with a skilled minority of workers, the organisation seeks to gain their loyalty and to cut them off from the semi-skilled and unskilled masses. The privileged workforce relies on the organisation to maintain its privileged status as the latter encourages those individuals to develop their skills in its service and nurtures their careers. The organisation invests in this stable core of elite employees so that in return it may rely on them to survive in an increasingly competitive environment. This elite class is expected to conform to a professional ethic, on the basis of which it monopolises this skilled labour activity and overworks itself in order to protect its “social identity and social worth”. Thus, they have rightfully earned their privileges. At the same time this privileged relationship upholds the myth for the rest of the undifferentiated workforce that companies hire individual workers as opposed to undifferentiated labour.¹⁰⁰ The reality is that semi-skilled and unskilled workers are hired not because of any unique skills that they bring to the organisation and so they are at risk of being replaced at any time from a near inexhaustible surplus population of workers. While standard employment schemes do offer some level of state protection in the form of labour rights, temporary and part-time work do not as a compromise to escape unemployment. Thus, unskilled workers have to take responsibility for their own misfortune when in fact new automation technologies and the “global respatialization”¹⁰¹ effect have transferred many low skill manufacturing jobs to countries with readily available cheap labour. A growing percentage of workers in industrialised countries have been turned into nothing more than a reserve army for industry to employ at will. For these workers job security no longer exists as they are increasingly pushed into flexible work schemes.¹⁰²

IV. The Neoliberal Shift

The second industrial revolution starting in 1870 laid the technological groundwork for the next 100 years of growth. Compared to the great inventions of that period, electric power,

⁹⁹ Kroesen, 2014, p. 79.

¹⁰⁰ Ibid, p. 78.

¹⁰¹ Pelizzoni, 2012, p. 34.

¹⁰² Gorz, 2010, p. 67.

chemistry and the internal combustion engine most prominently among them, nothing that has come since has been able to so fundamentally change the world around us.¹⁰³ Spurred on by a 30 year boom period, beginning in the 1940s, the changes wrought were staggering. However, many of the improvements, such as indoor plumbing, indoor temperature controls, or air travel, were one shot improvements and so by the end of that boom period the productivity growth effects of the second industrial revolution were beginning to slow down.¹⁰⁴ In the early 1970s, the “Golden Age” of organised capitalism ended in crisis. In 1973 a politically induced oil crisis shook the economy causing a major inflation of commodity prices, which by then had already been rising due to a worsening productivity crisis in industrialised countries and rising wage pressures.¹⁰⁵ Keynesian economic policies, under which public expenditure had reached 40 percent of national income the 1970s,¹⁰⁶ with strong labour protections in place, were discarded in favour of neoliberal dogma economic liberalisation and reductions in public spending. The end of this period also signalled the beginning of the end for a strong, united, labour movement as the overall trend in the years following the economic crisis has been one of decline in union power.¹⁰⁷ This decline is the direct result of a priority shift among governments, shifting from full-employment as the primary concern to inflation control as the ultimate priority under the new neoliberal regime.¹⁰⁸

The third industrial revolution was the computer and internet revolution which began in the 1960s. While each of the 3 industrial revolution has pushed the boundaries of productivity and increasingly shifted the balance of power in favour of capital, an already high ratio of capital investments to labour in the West meant that a further development of the productive forces in industrialised countries was considered too expensive. This prevented, or at least delayed, the fully automated utopia of the third industrial revolution from coming to pass as capital for the most part favoured the logic of exploitation over that of innovation to generate growth. Leveraging the fruits of the second industrial revolution, companies sought to shift manufacturing to low income countries in order to escape the wage pressures they experienced from domestic workers. Globalisation more than

¹⁰³ Pelizzoni, 2012, p. 33.

¹⁰⁴ Gordon, 2012, p. 10.

¹⁰⁵ Corbett (web source).

¹⁰⁶ Offer, 2008, p. 7.

¹⁰⁷ Peters, 2008, p. 85.

¹⁰⁸ Ibid, p. 83.

technology caused the collapse of manufacturing in Western countries.¹⁰⁹ That is not to say that technology didn't evolve or that its evolution wasn't accompanied by productivity gains. Information technology allowed everything that could already be done, to be done faster and more efficiently and allowed many tedious clerical jobs to be automated.¹¹⁰

The example of the UK proves instructive here as it portrays a sequence of events which took place in a comparable fashion and over roughly the same period of time across the industrialised western democratic world with essentially the same outcomes for manual labour and the composition of the labour market overall. It is no coincidence that the decline of labour protections coincided with a rise in consumerism. Up until the 1960s skilled or semi skilled manual labour still predominated labour markets in western Europe while in America Fordist factory models already held sway.¹¹¹ While manufacturing still connected work to a real purpose in the form of a material product, the shift to services, such as, retail, finance, and public sector jobs, had completely severed workers from their skills and from the greater goal of their labour. Traditional manufacturing skills were lost in this shift with apprenticeships falling by four fifths between 1963 and 1990 being replaced by academic qualifications and technical certificates. Even as the working class culture endures the younger generations raised on that culture find themselves cut off from the sort of skills which, for their forbearers, used to be the source of their status in society. This unvalued youth, is subjected to a discourse of contempt and denigration.¹¹² This change in the labour market would disproportionately affect this uneducated workforce, which were the first to fall victim to precarisation and which incidentally have become the driving force of populist backlash against neoliberal globalisation in recent years. Thus, alienated from their work they became pure consumers. This was exemplified by the growing importance of private discretionary spending as signalled by the decline in tax rates and, consequently, also in public spending. In addition, the popularity, of colour television brought to bear consumerist discourse in the home through a permanent barrage of advertising by which disenchanting workers became ready consumers. The new needs for consumption in turn lead to increased wage demands on employers which produced the inflation of the 70s.¹¹³ The geographical dispersion of proletarian workers which began in

¹⁰⁹ Pelizzoni, 2012, p. 34.

¹¹⁰ Gordon, 2012, p. 11.

¹¹¹ Offer, 2008, p. 4.

¹¹² Ibid, p. 28.

¹¹³ Ibid, p. 9.

the 50s and 60s and the decline of their mode of production resulted in a weakening of unions which depended on the solidarity and organisational capacity of a united workforce.¹¹⁴ Thus, the exploitative nature of neoliberal markets is not due to a fundamentally different capitalist actor but rather due to the decline of labour as a countervailing force.

After peaking in the 90s unemployment rates had reached historic lows before the crisis. However, this was not accompanied by a decrease in precarisation as more people have been forced into unstable employment schemes.¹¹⁵ Nordic countries are often held up as counter examples to the claim that capital has increasingly dominated labour power and that this has resulted in the marginalisation of workers, a process which will only continue as automation increases. That there is no “common trend of deregulation in European labour markets”. However these counter examples are often accompanied by the conception of part-time and temporary employment as meeting individual needs or that such arrangements eventually lead to full-time work while long term downward trend in full-time employment for a growing number of unskilled workers in OECD countries tends to be ignored. Hovering around the 30% mark, non-standard employment makes up a critical share of the labour market and in fact accounted for much of the rise in labour market participation for OECD countries.¹¹⁶

The question is whether this core is fundamentally different from the proletariat, or whether, given the right material conditions, it will eventually be subject to the same pressures of precarisation as the rest and it seems as though we are beginning to see the answer to that question. In the EU and the US there has been an increase in market share for non-standard employment, which is the main driver of precarity, with all net employment growth since 2005 in the US coming from this type of work and temporary, part-time, self-employment employment gaining ground throughout the EU. While the experience of the labour market for vulnerable groups such as migrants, women, younger workers, and people with disabilities always included non-standard employment schemes, the 2008 crisis democratised these less desirable jobs to include prime- and working-age men. This And there seems to be a recognition by policy makers that this will be the rule rather than the norm. “Although there is widespread conviction that long-term corporate jobs are the norm and that temporary work is a novel form of ‘non-standard’ work, the opposite is likely

¹¹⁴ Peters, 2008, p. 85.

¹¹⁵ Ibid, p. 83.

¹¹⁶ Peters, 2008, p. 87.

the case.”¹¹⁷ As André Gorz points out the ideologues of work attempt to portray work as an undifferentiated entity, passing off the job of the technician and that of the shoe shiner as simply to activities which bring value to society.¹¹⁸ Thus the coming hollowing out of the middle class is shown to be a new age of highly skilled professionals on one side and non routine service work, singling out care work in particular as these would obviously not be at risk of automation, on the other.¹¹⁹ No mention is made of the fact that care work in the current economy has been characterised by low pay and has been the exclusive domain of women, a sudden influx of workers will certainly not cause wages to rise.

The advent of AI, in what is often called a fourth industrial revolution, has been estimated in numerous studies to eliminate a whole range of jobs. With a recent study of the U.S. economy estimating as many as 38 percent of jobs could be substituted with Europe showing similar numbers. While there are going to be compensation effects, with new types of work being created as a result of technological evolution, the numbers are much lower than for substitution of work. Additionally, newly created jobs will be high skill jobs while those lost will be consisting of manual tasks or low skill tasks such as form filling.¹²⁰ Looking ahead even further, against the notion that there will always be a type of high skill work that is qualitatively different from the kind of work at risk of automation, a large survey of over 300 specialists in the field of artificial intelligence has found an overall consensus that as time goes on computers will eventually surpass human faculties in most if not all areas. There is, however, some variation in opinion about the time scales involved, with estimates for complete dominance of machine capabilities falling roughly within a range of four to six generations. Interestingly, there are splits along geographic lines as North American researchers tend to predict a longer timeframe with a median of 168,6 years, European researchers take up a middle ground position with 130.8 years, and Asian researchers foreseeing the shortest time period of 104.2 years.¹²¹ Important to note here is of course that in the intervening period we will experience a gradual increase in automation as technology evolves. While these findings obviously aren't based on empirical evidence but instead rely on expert opinion it is nonetheless reasonable to assume that the current trend is set to continue and that we have entered a period of

¹¹⁷ European Political Strategy Centre, 2016, p. 3.

¹¹⁸ Gorz, 2010, p. 135.

¹¹⁹ European Political Strategy Centre, 2016, p. 3.

¹²⁰ Berriman, 2017, p. 37.

¹²¹ Grace, 2017, p. 12.

transition toward a post-work society. Thus it seems pretty clear, even in the shorter term, that the factors which are pushing organisations to create more and more non-standard jobs, are only going to increase in the future. Both researchers and policy experts seem to agree on that and so it is only reasonable to assume that precarity will increase as well.

V. Precarity

While its usefulness is often considered more in terms of a political proposition, a toolbox for political agency, this thesis will explore its usage as a sociological category instead.¹²² More specifically, it will be restricted to the aspect of precarity as a social condition within contemporary, industrialised welfare states of the global north as the direct consequence of social upheavals and structural changes wrought by the neoliberal regime.¹²³ The most obvious aspect of precarity, hinted at by the term itself, is that of uncertainty, of “depending on the will or pleasure of another”¹²⁴. This is the meaning most commonly referred to when the term is used. It could in this sense be more specifically termed as precarity of livelihood¹²⁵ and as such is an essential aspect of poverty.¹²⁶ And indeed the ILO states that wages for precarious work tend to be “at or below the poverty level and variable”¹²⁷. However, that is only part of what is meant when referring to precarity as a distinctive social condition and to the precariat as a class. It might come as no surprise that precarity should have points of commonality with the more familiar notions of poverty and social exclusion. In fact, the precariat class exhibits both of these conditions. However, whereas both the problems of poverty and social exclusion are generally seen as social ills, that is to say, they represent undesirable malfunctions or side-effects within the social system which stand to be corrected, in the context of precarity they are considered to serve a useful purpose.¹²⁸ The functional character of precarity follows directly from the historical account of labour given in the preceding chapter. It is the result of a splitting in two of the workforce by providing the privilege of full citizenship to a small minority so as to turn the great mass into an exploitable reserve army of part-time and temporary workers. It is the

¹²² Schierup and Jørgensen, 2016, p. 4.

¹²³ Ibid. p. 5.

¹²⁴ <https://www.merriam-webster.com/dictionary/precarious>

¹²⁵ Schierup and Jørgensen, 2016, p. 4.

¹²⁶ Day, D., 1953, p. 3.

¹²⁷ ILO. 2016. p. 18.

¹²⁸ Schierup and Jørgensen, 2016, p. 2.

unstable employment status that they suffer as a result which distinguishes the precariat's relations of production while protection from precarity is monopolised by a tiny minority of the workforce which in return is overworked as it greedily guards its privilege. While the capitalist tendency to the development of the forces of production has produced the necessary material conditions for the precariat to emerge this should by no means be understood as a kind of determinism. As the tendencies of capital have progressively altered society's substance, i.e. the material conditions, this substance has come to be increasingly out of sync with its capitalist form. The long-term trend of technological evolution advances ever more rapidly and so too does capital require a workforce that is ever more adaptable to changing material conditions such as changing skillsets and decreased work requirements due to automation of relatively simple tasks. Yet the capitalist form, in its short sighted drive for immediate maximisation of profit, is loathe to make the investments necessary to achieve such a functionally flexible workforce and has instead responded by turning the bulk of the working population into a numerically flexible surplus population which has led to a dramatic increase in precarity.¹²⁹ Thus, the precariat is the result of political will motivated by economic rationality. Just as society's transition from the feudal form to a capitalist one was marked by a wilful disciplining of the workforce to conform to economic rationality and to submit to stable full-time employment, so too is the abolition of full-time employment now a deliberate choice based on a desire for short term profit maximisation. Migration is instrumentalised by organisations to that end, just as other vulnerable and unfree groups were used by the capitalist bourgeoisie as a means of regulating the labour market. In a sense the migrant is "the quintessential incarnation of precarity". His very existence hints at the truth of hyper-exploitation of a global south for who's workforce precarity is hardly a novel concept. Through precarity the working conditions which migrants already suffer from such as low wages, non-standard work schemes, lack of union protection are thus spreading to the general population. In essence, what precarity has achieved by blindly following the ideology of the work society, is to bring the toxic, degrading, and immoral conditions of informal employment into the formal labour market, thereby normalising hyper-exploitation and reframing it as legitimate work. What truly sets precarity apart however, is the dual aspect in which it is a "becoming-migrant of labour" in that, it represents not just the precarity of work but the precarity of citizenship as well.¹³⁰ For the precariat, uncertainty is not just a defining feature of its relation to capital but also of its relation to the state. Whereas in the 20th century the well-

¹²⁹ Gorz, 2010, p. 67.

¹³⁰ Schierup and Jørgensen, 2016, p. 4.

fare state offered guarantees to the workforce as a whole it systematically excludes the precariat leaving them with so called “rights insecurity”¹³¹. There is a stunted citizenship which reduces the precariat status to that of a beggar, surviving on charity and conditional-hand-outs from the state. However, it is not only in domestic law that such exceptions can be found. Even in ILO instruments can exceptions be found. Domestic workers, for example, are actively excluded in several instruments designed to protect workers.¹³² The third and final distinctive characteristic of the precariat is its rejection of work as a constitutive part of identity. A situation which was not remedied until 2011 with the adoption of Convention No 189.¹³³ As has been shown, the precariat construct their personal identities in their consumption yet they reject their work as basis for social identity as it has become impersonal and undifferentiated. This rejection is not an act of rebellion, or proof of personal agency, it is the instinctive reaction to the inherently alien experience of an activity that appears to the subject as meaningless and inexhaustible. Precarity thereby represents the psychological violence “of a society in which subjects are lured to identify work as the culmination of the self, then are stripped of the possibility of this actualization.”¹³⁴

V.A.Effects of precarity

Social well-being, is “the degree to which individuals feel that they belong to their communities and societies.” It is experienced through community and a sense of shared values with others. Beyond the family unit, employment ranks as one of the most important socialisation opportunities and as such constitutes a primary means of developing social well-being. On an individual level a lack of social well-being leads to social exclusion, on a group level it leads to a loss of solidarity.¹³⁵ There are numerous social conditions which coincide with precarity, such as poverty, the lack of social integration within an organisation, or a diminished social status, which all interlink and reinforce each other and thereby have a cumulative degradation effect on social well-being

Temporary agency employment, in which a private agency mediates between workers and organisations seeking to higher labour from the flexible mass of a surplus workforce, is

¹³¹ Standing, 2015, p. 6.

¹³² Mantouvalou, 2012, p. 9.

¹³³ Standing, 2015, p. 8.

¹³⁴ Molé, 2013, p. 38.

¹³⁵ Gundert and Hohendanner, 2013, p. 138.

one of the distinct forms in which the condition of precarity manifests. This should not be taken to mean that precarity is limited to this form as it can be the result of many kinds of non-standard employment schemes and may even originate in standard employment as well. In essence, when the risks associated with employment are entirely shifted from the employer to the worker this lays the groundwork for the worker to experience precarity.¹³⁶ Workers who end up opting for this type of employment tend to be less skilled and consequently have few job opportunities. Thus making it clear that this tends to be an option of last resort.¹³⁷ Although, the purpose of this type of employment is to serve as a stepping-stone for attaining regular employment, there are practically no signs of this being the case, with a retention rate of 7 percent most people end up unemployed as soon as their contract ends.¹³⁸ Beyond a lower pay and limited eligibility for benefits, workers who are forced into this scheme have much less job security with workers finding themselves out of work 18% of the time over the course of a year, as opposed to 5% for full-time employees.¹³⁹ They also earn 46% less than those working in secure employment.¹⁴⁰ Studies show that, similar to the long term consequences of unemployment, unstable life situations due to precarity lead to a distinct sense of loss of control over one's own life driven by an inability to make plans for the future. Denying individuals agency over the direction of their own lives negatively impact on physical and mental well-being. These effects are amplified by a decline in social well-being. While it is true that the between-person coefficient for the relationship of temporary agency work to social well-being, the measure of the variation of this relationship between individuals, is less negative than the between-person coefficient for unemployment and social well-being, meaning there is a greater degree of social well-being in the group of temporary agency workers than there is in the group of the unemployed, it is also true that the within-person coefficient for temporary agency and social well-being, the measure of the variation of this relationship within a single person over time, shows a negative coefficient, which basically means that a persons well being decreases as they accept temporary agency work and increases if they quit such work.¹⁴¹ However, being a cheap, vulnerable and flexible source of unskilled

¹³⁶ ILO. 2016. p. 18.

¹³⁷ Gundert and Hohendanner, 2013, p. 146.

¹³⁸ Gundert and Hohendanner, 2013, p. 137.

¹³⁹ Pelizzoni, 2012, p. 29.

¹⁴⁰ Lewchuk, 2013, p. 7.

¹⁴¹ Ibid, p. 142.

labour, it should come as no surprise that capital should want to skirt regulations, protections, and union representation as much as possible by exploiting these temporary agency work schemes, and indeed studies have borne this out in showing that temporary employment has displaced permanent employment to some extent. For the temporary agency worker social integration into the workplace also presents a challenge. Since he or she is only there for a short period of time and it takes time to nurture strong relationships any connection he or she makes is likely to be a superficial one. Further undermining their attempts the temporary worker, by the nature of their employment as a threat to regular employment, finds themselves, through no fault of their own, in antagonistic relation to the group of regular employees. Finally, social well-being is also strongly impacted by the social status associated with one's job. In this sense the oppressive circumstances of the temporary agency worker's job make it unmistakably clear that he is of lower status. They do not, enjoy the same pay, nor the same benefits or protections offered to full-time employees. They cannot even claim all of the same rights that they have. They do not belong with the regularly employed, who by contrast appear almost like nobility.¹⁴² It is not just about social status however, as the inequalities in their employment conditions affect them also in concrete monetary terms making them subject to the increased risk of experiencing poverty. While poverty is not an essential aspect of precarity, it intensifies the impact of precarious conditions and is in fact very likely to coincide with precarity as uncertainty of employment raises the risk of poverty.¹⁴³ Germany, for example, has seen income inequality rise more than any other OECD country as a consequence of using temporary agency and fixed-term employment strategies extensively in order to boost employment numbers.¹⁴⁴ Poverty, in turn, can exacerbate the effect of employment insecurity on social exclusion as it directly affects an individual's social integration in his ability to participate in a consumption-oriented society.¹⁴⁵

The precariat can be said to experience the degradation of their well-being through three distinctly negative qualitative changes to their lives. Firstly, through the perceived loss of agency power due to a feeling of insecurity about the future, as well as through the general nature of low skilled work which tends to be more routinised and tends to cede less control to the worker. The feeling of insecurity is both due to a very low level of labour protections

¹⁴² Ibid, p. 146.

¹⁴³ Ibid, p. 97.

¹⁴⁴ Gundert and Hohendanner, 2013, p. 136.

¹⁴⁵ Ibid, p. 139.

as well as limited financial resources. Secondly, workers who are subjected to precarious conditions experience a high degree of inequality not just as a result of lower wages and missing benefits but also due to weaker labour protections which causes them to experience a noticeably higher degree of insecurity. Thirdly, they experience a lack of respect for their person.

respect. The unequal working conditions that are forced on them put them in a position of immense vulnerability while underlining their vastly inferior social status. Because of their lack of qualifications in a capitalist culture dominated by a professional ethic by which they are held morally accountable for the precarious conditions that they suffer, they are not in a position which allows them to claim respect from their social environment. In addition their antagonistic relationship with the establishment workforce opens them up for derogatory, and in the worst case hostile, treatment. This can lead to low self-esteem, as well as deterioration of both their mental and physical health.

Detached as they are from the labourist agenda, which does not advocate on their behalf, the precariat becomes increasingly alienated from labour institutions which try to preserve the order of stable employment even though it is increasingly anachronistic to the substance of contemporary society.¹⁴⁶ Whether the precariat can make common cause with unions in fighting for worker's rights and thereby implicitly supporting the cause of preserving this old order of the work society depends on whether they can maintain a sense of having any kind of stake in it which represents a huge barrier¹⁴⁷ and is becoming increasingly unlikely as individuals subjected to precarity not only live in an uncertain present but look forward to an even more uncertain future.

In addition to the mental and physical stresses that precarity subjects the worker to, there is another kind of suffering that he must endure, one of a more existential in nature.¹⁴⁸ The loss of his social identity. As profession no longer is the basis of expression for a person's "natural religious function", it finds alternative expressions by which that person may form his or her social identity. He may find symbols in religious or political affiliation, nationality, race etc.¹⁴⁹ Additionally, as he becomes aware of capital's perception of him as dispensable and interchangeable, the anxious uncertainty this produces in him may cause him to cling to such identity's even harder making them ripe for exploitation by populist

¹⁴⁶ Paret, 2016, p. 178.

¹⁴⁷ Ibid, p. 185.

¹⁴⁸ Dörre, 2015, p. 11.

¹⁴⁹ Fordham,, 1953, p. 71.

forces through which his mistrust of the democratic institutions and globalisation can be amplified. It fuels the antagonism he may have to immigrants, who, in their vulnerability, are already pitted against him by capital as a cheap and exploitable labour force. On the other hand, if he is unable to find such a permanent fixture around which to form his identity, and in the absence of the fixed collective of a profession, the worker may experience a sense of uprootedness in his social existence.¹⁵⁰

V.B.Capabilities theory

How we measure well-being has profound consequences, not only for what this well-being means, but also for the necessary scope of our actions in ensuring it. If we use subjective well-being as a measure of human dignity then our definition of well-being must encompass any deprivation of means that would reduce the fulfilment of those needs that human beings by their very nature must be entitled to. Thus we must start with an understanding of those human needs.

Marx describes the historical process of human existence as proceeding in three acts: the production of the means for subsistence; the production of new needs as a direct consequence of the satisfaction of the basic needs; the production of social life beginning with the family unit and expanding from there as new needs arise which require more extensive social relations. Although these are three distinct aspects of social activity they are not to be thought of as being in anyway chronologically ordered. They take place continuously and proceed simultaneously and together constitute 3 aspects of the historical process.¹⁵¹ Just like the metabolism, through its process of permanent renewal, acts as the life force of every living organism, human labour, by the historical process of social reproduction, is what sustains society and its members and allows them to flourish. It is in the act of social reproduction that the active subjects humanness asserts itself and his social identity is established. The natural and the social aspect as the two sides of a person's being must equally be considered if one is to give a full account of the conditions for his well-being.¹⁵²

For a long time the social ill of deprivation was understood only in a partial sense as deprivation of physical, or natural, needs. This deprivation termed absolute poverty was defined by a universal, static threshold of resource availability for individual households.

¹⁵⁰ Kroesen, 2014, p. 89.

¹⁵¹ Marx, 1970, p.48.

¹⁵² Ibid. p.50.

Households were considered poor only once they dipped below this threshold. Expressed in monetary terms absolute poverty would take into account commodity prices but would otherwise represent a fixed poverty line in the face of economic growth or changing average household income.¹⁵³ In theory the threshold was singularly defined by the ability of households to procure necessary subsistence needs, which is why it was also referred to as subsistence poverty. Thus, serving as the basis for social policy, outcomes would be so modest as to be incongruous with evolving needs within a changing society. Requirements of modern society are substantially different from those that existed a century prior and the pace of change has gotten ever more rapid. While, in practice, baseline necessities have evolved to include education, housing, health, and labour conditions as part of an overall package, absolute poverty is still very rigidly defined as a fixed income measured against the cost of basic needs.

In the dual aspect of production as both natural and social lies a recognition of the inadequacy of such a model in preserving human dignity. The harm experienced by the condition of precarity isn't merely from physical need, social deprivation can be similarly detrimental affecting not just mental but also physical health. Just because the precariat's experience is not necessarily one of poverty in an absolute sense its pernicious influence on personal well-being should not be dismissed. It is this recognition which underlies the notion of relative poverty. A relative measure casts a much wider net in identifying poverty and recognises that what constitutes poverty may differ according to time and place. Rather than being tied to a specific set of universally required essentials, poverty, relatively conceived, would be set according to each society's standard of living and all of the needs considered part of that standard. As such, relative poverty acknowledges the reality of socially determined needs as distinct from, and irreducible to, basic needs. Influenced by the work of sociologist Peter Townsend in the 1970s, relative poverty is determined by whether households are able to attain a "customary" living standard which naturally rises as society's become more affluent. This provides a much richer conception of poverty as it compares household resources to a set of socially determined needs which include access to technologies and services woven into the fabric of social life, participation in activities deemed to be of strong social significance etc.¹⁵⁴ Inherent in the concept of relative poverty is the recognition that people aren't biological machines, living in society requires more than meeting one's basic subsistence needs. Social and cultural needs are an

¹⁵³ Foster, 1998, p. 336.

¹⁵⁴ Sharshar, 2010, p. 2.

important aspect of a dignified life. Economic status must be evaluated in relation to others in society.¹⁵⁵ While relative poverty, by incorporating social needs, hints at the problem of social exclusion, it cannot give a proper account of it. Social exclusion is qualitatively different from the concept of poverty and cannot be reduced to a poverty baseline expressed in abstract monetary terms which by its nature cannot capture the entirety of social needs.¹⁵⁶

A much better method then, would be to measure social exclusion directly as it has a much broader scope, encompassing dimensions of economic resources but also social relationships, labour markets, educational institutions, and civic rights. This then provides the basis for a much richer description of the effects of precarity. Amartya Sen's capabilities theory serves as the framework which rather than using resources as the measure for determining what a person can and cannot do, it uses a measure of "beings and doings", that is, the various, concrete activities and states that a person could take part in and be, in positing the primary moral importance of the freedom to achieve well-being as its normative standard.¹⁵⁷ It is not just a philosophical theory but a well established framework that has seen practical usage in policy development and assessment. It is for example the basis for the human development approach. In addition, the capability approach has been championed by Martha Nussbaum in particular as a human rights approach. In doing so, she has grounded the otherwise quite general theory in a specific conception of human dignity.¹⁵⁸ As such it places a much bigger emphasis on personal agency and on their field of possibilities. Rather than being defined by the resources at one's disposal, human well-being directly correlates to the things one can choose to do and on the person one can choose to be.¹⁵⁹ While it recognises access to resources as an important factor, capabilities theory also recognises that each person's circumstances are different and the resources necessary to one may not be appropriate for another in achieving well-being.

Central to the capabilities approach are two metrics called functionings and capabilities from which one may get an understanding of people's lives and determine their level of well-being. Functionings represent the various states and activities that could constitute a

¹⁵⁵ UNESCO Website.

¹⁵⁶ Salais, 2009, p. 2.

¹⁵⁷ Robeyns, 2011.

¹⁵⁸ Claassen, 2014, p. 240.

¹⁵⁹ Hojman and Miranda, 2015, p. 2.

person's life. In defining these metrics one may be quite subjective or more concrete as long as they represent real human states or actions. Moral considerations do not factor into the evaluation of these functionings, they purely serve the purpose of articulating the component parts that constitute human lives. Capabilities are the potential opportunities available to a person from which they may chose their functionings. The real opportunities open to a person are then defined as capability sets.¹⁶⁰

According to Martha Nussbaum, what then defines a just society according to capabilities theory is the fulfilment of its moral duty to provide members of that society with the opportunity to achieve the basic capabilities which, being in accordance with human dignity, are essential to reaching a minimum threshold of subjective well-being. It is the inclusion of subjective metrics which elevates the concept of "basic capabilities" above the arbitrary definition of a resource threshold as found in poverty measures. In order to derive a set of capabilities from the concept of human dignity, which is admittedly hard to pin down in concrete terms, its attainment is preconditioned on whether a persons life can be characterised, generally, as exhibiting the qualities of commanding respect in the eyes of society, equality in relation to others, and agency in determining one's circumstances. Each capability's inclusion in the set of basic capabilities must then be argued for in terms of its effect on the three notions of respect, equality, and agency as the necessary qualities of a dignified life.¹⁶¹ Given their common normative basis of human dignity, it is unsurprising that we should see the three guiding principles of Nussbaum's capability theory reflected in the values of the human rights project as well. Indeed, in the previous section well-being was strongly linked to the three life qualities of equality, respect, and agency based on empirical evidence. While it is true that personality traits can affect individual levels of well-being¹⁶², the relationship was found to hold both for a within-person measure as well as for a between-person measure.

Based on these three qualities Nussbaum proposes a set of ten basic capabilities which she claims stand in relation to international human rights instruments in terms of content.¹⁶³ This set includes the capabilities for: Life; Bodily health; Bodily Integrity; Senses; Imagination, and Thought; Emotions; Practical Reason; Affiliation, subdivided into Friendship and Respect; Other Species; Play; Control Over One's Environment,

¹⁶⁰ Robeyns, 2011.

¹⁶¹ Claassen, 2014, p. 242.

¹⁶² Hojman and Miranda, 2015, p. 3.

¹⁶³ Nussbaum, 1997, p. 278

subdivided into Political and Material.¹⁶⁴ Out of these the most immediately relevant capabilities in relation to precarity would be: The capability for bodily health which encapsulates being in good health, being adequately nourished and to have adequate shelter. Precarity by contrast can be shown empirically to impact both mental and physical health and, due to the combination of employment insecurity, lower wages, the denial of many labour rights, may ultimately lead to destitution. The capability for emotions which includes supporting those forms of human association which are crucial to human development. The workplace being the most important space for socialisation outside of the family, it is of utmost importance that it provide the opportunity for the development of one's social identity. Unfortunately, this is not the case for precarious employment where social exclusion is the norm. The capability for practical reason entails among other things, to engage in critical reflection about the planning of one's life. However, inherent in the concept of precarity is the inability to do so. This is again a direct consequence of the reduced labour protections due to the experience of precarity of citizenship. The capability for affiliation which includes an aspect of respect which entails having the social bases of self-respect and non-humiliation as well as treatment in accordance of one's dignity as a being of equal worth to other members of society. The hyper-exploitative nature of precarious employment as a form of instrumentalisation of the person stands in stark contrast to the dignity of the person. In a culture which blames the worker subject to precarity for his own suffering, which demonstrates that he is a citizen of lesser worth, and which by its very structure guarantees his social exclusion, there can be no basis for self-respect and non-humiliation. The capability for Control over one's environment which includes the right to employment is problematic in the context of precarity. While work constitutes in contemporary western society not just the basis for meeting one's subsistence needs but is also the most important mechanism for socialisation. In other words work is crucial in meeting both one's material and one's social needs. However, paradoxically, it is the attempts to provide employment for everyone, in accordance with the right to work, which has produced the phenomenon of precarity. In blindly pursuing the goal of full employment, which by design can only be nominally achieved, societies have given birth to a type of employment which is only marginally more beneficial for well-being than unemployment, and which in some aspects is even worse. One solution to this problem would be to eliminate the intermediary of employment and instead include the capabilities which are actually at issue. The capability to meet one's subsistence needs, and the capability to integrate into society.

¹⁶⁴ Ibid. p. 287.

With these preliminary deliberations on precarity complete it is time to leave the realm of theoretical deliberation. These thoughts must be articulated more concretely in order to take effect. In other words, the capabilities that have been decided on must find concrete expression in the form of human rights law.¹⁶⁵ For human rights to find application in society, the notions of obligation are essential indicators which complement the more theoretical conception of the capability approach. They shall be examined in closer detail in the next section.

V.C.The Right to Freedom from Precarity

Every rights claim must be done in light of a “counterparty obligation”.¹⁶⁶ So too it must be in the context of the right to freedom from precarity which must take the form of positive obligation if it is to have any meaningful effect. The state must protect individuals from the depredations of finance capitalism as there can be no expectation of consistent and principled inhibitions based on moral sentiments by economic actors who operate based on economic rationality. Both human rights and labour rights hold up as their basic principle the dignity of the human person and as such, the instrumentalisation of human beings, their absolute commodification cannot be but a violation of both of those principles.¹⁶⁷ The question is whether the human rights law framework can be an effective tool in combating precariousness. While the European Union has a binding document on economic and social rights in the EU Charter of Fundamental Rights and the EU Agency for Fundamental Rights has addressed precarity, this was done in the context of domestic workers as vulnerable group. Precarious working conditions have not been addressed as a general practice.¹⁶⁸ While there are many economic, social, and cultural(ESC) rights in place, it seems to be the case that, mostly with regard to anti-poverty rights, the focus is placed on protecting people from basic material needs, these do not necessarily acknowledge the mental and physical stresses that result from deprivation of one’s basic social needs. Then there is the delegitimisation discourse surrounding some ESC rights, again especially in relation to anti-poverty rights, which raise conceptual and normative doubts about their place within the human rights framework. These relate to the impossibility of assigning responsibility for individual suffering in the former, and, the

¹⁶⁵ Claassen, 2014, p. 245.

¹⁶⁶ Vizard, 2011, p. 3.

¹⁶⁷ Mantouvalou, 2012, p. 2.

¹⁶⁸ Mantouvalou, 2012, p. 11.

unreasonable demands placed on the duty bearer in the latter case. However, these being, seemingly, moral claims on individual persons with regard to any suffering caused do not reflect the reality of international human rights as dealing with structural causes and obligations at the level of state institutions.¹⁶⁹ In addition, even in those cases where obligations exist, they tend to be relatively weak and subject to progressive realisation which in practice means that enforcement is inconsistent at best. Governments may fail to live up to their duties due to a lack of will or lack of capacity. Especially, as it relates to ESC rights, governments often tout a lack of capacity, as for example when policies of austerity are enacted. Despite claims of human rights as indivisible, and interrelated ESC rights seem to be regarded as not being equally valid or valuable as they consistently rank behind other policy goals in the priority calculus.

Furthermore, a right to precarity would in practice clash with the right to work. The argument, against a human right to freedom from precarity, would consequently be that such a right would not reflect the reality's of the labour market, which, if too rigidly conceived, would lead to high unemployment. Thus, policy makers acquiesce to industry's demand for labour market flexibilisation, if only for a segment of the population. The increasing economic pressures on workers boils down to the competitive need of organisations for productivity growth calculated on the basis of a cost to output ratio. Due to strategies of, on the one hand, increased foreign investment by firms in cheap labour countries which displaces domestic investment and the threat posed by work replacing technologies if investments in such technologies become more cost effective than living labour, workers are increasingly asked to make sacrifices for the privilege of employment. The problem of a real productivity growth slowdown is in essence being masked by artificial productivity produced by low wage, on demand employment which has achieved its goal of high employment figures but at a considerable price. This in turn disincentivises organisations from investing in developing their productive forces.¹⁷⁰ However, industrialised country's cannot become price competitive with cheap labour countries, thus making such an argument against increased labour regulations moot at best, especially in light of evidence that investment in high income countries actually tends to be complementary to domestic employment and so doesn't pose a competitive threat in that sense.¹⁷¹ At this point it should be clear to what extent precarity is a destructive force, both

¹⁶⁹ Beitz, 2010, p. 3.

¹⁷⁰ Avent, 2017.

¹⁷¹ Navaretti, 2010, p. 6.

in terms of human well-being and human dignity but also in terms of its effects on society as a whole. Nevertheless in view of a perceived trade off between reducing unemployment and labour costs the choice is made to deregulate the labour market. Hence the right to employment seems then to be, in what is a long term trend, becoming increasingly incongruous with material market conditions and may as a result be in some ways unintentionally conducive to the occurrence of harmful structural effects. “Labour rights necessarily arise from the circumstance of being a worker”¹⁷² Yet, what. Do we do in a post-work society? Labour rights were conceived off for the work society. They were conceived for a society in which enough work exists. They preserve the existing order things and function according to the logic of wage-work as constitutive of the person. Yet applying this logic to the current context has had disastrous consequences for a the working population. On the other hand, if a right to freedom from precarity were to be implemented it would have to address a problem that is not yet addressed by currently existing rights and define a “terrain of deliberation and argument”¹⁷³ on the basis of which specific social policies could then be designed to address this problem. If we take the basic capabilities articulated by Martha Nussbaum to serve as a legitimate basis for a minimum standard that a just society should provide to its members then the capabilities identified as relating to precarity in the previous section may give us an idea of what such a right might look like. The right to freedom from precarity must then consist of the following:

- The capability to to meet both one’s subsistence needs and one’s social needs such that both mental and physical well-being may not be impeded.
- The capability to engage in reflection about the future course of one’s life in an informed manner
- The skills and opportunities necessary to engage in activities which are of service to society and which can form the basis of his or her integration into society and the development of his social identity
- The ability to resist the instrumentalisation of one’s person as this constitutes a violation of human dignity.
- The ability to escape any conditions resulting from prevailing social and cultural norms and practices which may denigrate the equal worth and inherent dignity of the person

¹⁷² Mantouvalou, 2012, p. 17.

¹⁷³ Beitz, 2010, p. 8.

On the basis of these five capabilities we can proceed to the formulation of a right to freedom from precarity.

Everyone, as a member of society has the right to freedom from precarity, by virtue of which they shall have the possibility to lead a dignified life free from the functionalisation of their being, social exclusion, and structural impediments to attaining decent living standards corresponding to prevailing norms of the society which they are a part of. In accordance with this right:

1.) The state shall guarantee every person living in society the freedom to make informed decisions regarding the future course of their lives and to resist those forms of economic exploitation which are detrimental to either physical or mental health without putting at risk either their subsistence needs or social needs.

2.) Everyone living in society is entitled to skills and opportunities necessary to engage in activities which are of service to society and which can form the basis of their integration into society and the development of his social identity.

3.) Everyone living in society shall be freed from conditions that in the eyes of society would denigrate the equal worth and dignity of their person, this includes the full access to the benefits, services and protections of the state in accordance with their needs, free from discrimination or derogation.

VI. Conclusion

As in 1948, a spectre is haunting Europe - the spectre of populism. Liberal democracy is under threat from within, and the turmoil of the past couple of years should have left no doubt, even in the minds of the most ardent supporters of the status quo, that disaffection with established politico-economic order has gripped citizens of western democracies. At the heart of discontent lie the aftereffects of neoliberal globalisation and capitalist development, the downsides of which have fallen disproportionately on the middle and lower classes of society as rampant capitalism under the ideology of neoliberalism has shaken off any humanist pretence and exposed its relation to human labour as one of domination and exploitation. Labour is a commodity and as such it is governed by the cold, hard logic of economic rationality.

It starts with a conception of man as a social and productive being. His identity asserts itself in his conscious activity in society. History thus proceeds on the basis of a dialectical process by which man is both product of and producer of society. It is from such a

conception of man that the importance of work becomes immediately apparent. Over time this work takes the social form of employment and through processes of social transformation takes on new meanings culminating in the form of wage-labour. As wage labour work is no longer a private activity of self-realisation and social reproduction. It is now burdened with cultural meanings which all affect the way workers perceive themselves and are perceived by others. With the advent of wage labour work has now become a moral duty owed to society through the ideology of the work ethic and has become disassociated from its purpose of self realisation through the ideology of economic rationality. As time goes on and the requirements of capitalist economy for highly specialised skilled labour increase, with the division of labour and the complexification of the economic system, a dualisation of the workforce takes place which separates skilled labour from undifferentiated abstract labour.

This, dualisation of the labour market has now found its ultimate expression in the hyper-exploitation of precarity. Although individual aspects of precarity are in no way new and have in one form or another persisted throughout the history of capitalism, as capital has always attempted to dominate labour and to make it subservient to its goal of profit maximisation, there are a number of factors that make precarity worthy of special consideration. Precarity has three distinct aspects, all working together and reinforcing each other in their destabilising effects on individual's lives, the fostering of social exclusion and in the reduction of subjective well-being. The first is precarity of livelihood which is basically the effect of poverty, and the uncertainty that such poverty produces in people's ability to meet their basic needs. Second is the precarity of work which has a destabilising effect on people's ability to be consistently employed. This affects the individual in two ways. Firstly, employment is widely considered to be the most important space for socialisation outside of the family, and so it has a very strong negative impact on the person's ability to form his social identity, secondly, as it has become unpredictable for the person to know whether he is going to be employed or not in the future he is unable to take rational decisions about the future direction of his life. Third, and this is the most distinctive aspect of precarity, is the aspect of precarity of citizenship which sees him dispossessed of the labour rights that should protect him from the predatory tendencies of capitalist economy. It must be noted, that precarity is new only in so far as it citizens from the global north never had to experience it as a functional component of their economy. Indeed, through partial deregulation of the labour market the precariat have become a subset of the overall workforce with fewer rights, lower pay, limited access to benefits, and non-standard employment schemes. The effects of this are multiple, workers who are

subjected to precarious employment suffer from poverty, social exclusion, a loss of agency, low self-worth, and both mental and physical health issues as a result. All of these conditions are usually seen in unemployed people rather than those who have found work. This dualisation of the workforce in which a shrinking core of workers, benefit from stable, regular employment with all the rights and benefits worthy of a welfare state and a growing surplus population designated as a flexible, undifferentiated since unskilled, and of lower status. The division of labour on the one hand and capital's competitive need for productivity to continuously grow on the other have lead to along term trend according to which the skilled minority takes on an increasingly privileged role and the comparatively unskilled mass must make due with increasingly poor conditions relative to the elite workforce. This is not to say that on a shorter timescale there aren't periods of improved conditions, or that in absolute terms there aren't improvements to people's living standard. However, measuring living standards in absolute terms does not provide a useful measure if the goal is to determine individual well-being. As societies change so too do the needs of its members. To get an accurate account of well-being in contemporary society it is not enough to measure it on the basis of material resources according to the yardstick of medieval social standards.

Because of the way in which productivity is measured by a cost to output ratio, the reserve army of workers become just another way for capital to increase productivity as, in the short term at least, cheaper labour produces a higher cost to output ratio just as well as would the development of productive forces through labour saving technologies. This of course is only possible up to the limits of human biology. Thus, it is by this logic of exploitation that organisations are discouraged from investing capital into developing the forces of production so as to achieve full employment in the nominal mainstream economic sense, in line with the ideology of the work ethic. It is this work ethic which also underlies the human right to freely chosen work, which it must be said, in practice is rarely a matter of choice for the lower strata of society. However, in a sense, employment has ceased to be a right and has become an obligation which needs to be fulfilled at any cost. The reality is that precarity is a political choice. Given the choice between strong labour protections, thus driving up the cost of labour and encouraging organisations to increase the organic composition of capital, and weak labour protections, which would likely cause political backlash from the general population, policy makers decided to target the most economically vulnerable members of society, to strip them of their rights and to turn them into a surplus army which the employer could hire at will with very few obligations. It is for this reason that a right to freedom from precarity is critical as the tendencies of the

capitalist economy increasingly call for the instrumentalisation of human labour. The right to freedom must provide the normative push for policy makers to stand against this trend in the short term and must in the long term provide the basis for the transition to a just post-work society which provides all of its members with the opportunities develop both mentally and physically in accordance with their human nature.

The name post-work society may of course be somewhat deceptive as it will not be work in itself which will cease to exist, as it is in the nature of human beings to work, it is rather the form of wage-labour which must necessarily come to an end. What new conception of labour will replace the old one will be the result of political decision-making and will hopefully channel our innate human productive capabilities into a beneficial force for society. One such conception may take inspiration from an ancient source. Aristotle considered the notion of citizenship to be incompatible with labouring for his subsistence needs as they would constitute a distraction from his most important work, that of participating in the public sphere. Perhaps, it is time to return to that idea which only fittingly originates in the birthplace of democracy itself.

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2017

Freedom from precarity: a human right

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<https://doi.org/20.500.11825/615>

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