

Independence and the Death of Employment

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Introduction

Bear in mind that I can treat anyone exactly as I please.

— Emperor Caligula (AD 41) (Suetonius, *The Twelve Caesars*)

What is power?

In 2001, a 60-second television commercial appeared on televisions in the homes of many nations worldwide. It was not directed at the ordinary consumer but at the comparatively small number of heads and senior executives of multinational corporations who were sitting at home with their families in ‘relax mode’ after yet another hectic but power-filled day.

The advertisement depicted throngs of cheering, arm-waving crowds; masses of people surging with outstretched arms reaching for one spot. The grand stone temples identified the scene as that of ancient Rome. Chariots mounted by armour-suited soldiers carrying the eagle-topped staff of Roman military authority stopped as one and wheeled in salute. From the right-hand corner of millions of television screens the back head of a male figure emerged, turned and surveyed the scene. Adorned as it was with a half-wreath of golden leaves, it was clearly that of the emperor. The face exuded the arrogant, self-satisfied, assured but benevolent look of one who knew he had a vast empire at his single control. At that point the text and voiceover of the advert delivered its message: ‘How can you control all this without effective systems?’

It was an advert for one of the rising multinational computer software companies eager to attract the interest of top decision-makers in large corporations around the world.

It was an advert about power and about control. It was about employers and employees.

In 60 seconds, the advertisement depicted the single most important image of how twenty-first-century society conceives of the modern corporation. Business is a form of authoritarian but benevolent government in which an all-powerful head rules and controls a vast organization. The adoring

employees know their place in a strictly hierarchical, machine-like, command-and-control system. The people adore and obey the remote but god-like figure at the head, the employer. In this vision, corporate business is like the business of ancient Rome: warfare and the glory of victory!

No matter how erroneous or even distasteful this vision may seem to some in the 21st century, it remains the single most important idea that determines the attitude to business of individuals, society, government, and business itself. It influences the legislation and regulation under which business operates, and has a vast impact on the structure of society. This vision dominates how formal people-management dynamics operate inside firms, influences how our careers are structured, and affects our sense of self-worth and happiness. It has profound impact on the psychology of the stock market and how companies and individuals make money. It is a vision that came fully into focus midway through the twentieth century by the victory of the capitalist war machine that conquered tyranny in the Second World War. It is a vision of success made possible by discipline.

But if that vision has succeeded, it has also reached its limits—for it is also a flawed vision that leads people to underperform throughout their working lives.

This book is mostly about power—the exercise of it by one individual over another in the work environment. It is about the social, organizational, management and legal structures which create and prop up the powerful in our daily working lives. But it is also a book about a belief, namely, that concentrated power is on the wane because it holds back social, economic and personal performance.

In particular, this book is about employment or, rather, the very specific legal, institutional and relationship nature of the employment contract that dominates work. It is the employment contract that sustains the flawed vision and practice of command-and-control business in a power-driven world. The legal idea and behavioural application of employment distorts relationships inside firms. Every day that we go to work, employment causes us to underperform, to underachieve, and to remain unfulfilled. Employment as a legal and operational force is a glue that holds power-driven organizations together, yet it also causes them to underperform.

If, as individuals, businesses and societies we are to move forward, we must recognize the nature of the employment contract. Where we reject employment, we find new liberty, strength, equality and self-worth. Societies function better without employment. Businesses are more successful without employment. Individuals are happier without employment. Yet working without being employed is not easy. In fact, non-employment goes against

the natural grain of some powerful human instincts. But the revolt against employment, against concentrated power, is a sign that we are becoming more civilized.

Slowly, employment is being rejected—although its rejection is unrecognized and little discussed. Its rejection is witnessed in the slow but inevitable insertion of market-based principles into the internal workings of firms. It is witnessed in the huge rise in the number of people who earn their living as independent contractors, franchisees and small- and micro-business people. It is witnessed by the millions of people who are ‘employed’ in firms but feel in their hearts that the relationships are sour. However, even as this transformation is happening, we hardly understand what it is we are changing from or into. But the change is guided by a significant legal factor. We use (and want to use) the liberty available through the commercial contract to guide our economic actions.

That is the topic of this book.