

A POLITICAL THEORY OF PRECARIOUS WORK.

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ABSTRACT.

The increasing precariousness of working arrangements within advanced capitalist economies, such as that of the United Kingdom, has been the focus of much study within academic social science. This research has conveyed the empirical reality of zero-hours contract, temporary agency, gig economy, and other forms of precarious work, where one's working patterns and income stream are unpredictable and insecure. However, there has so far been insufficient sustained consideration of the political significance of such working arrangements within contemporary labour markets. This thesis rectifies this, constructing a distinctly political theory of precarious work. I first consider how precarious work could be analysed within the leading schools of contemporary political thought – libertarianism, Rawlsian liberal egalitarianism, Marxism, and feminism – before explaining why a republican theory of precarious work most successfully captures the full political significance of such working arrangements. According to this republican theory, precarious working arrangements should be understood as generating specific forms of domination, both interpersonal and structural, that compromise individual liberty. Not only do precarious working arrangements convey particular employers with extraordinary levels of discretionary power over their employees, but they also serve to trap workers within a wider ecosystem of potential interference and dependence. Finally, I explore how this significant threat to freedom could be rectified practically through the construction of an economic republic. This would involve a combination of state regulation, effective exit rights, and institutionalised worker voice, in order to provide workers with the 'antipower' sufficient to confidently resist the kinds of domination associated with precarious working arrangements.

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DECLARATION.

I declare that this thesis is a presentation of original work and I am the sole author. This work has not previously been presented for an award at this, or any other, University. All sources are acknowledged as References.

- CHAPTER 1 -
INTRODUCTION.

Travel to any town or city in the United Kingdom and it will not be hard to find the ubiquitous traces of an increasingly precarious labour market. The teal-coloured jackets of the Deliveroo riders weaving through traffic or killing time outside a fast food restaurant. The Uber driver idling in a side-street, waiting for the smart phone notification that will signal where the next job will be. The seasonal workers bused into the gargantuan Amazon ‘fulfilment’ centres on the outskirts of town, hired only until the period of high-demand is over. The high-street employment agency with their window display of job listings overwhelmingly labelled ‘temporary’; ‘fixed-term’. The hospitality worker, walking home from her zero-hours contract job because she is no longer needed for today’s shift.

But, look further. You will see the entire eco-system that this way of organising work sustains. The mouldering flats of the ‘rogue landlord’, often the only choice for those without a secure, salaried income. The pay-day loan adverts, high-street pawn shops, and the extortionate prices of ‘rent-to-buy’ appliance stores. The food banks. This is a system that exists, in large part, to service a workforce that can only plan their lives as far as their next, unpredictable pay check. Where having a job no longer means having stability and security in one’s life.

Precarious work has long been a focus of academic research within social science. As far back as the 1960s the sociologist Pierre Bourdieu was describing the ‘*précarité*’ associated with casualised work in Algeria (1963, p.361). And precarious work has continued to be defined, described, and categorised by those who seek to capture the empirical reality of this particular way of structuring working life (e.g. Antunes, 2016; Deranty, 2008; Dörre et al., 2006; Fantone, 2007; Kalleberg, 2008; Neilson and Rossiter, 2006; Schram, 2015; Standing, 2011; Vosko et al., 2009; Waite, 2009; etc.). However, despite this academic focus on precarious work among *empirical* social scientists, there has so far been an insufficient interrogation or analysis of the *normative, political* significance of organising and governing working life in this way by analytical political theorists and philosophers¹. What does the presence of precarious working arrangements tell us about the dynamics of *power* within a labour market?

The comparable lack of interest in the phenomenon of precarious work by political theorists and philosophers is surprising given the saliency of precarious work as an issue within real-world political discourse. For example, in the United Kingdom, the permissibility of precarious working arrangements, in particular zero-hours contracts, has become one of the key issues debated during recent election campaigns (e.g. BBC News, 2015; MacAskill and Helm, 2017). British trade unions and labour organisations have also campaigned heavily against precarious work in the

¹ Näsström and Kalm (2015) and Birnbaum (2017) have begun to bring the phenomenon of precarious work somewhat within the purview of political theory in their article-length papers. However, there has as yet been no sustained or systematic analysis of precarious working arrangements from the standpoint of analytical political philosophy.

contemporary labour market (e.g. TUC, 2016), and the Living Wage Foundation have recently launched a Living Hours campaign in response to research showing that one in six workers in the United Kingdom are now in insecure work, with unstable hours or short-term contracts (cf. Living Wage Foundation, 2019). Given that the purpose of political philosophy is to reflect on “how best to arrange our collective life” (Miller, 1998) it is important that political philosophers and theorists also contribute to these live debates about how to organise our collective working lives. That is the task of this thesis.

Specifically, this thesis is an exploration of the political significance of precarious working arrangements in the contemporary labour market. Although in this thesis I draw from an international palette of illustrative examples, this thesis is self-consciously addressing a local phenomenon: the ubiquity of precarious working arrangements in Britain during the opening decades of the twenty-first century. How should such work be conceptualised as a political phenomenon? What are the implications for power? What political values are at stake in the precarious labour market?

By applying the conceptual resources associated with the central traditions of contemporary political thought – libertarianism, Rawlsian liberal egalitarianism, Marxism, feminism, and republicanism – it is possible to construct a distinctly political theory of precarious work.

The central argument of this thesis is that the republican concept of domination best captures the specific power-dynamics, and political significance, of precarious working conditions. Precarious work should be understood as generating specific forms of domination that pose a significant threat to the liberty of those individuals subject to it. This republican theory, in contrast to the considered alternatives, successfully captures the precarious worker’s vulnerability to the extraordinary levels of discretionary power wielded by their particular employer. It understands the power of employers to demand, deny, or discontinue work from their employees with little or no notice or reason represents the kind of capacity for arbitrary interference that republican theorists such as Philip Pettit (1997a; 2012; etc) consider abrogative of freedom as non-domination.

However, the republican theory of precarious work constructed here also captures the *structural* vulnerability caused by precarious working arrangements, the effects of which ripple outwards into various other areas of the worker’s life, constituting a distinct form of *structural domination*. The insecurity and instability of precarious work can make individuals vulnerable to a wide hinterland of agents beyond the confines of a particular employment relationship: customers, landlords, payday lenders, and so on. This structural situation, with the inherent potential that multiple forms of arbitrary interference can arise, represents, in and of itself, an arbitrary, dominating form of structural power that can constrain the ability of individual workers to live an independent life of their own. Indeed, this structural vulnerability contains the potential to arbitrarily trap workers, intensifying their dependence on precarious work and the relationships of domination that they are subject to at work and elsewhere.

This is not to suggest that precarious working arrangements are the *only* kind of working arrangements that generate freedom-compromising forms of domination in the labour market, or that precarious working arrangements necessarily generate the *worst* forms of domination present in contemporary labour markets. The argument, instead, is that precarious working arrangements generate *specific kinds* of domination that deserve to be highlighted and better understood. Once these forms of domination are identified, I explore how they can be resisted, by embedding the eradication of precarious work within the wider republican political programme of counter-domination.

Importantly, this thesis does not attempt to identify an all things considered *ideal* model for organising and governing working life. Instead, it aims to (i) consider which political concepts, if any, enable us to better comprehend the significance of actually-existing instances of precarious work in the contemporary labour market; (ii) consider which political values, if any, are threatened by such instances of precarious work; and (iii) consider what practical responses, if any, could *realistically* be deployed to rectify these threats, even if these responses are far from perfect. As such, it should be understood as a project in nonideal, applied political theory.

It is a project in nonideal political theory to the extent that my aim is not, like Rawls, to identify and realise “the principles that characterise a well ordered society under favourable circumstances” (1999, p.216), but instead to understand, evaluate, and improve the conditions we are faced with in the ‘real’, and far from perfect, world around us. In this sense, the methodological approach adopted in this thesis is much closer to that articulated by Amartya Sen in *The Idea of Justice* (2009), which (as paraphrased by Martin O’Neill and Thad Williamson) “suggests that we need to focus on developing a clear metric that will allow us – actual persons in actual societies with actual histories – to judge whether marginal changes of policy and resource distribution do or do not lead to more just outcomes” (O’Neill and Williamson, 2012, p.2). This approach is valuable for, firstly, understanding the normative distinctions between precarious working arrangements and other forms of employment relationships within capitalist labour markets; and, second, identifying measures to improve the status quo within the confines of actually-existing political reality.

It is a project in applied political theory to the extent that I seek to utilise the existing conceptual resources offered by the central traditions of contemporary political thought to better understand a real situation or problem that confronts us in our societies (cf. McGrane and Hibbert, 2019). Indeed, a main task of this thesis is to apply the conceptual frameworks offered by libertarianism, liberal egalitarianism, Marxism, feminism, and republicanism to the case of precarious work in order to discern its political significance; to use these theoretical resources as lenses through which to interpret and make sense of precarious work as it exists in the real world.

But as much as the conceptual resources offered by political theory can help us bring new perspectives to issues such as precarious work, the application of such concepts to empirical case studies also provides an opportunity to refine and advance our understanding of these concepts. This is the case in this thesis, where the application

of the republican conceptual framework of freedom as non-domination to the case of precarious work illuminates a unique form of structural domination.

Following this methodological approach, this thesis makes a number of important contributions to the academic literature. The first contribution relates to the study and comprehension of precarious working arrangements in the contemporary labour market. As intimated above, there is a sizeable canon of empirical social scientific literature on precarious labour practices. This thesis engages closely with this existing empirical literature in order to offer a detailed, analytical, normative evaluation of the phenomenon. Whilst there has always been an element of critique inherent to much of the existing sociological literature, its primary purpose has been to document, define, and describe precarious working practices as they exist within real labour markets. My contribution is to isolate and articulate, through considered analysis of the phenomenon under the conceptual microscopes made available by the leading schools of contemporary political thought, the normative, political significance of organising and governing working life in this way. Specifically, I show the extent to which precarious working arrangements generate politically significant power-dynamics that pose a threat to the political value of individual liberty.

A second major contribution of this thesis relates to the study of republican political theory. Not only does this thesis apply the conceptual framework associated with the republican theory of freedom as non-domination to the novel case of precarious working arrangements in the contemporary labour market, but it also contributes to an emerging debate within contemporary republican scholarship as to the conceptualisation of *structural* domination. In particular, I show how the case of precarious work illuminates a specific form of structural domination that is generated by the structural vulnerability of precarious workers to manifold forms of potential, arbitrary interference beyond the confines of their particular employment relationship. The conceptualisation of structural domination articulated here is constructed through close reflection on feminist accounts of structural vulnerability (e.g. Okin, 1989, p.134; Young, 2011, p.45) and other accounts of structural power and constraint (e.g. Haslanger, 2016, p.123; Hayward, 1998, p.12) external to the republican tradition in order to expand the republican concept of domination in new directions and apply it to new contexts. In doing so I am able to identify a distinctive form of structural domination unlike that previously described by other contemporary republican scholars (e.g. Einspahr, 2010; Pettit, 2012; Coffee, 2015; etc.).

Most strikingly, the form of structural domination I identify within the precarious labour market differs from the more general form of structural domination that Alex Gourevitch has shown was integral to the nineteenth century American ‘labor republican’ critique of capitalist wage-labour (cf. Gourevitch, 2015). Whilst labor republicans considered all workers to be structurally dominated to the extent that they are structurally compelled to sell their labour to one employer or another (Gourevitch, 2015, p.109), in this thesis I show how precarious workers *in particular* are structurally dominated to the extent that the nature of precarious working arrangements subject those workers to potential, arbitrary interference from a multitude of agents both within, and beyond the labour market. As a result of this structural position, precarious workers are ensnared in a ‘precarity trap’, a vicious

cycle of vulnerability and dependency that constrains the opportunity for precarious workers to break out of their situation by intensifying their dependency on precarious work.

A third, and related, contribution of this thesis is to consider how opposition to the forms of domination associated with precarious working arrangements can be realised institutionally through a combination of state regulation, exit rights, and worker voice. In doing so, I contribute to a significant literature relating to how the republican value of freedom as non-domination can be politically realised and institutionally constituted (e.g. Pettit, 1996; *ibid.*, 1997a, p.106; *ibid.*, 1999; Skinner, 2012, p.60; Gourevitch, 2011, p.432; McCormick, 2011; etc.). In particular, I contribute to ongoing debates within republican scholarship regarding how freedom as non-domination can most successfully be promoted within the labour market (e.g. Hsieh, 2005; Dagger, 2006; Breen, 2015; Gourevitch, 2015; Thomas, 2016; Taylor, 2017; etc.). Specifically, I argue that counter-dominating ‘antipower’ should be embodied in robust labour law, a generous welfare state, and a “promotive stance” (cf. O’Neill and White, 2018) towards trade unionism, thus providing the foundations of an economic republic that would enable workers to confidently resist the forms of domination identified in existing precarious labour markets. However, not only is this a contribution to ongoing debates within contemporary republican scholarship, but it is also a contribution to live debates within ‘real world’ political discourse as to how the issue of precarious work can be practically addressed.

The thesis is structured as follows. Chapter Two sets out how the concept of precarious work will be defined throughout the thesis. By surveying the existing academic literature on precarity, precariousness, and precarisation, as well as selected illustrative examples, I conclude that the concept of ‘precarious work’ should refer to forms of work that are organised and governed so that (i) one’s access to work is uncertain; and, as a result, (ii) one’s income is made unstable and unpredictable. Paradigmatic cases of precarious work, as defined here, therefore include zero-hours contract, temporary agency and so-called “gig economy” work. Such work is precarious to the extent that it generates a specific combination of uncertainty, jeopardy, and dependence; a combination that has underpinned the meaning of ‘the precarious’ throughout the development of this idea in both common usage and the conceptual language of social science. Within this chapter I also explore how the precarity generated by particular working arrangements can be intensified or mitigated by contextual factors such as rates of pay, independent wealth, or the presence of labour rights and protections. I also explore the extent to which such working arrangements have been associated with stress, anxiety, and psychological distress. Whilst this psychological response is not a necessary feature of precarious working arrangements, it does intuitively alert us to the importance of considering whether or not organising working life in this way is normatively permissible.

In Chapter Three I begin to consider on what grounds such a normative evaluation could be based. I explore the extent to which we can analyse and understand the social and political significance of precarious work through the existing approaches to work and employment found within the leading schools of contemporary political thought: libertarianism, liberal egalitarianism, Marxism, and feminism. Whilst I suggest that

free-market libertarians would tend towards ambivalence, if not the outright promotion of precarious working arrangements, liberal egalitarian, Marxist, and feminist conceptual frameworks allow us to begin evaluating precarious working arrangements as instances of injustice. However, I argue that neither liberal egalitarianism, Marxism, or feminism provides a wholly sufficient basis for successfully identifying the *distinct and specific* political significance of precarious work.

The liberal egalitarian approach to thinking about working life, following Rawls (cf. 1999, p.464), considers the extent to which work acts as a distributive vehicle for some particular value - for example human flourishing, autonomy, or self-respect – associated with the meaningfulness of life. I show that whilst some instances of precarious work may offend against these values, cases of precarious work will not *always* and *necessarily* offend against these values. Moreover, I suggest, that treating work as a vehicle for some particular liberal value risks empowering further those who control access to work, and highlight the paradoxically illiberal, perfectionist implications that could be associated with institutionalising a particular conception of meaningful work. Nevertheless, I also explore the extent to which the economic and social model associated with Rawlsian justice might inherently eradicate precarious working arrangements regardless of whether such work is ‘meaningful’ or not.

Whilst the Marxist and feminist traditions explicitly treat work as a distinct sphere of politically significant power relations, neither tradition, I argue, provides the conceptual resources necessary to articulate the distinct harm associated with precarious working arrangements as opposed to other forms of organising work in our existing societies. For Marxists, all workers under capitalism are subject to the exploitative power of their employer, and the capitalist class as a whole, regardless of how precarious their employment is. Similarly, feminist scholarship shows us that all women are structurally vulnerable in the labour market as a result of the power-dynamics associated with patriarchal society. To the extent that precarious working arrangements are compromised by such power, they are no different to any other form of work that women perform, both in the home or the formal labour market.

By reflecting on the conclusions reached in Chapter Three, I argue in Chapter Four that the conceptual framework associated with the republican theory of freedom as non-domination most successfully allows us to illuminate, comprehend, and, ultimately, condemn, the specific power-dynamics associated with the precarious labour market. According to this republican-inspired theory, precarious work can now be seen to represent a politically significant threat to individual liberty. Indeed, specific forms of freedom-compromising domination can be seen as essential, constitutive features of precarious working arrangements. In the first instance, precarious working arrangements necessarily involve employment relationships that subject the worker to extraordinary levels of discretionary employer power. Precarious working arrangements also make workers vulnerable to further instances of interpersonal domination beyond the employment relationship itself, by transforming relationships with family, friends, and economic agents such as landlords, payday lenders, and so forth, into dominating relationships of dependency. Finally, as a result of the structural position precarious workers occupy in this system of domination, they

are vulnerable to a further, distinctly structural form of domination. This arises as a result of precarious workers' liability to a 'precarity trap', or the vicious cycle of insecurity and dependence that encourages precarious workers to submit further to their disadvantaged position.

Crucially, this domination-based analysis of precarious work allows us to normatively distinguish between precarious and non-precarious forms of capitalist wage-labour. Whilst neither may be considered all-things-considered just, or even completely free from domination, we can see that the particular tone and tenor of domination associated with precarious work is absent from more formally secure forms of salaried employment in capitalist labour markets. This distinction enables us to make normative judgements in nonideal circumstances, and identify where improvements to the status quo, even those that may otherwise seem marginal, can be made.

In Chapter Five, I explore the political programme associated with the republican tradition of political thought, the practical policies and institutional regimes through which republicans aim to promote the value of freedom as non-domination, and explore how opposition to the specific forms of domination associated with precarious work can be embedded within this republican political programme. I propose that a combination of regulation, exit, and voice, embodied in robust labour law, a generous welfare state, and a promotive stance towards trade unionism, would provide an institutional framework and political ecosystem that would enable precarious workers to begin resisting the specific forms of domination that they experience within their working lives, and provide a space in which to contest the permissibility of precarious working arrangements in the contemporary economy.

Finally, in Chapter Six I conclude by summarising the central findings of the thesis and mapping the potential avenues for future research that these findings have opened.

In sum, this is a thesis that emphasises the reasons why the way that working life is organised and governed matters. Work is a context in which politically significant power is exercised and endured. How we organise work, the labour market, the economy, and the wider political community determines the shape of these power dynamics and the extent to which these power dynamics promote or compromise the liberty of individuals subject to them. As political theorists, we are interested in interpreting the significance and meaning of these power dynamics, but also in theorising how we might effectively address those real-world phenomena that we understand to be normatively problematic and unjust. Precarious work, I argue, generates specific forms of domination that significantly compromise individual liberty, and thus represents a pressing injustice within contemporary collective life. The purpose of this thesis is to explain, carefully and systematically, why this should be resisted, and how.

- CHAPTER 2 -
DEFINING PRECARIOUS WORK.

Introduction.

There is an increasing sense that, for a growing number of people, work is becoming more precarious. Within industrialised nations such as the United Kingdom, there is now palpable concern that, as the employment systems established in the mid-twentieth century continue to transform in multiple ways, individuals can no longer be certain that their work will provide the basis of a relatively secure and stable life. Indeed, this concern is reflected in the increasing prevalence of “precarious work” as a focus within public political discourse. However, despite this increased prominence of “precarious work” within political debate, the precise meaning of this concept can often remain insufficiently clear. This is particularly true within academic political philosophy, where the concept of precarious work remains largely novel and underexplored. Without a careful mapping of its conceptual contours, then, there is a danger that “precarious work” could become a vague, all-encompassing term, deployed to capture an ever-expanding variety of phenomena and experiences associated with contemporary economic life. It is therefore necessary to clearly outline the object of investigation in this thesis by providing a detailed account of how the concept of precarious work should be understood.

In this chapter I will argue that the concept of ‘precarious work’ should refer to forms of work that are organised and governed so that (i) one’s access to work is uncertain; and, as a result, (ii) one’s income is made unstable and unpredictable. Such work is precarious to the extent that it generates a specific combination of uncertainty, jeopardy, and dependence; a combination that has underpinned the meaning of ‘the precarious’ throughout the development of this idea in both common usage and the conceptual language of social science.

I will also show how the precarity generated by particular forms of work can subsequently be made more or less intense by contextual factors such as the level of remuneration offered for work, one’s level of private wealth, the availability of labour rights and protections, and so on. Such factors are not, therefore, necessary features of precarious work, but can be shown to play an important role in exacerbating or mitigating the impact of organising work precariously.

Finally, I will explore the emotional and psychological impact that is often associated with precarious work. To be clear, whether or not work is precarious is not determined by any given individual’s personal psychological response to their working life. But it is important to recognise that empirical literature, as well as first-hand testimony, often associates instances of precarious work with significant distress. It is the stress and anxiety experienced by many precarious workers that intuitively alerts us to the fact that the organisation and governance of contemporary working life in this way is demanding of sustained political theoretical investigation. What is the political significance of a system of work that often promises emancipation, but all too often delivers anguish?

I will investigate these ideas with reference to several paradigmatic cases of precarious work that can be identified within the contemporary labour market, including examples of zero-hours contracts, temporary agency work, and work in the so-called “gig economy”. Whilst these are not the only forms of precarious work that exist within the contemporary economy, they are the most ubiquitous, and illuminate the defining features of precarious work clearly.

Defining the precarious.

What does it mean to describe something as precarious? By looking at how this term has been developed and deployed, both in common usage and the more specialist conceptual vocabulary of social science, we can see that the precarious is consistently associated with three key ideas or themes. The first is *jeopardy*. There is a realistic danger or risk of an event taking place, or a situation arising, that would result in significant costs or harms. The second is *uncertainty*. There is a likelihood that this injurious event could happen, but it might not; fate hangs in the balance. In this sense there is an ambiguous temporal dimension to the precarious. Harm could arise unpredictably, at any time or not at all. But the potential for harm is omnipresent. These themes are reflected in contemporary English usage, where the adjective ‘precarious’ is applicable to a multitude of contexts in which there is some insecurity, instability, or risk of danger. In the specialist language of social science, too, the concept of ‘precarity’ is associated with these key themes of uncertainty and jeopardy. However, the etymological roots of this term suggest that the precarious should also be associated with a third theme. In particular, the idea of the ‘precarious’ has historically been deployed to describe the social vulnerability and lack of control that is created by particular relationships of *dependence*.

Indeed, the English word ‘precarious’ derives from the original Latin term, ‘*precārius*’, meaning “given as a favour, depending on the favour of another, (of property) held by tenancy at will, uncertain, doubtful, suppliant” (OED, 2007b). This, in turn, is linked to the Latin, ‘*prex*’, meaning prayer or entreaty (ibid.). More specifically, the English usage of ‘precarious’ can be associated with the noun ‘*precarium*’, a concept taken from Roman law that described a “loan granted on request but revocable whenever the lender wishes” (OED, 2007c). Typically, a ‘*precarium*’ referred to a right of tenancy, whereby land or property was loaned to another “during the pleasure of the superior” (ibid.). It this idea of uncertain tenure that was also first denoted by the English adverb ‘*precariously*’ (OED, 2007d). As the Oxford English Dictionary states, ‘*precariously*’ was first used to describe being “at the mercy or pleasure of another person” and was historically deployed “in technical use with reference to tenancies” (ibid.).

However, the idea of ‘the precarious’, in its historical English usage, was not solely used to describe the insecurity or uncertainty of tenancy or debt, but also how this insecurity could be exploited. The Oxford English Dictionary also describes a concept of ‘*precarious*’, a medieval English term denoting the additional services that a lord of the manor could rightfully demand of his tenants (OED, 2007e). This in turn derived from the post-classical Latin term ‘*precaria*’, which was often used in twelfth century British texts in reference to forms of boon-work, that is, unpaid labour that lords could demand of their tenants, particularly around the harvest (ibid.; cf. OED, 2007a). In this

sense, the idea of ‘the precarious’ was, historically at least, specifically tied to the realm of work and the exploitation of labour.

We can therefore see how, when first introduced to the English language, the concept of ‘precarious’ implied a specific interpersonal relationship between two or more particular agents. The tenant is in a position of dependence on the goodwill of their landlord, who grants access to property but retains the ability to revoke this access at whenever they wish. Thus, a person is precarious when they are “vulnerable to will or decision of others” (OED, 2007b), reliant on their favour and continued beneficence. The etymological links to the Latin ‘prex’ or prayer compares the experience of the precarious to that of supplication to the gods; the need to prostrate oneself and entreaty with a superior power in order to continue enjoying that which has been granted. This dependence connects with the uncertainty over when/if the landlord will elect to reclaim their land or impose additional demands on their tenants. The element of jeopardy is demonstrated when we consider that tenants will be existentially reliant on maintaining their access to the landlord’s property in order to sustain themselves. With its roots in the Roman law of the *precarium*, we can therefore see how the idea of ‘the precarious’ was, firstly, an economic concept that described a particular structure of property rights, as well as the power this granted one agent over others.

Unsurprisingly perhaps, this legal-economic concept was also deployed as a metaphor to describe particular forms of dependence associated with *political* power. Indeed, the Oxford English Dictionary lists an obsolete adjective, ‘precarious’ or ‘precarie’ which was used synonymously with ‘precarious’ (OED, 2007f). The first known usage of this term was in Richard Knolles’ 1606 English translation of *The Six Books of the Republic* written by the French political philosopher, Jean Bodin. Here Bodin uses the idea of ‘the precarious’ to challenge the idea that one is sovereign when it is possible for their power to be revoked. He writes, for example, that the power of the Roman duumviri was precariously dependent on the goodwill of the Prætor:

“Whereby it is euident them to haue had no iurisdiction or power by vertue of their own magistracie, but onely part of the Prætors iurisdiction, and that also by leaue and sufferance. But they which haue nothing but such deputed or precarie iurisdiction, can of right call nothing their owne: Wherefore whether the power of the Duumviri consisted onely in hauing power to commaund , or in iurisdiction, it was vndoubtedly but by leaue and sufferance: whereby it is to be vnderstood, these Duumviri not properly to haue been at all magistrats” (Bodin, 1606, p.296).

Again we can see that the idea of the precarious here captures a combination of jeopardy (the costly loss of political power), uncertainty (whether or not the duumviri will be able to exercise political power), and dependency (that the capacity to exercise power is reliant on the will of some other agent, the Prætor).

Daniel Lee has further shown how the idea of the *precarium* was crucial to much early-modern thinking with regards to the concept of popular sovereignty. Lee shows how Bodin argued that the Roman people remained sovereign even during periods of dictatorship. To the extent that autocratic leaders held sovereignty, this was “as a precarious grant on sufferance” (Lee, 2016, p.222). Lee also highlights this idea of

sovereignty as a precarium in the political thought of seventeenth-century Dutch philosopher Hugo Grotius', whereby the power of princes is granted as a "revocable right" on a "precarious tenure" by the people (ibid., p.270). During the seventeenth century, then, the meaning of the 'precarious' began to be extended beyond the particular *economic* relationship of the landlord and the tenant farmer. It could now also be deployed metaphorically to describe the similarity of precarious tenancy and the political relationship between citizens and the state.

Since the seventeenth century, the meaning of 'precarious' has seen a further, significant shift within the English language. From a term that previously described "dependency on another person's pleasure or whim" (Gilliver, n.d), a more general sense evolved throughout the eighteenth century to include dependency on "chance or circumstance" (ibid.). From this meaning, 'precarious' has subsequently developed into a contemporary meaning of "insecurity or physical instability" (ibid.). For example, we might describe crossing a dilapidated and structurally unsound bridge, the uneasy peace between two rival nations, or a risky stunt performed by a high-wire artist, as "precarious". In this way, the term's contemporary usage continues to capture the core ideas of uncertainty and jeopardy that have long been attached to the 'precarious'. The dilapidated bridge could collapse at any minute, war could break out, or the high-wire artist could fall. There is a realistic potential for these harms to arise, unpredictably, at any time. Yet, even if danger is avoided in the present, the potential for harm and injury persists.

However, in common contemporary usage, the idea of the precarious has largely been shed of its more specific, interpersonal, legal and economic meaning, and its association with particular relationships of dependence. Instead the idea of the precarious exists as a more expansive metaphor that can describe various forms of risk, insecurity, and vulnerability. Whilst this more general, metaphorical understanding of 'precarious' certainly plays a key descriptive role when deployed in the case of 'precarious work', we will see that important connections can also be made between 'precarious work' and the jeopardy and uncertainty specific to economic relationships of dependency, that the concept of 'precarious' originally captured.

The evolution of the meaning of 'precarious', from the specific to the more general, is mirrored in the way this idea has been deployed within the specialised language of academic social science. The variety of overlapping and contrasting conceptualisations of 'precarity'² found in the existing literature can be confusing and could give the impression that this concept is deployed more for its rhetorical force than its conceptual clarity. Nonetheless, the various conceptualisations can, broadly,

² Despite attempts to draw clear conceptual distinctions between 'precarity' and 'precariousness' (e.g. Neilson and Rossiter, 2006; Lorey, 2015, pp.11-12), these labels are often used interchangeably within the existing literature. For example, 'precariousness' has often been used, contrary to attempts at distinction, to describe the particular insecurity associated with specific forms of work (e.g., Dörre, et al., 2006; Rodgers, 1989, p.3). Similarly, 'precarity' has been used to describe the more expansive account of vulnerability (e.g. Ettlinger, 2007; Lorey, 2015, p.12; Puar, et al., 2012 p.168). For the sake of simplicity I will instead uniformly refer to varying conceptualisations of 'precarity' rather than suggest that there is any essential distinction between the terms 'precarity' and 'precariousness'.

be categorised according to one of two main models (cf. Waite, 2009, p.413; Jokinen, 2015, p.88).

The first of these models reserves the concept of ‘precarity’ to describe an *effect* of organising work and the wider economy in certain ways. The first usage of ‘precarity’ in this context can be traced back to 1963 when Pierre Bourdieu used the French term ‘*précarité*’ to describe the condition of casual workers in Algeria in relation to others who were permanently employed (1963, p.361; cf. Waite, 2009, p.414). This close association between the French concept of *précarité* and particular ways of organising work continued through the 1970s and 80s. As Jean-Claude Barbier outlines, by the late-1970s the meaning of ‘*précarité*’ was established in French sociological literature to describe a social condition or process whereby people were at risk of poverty. Employment was quickly identified as a key contributing factor to economic ‘*précarité*’, particularly when people were engaged in precarious employment or ‘*emploi précaire*’ rather than secure, full-time open-ended contracts or ‘*contrats à durée indéterminée*’. Indeed, by the early-1980s the concept of ‘*précarité*’ had been adopted by the French state as an official term to describe these new forms of insecure and temporary contracts (Barbier, 2002, pp.7-8). When first introduced into the technical language of social science, then, the concept of precarity was used to describe the specific vulnerability encountered by those whose employment conditions are uncertain or unpredictable, and therefore the jeopardy that is created when one cannot reliably meet their basic needs and risks falling into poverty.

This understanding of precarity continues to be the most predominant one found within contemporary social scientific literature (c.f. Rodgers, 1989; Vosko, et al., 2009; Waite, 2009; Antunes, 2016; Birnbaum, 2017; etc.). Importantly, on this model, precarity is always considered a particular form of vulnerability or insecurity that arises as a result or product of particular social conditions, particularly those associated with work and the wider economy. For example, Arne Kalleberg has associated precarity with the effects of “uncertain, unpredictable, and risky” forms of employment (2009, p.2). Similarly, Klaus Dörre, Klaus Kraemer and Frederic Speidel link precarity with “heterogeneous employment modes like temporary work, fixed-term contract work, forced part-time work, little jobs, badly paid jobs, state-subsidised jobs (“one-euro-jobs”) and unpaid practical trainees” (2006, p.99). As with the earliest uses of precarity, the concept remains one that is specifically associated with the forms of insecurity or vulnerability created by particular forms of work.

Others, however, have expanded upon this specific conceptualisation of precarity to suggest that, whilst precarious forms of work remain a paradigmatic case of precarity, this vulnerability and insecurity can increasingly be found throughout society in a variety of guises. For example, the political theorists Sofia Näsström and Sara Kalm explain:

“Precarity is a term that has become increasingly popular as a way to capture the material and psychological vulnerability arising from neoliberal economic reforms. Although the forms are shifting and plural, these new vulnerabilities result largely from neoliberal policies aimed at making employment conditions more flexible, at gradual replacement of welfare protection with workfare obligations, and at the promotion of market solutions to ever more spheres of

society... Scholars are today doing important work to examine the impact of precarity on such areas as work, citizenship, welfare, education, class, gender, North–South relations and life expectancy” (Näsström and Kalm, 2015, pp.556-557)

Brett Neilson and Ned Rossiter suggest that precarity similarly extends beyond the vulnerability associated with certain forms of work. They claim:

“The term [precarity] refers to all possible shapes of unsure, not guaranteed, flexible exploitation: from illegalised, seasonal and temporary employment to homework, flex- and temp-work to subcontractors, freelancers or so-called self-employed persons. But its reference also extends beyond the world of work to encompass other aspects of intersubjective life, including housing, debt, and the ability to build affective social relations” (Neilson and Rossiter, 2006, p.10).

This broader understanding of precarity also underpins Guy Standing’s influential theory of the ‘precariat’ (2011). Here Standing understands precarity as the insecurity affecting a distinct class of people who are defined by their position within the contemporary capitalist system (2011, pp.9-11). On this account, whilst precarity is closely correlated with particular forms of precarious work, it is not necessarily limited to a description of the particular effects of particular models of work (ibid.).

Nevertheless, on all of these accounts, precarity is considered as a specific form of vulnerability, a condition unique to or paradigmatically associated with particular ways of organising work, the labour market, and the wider economic sphere. It is this model of precarity that will inform the account of precarious work and, in turn, represent a central focus of this thesis. For this reason, it is important that we distinguish this model of precarity from a distinct, rival conceptualisation.

This second model diverts sharply from the idea that precarity is a specific condition or product of particular social and economic factors. Instead precarity is viewed as an essential and inescapable property that is common to all humans. Human beings, it is argued, are inherently precarious by virtue of our contingent, mortal lives and the fact that our survival often depends on others in a variety of ways. Precarity is not unique to particular social or political situations – every one of our lives is always precarious to a certain degree - but instead this essential human precarity can be exacerbated depending on the extent to which it is recognised and respected by others.

This understanding of precarity is perhaps best captured by Judith Butler, who argues it should be conceptualised as “a common human vulnerability” (Butler, 2004, p.31). Here the notion of ‘the precarious’ is intended to capture the fragility and contingency of all human life. We are mortal, vulnerable to injury, and thus we are inherently precarious beings. This “corporeal vulnerability” (ibid., p.19) becomes socially and politically important when we realise that, as social creatures, our lives are often dependent on others (ibid., p.xii). Precarity, then, involves the social positioning and distribution of our common vulnerabilities and the recognition of these vulnerabilities granted by others. As Butler states, the meaning of precarious lives is bound up in the question, “Whose lives count as lives” (ibid., p.20). We must therefore stress our universal, shared corporeal vulnerability in order to prevent the political dehumanisation and devaluation of the lives of some Others.

Indeed, Butler greatly clarifies her approach to ‘the precarious’ in the 2012 article ‘Precarity Talk’:

“We can make the broad existential claim, namely, that everyone is precarious, and this follows from our social existence as bodily beings who depend upon one another for shelter and sustenance and who, therefore, are at risk of statelessness, homelessness, and destitution under unjust and unequal political conditions. As much as I am making such a claim, I am also making another, namely, that our precarity is to a large extent dependent upon the organization of economic and social relationships, the presence or absence of sustaining infrastructures and social and political institutions. In this sense, precarity is indissociable from that dimension of politics that addresses the organization and protection of bodily needs. Precarity exposes our sociality, the fragile and necessary dimensions of our interdependency” (Puar, et al., 2012, p.170)

Butler does not deny that economic relations and work are a part of the story; she describes precarious workers as those who are “replaceable and disposable” (Puar, et al., 2012, p.167). However, we should also, for example, see the lives and bodies of citizens as precarious when “they are exposed to police force” (ibid., p.168). As such, we can see that, here, precarity is not understood as a concept that captures the particular *effect* of economic and social life on certain individuals. Instead precarity is an existential property of humanity. It is intended to capture the multiple forms of existential “corporeal vulnerability” (Butler, 2004, p.19) that all humans experience, and direct us to interrogate the uneven ways that these vulnerabilities are distributed socially so that some lives are protected and respected more than others (Puar, et al., 2012, p.170).

A broader conceptualisation of precarity is similarly deployed by Isabell Lorey, who argues it “means more than insecure jobs, more than the lack of security given by waged employment. By way of insecurity and danger it embraces the whole of existence, the body, modes of subjectivation” (Lorey, 2015, p.1). Indeed, Lorey presents a complex three-dimensional account of the precarious. This, firstly, encapsulates “precariousness” as a “socio-ontological dimension of lives and bodies” (ibid., p.11), that is the inescapable fragility of our lives of human beings. Secondly, it includes “precarity” which describes the “social positionings of insecurity” (ibid., p.12) or the unequal distribution of precariousness. Finally, it also includes “precarization” as an active mode of governing through the “destabilization of the conduct of life and thus of bodies and modes of subjectivation” (ibid.). ‘The precarious’ as an object worthy of social scientific study is therefore conceptualised by Lorey as a state or property held by all human beings, a social relationship between more and less secure individuals, and a social process through which lives are made more insecure as a form of government control. It is not a specific condition associated with work, but a universal property of humanity experienced in greater and lesser degrees throughout society.

Nancy Ettliger also adopts this more general and expansive understanding of precarity, arguing that whilst it is most widely understood as referring to the insecurity of more casual forms of labor, she understands it as “a condition of vulnerability relative to contingency and the inability to predict”. Importantly, Ettliger emphasises

that her account extends “precarity beyond the specific understandings relative to periodized labor regimes” (Ettlinger, 2007, p.320). In doing so, Ettlinger, like Butler and Lorey, argues that precarity is an inherent feature of human life, and one that is not limited only to the context of employment or particular economic relations. She states:

“no one escapes precarity, although one might argue that some people who experience more constraints than others also experience more dimensions of precarity. Precarity is engendered by a wide range of processes and, as it extends across space and time and also materializes (differently) in social, economic, political, and cultural spheres, it is an enduring feature of the human condition. It inhabits everything from the global political economy to the vicissitudes of employment, health, social relations, self-perception” (Ettlinger, 2007, p.324).

Butler, Lorey, and Ettlinger therefore suggest we should understand precarity as the unescapable existential vulnerabilities and insecurities that all humans experience as a result of living mortal, social lives. Whilst the political significance of this kind of precarity should undoubtedly be taken seriously, it will remain outside the immediate purview of this thesis. My focus, instead, will be on the way that precarity is generated by particular ways of organising and governing working life. Nevertheless, by exploring both of the models of ‘precarity’ that exist within contemporary social scientific literature, we can see clearly that, in both instances, the concept of precarity is underpinned by the key recurring themes of jeopardy, uncertainty, and dependence that are also foundational to the way the precarious is understood in more common usage. Both models capture the vulnerability that arises when we are dependent on others to protect us from harm – either harm to our fragile, mortal bodies (e.g. Puar et al., 2012, p.170), or the personal financial harm that could arise from un- or under-employment (e.g. Barbier, 2002, pp.7-8). Having identified these key elements and traced them through the conceptual evolution of ‘the precarious’, we can now turn to exploring the ways in which certain forms of work generate precarity - that combination of jeopardy, uncertainty, and dependence - within the contemporary labour market.

The features of precarious work.

What is it about certain forms of work, precisely, that makes them precarious, and how do we identify precarious forms of work from non-precarious forms?

In order to answer this question, it is first necessary to define what we mean by work. This can, in and of itself, be a difficult and potentially controversial task. Given the expansive variety of possible forms that work can take, as well as the variety of ways we can experience the work we do, a single unifying definition is always likely to be vague (cf. Muirhead, 2009, p.4). Some theorists have, for example, defined work in relation to the employment relationships commonly found in the formal labour market, “involving income of some kind, a pattern of working hours, and structured job requirements” (Roessler, 2012, p.73). Others emphasise work’s productive purpose, representing the means through which we transform the world around us to create something new (e.g. Kovacs, 1986, p.198; van Parijs, 1995, pp.137-138). However, I will define work here as the activity through which we attain the resources with which to meet the (at least) basic needs and desires of ourselves and others. Whilst, in this

thesis, I will focus predominantly on paid work in the formal economy, I do not mean to suggest that work need necessarily only take place in the waged labour market, and nor need it always be productively creative or useful³. As Russell Muirhead argues, “[w]ork might be done better or worse, with joy or with pain, from pride or from resignation, but it is done because it has to be done...[it is a] response to need and the demands of life” (2009, p.5). Work, in other words, is the process by which we sustain ourselves and our communities. It is how we make ends meet.

Crucially, on this definition we can agree that the self-sufficient farmer works when she grows vegetables to feed herself and her family. Similarly, the farm labourer works when she performs the same task (growing vegetables) for her employer in return for the wages she will use to meet her needs. However, we can also distinguish this work from forms of leisure, such as when I decide to grow vegetables in my garden for fun, or when Marie Antoinette plays at being a peasant farmer in the grounds of Versailles. What distinguishes work, then, is not the nature of the task, but the necessary purpose which compels us to perform it: we work to survive, to support others, to attain something valuable. Again, Muirhead summarises this idea when he argues that “work stands as an instrumental activity, good not for what it is but for what it brings. It is what we must do to make ourselves safe in the world and, if we are lucky and strong, also comfortable” (2009, p.6).

Another important implication of this definition is that it does not necessarily assume that work is defined by any connection to formal income. Instead work is merely the activity we perform in order that we can satisfy the needs and desires of ourselves and others in our families and communities. Certainly, this would include the work performed by individuals in return for wages that will then be used to purchase the goods and services that we deem important. However, on this view, the category of ‘work’ would also encapsulate the forms of unwaged domestic, caring, and reproductive labour performed, disproportionately by women, and often in addition to more formal waged labour (cf. Pateman, 1988; Okin, 1989; Hochschild and Machung, 2003). Unwaged caring labour plays an important role in society that ensures that the needs of certain others are met. For example, parents must prepare meals for children who cannot otherwise feed themselves. But we should also recognise that individuals may feel that it is necessary for *them* to (disproportionately) perform such labour, not just in order to support the interests of those they care for, but also to meet the expectations and norms associated with their gender and avoid conflict or violence that could arise within traditionally patriarchal households if this work is not performed.

Similarly, this definition of work would also capture the bureaucratic tasks individuals are forced to perform in order to receive the state benefits that they require to meet their basic needs. So too the jobs performed as part of the unpaid internships that are felt to be an increasingly necessary step towards paid work. So too the learning and

³ Consider the kinds of “generally pointless” (Fowler, 2014, p.81) work often required of the inhabitants of workhouses and prisons in Victorian Britain. For example, prisoners might have to spend their days working to turn “The Crank”, a machine that “served no other purpose than to exhaust and punish a prisoner” (BBC, 2014). In such cases, work is not necessarily productive, but is performed because it must be done – to retain access to the shelter and food supplied by the workhouse, or to avoid further, harsher punishment.

research conducted by students in order to fulfil their education. Most importantly, this definition encapsulates the forms of unpaid labour performed by chattel slaves and indentured servants under the threat of violence. Such activities should all be conceptualised as examples of work. Even though such activities do not provide an income in the same way as formal employment, they should nonetheless be thought of as ‘work’ to the extent that performing these activities is necessary in order to meet the crucial needs and desires of ourselves or others. It is important to highlight this as, even though I will focus here on contemporary forms of precarious work that arise within formal labour markets, I do not want to deny that forms of unwaged labour can be precarious. Indeed, there may be reasons to think that forms of unwaged work could be among the most precarious in society.

Limiting our focus now to the formal labour markets of the present-day, we can see that ‘precarious work’ can manifest in a number of ways and in a variety of contexts (cf. ACTRAV, 2012, p.27). Nonetheless, ‘precarious work’ is primarily a description of how work is organised, and not necessarily the nature of the work activity or task being performed. It describes those particular ways of organising and governing work that generate the uncertainty, jeopardy, and dependence that, as we have already seen, are associated with precarity. Within the formal, waged economy we are able to discern two necessary, defining features that will be common to all examples of precarious work. These necessary features are (i) uncertain access to work; and (ii) unstable income. Where these necessary features are present, we can reliably diagnose a case of precarious work⁴. In addition, we will see that the precariousness of such work can be made more or less *intense* as a result of certain contextual factors, such as the rate of remuneration offered for work, the presence of additional sources of income, or the availability of labour rights and protections. I will also show how precarious work has often been associated with a particular emotional and psychological impact. Whilst not a necessary feature, this dimension is often *indicative* of precarious work and should be appreciated to the extent that it alerts us to the need to understand the normative significance of the presence of precarious work in contemporary labour markets.

(i) *Uncertain access to work.*

The feature most commonly associated with precarious work is the insecurity of the particular working arrangements that an individual finds themselves in (cf. Dörre et al., 2006, p.99; Vosko et al., 2009, p.1; Standing, 2011, p.11; ACTRAV, 2012, p.27; etc.). That is, unpredictable or unstable patterns and durations of work that can, in turn, make it difficult for people to reliably plan their lives or make ends meet. For example, Arne Kalleberg defines precarious work as “employment that is uncertain, unpredictable, and risky from the point of view of the worker” (2008, p.2). Similarly,

⁴ This is not to deny that elements of precarious work could be found, to a greater or lesser degree, throughout the entire labour market – indeed, there may be reasons to think that the norms and logics associated with precarious forms of work are increasingly generalised throughout the labour market as a whole (cf. Bourdieu, 1998a, p.95; *ibid.*, 1998b, p. 82). Nevertheless, for the purposes of this thesis I will attempt to distinguish precarious from non-precarious work according to the two necessary features identified here.

Gerry Rodgers argues that “[p]recarious jobs are those with a short time horizon, or for which the risk of job loss is high” (1989, p.3).

Such insecure working arrangements are far from new and have long been a prevalent feature of more informal economies (cf. Kalleberg, 2008, p.2; ACTRAV, 2012, p.30). However, this feature of precarious work is also now increasingly present in the contemporary labour markets of industrialised nations, such as the United Kingdom, due to the prevalence of “atypical”⁵ forms of work that deviate from the model of long-term, full-time, stable employment that had become the established norm during the middle of the twentieth century (cf. Eurofound, 2017). Some paradigmatic examples of this “atypical” work include:

- *Zero-hours contract work*: “zero-hours contract” is a general term used to describe various employment contract models that provide the worker no guaranteed minimum hours of paid work. Instead employees are “on call”, unpaid until requested to work by their employer (European Parliament, 2016, p.123).
- *Temporary work*: This includes those employed on a seasonal, or other fixed-term basis, who have little control over the duration of their contracts, and no guarantee that they will find work after their current position ends. Temporary workers are often hired through third party employment agencies in order to fill vacancies that require little training at short notice, as and when they arise. However, there is no guarantee that a stable supply of work will be provided by these agencies (European Parliament, 2016, p.99; p.110).
- *“Gig economy” work*: this includes those self-employed freelancers or “independent contractors” who are hired on a project by project, or job by job basis. In particular it is associated with the emergence of online platforms, such as Uber or Deliveroo, that allow individuals to find small, discrete jobs on-demand (cf. Balaram, 2017). However, such work does not provide a guaranteed minimum of paid work or a predictable source of steady income. Instead the onus is on the individual to find the next job if they want to enjoy continued access to paid work.

Whilst some see the recent rise of insecure, “atypical” work as a return to capitalism as normal after a brief, exceptional period of relative security and stability for a privileged few (cf. Neilson and Rossiter, 2006, p.11; Fantone, 2007, p.10; Schram, 2015), we should nonetheless keep sight of the way in which the contemporary face of insecure work is shaped by various ongoing social and political transformations. Indeed, the presence of such work today can be seen as the result of an ongoing shift in how enterprises organise and operate within contemporary capitalism. The emergence of globally integrated markets has allowed corporations to more easily outsource labour to lower-wage countries in order to keep product prices competitive (Kalleberg, 2008, p.2). The impact of such globalization has meant that the relatively

⁵ Though, it can be argued that the increasing prevalence of such work means it is less pertinent to describe it as “atypical” (e.g. Albin and Prassl, 2016, p.209).

secure employment systems established in many industrialised nations during the middle of the twentieth century have been rapidly transformed.

Many have described this process as post-Fordism, where the high levels of employment and consumption created by the Fordist mode of mass production has given way to a system of more specialised, small-scale production that requires less human labour (Jokinen, 2015, p.88). Indeed, many workers have been shifted away from stable, well-paid manufacturing jobs to low wage service sector jobs that are often only casual, part-time or temporary (Hacker, 2008, pp.80-83). This shift away from large, permanent workforces has further been facilitated by transformations in information and communication technologies that have enabled firms to coordinate complex labour arrangements with independent contractors and employment agencies (Weil, 2014, p.10), and have facilitated the on-demand hiring associated with the “gig economy.”

More proximately still, the shift towards “atypical” work can be seen to have been further exacerbated by the financial crisis of 2007/08, with employers responding to economic uncertainty by shifting towards the use of more insecure temporary or part-time contracts (cf. European Parliament, 2016, p.10). For example, the number of people employed on zero-hours contracts in the British labour market increased from just 147,000 in 2006 to 883,000 in 2017 (ONS, 2017). Overall, the Trades Union Congress [TUC] estimates that, insecure forms of work such as zero-hours contract work, temporary work, and the low-paid self-employment associated with the gig economy now represents a tenth of the UK workforce (3.2 million people) – a rise of 27 percent since 2012 (TUC, 2017a, pp.4-5).

These forms of “atypical” work all exhibit the first necessary feature of precarious work to the extent that continuing access to work is insecure and uncertain. The zero-hours contract worker could, theoretically, manage to arrange a regular pattern of working hours. But there is no guarantee that this pattern will continue given the fact that their employer has no obligation to provide even a minimum of paid work. Similarly, the temporary agency worker or “gig economy” freelancer could be lucky enough to enjoy a steady stream of paid work, but there is a constant risk that employment could dry up at any time. Indeed, given that volatility and impermanence are in-built features of such work, this risk is very much a tangible reality.

Certainly, even those hired on open-ended contracts could suddenly and unexpectedly face involuntary unemployment through factors such as economic crisis, the introduction of particular government policies, or the impact of disruptive technologies. However, such individuals, unlike those employed in forms of atypical work, can reliably expect, all things being equal, that their access to paid work should continue unhindered for the long term. What is particularly precarious about forms of atypical work, in contrast, is the proximate potential that work could be demanded, denied, or discontinued completely, unpredictably and without reason or notice. The ever-present and normalised likelihood that your access to work could be disrupted is a central feature of precarious work in the contemporary economy.

This unpredictability can make it difficult for those employed in precarious forms of work to plan their lives effectively. These individuals must be always “at the beck and

call of potential users of their labour” (Standing, 2011, p.129), on call and on standby for the next job. For example, in the United Kingdom, the TUC has documented the unpredictable working arrangements experienced by those on zero-hours contracts. One individual working as a nanny and housekeeper on a zero-hours contract described her situation:

“I’m often not sure when my work will start until 9pm the night before and sometimes work random shifts and hours...I never know when I will have a day off...My hours are often changed at very short notice, which means my earnings for the week can suddenly be cut in half” (TUC, 2017a, p.26).

Another individual employed as a waitress on a zero-hours contract told the TUC:

“I get given shifts last minute and other times turn up only to be told to go home (without pay)...Many occasions, a shift has been cancelled 30 minutes before it was due to start. Also, started a 5-hour shift, sent home 30 minutes or on average 2 hours later” (TUC, 2017a, p.32).

Another example of the uncertainty associated with precarious, atypical work can be seen in the forms of temporary employment used by the online retail company, Amazon. The British journalist, James Bloodworth, has written about the uncertainty he experienced whilst working at Amazon’s warehouse (or “fulfilment centre”) in Rugeley, Staffordshire. Bloodworth was hired to work at Amazon through an employment agency on a temporary contract:

“After nine months, Amazon would either take you on permanently or cast you aside with no more compunction than if you had been a sack of rotten potatoes. In practice, you were extremely lucky even to make it to nine months” (Bloodworth, 2018, p.19).

In this respect, the contingency and instability of atypical employment reflects the central theme of uncertainty that has long been associated with the meaning of ‘precarious’. However, we can also see how this dynamic can be seen to create forms of dependence. Indeed, the ability for employers, temporary employment agencies, or “gig economy” platforms to unpredictably provide or withhold work is reminiscent of the Roman precarium and the dependency of the tenant farmer on a landlord who retains the power to revoke the lease of their land at any time.

As a result of this dependency, those who control access to work have the power to make more demands upon those they employ and who are at their mercy. Indeed, as Standing writes, precarious workers “are induced to intensify their effort and the hours they spend in their labour, for fear of falling short of expectations” (2011, p.118). If you fail to bend to the whims of your employer, there are no guarantees that your temporary contract will be renewed or that you will be offered any more shifts. For example, Bloodworth has described how Amazon would use the prospect of taking on temporary workers as permanent employees, providing them with so-called ‘blue badge’ status, to encourage those temporary workers to accept inconvenient shift changes or meet exhausting performance targets (Bloodworth, 2018, pp.16-20).

The ability for employers to demand ever more exacting levels of performance has also been facilitated by the introduction of new technologies. This has been described

as “algorithmic management” or “Taylor on steroids” (O’Connor, 2016) as new technology, combined with the vulnerability of individuals hired on atypical work contracts, allows for an acceleration of the performance monitoring and efficiency maximisation associated with the scientific management theories of Frederick Winslow Taylor (1911). For example, Bloodworth describes how temporary staff at Amazon warehouses are given a hand-held device that allows company managers to track them and monitor their efficiency and productivity:

“instructions, usually an admonishment to speed up, would filter through to our devices in an instant: ‘Please report to the pick desk immediately’ or ‘Your rates are down this hour, please speed up.’ We were ranked from highest to lowest in terms of the speed at which we collected our items from the shelves...I was informed during my first week that I was in the bottom 10 per cent in terms of picking rate. ‘You’ll have to speed up!’ I was told by one of the agency reps” (Bloodworth, 2018, p.16).

When you’re employed on a flexible or temporary contract, when you cannot be certain that your access to work will not be rescinded at any moment, you have little choice but to accept the demands made of you, no matter how intense. Indeed, at Amazon, any workers who fail to “make rate” and keep up with the performance demanded by their manager, can easily be released from their temporary contracts (cf. Jamieson, 2015). As one former Amazon employee interviewed in the United States has explained:

“We had to make Rate. We had to unpack and repack a certain number of product per hour. Our UPH, or units per hour, was what determined whether or not we’d get a talking to by one of our many bosses. When I first got hired on, we had to make a Rate of 85, which was doable, if challenging at first. By the time Peak season came around the rate was about 180. After Peak, it *stayed* at 180...And when you didn’t make Rate, you would get a talking to by a manager, and they did not appreciate it if you explained that you could not make Rate with a pallet of hundreds of dishes that had to be individually wrapped and boxed. That did not matter. Rate was Rate, and if you couldn’t make it, you were in trouble” (in Nolan, 2016).

This dynamic of dependency, and the specific forms of vulnerability this creates, can also be seen to arise from the uncertain working practices experienced by “independent contractors” working in the so-called “gig economy”. For example, the app-based technology used by the transport company, Uber, is able to monitor the performance, usage rates, and customer feedback of each driver that uses their platform to access work. Although Uber’s drivers are self-employed the company retains the power to suspend anyone from the platform whose performance they consider to be insufficient (cf. O’Connor, 2016).

Using algorithmic monitoring technology in this way, importantly, can be seen to implicate customers as well as managers into the architecture of dependency to which workers are vulnerable. As Alex Wood argues, “customers, rather than managers, are [...] the ones who must be pleased, whose orders must be followed, whose ideas, whims and desires appear to dictate how work is performed” (2019, p.3). Because they are dependent on good customer ratings to maintain access to the Uber platform (and

thus maintain their access to work), some Uber drivers have adopted practices such as providing customers with drinks and snacks in an attempt to cultivate a sufficiently high customer rating (cf. Knight, 2016). In addition, in the case of Uber, managers are able to use the app-based technology to communicate directly with drivers and encourage them to work longer and harder (cf. Scheiber, 2017). Given this dynamic, some Uber drivers have come to self-describe themselves as “Uber slaves” (e.g. Dubuis, 2016; Green and Levin, 2017; etc).

We can therefore see that having uncertain access to work is a key defining feature of precarious work. Not just because the tangible risk of unpredictable changes to the amount of work one has reflects the key theme of uncertainty that is central to the meaning of ‘precarious’, but also because this dynamic can create specific forms of dependency between individuals and the people they work for.

However, having uncertainty about one’s access to work is not therefore a *sufficient* feature of precarious work in and of itself. Forms of flexible or temporary work need not be *essentially* or *inherently* precarious. And, indeed, there is no reason to valorise the rigidity of the typical long-term, nine-to-five career model of working life. In certain circumstances, more casual working patterns can be particularly beneficial for those who have other commitments such as parents with young children, or students that must balance their work and education. Moreover, if there was no *jeopardy* associated with having uncertain access to work then we would not be able to describe such work as truly precarious. For example, imagine that a worker is hired on a flexible contract, though is nonetheless guaranteed a fixed income by her employer as a retainer for her services. That worker may experience uncertainty – she may still not know, for example, when and for how long she will be asked to work each week – but she will not experience the jeopardy that arises when this uncertain access to work threatens one’s ability to make ends meet. Where a worker has a secure income from their job – when they can predictably make ends meet – then even if they have uncertain access to work, their situation is not precarious. For this reason, we must consider uncertain access to work a necessary, though not sufficient, feature of precarious work.

(ii) *Unstable income.*

In order to be truly precarious, then, uncertain access to work must be associated with the risk of significant costs. There must be jeopardy. When it comes to waged work in the formal labour market, this sense of jeopardy most often manifests around the danger that work may not provide an income sufficient to make ends meet; that the link between work and survival (the definitional, social reason why we work) becomes threatened. There is a risk, rather, that work becomes a Sisyphean task whereby one can only live pay cheque to pay cheque, never able to escape the potential for, or reality of, falling into debt or, indeed, significant poverty.

Certainly, precarious work has long been associated with in-work poverty. For example, recall Barbier’s analysis of the association in France between *emploi précaire* and an increased risk of poverty in the 1970s. Moreover, as we will see in the next section of this chapter, precarious work continues to be closely linked with

insecure, low-income work. However, the crucial feature for our purposes is not whether precarious work is poorly paid, but that it provides an unstable, unpredictable and insecure source of income.

We can therefore distinguish precarious work from low-paid work more generally. Whilst life for individuals working low-income jobs is certainly hard, and whilst there may be independent reasons to condemn forms of work that do not pay workers at least a sufficient living wage, this should be kept distinct from what it means for work to be precarious. If I have a stable, secure position, even if it is poorly paid, I have the capacity to plan my life according to the reasonable expectation that my financial circumstances will not deteriorate dramatically in the short-term due to a sudden change in my hours or the non-renewal of a temporary contract. I am able to reasonably plan how to best live within my means. In this sense, low-income work need not always be precarious. In order for it to be precarious, work must exhibit the unpredictability and potential instability of income that results from having only uncertain access to work. In other words, precarious work denotes a precipice, whereby, even if one is able to avoid the worst forms of indebtedness and financial hardship, their immediate security hangs by a thread which could be cut at any time.

Indeed, the combination of uncertain access to work and unstable income leads us to the conclusion that even relatively well-paid work, such as that associated with temporary or freelance work in industries such as financial services or the performing arts, can be precarious. As a particular example, we could look towards the increasing precarity among academic staff in the UK, with the proliferation of short-term temporary contracts, particularly among those at the beginning of their careers (cf. Gill, 2010). Such work is highly skilled and, as a result, is still often relatively well-paid in comparison to the majority of the national workforce⁶. For example, the median annual salary offered for a fixed-term ‘Research Fellowship’ position in the United Kingdom is £32,397 (PayScale, 2019). This compares favourably with the median annual salary of £29,588 for all full-time employees in the UK (ONS, 2018). However, to contrast this with other precarious workers, figures gathered by the Trades Union Congress (TUC) suggest that, for example, the average zero-hours contract worker in the UK will earn an annual salary of just £10,010 from that work (Collinson, 2019)⁷.

Although fixed-term academic work can be relatively well-remunerated, the instability of income experienced by an early-career academic desperately trying to bounce from one research fellowship or associate lectureship to the next means that their work can nonetheless be considered just as precarious as the Uber driver or Amazon temp. Their uncertain access to work, and the knock-on effect this has on the stability of their income will still generate jeopardy, there is a clear risk that a disruption to one’s income will arise that will mean making ends meet will become difficult or even impossible. A contract may not be renewed, a new position may not be found in time,

⁶ This is not to deny that there are, of course, also many working in British academia today who receive extremely low incomes for their work (cf. Weale, 2016).

⁷ This is calculated by multiplying the average hourly payrate for zero-hours contract workers (£7.70), by the average number of hours worked per week by zero hours contract workers (25) and multiplying the result (£192.50) by the number of weeks in a year (52). However, this figure does not take into account any other sources of income that may be available to these workers.

and, as a result, an individual may find themselves unable to pay the rent, the mortgage, the utility bills, and so on. This may particularly be the case when the high rate of remuneration for one's work has allowed an individual to afford a high cost of living, for example locking themselves into an expensive rental contract, that can no longer be sustained when work dries up. Whilst this kind of expenditure would have previously been within their means, it will quickly become unsustainable should their income be disrupted. With bills to pay, even relatively well-paid precarious workers become dependent on the goodwill of their employers to, for example, extend their contracts if they are to continue to make ends meet and stay afloat in the profession to which they may have already dedicated years of their time and energy. Whilst in this thesis I will focus on the most paradigmatic, and in my opinion the most pressing, cases of precarious work that exist at the end of the labour market where pay is lowest, I want to again emphasise here that the pertinent feature for defining precarious work in the abstract is the *instability* of income, not the level of remuneration offered for work.

For those employed in precarious forms of work, incomes could be made volatile by the gaps between temporary contracts that could last an unpredictable duration, or the uncertainty of a zero-hours contract with working patterns that fluctuate or dry up completely at short notice. Incomes can also be made unpredictable due to the potential for underpayment or late payment of wages earned (for example, see Bloodworth, 2018, pp.38-39). Similarly, the potential may exist for employers to alter pay rates completely with little notice. For example, in 2016 Uber drivers in New York City protested at a 15 per cent price cut that had been unilaterally introduced by the "gig economy" firm even though this would significantly impact the amount that drivers would be able to make from their work (Vaiana, 2016). One Uber driver was even filmed confronting the company's then-CEO, arguing: "you're raising the standards, and you're dropping the prices...I'm bankrupt because of you...You keep changing every day" (Wong, 2017). Similarly, when Uber launched their food delivery arm, UberEats, in London in June 2016 they initially offered to pay couriers £20 an hour. However, this was soon reduced to a complex piece rate formula, offering £3.30 a delivery plus £1 a mile travelled, minus a 25 per cent "Uber service fee", plus a £5 "trip reward". This was cut even further when the "trip reward" was later reduced (cf. O'Connor, 2016).

The instability of income created by flexible or temporary working practices can have dire consequences, emphasising the jeopardy faced by those in precarious work. For example, some Uber drivers in the United States have been made homeless, resorting to living in their cars full-time as a result of low and unstable wages, as well as the high costs associated with maintaining the vehicles that they require to work (cf. Green and Levin, 2017). Similarly, the TUC has highlighted how unpredictable incomes faced by zero-hours contract workers in the United Kingdom can lead to fears that they will be unable to afford essential expenses such as rent (2017a, p.32). One care worker interviewed by the trade union, UNISON, had actually lost her house after moving onto a zero-hours contract which meant she could no longer afford to pay her mortgage (UNISON, 2013, p.16). Indeed, insecure working arrangements have also been highlighted as one of the factors that have contributed to an increase in the

number of people using food banks in the United Kingdom (Cooper et al, 2014, pp.13-14). Not all those employed in forms of unstable, insecure work will necessarily suffer this fate. Nevertheless, we can see that a consequence of work for which the remunerated income is unstable is to generate the jeopardy, as well as uncertainty, that is associated with precarity. The significant costs that could arise due to unstable income become a tangible and omnipresent possibility for precarious workers.

However, a further consequence of work that provides an unpredictable source of income is that it makes individuals vulnerable to further forms of dependence. This is captured perfectly by Bloodworth's description of his experience as a temporary employee for Amazon:

“Life was characterised by the constant circling presence of landlords and capricious employers. A missed pay cheque, a debtor or some trivial misdemeanour at work were often all it took for a once respectable individual to be kicked down from a modicum of freedom and security into the hole of a soggy cardboard box on a street corner” (Bloodworth, 2018, pp.69-70).

Placed on the precipice of poverty by unstable, often low-wage, work, you can become increasingly dependent on other people to keep you from falling any deeper. Beyond the workplace itself, the financial insecurity associated with precarious work can lead individuals to become reliant on the mercy of landlords when it comes to increasing the rent or turning a blind eye in the event of a late payment. Others may need to rely on family members, or the bureaucracy of the welfare state, in the event of financial difficulties. Perhaps more troubling still, many individuals may fall victim to the payday loan industry with its extortionate interest rates and intimidating enforcement of repayment. Indeed, recent research by Citizens Advice found that, in Britain, those with volatile incomes are five times more likely to turn to high-cost credit services, potentially leading to unsustainable levels of personal debt (Citizens Advice, 2018). This is likely to lead to a vicious circle whereby individuals become indebted to high-interest credit providers through their attempts to make up for the insufficiencies of their paid work, and yet in this way they become even more dependent on their precarious work due to the need to repay their debt.

The potential for such forms of dependence, that extend outwards beyond the more immediate confines of the work environment itself, emphasises the scale of the impact that precarious work can have in our lives, and reinforces the significance of the costs that it can impose. Moreover, this financial dimension accentuates, again, that work is made precarious to the extent that it reflects the core elements of uncertainty and jeopardy, but also the dependencies that can arise as a result of this dynamic.

Contextual factors and the intensification of precarity.

Within the formal labour market, then, work is made precarious when there is (i) uncertain access to work; and (ii) it provides an unstable source of income. However, it is important to recognise that the precariousness of such work can be exacerbated or mitigated by a number of different contextual factors. Such factors do not determine whether or not work is precarious in the abstract, but they can play an important role in influencing the *intensity* and *severity* of precarious work.

As intimated above, one important factor will be the level of remuneration offered for work. As we have seen, precarious work has long been associated with in-work poverty, and continues to be most associated with low-wage work (Rodgers, 1989, p.3; Vosko et al, 2009, p.2; Standing, 2011, p.10; etc.). Indeed, precarious, ‘atypical’ work has been found to be disproportionately concentrated in sectors of the economy that are typified by low-wages, such as retail, catering, and care work (Eurofound, 2015, pp.61-63). In addition, in the United Kingdom, the TUC has estimated that, on average, those employed by temporary employment agencies earn 20 per cent less an hour than the average British employee. For those employed on zero-hours contracts this pay disparity is 34 per cent (TUC, 2017a, p.14).

Where income is not only unstable, but also meagre to begin with, the jeopardy associated with this instability, as well as one’s vulnerability to various forms of dependence, is intensified. If you are already struggling to make ends meet, then any disruption to your income will have dire consequences for your ability to afford basic necessities such as food and shelter. Placed on the precipice of absolute poverty in this way, individuals are more likely to become dependent on turning to payday lenders, pawn brokers, or foodbanks to stay afloat. For example, a 2014 report published by Citizens Advice Scotland described cases of individuals for whom the financial instability of zero-hours contract work had contributed to spiralling debts, an inability to afford food, and destitution. The report concluded that the growth of zero-hours contracts represented a direct contributing factor to the rapid increase in food bank use and reliance of payday lending services in Scotland (Gowans, 2014, pp.2-3). For such individuals, the precariousness of their situation is, clearly, severe.

We can contrast this situation with precarious workers in comparably well-remunerated jobs. For example, Hollywood movie directors will often experience elements of uncertainty and insecurity in their careers. They often work on a temporary, project-by-project basis, with few real guarantees that they will be contracted to work on another film in the future. Nonetheless, given the high financial rewards available to those who work on multi-million-dollar global blockbusters, and the opportunity to accrue significant reserves of personal wealth this provides, the risk of sudden, unpredictable job loss does not carry the same magnitude of jeopardy as that faced by, for example, the typical zero-hours contract worker for whom this strategy of building up a personal safety net of saved income is unavailable due to the paucity of their income. Whilst I am content to acknowledge that the project-based work of Hollywood directors is, in the abstract and to a certain extent, precarious, we must also recognise that the immediate risk of a disruption to their income can be mitigated by their ability to build a ‘nest egg’ of savings and investments to keep them afloat should the work dry up. In such circumstances, the true precariousness of their situation could be so slight so as to be, in effect, negligible.

But the precariousness encountered by those employed in precarious forms of work need not only be mitigated by large incomes earned through that precarious work. Additional sources of income, for example state welfare regimes⁸ or interest on capital,

⁸ The relationship between state welfare regimes and precarious work is addressed more expansively in Chapter 5.

can also, contextually, lessen the severity and intensity of precarious work. To illustrate this, we can imagine the case of a university student who accepts a zero-hours or temporary contract during their summer vacation. Suppose this student is not dependent on this work to meet their immediate basic needs. Buoyed by adequate student funding, or the generosity of a wealthy family, this student accepts the job as a way to generate *extra* money, to meet new people, or to build up their work experience. In such an example, although this individual similarly faces uncertainty about their access to work – for example, on a zero-hours contract, there would be no guarantee that they will receive any minimum number of shifts at all – they are less susceptible to the same forms of dependence. They are more able to, ultimately, take or leave the job because, for them, there is much less *jeopardy* associated with job loss thanks to their access to additional sources of income. Their working arrangements may be precarious, but, again, the intensity of their precarity could be minimal.

A final contextual factor that I will consider here is the availability of labour rights and protections available to precarious workers. Often, the financial hardship threatened by precarious work is further compounded by a lack of such rights and protections, leaving precarious workers with few safety nets to keep them out of poverty (cf. Rodgers, 1989, p.3; Kalleberg, 2008, p.3; Vosko et al, 2009, p.2; etc.). This lack of legal and social protection therefore intensifies the jeopardy, as well as the vulnerability, experienced by those with precarious working arrangements.

In the United Kingdom, although the government has attempted to clarify workers' statutory rights to an extent (e.g. Department for Business, Energy & Industrial Strategy, 2015), the TUC has estimated that 1.5 million British workers - many employed on casual, zero-hours contracts or through temporary employment agencies - struggle to access key protective employment rights such as the right to return to the same job after a period of parental leave, protection from unfair dismissal, or the right to statutory redundancy pay (TUC, 2017a, p.14). Meanwhile, nearly 500,000 in the UK employed on insecure contracts do not qualify for statutory sick pay or paid parental leave and have no right to be automatically enrolled into a workplace pension (ibid., p.15). Many more face further difficulties accessing these rights due to a lack of clarity about their entitlement, or through the sheer obfuscation of their employers.

For example, one zero-hours contract worker interviewed by the TUC explained: “My boss has never made it clear if I am entitled to sick pay (even when I asked) so I’ve worked through illness before because I was worried that I wouldn’t get paid” (ibid., p.26). Particularly when your income is low and your work contract insecure, it can seem extremely risky to take time off work through illness as this could mean missing out on much needed pay, as well as the potential for retributive action by an employer. For example, Bloodworth has documented one case of a temporary agency employee who was sanctioned under Amazon’s points-based disciplinary system for taking time off work while suffering from a migraine. The same worker was pointed again after she was injured in a car accident, even though it was Amazon who had sent her home (Bloodworth, 2018, p.40). At Amazon, workers who receive six disciplinary points are fired. When Bloodworth questioned whether it was legal to discipline workers for being sick, he was told, “It is what Amazon have always done” (ibid., p.43).

One crucial reason it has become more difficult in economies such as that of the UK for increasingly precarious workers to access key legal and social safety nets is the decline of the role of trade unions and collective bargaining. This has meant that employers have been able to erode worker rights and protections with less resistance from labour (Hacker, 2008, pp.66-67; Kalleberg, 2008, p.3; Albin and Prassl, 2016, pp.213-214). However, the evolution of the employment relationship itself has been another factor that has contributed towards the diminution of worker rights and protections. There has been a shift from the traditional, vertical model of direct employment within firms. Instead, the employment relationship has become more blurred, as corporations establish increasingly complex and opaque, horizontal labour arrangements that involve subcontractors, employment agencies, or direct market transactions with self-employed “independent contractors” (ACTRAV, 2012, p.27; Weil, 2014, p.7; Albin and Prassl, 2016, p.210).

Because employment regulations have often been designed on the assumption of simple and direct employment relationships, this “fissuring” (Weil, 2014) or “fragmentation” (Albin and Prassl, 2016) of employment means that businesses are able to more easily escape the requirement to provide an array of rights and protections to those who provide them with labour. For example, in the United Kingdom, the contract of employment is the vehicle through which labour rights can be accessed. However, courts will not recognise casual work as contracted employment because there is no ‘mutuality of obligation’. In other words, there is no formal obligation for the employer to provide work on a regular and continuous basis, and, conversely, there is no contractual obligation for the individual to perform any work that is offered. This means that even if those hired to work on a casual basis have a *de facto* continuous relationship with a particular employer, they are less able to claim legal protection (Albin and Prassl, 2016, pp.220-221). As Einat Albin and Jeremias Prassl argue, “the effect is a deeply counter-intuitive one: the more precarious (and thus prima facie in need of external protection) a working relationship is, the less likely will the courts be able to characterize it as one that deserves such protection” (ibid., p.222).

This effect has been particularly visible within the so-called “gig economy”. For example, delivery cyclists working for the firm eCourier are hired as self-employed contractors. As a result, they are excluded from most key employment rights such as holiday pay, and sick pay. One eCourier rider interviewed by The Huffington Post explained the impact of this lack of rights and protections:

“You’re constantly having to invest in your equipment, and trying to save money because when you’re sick - which is quite often, particularly when you start and have a lot of injuries because your body is adapting to the workload - or your bike gets stolen, then your week’s wages are gone. For the first few years that I was working, I was constantly in debt” (Maggie Dewhurst in Hinsliff, 2018).

This example emphasises the intense jeopardy that arises when work is not only insecure, but also bars workers from accessing crucial rights and protections such as sick pay. The risk of under- or un-employment - through illness, arbitrary dismissal, or family crisis – as well as the deep economic hardship that this would bring, is intensified when you are uncertain that you will have robust protections to help you through difficult times. Crucially, this dynamic is even more acute for precariously

employed undocumented migrants, who have even fewer opportunities to claim statutory rights and must also work under the constant threat of detention or deportation by the state (cf. Neilson and Rossiter, 2006, p.11; Lewis et al, 2015, p.14).

However, it is not just that a lack of rights and protections increases the jeopardy associated with uncertain and insecure forms of work. This lack of rights and protections also contributes towards increasing the likelihood of dependence. Dependence on the charity of organisations such as foodbanks, or on high-interest payday lenders who are among the only sources of credit to the precariously employed. But this lack of protection also increases the level of dependence on the job itself. To adapt a phrase used by Standing, the lack of rights and protections at work contributes to a “precarity trap” (2011, pp.48-49). The individual, bereft of a reliable safety net, becomes increasingly reliant on their own profitability in order to protect themselves from potential emergencies. They become beholden to maintaining their job, regardless of how low-paid and insecure it may be. When this becomes the only way to stay afloat, one’s vulnerability is entrenched ever deeper, and, thus, the severity and intensity of one’s precarious work is even more acute.

We can therefore see how, even though work is always precarious when it provides (i) uncertain access to work; and (ii) an unstable source of income, the intensity of this precariousness can be exacerbated or mitigated by a variety of contextual factors. Where precarious work is well-paid, complemented by additional sources of income, and accompanied by a wide array of labour rights and protections the *intensity* and *severity* of that precarious work can be minimised – potentially so as to be all but negligible. However, for the most paradigmatic cases of precarious work today – those that will be the central focus of this thesis – this is not the case. Low wages, and few protections combine with the precarious organisation of work to leave workers on the precipice of severe poverty, ratcheting up the intensity of the uncertainty, jeopardy, and dependency that they face in their working lives.

The emotional and psychological impact of precarious work.

Given the severity of the precariousness faced by many precarious workers in the contemporary economy, it is important to highlight a non-material feature of precarious work that is often emphasised in the existing sociological literature, as well as many first-hand accounts of precarious work. Importantly, this feature is neither necessary nor sufficient for the existence of precarious work, it is nonetheless usually *indicative* of its presence and thus plays a valuable epistemic role for identifying cases of precarious work. It also alerts us to the fact that precarious work is deserving of immediate and sustained normative evaluation by political philosophers. This feature is the subjective experience of precarious work; the particular emotional and psychological impact of working life in an increasingly precarious labour market. More specifically it describes the fear and anxiety of life on a precipice, combined with the stress and pressure of the more intense working environment this often creates (cf. Kalleberg, 2008, p.2; Standing, 2011, pp.18-20; Näsström and Kalm, 2015, pp.556-557; Moore and Robinson, 2016, p.2776; etc.).

As Richard Sennett has argued, in an environment where individual workers are expected to “behave nimbly, to be open to change on short notice, to take risks

continually, to become ever less dependent on regulation...It is quite natural that flexibility should arouse anxiety” (Sennett, 1998, p.9). Guy Standing articulates this stress and anxiety even more forcefully when he describes precarity as involving “chronic insecurity...teetering on the edge, knowing that one mistake or one piece of bad luck could tip the balance...The precariatized mind is fed by fear and it is motivated by fear” (2011, p.20). In this sense, for many people, precarious work means constant anxiety – worrying what will happen if your shifts are cut; what will happen if you miss the call to work that day; the tyranny of an unexpected bill landing on your doorstep and up-ending your ability to make ends meet.

The often inherent stress and anxiety associated with occupying an insecure position in the labour market, the worry that week on week you may not get enough work to pay the bills, also manifests in the pressure to perform, compete, and succeed in this precarious environment. In this way, working life can come to colonise our personal lives, and lead our personal and professional identities to become intertwined. Workers can experience an ever-present need to self-improve and self-promote, to sell themselves, to refine their personalities, network relentlessly and spend leisure time gaining skills in order to set themselves apart from others and increase their perceived employability (Standing, 2011, p.122). Indeed, their context encourages them to act strategically, “cultivating goodwill and trying to pre-empt bad will” (ibid., p.121). To maximise their position they must always ‘go the extra mile’, ‘wear a smile’ and wait by the phone ready to work as soon as they are required. In this way, the disciplinary pressure to perform and compete that is normalised in the workplace, for example through the use of algorithmic management technology (cf. Moore and Robinson, 2016), comes to represent a way of life as precariously positioned individuals struggle to succeed and break away from the jaws of the ‘precarity traps’ they find themselves in.

As the norms and logics associated with precarious work become increasingly prevalent within the formal labour market, these pressures can often be felt even before individuals enter the labour market. For example, the activist organisation *Precarious Workers Brigade* has highlighted the increasing emphasis on ‘employability’ within educational institutions such as universities. Here, individuals are “pressurised to continuously do more, perform better and demonstrate passion and commitment in the hope that they will be rewarded with a ‘good’ job. As such, the person who is asked to demonstrate employability enters a relationship with capital before even necessarily being employed” (Precarious Workers Brigade, 2017, p.8). In this way, we can see that the impact of precarious work can radiate outwards, extending beyond particular instances of such work. It can, indeed, have a wider, more general social impact, structuring how human beings interact with each other inside the workplace and the labour market, as well as day to day life.

Although it will be important to consider the implications of this more subjective vulnerability, a particular emotional and psychological response is neither a necessary nor sufficient feature of precarious work. Indeed, a similar subjective response could be experienced for reasons entirely disconnected with the way in which work is organised. For example, a paranoid billionaire could, theoretically, experience similar

levels of stress and anxiety even though their working life is entirely secure and there is a negligible risk that they will not be able to meet their basic needs.

More pertinently, this subjective response is not a necessary feature of precarious work precisely because it is subjective. Some individuals may respond differently to inhabiting forms of precarious work. Indeed, some could even respond entirely positively to this situation. For example, Bojana Cvejic and Ana Vujanovic have highlighted the ways in which workers in the performing arts sometimes romanticise low-paid, insecure work, associating it with the avant-garde, innovation and creativity (in Puar et al., 2012, p.167). Similarly, a 2016 blog post by then-CEO and co-founder of Uber, Travis Kalanick highlighted the positive response certain drivers supposedly have towards their “gig economy” working conditions. He even quoted one driver who allegedly claimed, “*I would quit if they tried to make me an employee, because I value my freedom as an independent contractor too much*” (Kalanick, 2016, italics in original). Although, according to the definition set out in this chapter, these workers are employed in forms of precarious work, it is not necessary that they experience the negative impact of stress, anxiety, and pressure to perform that such conditions usually create. It is entirely possible that some precarious workers may experience their situation as subjectively enjoyable or exhilarating. However, to reiterate, one’s subjective experience of work does not define whether or not it is precarious. What is important for our purposes is that many do experience precarious work as extremely distressing, coercive, and consuming. This should be an important reason for us to take it seriously, and to investigate its political significance in more detail.

Conclusion.

Precarious work is a concept that describes a particular way of organising and orientating working life within wider society. Within the contemporary labour market, zero-hours contract, temporary, and gig economy work have been identified as typical examples of such precarious working arrangements. Such work is precarious because: (i) access to work is uncertain; and (ii) the income from this work is low and unstable. The precariousness of such work can subsequently be exacerbated or mitigated by various contextual features, including the level of remuneration offered for work, the availability of additional sources of income, and the presence of labour rights and protections. When work is organised in this way, it may impose particular emotional and psychological burdens of stress, anxiety, and a persistent pressure to perform, though the presence of this subjective experience is not required in order to diagnose an instance of precarious work.

When work is organised in this way it is precarious because: (i) it creates significant amounts of uncertainty for those subject to it; (ii) this uncertainty is further associated with significant amounts of jeopardy given the significant financial and social costs of both un- and under-employment; and (iii) this dynamic can lead to various forms of dependency – with the job itself, with one’s employer, with debt collectors or landlords, with one’s family members, and multiple other potential agents and organisations.

Having outlined the defining features of precarious work, and having explained why these features, in particular, reflect ideas and themes that have long been central to the

meaning of the precarious, I can now more methodically analyse the political significance of organising work in this way within our contemporary labour markets.

- CHAPTER 3 -
POLITICAL THEORY AND PRECARIOUS WORK.

Introduction

Until recently, analysis of precarious work has largely been confined to academic sociology, with Sofia Näsström and Sara Kalm's 2015 paper, 'A democratic critique of precarity' and Simon Birnbaum's 2017 paper 'Equality of opportunity and the precarization of labour markets' representing some of the only explicit discussions of the topic by political theorists. In this chapter I will begin to bring the concept of precarious work more comprehensively into the realm of political theory, and consider on what grounds a normative evaluation might be based. In particular I will explore the extent to which we can interpret and analyse the social and political significance of precarious work by utilising the conceptual resources and theories of work found within the leading schools of contemporary political thought: libertarianism, liberal egalitarianism, Marxism, and feminism. This ground-clearing exercise will help to emphasise later on in the thesis why an analysis based on republican conceptual resources most successfully captures the *distinct* political significance of precarious work.

I will begin by showing how free-market libertarians are likely to be ambivalent, if not actively supportive of precarious working arrangements. In particular I will show how libertarians would reject the idea that we can ever challenge the outcome of voluntary contracts or demand protection from economic risk on the grounds of justice without undermining the liberty and independence of individual economic agents.

I will then explore how contemporary liberal egalitarian theorists, following the work of John Rawls⁹, are likely to respond to the phenomenon of precarious work. I will argue that liberal egalitarianism provides some conceptual resources to identify some (though, crucially, not all) instances of precarious work as unjust, and offers potential suggestions for how to restructure working life and the wider economy in response. However, I will suggest that the liberal egalitarian approach to work, where its normative social and political significance is tied to the role that work plays as a vehicle for distributing certain liberal values, risks making work centrally important to our lives in a way that could have paradoxically illiberal implications.

I will then turn to Marxist approaches to work and how these could be used to understand the political significance of precarious work. Here I will suggest that we can discern two distinct ways of thinking about work within the Marxist tradition, providing us with different resources for analysing precarity. The first approach views work as an essentially valuable part of human life, the way in which we express our humanity and realise our individual potential. However, we can also see the way in which, within Marxism, work is considered as a distinct sphere of social power; in particular how it forms a context and focal point for class struggle. Whilst viewing work as a sphere of power provides us with an important basis for building an

⁹ For the sake of parsimony, I do not consider here versions of liberal egalitarian thought operating outside of a broadly-Rawlsian paradigm.

explicitly *political* theory of precarious work, Marxist conceptual resources alone do not enable us to sufficiently distinguish between different forms of capitalist wage-labour and therefore articulate the distinct and specific significance of *precarious* working arrangements under capitalism.

Finally, I will show how feminist scholars, too, have viewed work as space in which power is manifested and exercised. Within patriarchal societies, feminist scholars suggest, work is both a product of, and context for, gendered power dynamics, leaving women structurally vulnerable and disadvantaged. However, as with the Marxist approach, an account of precarious work based solely on feminist conceptual resources would not necessarily capture the specific power-dynamics associated with organising and governing work in this way.

By exploring the case of precarious work in the light of the conceptual resources associated with libertarianism, liberal egalitarianism, Marxism, and feminism, it becomes clear that in order to successfully capture its distinct political significance, a political theory of precarious work must (i) challenge the libertarian idea that working life is always an expression of freedom rather than the site of potential threats to individual liberty; (ii) focus on the structural *context* of work rather than the extent to which the form of its *content* is contiguous with specific values; and (iii) capture the *specific* power dynamics that distinguish precarious working arrangements from other forms of work.

Libertarianism.

Drawing inspiration from classical liberals such as Adam Smith, David Hume, and Friedrich Hayek, libertarians hold that property rights and commercial freedoms are central to justice, and view redistribution and regulation as a violation of rights (cf. Kymlicka, 1990, pp.95-96; Tomasi, 2012, pp.xi-xxvi; Valentyne and van der Vossen, 2014; etc.). For this reason, right-wing libertarians¹⁰ and other contemporary free-market political theorists are likely to permit, or even endorse, the presence of precarious work in the labour market. One might think it regrettable, but, ultimately for these libertarians, economic risk and insecurity, such as that associated with precarious working arrangements, is an acceptable – if not inherently *valuable* – outcome of enjoying individual liberty and untrammelled property rights.

Taking the political philosophy of Robert Nozick as paradigmatic of this free-market approach, we can explore why concerns about the prevalence of precarious work in the contemporary economy may be anathema to many libertarian political theorists. Nozick starts from the Lockean idea that within a perfect state of nature, human beings are completely free and have total self-ownership. They are in control of their own lives and are free to do as they see fit (Nozick, 1974, p.10; cf. Locke, 1963, p.309). The political aim of libertarianism, then, is to protect these natural rights and liberties. As Nozick argues, “Individuals have rights, and there are things no person or group may do to them (without violating their rights)...the state may not use its coercive apparatus for the purpose of getting some citizens to aid others, or in order to prohibit activities to people for their *own* good or protection” (ibid., p.ix). For this reason,

¹⁰ For the sake of parsimony, I will not here consider here how more egalitarian “left-libertarians” might understand precarious work differently to “free market” libertarians such as Nozick and Tomasi.

Nozick argues that only a minimal state - one that is “limited to the narrow functions of protection against force, theft, fraud, enforcement of contracts, and so on” (ibid.) - can be justified. Any state more extensive than that necessary to manage free market exchange would involve forms of unjustifiable interference and coercion that violate individuals’ natural rights.

Building on this prioritisation of natural rights, Nozick constructs a theory of distributive justice that enshrines private property rights and free market exchange. This “entitlement theory of justice” argues that “Whatever arises from a just situation by just steps is itself just” (Nozick, 1974, p.151). In particular, Nozick argues that an individual is justly entitled to their material holdings so long as those holdings have been attained through a process of just acquisition or just transfers that respect individuals’ natural rights (ibid., p.152).

In this sense, it is a theory of justice focused on, and sensitive to, *history*. Nozick urges us to consider *how* a distribution came about, rather than judging that current distribution against some external ideal of distributive justice, such as individual merit, or material equality (ibid., p.153). This is because, in order to create or maintain any ideal distribution, the state would be required to override individuals’ natural rights and liberties. As Nozick explains, “To maintain a pattern one must either continually interfere to stop people from transferring resources as they wish to, or continually (or periodically) interfere to take from some persons resources that others for some reason chose to transfer to them” (ibid., p.163).

Adopting this vision of justice affects how libertarians can think about precarious work for two important reasons. First, the entitlement theory of justice enshrines work, and especially capitalist employment relations, as a valuable function, and active exercise, of individual liberty. This means that even if we are concerned by an individual’s precarious employment conditions, we are unable to say that these conditions are unjust as they are the result of a voluntary, and uncoerced contract. Second, the entitlement theory of justice prohibits the state from engaging in the forms of social protection that appear to play a role in mitigating labour precarity (cf. Rodgers, 1989, p.3; Näsström and Kalm, 2015, pp.556-557). This means that precarious work could be an essential feature of any libertarian labour market. The state is required by justice to refrain from paternalistic interference. Therefore, so long as it is the result of “just steps” (Nozick, 1974, p.151), any conditions of economic uncertainty, jeopardy, and dependence, such as those generated by precarious working arrangements, must be left for sovereign individuals to navigate themselves.

We can explore these ideas in turn. First, in *Anarchy, State, and Utopia*, Nozick goes to great lengths to show that the capitalist employment relationship is both just, and entirely consistent with the enjoyment of our natural right to self-ownership. He argues that preventing “capitalist acts between consenting adults” (Nozick, 1974, p.163), would require regular state interference that would violate the individual right to choose how best to live one’s life (ibid.). For example, Nozick presents an almost deterministic vision of capitalism, arguing that even in an ideal socialist society, capitalist employment relations would inevitably emerge unless they were suppressed through unjust state coercion (ibid.). Nozick further rejects the idea that capitalist

wage-labour might be inherently exploitative, arguing that so long as a private sector labour-market *could* emerge as a result of voluntary, uncoerced transactions then we have to conclude that selling your labour to a capitalist must represent a manifestation of individual choice (ibid., pp.254-255). This emphasises the extent to which, for free-market libertarians such as Nozick, work – specifically that which takes place within capitalist markets – is inherently valuable as a space in which to exercise our individual liberty, to engage in free exchange with others, and decide what we each wish to do with our lives.

Nozick extends the idea that working within a capitalist labour market represents our capacity to exercise individual freedom by arguing that even work that offers what may seem like objectively less favourable conditions can nonetheless be accepted voluntarily. To this extent, such work must not be regulated by the state or others for paternalistic reasons. To do so would fail to respect the freedom of individuals to choose and act for themselves. Nozick makes this argument by drawing an analogy with a marriage market. If A is able to freely choose to marry her preferred partner (A'), then B is no longer able to marry A'. B instead must marry her second choice (B'). This may continue until, ultimately, Z and Z' have no other choice but to marry each other, even though neither was the other's first choice of spouse. However, Nozick argues: "The fact that their only other alternative is (in their view) much worse, and the fact that others chose to exercise their rights in certain ways, thereby shaping the external environment of options in which Z and Z' choose, does not mean that they did not marry voluntarily" (Nozick, 1974, p.263). In other words, although Z and Z' have chosen to marry a partner that was not their first preference, they were not *forced* to marry each other even though their option set was limited by external factors. Moreover, were we to intervene in this market to ensure that Z or Z' *could* marry their ideal partner, we would have to constrain the freedom of choice and action of others in a way that would violate their individual rights. As Nozick reflects:

"Similar considerations apply to market exchanges between workers and owners of capital. Z is faced with working or starving; the choices and actions of all other persons do not add up to providing Z with some other option...Does he choose to work voluntarily?...Z does choose voluntarily if the other individuals A through Y each acted voluntarily and within their rights...A person's choice among differing degrees of unpalatable alternatives is not rendered nonvoluntary by the fact that others voluntarily chose and acted within their rights in a way that did not provide him with a more palatable alternative" (Nozick, 1974, pp.264-264).

For libertarians, then, even if people find the content or conditions of their working life less than preferable, this is irrelevant with regards to justice as the capitalist employment contract is the result of uncoerced market exchange, with people acting on the basis of their own idea of their self-interest within the choice architecture that results from other individuals pursuing their own free choices and actions. Indeed, Nozick makes this idea explicit during his short discussion on meaningful work in *Anarchy, State, and Utopia*: "Not everyone wants the same things, or wants them as strongly. They choose their employment activities on the basis of the overall package of benefits it gives them" (Nozick, 1974, p.249). If people wanted to enjoy some

abstract ideal of meaningful work, Nozick argues, they would accept lower wages in order to get it (ibid., p.248).

Nozick's argument is that we should respect individual choices and the ability for people to intelligently decide what is best for them among a range of possible options. Individuals navigate the labour market on the basis of what is important to them. They are able to weigh various factors and modify their preferences accordingly. If some type of work or particular working conditions are important to people, then they will be able to seek it out or negotiate it through free contract with an employer. To treat people as unable to make such market decisions for themselves would be to violate their right to self-ownership and self-direction.

This argument is strongly echoed by the libertarian-leaning¹¹ theorist, John Tomasi. Tomasi reasons that if we hold that individuals should have the economic liberty to choose their occupation, we should also value the right for them to decide other important aspects of their working life, such as the terms and conditions of their employment contracts, their working hours, and so on. Failing to respect individuals' freedom to choose such conditions for themselves would deny them the autonomy to be "authors of their own lives" (Tomasi, 2012, p.77). Tomasi concedes that the state could legitimately have a role in regulating against workplace conditions that might risk the health and safety of employees (ibid., p.110), however, beyond this, he rejects any patronising, paternalistic forms of constraint on individuals' choices and actions within the labour market. In particular, Tomasi believes that the economic growth and individual prosperity that can be achieved within contemporary capitalism¹² makes the need for any "economic paternalism", offered by the state or the collective bargaining power of labour unions, redundant (ibid., p.110, pp.60-61). Workers are free to stand on their own two feet in the labour market, negotiate working conditions as they see fit, and exit employment relationships that are found to be unsatisfactory. Interfering in this free market wage-labour exchange would otherwise erode "a special form of self-esteem that comes when people recognize themselves as central causes of the particular lives they are living – rather than being in any way the ward of others, no matter how well meaning, other-regarding, or wise those others might be" (ibid., p.61).

We are therefore presented with a very clear picture of the libertarian approach to work and the labour market, a picture that can tell us a lot about how libertarians can think about the phenomenon of contemporary precarious work. If we accept the view that

¹¹ Whilst Tomasi is clear that he is "drawn to the libertarian tradition", in particular because of the emphasis this tradition places on the importance of capitalist economic freedoms, his task in *Free Market Fairness* is to reconcile this libertarian tendency with "left-liberal" accounts of social justice (cf. Tomasi, 2012, pp.xiii-xiv). In contrast to true libertarians Tomasi argues that, whilst important for the enjoyment of freedom, property rights are not moral absolutes that should limit us to accepting completely unregulated economic action (ibid., p.xvii).

¹² This claim seems questionable given the below average growth in many industrialised countries since the 2008 financial crisis (cf. IMF, 2017). In addition, environmental limits raise further questions about the capacity for, and desirability of, perpetual economic growth (cf. Jackson, 2011). However, beyond this, why should we assume that any recent prosperity associated with economic growth has been enjoyed evenly (cf. Piketty, 2014; Roberts and Lawrence, 2017)? How can those without access to reserves of private property bestowed by economic growth, who live in expensive rental accommodation, or find themselves with high levels of debt, enjoy the freedom, security, and personal confidence that Tomasi and others see as linked to the ownership of private property?

working life represents an important space in which sovereign individuals exercise their right to choose and act as they see fit, then precarious working conditions can amount to no more than the morally neutral outcome of free market exchange. On the libertarian account, those employed on contracts that offer little job or income security have not been coerced into accepting such conditions. Indeed, some workers may value the opportunity to substitute job security for conditions that they personally find more important, for example flexibility. What is crucial for libertarians is that we respect the freedom of individuals to decide for themselves, without paternalistic external interference. Indeed, it is such assumptions about the value of free choice that underpin the (at least formal) justifications for many precarious forms of employment, such as those associated with the so-called “gig economy”. For example, the co-founder and former CEO of Uber, Travis Kalanick has argued that the company’s drivers “value their independence—the freedom to push a button rather than punch a clock, to use Uber and Lyft simultaneously, to drive most of the week or for just a few hours” (Kalanick, 2016). In this sense, what we have conceptualised in the previous chapter as precarious work could, for libertarians, represent a valuable expression of individual liberty.

One could perhaps make the argument that precarious working conditions, in and of themselves, undermine the rights and liberties that libertarians seek to protect. For example, Nozick is clear that we should respect the Kantian notion that individual human beings should not be treated as mere resources to be used by others (Nozick, 1974, p.33). Libertarians may therefore be concerned when employers hold the power to treat their workers as disposable - hiring them on a temporary or casual basis for as long as they are profitable, rather than providing a secure and stable livelihood. For example, in *Amazon’s* ‘fulfilment centre’ warehouses, temporary staff are hired to meet peak, seasonal customer demand. However, under these contracts, staff can be let go at short notice when they become surplus to demand (cf. Jamieson, 2015; Bloodworth 2018). Precarious work in such instances, one could argue, violates the rights and liberties that are central to libertarian thought by allowing employers to treat workers as resources rather than ends in themselves.

However, it seems that any such claim would be in tension with the overriding libertarian value in market freedom, and the historical focus of the entitlement theory of justice. As we have seen, Nozick holds that “whatever arises from a just situation by just steps is itself just” (1974, p.151). In addition, we have seen with Nozick’s marriage market analogy that, for libertarians, working conditions can be just even when they do not satisfy the ideal preferences of the employee (ibid., pp.263-264). Therefore, so long as precarity is the result of uncoerced market exchange, it would be considered permissible on libertarian grounds.

However, in addition to this approach to free contract and the justice of working conditions, a further aspect of libertarian thought that would inform any potential account of precarious work is their attitude towards redistributive forms of social security and welfare states. As we saw in the previous chapter, the presence, scope, and scale of various labour protections should be appreciated as factors that play an important role in mitigating or exacerbating precarity within contemporary labour markets (cf. Rodgers, 1989, p.3; Jokinen, 2015, p.88; Näsström and Kalm, 2015,

pp.556-557). In particular, state welfare regimes can be seen to offer individuals access to additional sources of income that could help lessen the dependency on precarious jobs, as well as the immediate jeopardy of variable working patterns and an unpredictable income¹³. However, for libertarians, social democratic welfare states, with generous labour rights and welfare protections, are viewed as abrogative of individual freedom and natural rights. Their decimation would be welcomed by libertarian theorists.

Nozick's rejection of redistributive welfare protections arises from the claim that material equality, or indeed any distribution of resources according to some ideal pattern, is incompatible with liberty (1974, p.160). This idea is illustrated with the famous Wilt Chamberlain example, which suggests that a patterned distribution of resources, such as material equality, would quickly be upset if we respect people's freedom to do as they choose with the resources they hold under that distribution – for example, deciding to each pay twenty-five cents to watch Wilt Chamberlain play basketball (ibid., p.161). For this reason, Nozick argues that maintaining some abstract principle of a just distribution “one must either continually interfere to stop people from transferring resources as they wish or continually (or periodically) interfere to take from some persons resources that others for some reason chose to transfer to them” (ibid., p.163). In order to respect individual liberty from interference, the pure form of the ‘negative’ understanding of freedom outlined by Isaiah Berlin (1969), the state must refrain from the forms of redistributive taxation that could fund a social safety net.

This argument is made even more explicitly when Nozick states that “Taxation of earnings from labor is on a par with forced labor” (1974, p.169). This is because, for Nozick, taxation is equivalent to working without pay for the good of someone else. He argues that:

“If people force you to do certain work, or unrewarded work, for a certain period of time, they decide what you are to do and what purposes your work is to serve apart from your decisions. This process whereby they take this decision from you makes them a *part-owner* of you; it gives them a property right in you. Just as having such partial control and power of decision, by right, over an animal or inanimate object would be to have a property right in it” (Nozick, 1974, p.172).

To this extent, the interference required to set up a redistributive welfare state would unjustly prevent individuals from enjoying freedom of choice an action. It would erode people's natural right to self-ownership and instead allow others to treat them as a resource rather than a sovereign individual.

Tomasi similarly challenges the rationale for forms of social protection, and the redistributive taxation that would be required to fund them. Although he claims that some forms of tax-funded safety nets may be justifiable (Tomasi, 2012, p.109)¹⁴,

¹³ The relationship between state welfare regimes and precarious work is addressed more expansively in Chapter 5.

¹⁴ Indeed, Tomasi (in a move similar to that made by “left-libertarians” such as Philippe Van Parijs (1997)) argues against many free market libertarians by claiming that a tax-funded guaranteed basic income could help promote libertarian values by providing a widely-shared environment of private economic liberty to all citizens (ibid., p.230). Whether a basic income system within an economy

elsewhere he argues that European models of social provision “insulate people from economic risks”, and deny them “opportunities to feel the special sense that they have done something genuinely important with their lives” (ibid., p.80).

To illustrate this idea, Tomasi draws on Charles Murray’s (cf. 2009, pp.7-9) example of a janitor who – by working a difficult job to provide for their family – is able to feel that they do something important with their life. However, Tomasi argues, that if this janitor lived in a state that provided a social safety net to protect citizens from economic risks, this sense of making an important contribution would be undermined. This leads Tomasi to conclude that “The experience of risk seems to be an essential precondition for...self-respect” (2012, p.80). This intuition echoes the sentiment expressed when Tomasi argues that American economic life “exposes people to risks of failure and by that very fact offers them a chance for accomplishments genuinely their own...Americans can take pride in knowing that their life is significantly one of their own creation” (ibid., p.xiii).

Tomasi challenges forms of social welfare further still, describing such social democratic institutions as “a gilded cage”, comparing social safety nets with forms of patriarchal marriage – both, he argues, deny individuals private economic liberty and thus the ability to direct our own lives (Tomasi, 2012, p.113). Again, the idea here is that forms of protection from economic risk prevent people from exercising their freedom to choose and act within the market as they see fit. By incubating people from the risks of the labour market, welfare states make individuals impotent, dependent on the state, with insufficient control over their own lives. For Tomasi, this is a patronising and stifling experience that constrains our natural autonomy and destroys our self-esteem. “A society that denies people the chance to take up questions of long-term financial planning for themselves, or that restricts the ways in which individuals and families can respond to such questions, thereby diminishes the capacity of citizens to become fully responsible and independent agents” (ibid., pp.80-81). Or in other words, welfare states prevent us from making our own decisions about how much money to save for financial emergencies, and undermine the social importance of work as a source of self-respect.

However, by rejecting forms of social protection from economic risk as unjust, libertarians are in principle embracing essentially precarious labour markets. Without a sufficient safety net, all workers – but particularly those in insecure forms of low-paid work – will be perpetually aware of their proximity to poverty and destitution. In the event of unemployment or medical emergency they have no protection. Nevertheless, libertarians are reconciled to accepting this outcome as it has emerged through free market exchange and without the paternalistic interference of the state violating anyone’s personal or private property rights. More than this, they may be prepared to actively promote forms of precarious labour in order to give people more

organised on otherwise libertarian economic values could help make people’s working lives less precarious is a difficult, and ultimately empirical question. However, as we have seen, despite supporting a basic income, it is unlikely that Tomasi would seek to eradicate risk and insecurity from the labour market completely, as this provides an important source of meaning in people’s lives. For libertarians like Tomasi, the threat of economically costly market failure is inherently valuable.

private economic liberty and the sense that they are doing something important with their lives (cf. Tomasi, 2012, p.80).

We can therefore see how libertarian thinkers view work – and economic activity more broadly - as crucial to our individual exercise of freedom and the maintenance of our rights. For this reason, libertarians are confined to accepting the outcomes of (as they see it) uncoerced employment contracts and rejecting calls for external interference in free market exchange and the resulting distribution of resources. On the libertarian view, precarious working arrangements are an entirely acceptable outcome of free and just market transactions. To interfere in this outcome would be to humiliate and patronise sovereign agents who should be left to make their own decisions about how to navigate the labour market – regardless of how unappealing the choice architecture may be. To the extent that precarious working arrangements allow employers to treat employees as mere resources, this is permissible on the libertarian account of justice because such employees are not coerced into accepting these conditions, and retain the formal freedom to exit the labour contract at any time. Attempting to protect people from risk, uncertainty, and vulnerability in the labour market by establishing forms of redistributive social protection would, for libertarians, represent an unjust violation of individual rights and liberties, that erodes autonomy and undermines self-respect.

I find this view unconvincing for a number of reasons. Whilst the libertarian aversion to humiliating and patronising constraints on our agency is appealing, the presumption is that such constraints are predominantly the reserve of state interference, while the power of employers is largely characterised as benign and non-threatening to individual liberty. This is because libertarians do not distinguish between arbitrary and non-arbitrary power¹⁵, failing to recognise the extent that state regulation of the labour market and the establishment of social welfare institutions can provide the basis for freedom rather than threaten it (cf. Pettit, 1996)¹⁶. For example, in a similar fashion to Nozick, Elizabeth Anderson draws an analogy between labour contracts and marriages. Men have historically held dictatorial power of women within marriage relationships. It seems insufficient to say that women can be emancipated simply through gaining the ability to enter and exit marriages voluntarily. Instead we should also recognise the *freedom-constituting* nature of regulation that erodes patriarchal domination of married women, for example laws punishing domestic abuse. On this view, the claim that such regulation represents a form of paternalistic interference that undermines the freedom of women appears absurd. Instead these regulations enhance women’s freedom from the power of their husbands (Anderson, 2015, p.65). Similarly, forms of labour regulation and protection can empower workers and provide them with more freedom against employers.

Libertarianism, in contrast, represents an attempt to reify a pure version Berlin’s negative conception of liberty as non-interference in a labour market free from regulation, an approach Anderson refers to as the “laissez-faire baseline” (2015, p.49). However, regardless of the extent to which an employment contract can be entered and exited voluntarily, we may still balk at the power it allows employers to wield

¹⁵ This distinction is explored in greater detail in Chapter 4.

¹⁶ This idea is explored in greater detail in Chapter 5.

over their employees. Indeed, labour contracts always “involve a somewhat open-ended agreement to follow orders” (ibid., p.65; cf. Gourevitch, 2015, pp.111-112), granting the employer a free-hand to dictate the terms of employment not specified within the contract. Free-market libertarian thinkers such as Tomasi may feel patronised by a government that limits how many hours they can work in a week (2012, p.84), but why should they not also feel aggrieved when an employer is able to limit their working hours, or offer uncertain and fluctuating shift patterns from week to week with little concern of the financial and personal impacts this could have?

By focussing so heavily on the historical story of how a given situation has come about, libertarians fail to challenge the disturbing power dynamics that exist in the here and now, behind every office door or factory gate. Nozick is entirely comfortable that Wilt Chamberlain’s basketball prowess should allow him the opportunity to amass a greater distribution of resources than others. Yet the question of whether this inequality should give Chamberlain access to various forms of social power and influence is downplayed. Because of this, the libertarian characterisation of contemporary market transactions appears naïve in the extreme. Individuals are treated as broadly equal in power, able to confidently pursue their self-interest in any given context, and resilient to the pervasive effects of social power both before and after signing the labour contract. The employment relationship is viewed as apolitical, a benign manifestation of the individual exercise of liberty rather than a potential threat to it. In contrast to this portrayal of contract negotiations, Anderson argues, “The typical worker, upon being hired for a job, is not given a chance to negotiate. Nor is she handed a contract detailing the terms of the deal. She is handed a uniform, or a mop, or a key to her office, and told when to show up” (Anderson, 2015, p.50).

The misrepresentation of contract negotiations within libertarian thought is particularly apparent in the case of Nozick’s discussion of starvation as an alternative to wage-labour (cf. 1974, p.236). Although the distribution of productive resources that empowers one person to hire another’s labour, as well as the negotiation of terms to a particular employment contract, can take place without any actual interference or coercion, we should nonetheless recognise the role that background contextual factors as well as wider, impersonal forms of power, play in undermining our freedom in the labour market. In other words, libertarians fail to question whether labour contracts may be less voluntary than they might formally seem, how realistic or effective a formal right to exit a labour contract may be (cf. Anderson, 2015, p.67), as well as the full extent to which our working lives are shaped, and our freedom constrained, by the particular power dynamics at play in the workplace and the wider labour market.

Regardless of the control employers may wield over precarious workers, so long as work is accepted more or less voluntarily then it satisfies the libertarian demands of justice. On the libertarian view, the uncertainty, jeopardy, and dependence generated by precarious working arrangements inspires ambivalence: whatever its shortcomings, precarious work can be considered an acceptable price to pay for freedom from state interference in the economy. But more than this, precarious work may even be explicitly valued by libertarian thinkers as a way of organising and governing working life that enables sovereign agents to experience the self-esteem that comes from navigating the risk and uncertainty of the labour market by themselves. In this sense,

free-market libertarianism provides a poor, and deeply uncritical, theoretical framework with which to analyse, let alone respond practically, to the phenomenon of contemporary labour precarity.

Liberal egalitarianism.

In contrast to the libertarian reification of property rights and the rejection of state intervention in the market this entails, most contemporary liberals argue that interference can be permissible, if not actively necessitated, on the grounds of justice¹⁷. This gives contemporary liberal egalitarians significantly more scope than libertarians to respond politically to the phenomenon of precarious work; either by challenging the *content* of the work that people should be expected to perform, or by regulating the social and economic background structure in which working life takes place as well as the organisational structures of economic enterprises themselves (the *context*).

This tendency towards regulation within liberalism can be seen to date back at least to John Stuart Mill, who argues in *On Liberty* that “trade is a social act. Whoever undertakes to sell any description of goods to the public, does what affects the interest of other persons, and of society in general; and thus his conduct, in principle comes within the jurisdiction of society” (Mill, 2008, p.105). Whilst Mill, nonetheless, still extolls the utilitarian virtues of free trade, he argues that it is distinct from the question of individual liberty. Restraint on trade is therefore undesirable only because of the productive benefits non-interference in the market is believed to create. Crucially, “the principle of individual liberty is not involved in the doctrine of Free Trade” (ibid.). Breaking the intimate link between free markets and individual liberty has allowed subsequent generations of liberal thinkers to argue that interference can be justified in order to prioritise the protection of individual liberty – especially when the inequalitarian consequences of unregulated market activity could be seen to threaten freedom (cf. Gaus, Courtland, and Schmidtz, 2015).

John Rawls (especially 1999; 2001; 2005) has been hugely influential in shaping how contemporary liberals approach work and the economy. Importantly, his political theory has helped to renew the debate about the nature and role of “meaningful” work within a just society (cf. Rawls, 1999, p.464; 2005, p.lvii). In particular, it has sparked discussions about the social and political character of work, in addition to its formal economic and productive role. Rawlsian theorists have opened a debate about how work, as a shared burden of our cooperative social lives, shapes our identity, social status, and agency; as well as which normative values ought to direct the way in which work is governed. Crucially, however, for the most part, the question of meaningful work has been treated as a problem of distributive justice (cf. Schwartz, 1982, p.641; Arneson, 1987, p.535; Walsh, 1994b; Moriarty, 2009, pp.443-446; Arnold, 2012, pp.97-103; Roessler, 2012, p.91; Yeoman, 2014, p.236; Veltman, 2015, p.726; Gheaus and Herzog, 2016, p.70; etc.). In other words, contemporary liberal discussions about meaningful work seek to answer two questions: (i) what values must be promoted in

¹⁷ Note that this interference is still considered an offence to freedom by most liberals, but one that is justified on grounds of equality (cf. Anderson, 2015, p.50).

order for work to be meaningful; and (ii) to what extent does justice demand that such work should be enjoyed more equally?

Within this contemporary liberal literature on meaningful work, three core values have been routinely invoked to act as the central normative principles that should be promoted through our working lives: (i) human flourishing; (ii) individual autonomy; and (iii) self-respect. This is not to suggest that these theorists solely pursue one value to the detriment of all others. Indeed, it is often the case that satisfying other values is seen as a crucial precondition of securing one overarching, primary value in working life. As such, I argue that we can categorise the different theories of work that underpin contemporary liberal accounts of meaningful work according to the normative values that are held to take *priority*.

The first of these theories prioritises the value of *human flourishing*. Here work is viewed as an important space in which to develop the skills, capacities, and social relationships that are integral to living a full, rewarding, and truly human life. This tradition of thinking about work can be seen to build on Aristotelian notions of *eudaimonia*, or the happiness that is achieved when we realise our specifically human capacities, in particular the capacity for reason (Aristotle, 2000, p.12; cf. Shields, 2016). Indeed, Aristotle directly challenged forms of ‘mechanical’ work that “renders the body or intellect of free men unserviceable to virtue” (Aristotle, 1981, p.454). Such work, that requires “too great a concentration...too much mastering of detail” and, thus, prevents individuals flourishing and realising their full potential as it keeps “the mind preoccupied, and unable to rise above lowly things” (ibid.)¹⁸.

The importance placed by Aristotle on living a life in which we are able to exercise our human skills and capacities has informed, and been reinterpreted within, Rawlsian political theory. In *A Theory of Justice*, Rawls offers his “Aristotelian Principle” to explain why individuals are motivated to do some things more than others (1999, p.374-375). Rawls writes, “other things equal, human beings enjoy the exercise of their realized capacities (their innate or trained abilities), and this enjoyment increases the more the capacity is realized, or the greater its complexity” (ibid, p.374). He goes on to explain that “complex activities are more enjoyable because they satisfy the desire for variety and novelty of experience, and leave room for feats of ingenuity and invention...simpler activities exclude the possibility of individual style and personal expression which complex activities permit or even require” (ibid., pp.374-375). In other words, Rawls believes that individuals gain greater satisfaction from more complex activities as well as those activities that require creative thinking and leave room for improvement over time.

This Aristotelian heritage is now often referenced explicitly within the contemporary literature on meaningful work. For example, Andrea Veltman presents an account of “eudemonistically meaningful work, or work that contributes to human happiness or flourishing by developing or exercising agency, skills, or capabilities, especially

¹⁸ However, we should note that, for Aristotle, any paid work or productive labour was considered incompatible with living an authentically human life. Such action is conducted merely as a necessity of survival, rather than as part of a truly free human life devoted to politics and contemplation (cf. Arendt, 1958, pp.13-14).

insofar as this exercise meets with recognition and esteem” (2015, p.726). Similarly, Adrian Walsh offers an account of meaningful work as “eudaimonian activity” (Walsh, 1994, p.241), in which it is important that working life allows individuals to realise their intellectual and creative potential. In particular, Walsh stresses the importance of exercising “theoretical input”, the ability of individuals to apply their own capacity for reason when faced with a task, and respond with ingenuity to problems that arise (ibid., p.243).

Ruth Yeoman, too, seeks to challenge forms of non-meaningful work that undermine human flourishing by failing to develop particular human capacities. In particular, those capacities necessary for autonomy and self-respect (2014, pp.237-239). Indeed, the central claim in her paper, ‘Conceptualising Meaningful Work as a Fundamental Human Need’ is that “it is incumbent upon a liberal democratic state to take seriously the moral concern that the interior content of much contemporary work stunts the human flourishing of workers by failing to meet their fundamental human interests in autonomy, freedom and social recognition (ibid., p.237). For example, Yeoman suggests that forms of routine, unskilled factory work can extinguish an individual’s ambition and stunt their capacity to act autonomously, a capacity that is necessary if they are to realise their full human potential and flourish (ibid., pp.237-239). This approach is similarly highlighted by Russell Muirhead when he argues that repetitive, boring, and dangerous work, such as that associated with assembly line manufacturing, fails to provide individuals with the opportunities to develop their capacities and potential that they deserve (Muirhead, 2004, pp.170-171).

Finally, Anca Gheaus and Lisa Herzog, in their 2016 paper ‘The Goods of Work (Other Than Money!)’, take a slightly different approach. Here they argue that work can provide a number of ‘goods’ that are “central to individuals’ flourishing lives” (Gheaus and Herzog, 2016, p.80). Importantly, one of these goods is ‘excellence’. This refers to the fact that work provides a context in which individuals can strive, improve, and accomplish: “Excellence includes the development of one’s skills – for example, good judgment – but also the accomplishments resulting from the exercise of these skills – for example a good piece of craftsmanship” (ibid., p.74).

We can therefore see that, as with Veltman, Walsh, Yeoman, and Muirhead, work is valued to the extent that it represents a vehicle for individuals to achieve well-being and realise their human potential through the exercise and development of important skills and capacities. These theorists are therefore more likely to view the work of a heart surgeon more favourably than the work of a fruit picker. The heart surgeon is required to exercise a wider range of capabilities through her work, much more than the fruit picker whose work is often simple, routine, and intellectually unchallenging. In addition, practicing heart surgery provides a much greater scope for improving these capabilities over time.

However, in addition to this focus on the exercise and development of human potential, these theorists also often emphasise the important social features that underpin the ability to flourish in working life. For example, on Veltman’s account of meaningful work, work that separates workers from their families or communities further disrupts the personal, social relationships necessary for human flourishing and

happiness (2015, p.733). Similarly, for Gheaus and Herzog, the other non-pecuniary ‘goods’ of work that contribute to individual flourishing are: (i) making a social contribution; (ii) experiencing community; and (iii) gaining social recognition. The first of these describes the satisfaction of knowing that your actions are necessary for the smooth functioning of society, and the sense of purpose that results from making a difference (Gheaus and Herzog, 2016, pp.75-76). The second describes the feeling of belonging available to workers when they do things “together with people with whom they stand in relatively free and equal relationships” (ibid., p.76). Finally, social recognition refers to the sense of status that is enjoyed when one’s work earns high regard from others (ibid., pp.78-79). It is suggested, therefore, that we should value forms of work that enable fulfilling social relationships and provide a sense of belonging to those who share in joint achievements, as well as those that receive positive feedback from both colleagues and wider society. For example, we can see how industries like fishing which have traditionally been firmly embedded within local communities, whilst also engendering camaraderie and respect between co-workers, could be seen to provide the social basis through which individuals are enabled to flourish.

We can therefore determine a clear trend within contemporary liberal thinking on meaningful work. Here, work is valued to the extent that it enables individuals to flourish – to develop skills, exercise capacities, and engage in the social relationships that make our lives distinctly human. For such theorists, the fact that much of the work within contemporary labour markets fails to provide this space for human flourishing raises important questions for justice.

A second theory of work that underpins contemporary liberal approaches to meaningful work, however, instead centres on the importance of autonomy. Here work is viewed as posing a potential threat to an individual’s independence, and their ability to decide for themselves how best to live their own lives. To the extent that individual autonomy is valued in this way, it is possible to discern echoes of the Rawlsian idea that each person should be free to rationally design and pursue their own “plan of life” in response to the particular conditions that they find themselves faced with (Rawls, 1999, pp.79-80). We can see this reflected, for example, when Adina Schwartz describes non-meaningful work as those forms of work that prevent individuals “formulating aims”, or “deciding on means for achieving their ends” (1982, p.634). Respecting the autonomy of every individual, Schwartz argues, is incompatible with the kinds of jobs where workers have no opportunity to shape the direction of the enterprises in which they are employed; where they cannot decide how best to perform the tasks that confront them; or where individuals must pursue the ends of their employers through predetermined and closely scripted “mechanical activity” rather than completing tasks according to their own ideas and initiative (ibid., pp.635-637).

For Schwartz, living autonomously means “planning effectively to achieve one’s aims instead of simply reacting to the circumstances that face one...autonomous agents take responsibility for decisions and rationally choose actions to suit their goals” (1982, p.635). Richard Arneson can also be seen to value the importance of such autonomy at work, when he describes meaningful work as “work that is interesting, that calls for intelligence and initiative, and that is attached to a job that gives the work considerable

freedom to decide how the work is to be done” (1987, p.522). Similarly, Beate Roessler, in her paper ‘Meaningful Work: Arguments from Autonomy’, defines autonomy as “being able to reflect about how one wants to live on the basis of reasons, beliefs, motives and desires which are one’s own – not imposed by others for personal or political reasons – and to live one’s own life accordingly” (2012, p.73). Again, what matters is that individuals are not dictated to, that their ability to think and act for themselves is protected. For this reason, work should be designed so as to respect the self-determination of each individual by allowing them to influence the processes and outcomes of their labour through their own decision-making (ibid., pp.86-88; cf. ibid., p.73).

For these theorists, then, work is considered normatively objectionable when it requires individuals to suspend their autonomy and unthinkingly perform actions that have been specified by others. Meaningful work is about not simply following the decisions of others, but enjoying the ability to decide for oneself how best to overcome the challenges associated with working life. For this reason, we can see that such theorists would consider the self-directed, creative work of the artisan as more meaningful than the simple, micro-managed work of production line manufacturing. To this extent, we can consider the extent to which this account of meaningful work offers a rival interpretation of the concept of self-ownership found within the libertarian literature above. In both instances the sovereign, self-directing individual is valued, only libertarian and liberal egalitarian theorists diverge on the sources of the potential threats to this independence. For libertarians, autonomy is threatened by market regulation and other interference with the free exercise of property rights. For liberal egalitarians, such as Schwartz, it is the monotonous content, and hierarchical organisation of working life that erodes autonomy (1982, pp.641-642).

Importantly, for Schwartz, the nature of our work does not just undermine our autonomy within the discrete context of the job itself. Instead work can threaten our autonomy in all aspects of life. As she argues:

“When persons work for considerable lengths of time at jobs that involve mainly mechanical activity, they tend to be made less capable of and less interested in rationally framing, pursuing, and adjusting their own plans during the rest of their time. They are thereby caused to lead less autonomous lives on the whole (Schwartz, 1982, p.637).

We can think of this as an account of the ‘formative’ effect of work, the way the nature of work shapes individuals, influencing how they see themselves and how they interact with the world (cf. Roessler, 2012, p.82). In this instance, the nature of our work shapes who we are to such an extent that a lack of autonomy in the workplace makes us less likely to pursue lives of self-governance elsewhere. This idea can be substantiated with reference to empirical research. For example, Schwartz directs us towards the research of Melvin Kohn and Carmi Schooler whose study of working men in the United States suggests a relationship between the complexity of one’s work and the degree to which they are able to cope with intellectually demanding situations elsewhere in life (Schwartz, 1982, p.637; cf. Kohn and Schooler, 1978, pp.43-48). Schwartz argues that these findings show that a lack of autonomy at work undermines an individual’s ability to live autonomously the rest of the time as such work hinders

them from “developing the intellectual abilities that they must have if they are rationally to frame, adjust, and pursue their own plans” (Schwartz, 1982, p.638).

Samuel Arnold similarly draws on the empirical research of Kohn and Schooler to argue that access to forms of complex work that involve a more significant degree of individual creative control is necessary for the cultivation of agency (2012, pp.101-103). For this reason, Arnold concludes that Rawlsians should recognise complex work as a primary good, to the extent that it represents one of the “social bases of the internal resources of self-governing and social capacities” (ibid., p.98). Therefore, the division of labour itself should be subject to Rawls’ difference principle of justice in order to reduce the “occupational inequality” that undermines the value of individual autonomy (ibid., p.108). Such arguments thus highlight the extent to which work is viewed as a potential threat to our ability to live independent lives as autonomous agents.

This is particularly important if, like Roessler, we see work as a necessary part of social life (cf. 2012, p.77). If work is not necessarily a source of autonomy in and of itself, it is certainly seen by these theorists to *inform* the extent to which we are able to enjoy the value of our autonomy. When the content of work is prescribed and controlled in minute detail, rather than allowing individual workers the self-determination to formulate and achieve their own rational plans based on their own intelligence and initiative, it fails to respect the value of their personal autonomy. If we must work, and if work plays a central role in shaping the rest of our lives (cf. Schwartz, 1982, p.637; Roessler, 2012, p.82; Arnold, 2012, pp.101-102), then, so the argument goes, it should be organised in order to respect the value of individual autonomy as much as possible.

However, in addition to the values of human flourishing and individual autonomy, a final value that has been invoked by contemporary liberal theorists as a guiding normative principle of meaningful work is *self-respect*. Here, work is expected to provide a central source of esteem, dignity, and status for human beings. This approach to meaningful work holds that work should help to provide the basis for our status as free and equal members of society rather than undermining it. One theorist that takes this approach is Jeffrey Moriarty who, drawing explicitly on Rawls’ political theory, argues that access to meaningful work should be considered an important social basis of self-respect. In this sense, working life should affirm people’s belief that their conception of the good is both attainable and worth pursuing (Moriarty, 2009, pp.441-442).

To support this approach, Moriarty points to Rawls’ claim in the introduction to the paperback edition of *Political Liberalism* that “Lacking...the opportunity for meaningful work and occupation...is destructive of citizens’ self-respect” (Rawls, 2005, p.lvii; cf. Moriarty, 2009, p.441). This claim is then fleshed out with reference to Rawls’ definition of self-respect in *A Theory of Justice*, where it is argued that in order to have a sense of one’s own worth, one must have “a rational plan for life, and in particular one that satisfies the Aristotelian Principle” (Rawls, 1999, p.386; Moriarty, 2009, p.442). We can recall that the Aristotelian Principle holds that “other things equal, human beings enjoy the exercise of their realized capacities (their innate

or trained abilities), and this enjoyment increases the more the capacity is realized, or the greater its complexity” (Rawls, 1999, p.374). Self-respect is therefore seen to be linked to having a plan for life that is suitably complex and involves the development and exercise of our human capacities (ibid., pp.386-387). If work is “monotonous and routine...[and] deadening to human thought and sensibility” and requires us to be “servilely dependent on others” (ibid, p.464), then Moriarty argues we should reject it on the grounds that it undermines an important basis of our self-respect. Mentally stultifying work, that requires little intellectual or creative input from the individual worker, cannot offer a plan of life that satisfies the Aristotelian Principle. It cannot seem worth doing, and so cannot provide us with a sense of self-respect that we all have a right to (Moriarty, 2009, pp.449-450; cf. Rawls, 1999, p.54).

In addition, Moriarty shows how, by suggesting that people must have access to meaningful work, Rawls is in effect privileging the work association as a crucially valuable source of self-respect, regardless of how much self-respect they may gain through other activities and associations in life (Moriarty, 2009, p.450). Moriarty justifies this move by arguing that work is an unavoidable and time-consuming part of our lives. If our lives are dominated in this way by work that is repetitive and tedious then our loss of self-respect is unlikely to be compensated for by any nonwork activities we engage in during our spare time (ibid., pp.451-452). Work can therefore be valued by contemporary Rawlsian theorists, such as Moriarty, as a crucial, and necessary source of self-respect. Again, this value is best served by work that is complex, interesting, and that allows individual workers to exercise their own intelligence and initiative. On this view, our self-respect is better protected when we practice the work of the Michelin Star chef, employing our own intelligence and creativity to overcome complex problems in an environment of autonomous self-direction, as opposed to the routine work of a fast food restaurant burger-flipper that requires few skills and little creativity. The task, according to this account, is then to design a labour market in which all citizens can enjoy work that supports rather than destroys the crucial value of self-respect.

We can therefore see how the social and political significance of work can be found in its role as a vehicle for the promotion of liberal values; in particular human flourishing, individual autonomy, and self-respect. We can also see how this approach involves relating work to ideas about distributive justice. Working life should be organised so that people can access the sort of work necessary to enjoy these crucial values more equally. This typically involves ensuring work can offer high levels of complexity, variety, and creativity. Indeed, within the contemporary liberal literature on meaningful work, we can find arguments for actively interfering in the market in order to restructure the way work is organised and governed and thus better provide meaningful work to all workers. For example, Veltman has argued that human flourishing and a more equal opportunity for self-development could be better secured by “rotating routine forms of work, outsourcing unfulfilling work to machines, reducing the working day and fairly enumerating all forms of work” (2015, p.740). In this way, Veltman hopes, all people could have an opportunity to fulfil their potential if we were to limit the range of occupational choice open to them or the amount of time that they can dedicate to non-meaningful work. Such an approach contrasts

starkly with the *laissez-faire* labour market promoted by libertarian and free market thinkers.

Other theorists argue that the values associated with meaningful work could be better protected through democratising the workplace and the wider economy, in order to provide individuals with greater decision-making control over their work (e.g., Schwartz, 1982; Arneson, 1987; Arnold, 2012; Yeoman, 2014; Gheaus and Herzog, 2016; etc). For example, Yeoman argues that a system of workplace democracy that allows all workers to participate in deliberative decision-making processes within the firm could provide a context in which workers are able to collectively shape their working lives according to their own ideas about how best to flourish (2014, p.243). Similarly, Gheaus and Herzog emphasise the extent to which “worker cooperatives and other structures that include elements of workplace democracy” are well suited to protecting the valuable social connections and relationships that allow people to flourish in working life (2016, pp.76-77). The value of autonomy has also been invoked to underpin arguments in favour of workplace democracy among contemporary liberal egalitarians. For example, Arneson suggests that having a democratic influence over how our work is organised promotes the self-direction and independence of all workers (1987, p.517). Meanwhile, Schwartz argues that in order for all workers to enjoy autonomy, jobs must be “democratically redesigned, tasks must be shared out in a way that abolishes the distinction between those who decide and those who execute others’ decisions” (1982, p.641). Again, this shows the extent to which such theorists are willing to interfere in the organisation and structure of the labour market and individual firms in order to ensure work represents a vehicle for important liberal values. Untrammelled libertarian economic freedom this is not.

Having outlined the contemporary liberal egalitarian approach to work, we can now explore the extent to which such theorists may be able to offer a normative response to precarious work within their political theory. In this respect, we are required to analyse the extent to which precarity at work either undermines or promotes the values that we have seen to be central to liberal egalitarian accounts of meaningful work.

Certainly, it may seem that many of the forms of work that are often held up as examples of precarious work would seem to offend against the value of human flourishing. For example, the precarious work of Amazon temp workers is often routine, repetitive, and far from mentally stimulating. One of the main activities that takes place in the company’s (ironically named, it seems) ‘fulfillment centres’ is packing. One former worker has described this job as: “You stand in one spot all day minus the breaks and the lunch break. You put what the pickers “pick” and put it in a box” (Nolan, 2013). It seems highly unlikely that this kind of repetitive work that involves few opportunities for creative or intellectual input would satisfy the definition of eudemonistically meaningful work according to theorists such as Veltman or Walsh.

However, we should also consider the extent that precarious working arrangements involve the erosion of the social bases of human flourishing, the communal and familial relationships that provide the context in which we are able to enjoy meaningful work (cf. Veltman, 2015, p.733; Gheaus and Herzog, 2016, pp.75-76).

One could argue that the flexible working conditions associated with precarious work could benefit our social relationships. Not having a set shift pattern could, in theory, allow workers on zero-hours contracts to organise their working lives around important family commitments or valuable social engagements. Moreover, there are signs that, despite their precarious working conditions, workers can still build relationships with colleagues and share a sense of camaraderie. For example, even in the intense, and highly individualised environment of *Amazon* warehouses there are opportunities for temporary workers in certain roles to “relax and talk to other workers” (Nolan, 2013). Even precarious workers in the “gig economy” are finding ways to turn the app platforms they use for work as tools for worker solidarity. For example, some UberEats couriers have used the company’s app as a way to make contact with their fellow workers and share information about strike action (O’Connor, 2016).

On the other hand, however, we must also recognise that many precarious workers find themselves atomised and alone, with few opportunities to build valuable social relationships in their working life. None more so than the solo Uber driver or Deliveroo rider, on their own in a fragmented workforce of one, waiting for instructions from their smartphone. Even if we are able to develop meaningful relationships, these remain somewhat contingent on our ability to stay in a job long-term. Rosalind Gill, for example, has described the effects of increasing precarity among academic staff, where those on fixed-term contracts can find themselves regularly moving from city to city with every new job, or else forced to “commute long distances, or to live apart from partner and friends” in order to find continuing employment in the university sector (2010, pp.232-234). Under such conditions, valuable social relationships are likely to become hard to maintain or nurture over time. Other precarious workers remain constantly on standby, waiting by the phone for their next shift. Or else they are overstretched by the need to work multiple jobs in order to earn enough to survive. In both cases the result is a “leisure squeeze” (Standing, 2011, pp.128-129), where precarious workers find their lives subsumed by the concerns of the job and are thus unable to participate equally in social or political life (cf. Nässtrom and Kalm, 2015). Such conditions are likely to disrupt your ability to fully develop and enjoy the social relationships, at work and elsewhere, that are seen by some liberal egalitarians to underpin our ability to live a flourishing life.

Nevertheless, being able to describe socially-isolated, monotonous work as non-meaningful does not necessarily tell us anything unique or specific about precarious work in and of itself. Surely packing boxes in an Amazon warehouse could be thought to undermine the value of human flourishing regardless of whether it is performed on an insecure, temporary contract or a stable, full-time one. Conversely, it does not seem that precarious work must necessarily be routine and monotonous. In the words of Pierre Bourdieu, “la précarité est aujourd’hui partout” [precarity is everywhere] (1998a, p.95 (cf. *ibid.*, 1998b, p.82)). Indeed, Jacob Hacker has shown that there has been a generalisation of economic instability across the American labour market, affecting highly educated and skilled workers as well as those at the bottom of the labour market (2006, p.28). This picture of generalised precariousness across the labour market is similarly borne out by research conducted by the *Think-tank for*

Action on Social Change (TASC) in the Republic of Ireland. This shows how precarious working conditions such as fixed-term contracts and bogus self-employment are increasingly present within highly-skilled occupations as diverse as early years education and childcare, financial services, telecommunications, and “craft-trades” such as carpenters and electricians (Pembroke, et al., 2017). Taking childcare work as one example, we can see that, despite increasingly precarious working conditions, the workforce in this sector are usually highly qualified and are engaged in a form of work that regularly requires individual workers to develop and exercise a range of skills and capacities (ibid., p.1). Such work, therefore, could be considered meaningful by theorists such as Veltman and Walsh. The value of human flourishing could be promoted *even though* the work is precarious. In this respect at least, the conceptual vocabulary associated with this approach to work in liberal egalitarian theory may be ill-suited to articulating a specific normative account of precarious work.

It may also seem as though precarious work need not offend against the value of autonomy. Certainly, we can find examples of precarious work where the content of that work could severely restrict individual autonomy. For example, temporary workers in Amazon’s warehouses have described the experience of working as a ‘picker’. This consists of:

“[going around] with a little cart to a conveyor belt and grab 2 plastic tubs. With a scanner in one hand and pushing the cart in the other your job is to go around to wherever the scanner tells you and "pick the items" This involves scanning the tub, then the location bar code, searching for the right item (which most of the time is easy to find but sometimes hard) and scanning it. Then doing the same thing for the next 10hours of your day minus the 2 15minute breaks and the 30min lunch break” (Nolan, 2013).

As we saw in the last chapter, the use of technology to monitor worker performance in real-time and provide constant step-by-step instructions to workers provides employers with a level of control that has been described as “Taylor on steroids” (O’Connor, 2016) in reference to the ideas promoted by Frederick Winslow Taylor. In his 1911 book *The Principles of Scientific Management*, Taylor argued that managers should specify to workers “not only what is to be done but how it is to be done and the exact time allowed for doing it” (Taylor, 1911, p.39). Such examples of precarious work can therefore be seen to represent the kind of scripted, “mechanical activity” (Schwartz, 1982, p.635), with little “freedom to decide how the work is to be done” (Arneson, 1987, p.522), that is thought to be so harmful to individual autonomy. Indeed, Amazon workers have spoken of the need to create games and competitions out of boring, repetitive work “to keep you from going insane” (Nolan, 2013). This can be understood as an attempt to invent “simulations of autonomy” (Yeoman, 2014, p.241), and fulfil a need for some form of personal control over what would otherwise be mentally-stultifying, micro-managed work.

However, regardless of the particular content of the work undertaken, precarious working conditions, such as those associated with zero-hours contracts or work in the so-called “gig economy”, are regularly defended on the grounds that they *increase* the

independence of workers. Indeed, as we have seen, Travis Kalanick argued that drivers choose to work for Uber “because they want to be their own boss. Drivers value their independence—the freedom to push a button rather than punch a clock, to use Uber and Lyft simultaneously, to drive most of the week or for just a few hours” (Kalanick, 2016). Indeed, this perception of increased autonomy among Uber drivers was also encountered by James Bloodworth during his investigation of working practices in the “gig economy” (2018, p.252). This suggests that, despite the lack of job or income security provided by work in the “gig economy”, these workers can nonetheless lead autonomous lives, where they have a capacity to choose when, where, and how they work, as they see fit (cf. Wood, 2019, p.3).

Such claims, however, seem questionable once we consider the possible effects of a life without job or income security on our ability to develop and pursue our own “rational plan of life” (Rawls, 1999, p.79; cf. Schwartz, 1982, p.635; Roessler, 2012, p.73). Indeed, how can we plan our lives when we have little sense of occupational or financial stability? Standing has described how those in precarious work are “defined by short-termism...induced by the low probability of personal progress or building a career” (2011, p.18). One effect of this may be to prevent some precarious workers from being able to make important life plans, such as whether to start a family. For example, Gill explains:

“[the number of female academics foregoing having children] may be accounted for in terms of the lower numbers of female academics who *want* children, but...increasing numbers also feel unable to do so and sustain an academic career, either because the length of time it takes to get a secure job (degree, Master’s, PhD, series of temporary contacts) makes it too late, or because the intense day-to-day demands of contemporary academic employment make it extremely difficult to manage” (Gill, 2010, p.234).

Unable to think long-term and design a plan for the future, the uncertainty of precarious working arrangements forces people to live perpetually in the present and think only about satisfying immediate needs – to secure the next job and make sure the bills are paid. In this respect, precarity makes it much less likely that working life will provide individuals with the value of autonomy. They are likely to be less able to “rationally frame, adjust, and pursue their own plans” (Schwartz, 1982, p.638), or develop their own ambitious desires and life goals. Unable to take control of their own lives in this way, they instead must be resigned to a certain passivity and accept that their fates will be decided by their employers and the wider exigencies of the labour market.

Finally, we can consider the extent to which precarious working arrangements may undermine the value of self-respect. As we have already seen, there are many examples of precarious work that represent “monotonous and routine occupations” (Rawls, 1999, p.464) that, theorists such as Moriarty would argue, prevent work acting as a crucial basis of self-respect (2009, pp.449-450). On this view, one could argue that the intense, boring, and repetitive box-packing work conducted by some temporary Amazon workers could be viewed as so mentally-stultifying that their plans of life

cannot satisfy the Aristotelian Principle. Such work cannot seem worth doing and so cannot allow individuals to enjoy an equal sense of self-respect.

However, there may be additional reasons for thinking that precarious work is harmful to our self-respect. In *A Theory of Justice*, Rawls suggests that in addition to having a rational plan of life that satisfies the Aristotelian Principle, our self-esteem is also supported when we are “appreciated and confirmed by others” (1999, p.386). The lack of public appreciation encountered within many examples of precarious work thus further suggests that it may pose a threat to self-respect. For example, one individual working for the “gig economy” firm, Deliveroo, reported: “sometimes you don’t feel human. You’re just handing a bag over and some people take the bag, don’t look at you and close the door” (Parkinson, 2017). This echoes the experience of “social invisibility” (Veltman, 2015, p.727) traditionally encountered by refuse collectors and others whose occupations often garner low levels of public esteem. As Veltman argues, “In a social context in which sanitation work does not merit much esteem, sanitation workers lack a major source of self-respect and can, in turn, develop a sense of themselves as lowly, degraded people” (ibid.). To the extent that those in precarious forms of work experience this lack of public appreciation and esteem, their work is unlikely to offer a sufficient vehicle for the value of self-respect.

In addition to low levels of public appreciation, however, those in forms of precarious work also experience a lack of respect and esteem from their employers; regularly treated without due consideration or dignity, and ultimately seen as disposable. For example, the *Huffington Post* has reported that temporary workers at Amazon’s warehouses have been let go by the company without warning once they become surplus to requirement. Indeed, there are instances of workers only learning of their dismissal when they turn up to work and find that they no longer have access to the warehouse building (Jamieson, 2015). This lack of appreciation is also reported within “gig economy” firms. For example, in 2016 a Deliveroo worker in Dublin was involved in a cycling accident during her shift. On calling the company’s call centre to tell them why her delivery would be delayed, she reported: “No sooner had I said to the operator that I’d just fallen off my bike, than they were asking me if the food was okay. That was the priority” (Irish Independent, 2016). Similarly, a worker for the delivery firm Hermes was sacked after rushing from work to be with his partner who had just given birth prematurely. That individual was reportedly told that “parcels come first” (Bowden, 2017). Such failures to treat employees with equal care, appreciation, and human dignity further emphasise the extent to which precarious forms of work may be unlikely to promote the value of self-respect.

Beyond these particular examples of precarious work, and in contrast to Tomasi’s claim that the experience of economic risk represents “an essential precondition for...self-respect” (2012, p.80), one could argue that precarious work is, *in and of itself* deleterious to our enjoyment of self-respect. For example, Ursula Huws has argued that, in contrast to past eras of relative job security, contemporary workers must face the “ritualized humiliation” (2014, p.65) of the job interview much more often. Faced with repeated experiences of rejection as we desperately seek new sources of work, Huws asks “What kind of armor plating do we require to survive this repeated battering of our self-esteem?” (ibid., pp.65-66). Indeed, Rawls himself argues in the

introduction to the paperback edition of *Political Liberalism* that, in addition to the opportunity for meaningful work, “Lacking a sense of long-term security...is not only destructive of citizens’ self-respect but of the sense that they are members of society and not simply caught in it. This leads to self-hatred, bitterness, and resentment” (2005, p.lvii).

In this sense, the quotidian experiences of rejection, disposability, and defeat within a systemically insecure and precarious labour market is unlikely to lead to the empowering sense of self-worth that Tomasi predicts. Instead it can reasonably be thought to lead to feelings of deep shame, an emotion Rawls describes as “the feeling that someone has when he experiences an injury to his self-respect or suffers a blow to his self-esteem. Shame is painful since it is the loss of a prized good” (1999, p.388). Rawlsian liberal egalitarians are therefore able to conceptualise precarity as failing to treat all individuals as free and equal citizens to the extent that a working life dominated by job insecurity threatens to undermine the primary good of self-respect that all members of society deserve.

We can therefore see the how contemporary liberal egalitarianism can provide conceptual resources with which to normatively evaluate precarious work. The political significance of work is found in the extent to which it acts as a vehicle for the realisation of particular liberal values, namely human flourishing, individual autonomy, and self-respect. We can see how instances of precarious work can pose a threat to the equal enjoyment of these values; either because they involve non-complex, monotonous activity, they disrupt the ability to build valuable social relationships, they prevent individuals designing a long-term plan of life, or fail to provide people with the esteem and appreciation they are due. Liberal egalitarianism therefore encourages us to understand the political significance of precarious work as a question of distributive justice. If the precarious organisation and governance of work prevents us from enjoying these important values in our working lives in a sufficiently equal way, then liberal egalitarians have the capacity to consider it unjust.

However, we should exercise caution with regards to this liberal egalitarian approach. By focussing on the importance of providing equal access to *meaningful* work, these theorists risk making work a centrally important source of value in our lives. This could have a number of problematic implications. First, we may be concerned that making work a crucial source of a particular value could legitimise forms of paternalistic interference over individuals’ choice of occupation. In this sense, the promotion of meaningful work may be in tension with the liberal concern for neutrality by arbitrarily promoting one conception of the good over others (cf. Arneson, 1987, pp.517-545). Rawls himself is clear in his *Justice as Fairness: A Restatement*, that the “kind of work people do, and how hard they do it, is up to them to decide in light of the various incentives society offers” (2001, p.64). However, as we have seen, many within the contemporary debates around meaningful work support reorganising work in order to ensure certain values are more equally enjoyed in working life. For example, Veltman is certain that we should actively transform labour markets in order better provide individuals with the opportunity to flourish at work. She argues,

“Work impacts the person, and it does not serve the aims of social justice to ignore the impact of work upon the worker, or to appeal to a plurality of sources of fulfillment in life as a justification of social and economic systems in which some have meaningful work and flourish accordingly, while others are mired in less meaningful work and suffer the ramifications thereof” (Veltman, 2015, p.740)

Despite this argument, however, we may nevertheless challenge the implication that some distant political theorist knows what type of work is best for us – particularly when the preferred types of intellectually demanding, autonomous, and creative work reflect the form of academic, philosophical work that political theorists presumably enjoy performing themselves. How would such a theorist respond to someone who, like the janitor example offered by Murray and Tomasi, genuinely feels that their unskilled, simplistic, and routine work is meaningful to them (cf. Murray, 2009, pp.7-9; Tomasi, 2012, p.80)?

Relatedly, we may question the extent to which work must be such a *central* source of value in our lives. As we have seen, Moriarty suggests that this is the case because of the social fact that work currently represents a uniquely necessary and time-consuming aspect of life (2009, p.452). However, rather than necessarily weaken the centrality of work in human life, we are told to transform its content or organisation in order to ensure it represents a vital space in which to find meaning and value. This conclusion can seem unattractive given the already ongoing erosion of work-life balance in many industrial nations and the concurrent rise of “time poverty” (for example, see Burchardt, 2008). Is ensuring that work acts as a vehicle for flourishing, autonomy, or self-respect enough if we, nevertheless, have fewer opportunities to explore other valuable aspects of life because of our work commitments? Should we instead seek to resurrect the twentieth century desire to reduce the grip of work over human life (cf. De Grazia, 1962; Keynes, 1963)?

This question has further important implications. By making work *itself* a vital source of value, would liberal egalitarians implicitly empower those in a position to control access to work? Employers could, for example, be able to encourage individuals to work longer hours without extra remuneration on the basis that their work is crucial for their enjoyment of human flourishing, autonomy, or self-respect. Kathi Weeks, for example, has argued that the proliferation of a work ethic that links work with dignity and status has played a crucial role in the continuing rationalisation and legitimisation of long working hours in the United States (2011, p.11). In this way, we should consider and normatively analyse the extent to which work represents a context for the exercise of *power* as well as the realization of certain values.

However, despite the potential problems associated with valuing a certain conception of meaningful work, one could nevertheless argue that liberal egalitarianism is not only able to provide the basis for a normative critique of precarious work, but also a clear solution. As we have already seen, in contrast to free market libertarian thinkers, liberal egalitarians think that justice may require significant state interference in the structure and organisation of the firm and the wider labour market. It may be argued that, by reorganising the labour market in order to better ensure more equal access to meaningful work, these liberal egalitarians would also be promoting a labour market

that is less precarious in significant ways. For example, as we have seen, a number of theorists believe that work is more likely to act as a vehicle for human flourishing, autonomy, or self-respect if the workplace is democratically organised (e.g., Schwartz, 1982; Arneson, 1987; Arnold, 2012; Yeoman, 2014; Gheaus and Herzog, 2016; etc). Although models of workplace democracy vary, at the very least they could involve providing workers with an element of participation within the decision-making processes of an otherwise hierarchically-organised, capitalist-owned firm. Under such a system, workers would have an opportunity to exercise their democratic voice within the firm to challenge precarious working conditions such as temporary or zero-hours contracts. Working conditions would need to conform to the interests of the workforce, not just the convenience of the employer. Although precarity may not be the avowed reason behind arguments for democratising the workplace within the literature on meaningful work, this move towards greater democracy could nevertheless help to make our working lives less precarious¹⁹.

Beyond interfering in the market in order to make work more meaningful, however, we may ask to what extent the comprehensive restructuring of the economy that is required to achieve Rawlsian justice *in general* could inherently eradicate precarious work. For example, Martin O’Neill has emphasised the extent to which Rawls sought to transform the economy beyond even the welfare-state capitalism that is regularly dismissed by libertarian critics. Instead, realising his theory of justice would require a potentially more radical socioeconomic regime of “property-owning democracy” (O’Neill, 2009, p.379; cf. Rawls, 2001, pp.138-139)²⁰. Under such a scheme, the ownership of wealth and capital will be shared much more evenly across the citizenry, rather than allowing a small class to control productive resources and monopolise the economic and political power this provides (Rawls, 2001, p.139). In contrast to relying on the “*ex post* redistribution of income and wealth” (O’Neill, 2009, p.383) from a rich elite in a system of welfare state capitalism, property-owning democracy would involve the “*ex ante* compression of objectionable economic inequalities” (ibid., p.384) by more equally distributing the ownership of “productive assets and human capital (that is, education and trained skills)” (Rawls, 2001, p.139) from the outset. For Rawls, this system would “put all citizens in a position to manage their own affairs on a footing of a suitable degree of social and economic equality” (ibid.), rather than create passive recipients of welfare payments with no sense of their own agency

¹⁹ The value of workplace democracy as a practical response to precarious work is addressed more comprehensively in Chapter 5.

²⁰ Rawls also suggests that his two principles of justice could be met within a “liberal socialist” regime, whereby a number of democratically-controlled firms share ownership of the means of production between themselves, and compete freely within the market (2001, p.138). In contrast to property-owning democracy, Rawls gives few details on liberal socialism within *Justice as Fairness: A Restatement*. Moreover, O’Neill has suggested that there would, in effect, be little difference between a regime of liberal socialism and one of property-owning democracy (2009, p.393, note 10), while Alan Thomas has argued that any regime of liberal socialism could not satisfy the demands of Rawlsian justice unless it emerged from within an already-existing property-owning democracy (2016, p.218). However, the relation between liberal socialism and property-owning democracy, or, indeed, the relative strengths and weaknesses of either regime is beyond the present scope of this thesis. Instead, I only aim to show that *some* economic regime that justifies interference with laissez-faire market freedoms on the basis of Rawlsian principles of justice could, plausibly, address labour market precarity in significant ways.

(O'Neill, 2009, p.384). Property-owning democracy, unlike welfare state capitalism, would therefore allow all to enjoy the shared sense self-respect available to free and equal citizens (Rawls, 2001, pp.139-140).

Whilst Rawls provocatively labels property-owning democracy as “an alternative to capitalism” (2001, pp.135-136), it seems that it should instead be considered a more equal form of capitalism, or a capitalism without a distinct capitalist class. Productive property is still owned privately, only it is less concentrated in the hands of a privileged elite. Dispersing ownership of capital in this way not only prevents one part of society from dominating economic and political life, but also provides all citizens with the means to actively pursue their own valuable plan of life and affirm their free and equal status with their fellow citizens. They will be provided with the social bases of self-respect (cf. O'Neill, 2009, p.384).

In this respect we can see certain similarities with the free-market theory offered by Tomasi. Citizens enjoy an important source of self-respect when they are able to exercise agency and represent themselves in the market, rather than rely on the beneficence of state regulation or welfare. Whilst Tomasi believes the bounty of the free market will provide citizens with the prosperity required to self-confidently navigate the market, Rawls thinks that this can only be made possible if we actively interfere in the market to ensure the economy is structured in a sufficiently egalitarian way. For example, O'Neill suggests that a property-owning democracy would need to involve placing significant limits on the ability of citizens to transfer their wealth through subsequent generations, in order to prevent the concentration of wealth in the hands of an elite over time (2009, p.382).

Nevertheless, we may have reasons to believe that instituting a property-owning democracy could make working life less precarious. The widespread dispersal of productive property would allow all citizens to have personal control of (some) private wealth. In this sense, even in the event of economic disaster or unemployment, all citizens will have a share of personal capital to fall back on. Under such circumstances, the intensity of the uncertainty, jeopardy, and dependence generated by precarious working arrangements could be significantly mitigated.

Moreover, Rawls does not intend to dismiss the provision of welfare completely from the property-owning democracy. Indeed as he clarifies, “The intent is not simply to assist those who lose out through accident or misfortune (*although that must be done*), but rather to put all citizens in a position to manage their own affairs on a footing of a suitable degree of social and economic equality” (2001, p.139, my italics). Therefore, even in the worst cases where citizens have no private source of income, they can nevertheless rest assured that they will have the right to some public assistance. The severity of precarious working arrangements would dissipate when the immediate jeopardy of losing one's livelihood is reduced in this way.

Finally, by providing all citizens with the material resources necessary to share in control of economic life, they may be able to influence working conditions (cf. O'Neill, 2009, p.382, p.384) in order to make them less precarious. For example, citizens will have the materially-reinforced status to more forcefully, and effectively,

challenge employment conditions that they find to be undesirable²¹. These could include conditions that make working life more precarious such as insecure, temporary or zero-hours contracts. We can therefore suggest that, regardless of whether the prevalence of precarious work is seen to undermine justice in and of itself, liberal egalitarians pursuing a Rawlsian vision of economic and social justice are likely to promote an economic model that could be much less precarious than those we currently find ourselves in.

We can therefore see how we can evaluate precarious work within liberal egalitarian theory. Work is a normatively significant to the extent that it can represent a vehicle for crucial liberal values such as human flourishing, individual autonomy, or self-respect. In this respect, the organisation of work becomes a question of distributive justice – do citizens have access to the values that make working life meaningful to a sufficiently equal degree? As we have seen, examples of precarious work can undermine one or more of these values in significant ways. Though it is not clear whether labour market precarity in the abstract is *always*, essentially deleterious to all of these values, we can see that precarious work does, in particular, pose a strong threat to our self-respect. Insecure working arrangements undermine our sense of self-esteem to the extent that they prevent us from interacting with one another on a footing of freedom and equality. In this sense, liberal egalitarianism provides us with the conceptual resources to say that instances of precarious work can *instrumentally* undermine justice. Precarious work is normatively objectionable *in so far as* it prevents work from representing a primary good and a crucial source of liberal value. However, this approach may itself raise normative problems to the extent that making work a central source of value in our lives could have paternalistic and even exploitative implications.

In contrast to free-market and libertarian theories, liberal egalitarianism further provides us with the conceptual resources to justify extensive interference within the labour market and the wider economy. As we have seen, Rawls himself suggests that his principles of justice demand the extensive reorganisation of the economy towards establishing a property-owning democracy. Rather than reifying the sanctity of private property rights and free market transaction, a liberal egalitarian approach to precarity could allow us to propose wide-ranging regulations as well as purposive forms of (p)re-distribution that could make our economic lives less precarious. To the extent that work is a shared burden of social cooperation, it should align with the principles of justice owed to all citizens. To the extent that precarity offends against the principles of justice, we are justified in remedying it.

Marxism.

The Marxist tradition of political thought is one in which the social and political role of work is centrally important. By looking across the foundational texts of Marxist thought, I will argue that we can discern at least two distinct, overlapping ways of thinking about work in this tradition. The first suggests that the significance of work rests in its connection to human nature; that our ability to transform the natural world

²¹ The idea that the availability of additional sources of income could allow individuals to wield greater influence over the terms and conditions of their work will be explored more fully in Chapter 5.

through productive activity is integral to our humanity. This intrinsic value of work in human life, however, is seen to be corrupted by a capitalist mode of production in which labour becomes a means of basic survival rather than an exploration, exercise, and enjoyment of our unique human capacities.

However, we can also see how, within the Marxist tradition, the social significance of work is understood to stem from the extent to which it represents a distinct context for power; in particular, the extent to which work acts as a focal point for class struggle.

I will now explore these two approaches to work in turn, and show how each can help us to think about precarious working arrangements in the contemporary labour market.

That work is intrinsically tied to what it means to be human is not an idea unique to Marxist thought. Indeed, it can be found as a prevalent (though by no means universal) theory of work within the Judaeo-Christian religious tradition. Here, God's creation in the Genesis myth has been conceptualised as a "sublime" labour (cf. Le Goff, 1980, p.115), but one that was nonetheless an exhausting toil – hence the need for rest commemorated through the Sabbath (cf. Rose, 1985, p.28). Given that humanity is believed to have been created by God in His own image, the essential purpose of human beings on Earth is to act as fellow-workers to God, helping in the completion of His creation (cf. Benz, 1967, pp.122-125). However, within this tradition, work has also been viewed as intrinsic to the human soul in a more negative sense, with work viewed as humanity's penitence for the sins of Adam and Eve (Le Goff, 1980, p.115; Parker, 1983, p.14; Rose, 1985, p.28). In this sense, work is indelibly linked to the essence of human life. It is both our spiritual duty and the purpose of our creation. To work is to be truly human. Indeed, this understanding of work still finds influence in the contemporary church. For example, in his *Laborem Exercens*, Pope John Paul II argued:

“Man is made to be in the visible universe an image and likeness of God himself, and he is placed in it in order to subdue the earth. From the beginning therefore he is called to work. *Work is one of the characteristics that distinguish* man from the rest of creatures, whose activity for sustaining their lives cannot be called work. Only man is capable of work, and only man works, at the same time by work occupying his existence on earth. Thus work bears a particular mark of man and of humanity, the mark of a person operating within a community of persons. And this mark decides its interior characteristics; in a sense it constitutes its very nature” (John Paul II, 1981)

In his *Economic and Philosophic Manuscripts of 1844*, Karl Marx makes an argument for a similarly central role of work in defining what it means to live a truly human life. This is most clearly articulated in discussion of the way in which the capitalist system of production alienates us from our “species being” (*MECW*, 3, pp.275-277)²². Here Marx makes the claim that, for human beings “the productive life is the life of the species” (*ibid.*, p.276). In other words, our innate humanity rests in our ability to transform the natural world through productive activity. Moreover, Marx recognises

²² Citations from *MECW* hereafter refer to a volume and page number in Marx, K. and Engels, F. (1975-2005) *Collected Works*, 50 volumes, London: Lawrence and Wishart, Moscow: Progress Publishers, New York, N.Y: International Publishers.

that, unlike animals, human beings produce beyond the extent necessary for mere survival (ibid., pp.275-276). Other creatures may build shelters, but only human beings create cathedrals, universities, and other structures that serve no immediate purpose to our basic survival. To produce, then, is the unique essence of what it is to be human, As Marx states:

“It is just in his work upon the objective world, therefore, that man really proves himself to be a *species-being*. This production is his active species-life. Through this production, nature appears as *his* work and his reality. The object of labour is, therefore, the *objectification of man's species-life*: for he duplicates himself not only, as in consciousness, intellectually, but also actively, in reality, and therefore he sees himself in a world that he has created” (MECW, 3, p.277)

In this sense, it is distinctly and essentially human to alter nature through work in order to make our ideas reality – to turn earth into bricks, bricks into buildings, buildings into cities. Our human nature is to exercise our particular physical and mental capacities to observe the world around us and to change it through productive activity.

However, Marx argues that under capitalism, where labour is bought and sold as a commodity, work fails to represent an expression of our unique human essence and instead becomes an instrument of basic survival (MECW, 3, p.277). Rather than working beyond the necessities of our physical needs in order to shape reality according to our imaginations, we must instead sell our labour power to others and work only so that we may attain the wages necessary to continue our existence²³. Work thus becomes instrumental rather than intrinsic to human life. As Marx argues, “estranged labour makes man’s species life a means to his physical existence” (ibid.). Similarly, *The Communist Manifesto* describes “a class of labourers, who live only so long as they find work” (MECW, 6, p.490). Workers are dehumanised, and commodified. Indeed, Marx claims the worker “sinks to the level of a commodity and...becomes the most wretched of commodities” (MECW, 3, p.270). Again, from *The Communist Manifesto*: “labourers, who must sell themselves piecemeal, are a commodity, like every other article of commerce” (MECW, 6, p.490). Capitalism therefore corrupts the inherent value of work. Workers lose the opportunity to live a truly human life when work represents no more than a mere means to our survival. Under such conditions, work loses its unique ontological connection to humanity.

In relation to this idea, Marx discusses the extent to which, within a capitalist mode of production, we are alienated from “the *act of production* within the *labour* process” (MECW, 3, p.275). He claims that “labour is external to the worker, i.e., it does not belong to his intrinsic nature; that in his work, therefore, he does not affirm himself but denies himself, does not feel content but unhappy, does not develop freely his physical and mental energy but mortifies his body and ruins his mind” (ibid., p.274). Later he argues:

“The simplification of the machine, of labour is used to make a worker out of the human being still in the making, the completely immature human being, the child—whilst the worker has become a neglected child. The machine

²³ This is similarly echoed by Hannah Arendt when she writes that in modern societies “Whatever we do, we are supposed to do for the sake of “making a living”” (1958, pp.126-127).

accommodates itself to the weakness of the human being in order to make the weak human being into a machine” (MECW, 3, p.308)

Here the inherent value of work is further corrupted by the dehumanising experience of capitalist labour, where work activity is not only removed from our control but actively represents a barrier to exercising our humanity. In particular, we can see the extent to which this is related to the way in which capitalist labour fails to exercise our capabilities or realise our individual potential. This idea is echoed in *The Communist Manifesto*, with the claim that “the work of the proletarians has lost all individual character, and, consequently, all charm for the workman. He becomes an appendage of the machine, and it is only the most simple, most monotonous, and most easily acquired knack, that is required of him” (MECW, 6, pp.490-491). We can therefore see how the inherent value of work is lost in a system that transforms work into a dehumanising process, one that limits the potential of individuals to develop skills and capacities. Work is devalued when it is simplistic, repetitive, and treats the individual worker as a tool rather than a human being.

In a famous passage on work in *The German Ideology*, Marx and Engels reiterate this critique of a distribution of labour that limits our potential, whilst also presenting a more attractive vision of work:

“as soon as the division of labour comes into being, each man has a particular, exclusive sphere of activity, which is forced upon him and from which he cannot escape. He is a hunter, a fisherman, a shepherd, or a critical critic, and must remain so if he does not want to lose his means of livelihood; whereas in communist society, where nobody has one exclusive sphere of activity but each can become accomplished in any branch he wishes, society regulates the general production and thus makes it possible for me to do one thing today and another tomorrow, to hunt in the morning, fish in the afternoon, rear cattle in the evening, criticise after dinner, just as I have a mind, without ever becoming hunter, fisherman, shepherd or critic” (MECW, 5, p.47).

We can therefore see, again, how the capitalist mode of production dehumanises us by limiting us to discrete tasks. Instead, work should affirm our humanity by providing a sphere in which to develop a range of skills and capacities as we see fit. Those restricted to the singular life of the hunter or the fisherman fail to realise their capacities that could be exercised through the experience of sheep herding, just as a life of industrial factory production can fail to exercise an individual’s human capacity for artistic creativity. In order to realise the inherent value of work in human life, we should ensure that we have the opportunity to realise a range of skills in our work activity.

A related argument, I think, can be found in *Grundrisse*, when Marx argues, contrary to Adam Smith, that it is wrong to view labour as a curse:

“the overcoming of...obstacles is in itself a manifestation of freedom—and, moreover, that the external aims are [thereby] stripped of their character as merely external natural necessity, and become posited as aims which only the individual himself posits, that they are therefore posited as *self-realisation*, objectification of the subject, and thus real freedom, whose action is precisely work” (MECW, 28, p.530, my italics).

Again, the inherent value of work is found in the extent to which it provides a space in which to realise our potential. To take on aims of our choosing, and overcome difficult challenges²⁴ through our own initiative and ingenuity. To strive to develop new capacities, rather than allow ourselves to ossify through a life of simplicity and mediocrity. In other words, the inherent value of work is found in the extent to which it allows us to live a full human life, rather than one that is diminished, curtailed, and circumscribed.

We can therefore see how, within Marxist thought, there is an approach to work, in the abstract, that views it as essentially valuable to human life. Work offers more than a means to our existential continuity, but also a source of deeper ontological meaning. To work is to be human. It provides a space in which to develop our capacities and realise our potential. However, the value of work is corrupted under capitalism. The estranged, or alienated labour encountered within the capitalist mode of production degrades “spontaneous, free activity to a means...[and] makes man's species-life a means to his physical existence” (*MECW*, 3, p.277). Under such conditions we are denied the opportunity to live an essentially human life in which our labour expresses our ability to flourish and not just merely survive.

To what extent does this approach to work help us to specifically think about precarious work? We may argue that precarious forms of capitalist employment are *particularly* alienating and dehumanising, or else emphasise this general feature of working life under capitalism more clearly. The value of work as an expression of our humanity is further undermined when our work is not just reduced to a mere means of survival, but cannot even necessarily guarantee *that*. As we saw in the previous chapter, precarious working conditions are often associated with instances of in-work poverty, with unpredictable incomes making it harder for workers to make ends meet. In the United Kingdom, the TUC has estimated that insecure work is often accompanied by a severely diminished income in contrast to those employed on less precarious conditions. They found that “compared to the pay of an average employee: workers on a zero-hours contract experienced a 34 per cent hourly pay penalty; workers in agency work had a 20 per cent hourly pay penalty; those in casual work had a 39 per cent hourly pay penalty, and those in seasonal work a 37 per cent lower hourly rate” (TUC, 2017a, p.14). Indeed, recall how many Uber employees in the United States have been forced to live in their vehicles as the low and unstable nature of their income has left them unable to afford a home (for example, see Green and Levin, 2017). The proximity to, and reality of, poverty experienced by many in the today’s precarious labour market drives home the extent to which their work represents an attempt to survive, rather than an expression of their humanity. It is necessary as a means to food, clothing, shelter and the bare necessities of life, rather than something that transcends our physical needs and allows us to flourish. Perversely, it may be when waged work fails as a means to sustaining human life that this aspect of capitalism becomes more clearly visible.

Beyond this, one could argue that the relentless presence of precarious work in the lives of those employed in it reiterates the dehumanising commodification of

²⁴ See also Elster, 1986.

individuals within capitalism. Life becomes defined by the spectre of work: waiting by the phone in the uncertain anticipation of the next shift, devoting more time to job searches, or catching up with work outside the workplace so as to curry the favour of your employer. Indeed, Guy Standing has argued that precarious working conditions can involve “a blurring of workplaces, home places and public places”, while “Virtual workplaces have proliferated, with employees working ‘at home’ or wherever they want” (2011, p.38). In this sense, there is no escape from work. The precarious worker is constantly reminded of their commodification in the market and the existential necessity of their labour; that they live *to* work rather than live *through* work. To succeed in the precarious labour market, you cannot clock off, you must always be available to work. Anywhere. Any time.

However, in addition to the idea that work’s inherently valuable role in human life has been undermined by the capitalist system, the Marxist tradition can also be seen to contain a second, more explicitly *political* theory of work. Here work is viewed not just as an essential part of the human experience, but as a distinct sphere of social power.

In particular, Marx emphasises the extent to which work, under capitalism, provides a focal point for class conflict. As described in *The Communist Manifesto*, industrial societies are riven into two antagonistic classes, the Bourgeoisie and Proletariat (*MECW*, 6, p.485). Engels clarifies this in a note to the 1888 English edition of *The Communist Manifesto*: “By bourgeoisie is meant the class of modern Capitalists, owners of the means of social production and employers of wage-labour. By proletariat, the class of modern wage-labourers who, having no means of production of their own, are reduced to selling their labour-power in order to live” (*ibid.*, p.482, footnote *).

By virtue of their materially-defined class position, then, the Bourgeoisie leverages power over the Proletariat in order to *exploit* them. Workers, compelled by the necessity to survive, have little choice but to feed the profits of the capitalist class by selling their labour power for less than its actual productive value (*MECW*, 35, p.227). Indeed, “the labourer lives merely to increase capital, and is allowed to live only in so far as the interest of the ruling class requires it” (*ibid.*, p.499). Workers are therefore subject to “THE RULE OF CAPITAL OVER LABOUR” (*MECW*, 3, p.250, original capitalisation), they are forced to serve the interests of the Bourgeois class.

In this way, work is at the heart of modern class struggle. All workers, due to their position in the class dichotomy are reliant upon the property-owning class to whom they must sell their labour in order to survive. The Bourgeoisie *as a class* exercise power over the entirety of the Proletariat *as a class*. It is therefore able to dictate to the Proletariat, for example, the terms of the working day (cf. *MECW*, 35, p.243), and the level of wages paid (cf. *MECW*, 3, p.235). By virtue of their class position, *any* capitalist will prevail over *any* worker in determining the conditions of employment. The reliance of the worker on the capitalist means they will always cave to the conditions set by one capitalist or another. “Victory goes necessarily to the capitalist. The capitalist can live longer without the worker than can the worker without the capitalist” (*ibid.*). The shape of working life, for all of us, is therefore the result of the

property-owning Bourgeoisie exercising class-power over those without property of their own.

This collective class-power, however, also takes a more proximate and individualised form. Indeed, each workplace itself becomes a space in which individual capitalists exercise their power over individual workers:

“Modern industry has converted the little workshop of the patriarchal master into the great factory of the industrial capitalist. Masses of labourers, crowded into the factory, are organised like soldiers. As privates of the industrial army they are placed under the command of a perfect hierarchy of officers and sergeants. Not only are they slaves of the bourgeois class, and of the bourgeois State; they are daily and hourly enslaved by the machine, by the overlooker, and, above all, by the individual bourgeois manufacturer himself. The more openly this despotism proclaims gain to be its end and aim, the more petty, the more hateful and the more embittering it is” (*MECW*, 6, p.491).

In *Capital*, too, Marx echoes the idea that individual workers are placed under the controlling power of individual capitalists, describing the “barrack discipline” (*MECW*, 35, p.426) of the workplace, where each employer “formulates, like a private legislator, and at his own good will, his autocracy over his workpeople...The place of the slave-driver’s lash is taken by the overlooker’s book of penalties” (*ibid.*, p.427).

We therefore see the extent to which, within the Marxist tradition, work is approached as a distinct sphere of power. The Bourgeois capitalist exercises great personal powers, comparable to the military commander, the autocratic despot, or the slave-master. Workers must meet the demands and follow the rules set by their employers and are compelled to follow them due to the existential necessity of working for one employer or another. Unemployment carries a heavy cost when selling your labour is your only means of survival. Such a situation makes resistance to the controlling power of the capitalist unlikely in the extreme.

Others (especially Roberts, 2017 and Leipold, 2017), however, show that Marx describes a further form of power that is relevant to the sphere of work. In contrast to the power exercised by capitalists, either as individuals or as a class, over workers, this other power is a property of the capitalist system as a whole. This “inhuman” (*MECW*, 3, p.314) or “social” (*MECW*, 6, p.499) power subjects both capitalist and worker alike (cf. Roberts, 2017, p.102).

In particular, William Clare Roberts has argued that we should read Marx as describing capitalism as a system that compels individuals to follow market imperatives. It is the power that binds people to the capitalist system, that makes us all dependent on its continuation. This is the power that compels us to conform to the demands of the market: to compete, to seek profit, and to, ultimately, perpetuate the system (*ibid.*). This independent, uncontrollable power of market forces can be witnessed, for example, in the tendency towards crisis that Marx theorises will lead to the eventual collapse of the capitalist system:

“Modern bourgeois society with its relations of production, of exchange and of property, a society that has conjured up such gigantic means of production and of exchange, is like the sorcerer, who is no longer able to control the powers of

the nether world whom he has called up by his spells...It is enough to mention the commercial crises that by their periodical return put on its trial, each time more threateningly, the existence of the entire bourgeois society” (*MECW*, 6, p.489)

This systemic power of the market can also be found in Marx’s discussion of alienated labour. Here he argues that “the more the worker spends himself, the more powerful becomes the alien world of objects which he creates over and against himself, the poorer he himself—his inner world—becomes, the less belongs to him as his own” (*MECW*, 3, p.272). In other words, by producing commodities within the capitalist market, workers are creating the very products that they will need to consume in order to survive. The system sustains itself and further subjects human beings to its impersonal power.

We can therefore see how the Marxist tradition approaches work as a distinct sphere of power. In working life, workers are subjected to the power of the capitalist class as a whole, as well as their individual employer. Meanwhile, the whole of capitalist society is subject to the impersonal, systemic power of the market. Regardless of whether we agree with this particular analysis of work under capitalism, it is important to note that the Marxist tradition takes seriously the power dynamics that exist in the sphere of work. This contrasts starkly with those free market and libertarian theorists introduced above who, as we have seen, regularly overlook or underplay important forms of power that exist within the workplace and wider labour market.

With this approach to power in mind, how does the Marxist tradition of political thought help us to evaluate precarious working arrangements in the contemporary labour market? On this account, we should conclude that *all* capitalist labour is precarious. The wages, conditions, and employment status of all workers are conditional on the needs and decisions of their employers. As Marx recognises, “it is just the capacity of the capitalist to direct his capital into another channel which either renders the worker, who is restricted to some particular branch of labour, destitute, or forces him to submit to every demand of this capitalist” (*MECW*, 3, p.236). In other words, because the capitalist owns and controls the means of production she will always retain the option to move her operations elsewhere, or to divert her capital into a new, more profitable line of business. This means that no worker can ever consider their job truly safe. All work under capitalism is insecure, temporary, and precarious.

This idea is captured perfectly by Ellen Wilkinson in her book *The Town That Was Murdered*. As Member of Parliament for Jarrow, in the North East of England, Wilkinson had witnessed how the 1934 closure of Palmer’s Shipyard, the town’s main employer, had led to mass poverty among her constituents. “In capitalist society”, she wrote, “vast changes can be made which sweep away the livelihood of a whole town overnight, in the interest of some powerful group, who need take no account of the social consequences of their decisions” (Wilkinson, 1939, p.7). Following years of mass unemployment in Jarrow, and a largely unsuccessful march to London in 1936 by workers who sought to highlight the town’s plight, a new steelworks was eventually built in Jarrow on the site of the old shipyard. Despite local enthusiasm for this new source of employment, Wilkinson saw only the continuing insecurity of work under capitalism: “When the works are built they will still be subject to the toll of profit, the

exigencies of a system where they can be closed at the will of people far away to suit a financial policy” (ibid., p.212).

In this way, the Marxist tradition is able to provide a powerful political account of labour market precarity – one that takes seriously the distinct power dynamics that occur within the sphere of work. However, we may conclude that a Marxist critique of precarity could be over-inclusive. The Marxist must argue that, given the fact that employment can always be withdrawn by the employer, *all* wage-labour is, to some extent, essentially precarious. Simultaneously, the Marxist must argue that precarious work is dehumanising and alienating, *in so far as* it is an instance of capitalist wage-labour. These claims may be true, but such a conclusion seems unsatisfactory. In particular, it remains unclear whether the conceptual resources offered by Marxism allow us to say anything *specific* about the distinct subset of wage-labour that is the central focus of this thesis. Precarious working arrangements may make the alienation and class-antagonism of capitalism more *vivid*, but it is not clear that a Marxist approach can provide the resources to articulate the distinct political significance of contemporary precarious work. How do we articulate the nuanced differences between the relatively secure employment of some wage-labourers, and the zero-hours-contractor, or the gig economy worker where un- or under-employment is not just a theoretical possibility but a daily concern?

One approach would be to consider arguments such as those offered by Sanford Schram (2015), who suggests that contemporary precarity represents a “Return to Ordinary Capitalism”. After the relatively stable period of work witnessed in industrial economies during the mid-twentieth century, the mask of capitalism has slipped and the effects of its power over individuals is once again felt fully. As precarious working arrangements become increasingly ubiquitous in the twenty-first century, the similarities with the casualised hiring practices endured by the industrial working classes of the nineteenth- and early twentieth centuries become more vivid (cf. Whiteside, 2017). In the era of the zero-hours contract, are we returning to a version of the unreformed capitalism that was the target of Marx’s original criticisms?

Applying such an account to the case of precarious work in the contemporary labour market, however, still seems insufficient. Given the power of capital over labour, it appears that Marxists must remain committed to arguing that *all forms* of employment under capitalism are precarious, regardless of how formally secure they appear. We are therefore left unable to normatively distinguish between the more immediate uncertainty, jeopardy, and dependence of the worker on a zero-hours-contract, and the more distant precarity of their colleague who enjoys a more long-term, full-time contract with a comfortable salary. At the same time, the Marxist must condemn the alienation and subjection to capitalist power experienced by precarious workers on the grounds that this is the experience of *all workers* in a capitalist system. It seems unsatisfactory to say to the zero-hours contract worker, that, normatively speaking, the way their working life is organised and governed is politically significant and normatively problematic only insofar as it is a form of capitalist wage labour. This doesn’t allow us to distinguish why her working conditions may present unique normative questions that are not present in cases of secure, full-time work. In other words, Marxism provides insufficient resources for evaluating *between* different models of capitalism. For Marxists, capitalism must be overthrown *tout court*. But this offers little help for deciding how best to organise and govern working life within the

constraints of a resilient, entrenched capitalist system. How, then, can we articulate what is normatively better or worse about precarious working arrangements in the contemporary economy in comparison to other, potential or actual, models of capitalist employment?

In order to say something more specific about the contemporary forms of precarious work that are the central focus of this thesis, we will need to analyse in further detail what it is about the power-dynamics of *these cases* that makes them distinct from the general insecurity of all employment relations under capitalism.

Feminism.

It would be naïve in the extreme to suggest that there is a single, homogenous feminist account of work. Indeed, as each new wave of feminist scholarship has evolved, so too have the analyses of working life put forward by feminist scholars and activists²⁵. Nonetheless, it is possible to identify a key, central idea that unites feminist accounts of work: that working life is both a product of, and context for, unequal gender relations. The task of feminist scholarship is, then, in this regard, to illuminate the power-dynamics associated with this inequality more vividly (cf. Okin, 1989, p.6).

In this section I will seek to briefly explore some of the ways gender inequality can be seen to impact working life, emphasising the feminist idea that working life is intrinsically shaped by the *structural vulnerability* of women in gendered societies. I will then show how these feminist ideas can inform our thinking about contemporary precarious work. I will highlight how gender permeates the precarious labour market, with women²⁶ remaining structurally vulnerable, and disproportionately affected by, such working arrangements. In other words, I will show how feminist scholarship alerts us towards the gendered power-dynamics associated with precarious work.

But what does it mean to talk about gender? Gender is tangentially related to biological sexual characteristics, but manifest in the myriad ways by which individuals are socially classified and categorised along a binary man-woman distinction. This distinction is itself the result, be it intentional or otherwise, of various historical factors and social forces. Gender is therefore a *social construct*, the product of human interpretation and comprehension of the social world, rather than any natural attribute (Haslanger, 2006, pp.17-19). As Sally Haslanger explains, “one is a female by virtue of some (variable) set of anatomical features, and one is a woman by virtue of one’s position within a social and economic system...being a woman is not an anatomical matter...but a social matter” (Haslanger, 2006, p.20).

This system of gender becomes politically significant to the extent that it institutionalises various “rights and restrictions, both formal and informal” (Okin, 1989, p.5). That is to say, gender explains why one group in society is routinely and persistently privileged or disadvantaged relative to the other. Or, in the words of Susan

²⁵ For a concise overview of the evolving contours of feminist thinking on work, see Wharton (2000), as well as Ferguson, Hennessy, and Nagel (2004).

²⁶ However, we should be mindful that ‘women’ are far from a homogenous group (cf. Nuti, 2019, p.6). Indeed, the experience of women in the labour market may vary greatly, and in ways that are deeply politically significant, as a result of factors such as their racial or class background and the levels of social power this confers (cf. Wharton, 2000, p.179; Müller, 2018, p.2).

Okin: “the real experience of “persons,” so long as they live in gender-structured societies, does in fact depend on what sex they are” (1989, p.11).

Feminist scholars have sought to highlight that working life is intimately shaped by this gender inequality in a number of ways. Most clearly, they have emphasised the extent to which a gendered division of labour permeates both the formal labour market and the home.

Feminists have long recognised that, within the home, women in heterosexual relationships are more likely to perform the majority of unpaid household and childcare tasks (Okin, 1989, p.149; Wharton, 2000, p.170; Power, 2009, p.17). Indeed, data from the Office for National Statistics suggests that, in the UK, women continue, on average, to perform more than double the amount of cooking, child care, and housework performed by men (ONS, 2016). Carole Pateman argues that this social expectation that women will perform an unequal share (if not all!) of domestic labour extends from “a sexual contract”, a social understanding upheld between men and women, “which establishes orderly access to women and a division of labour in which women are subordinate to men” (1988, p.119). This social ordering of men and women, entrenched and perpetuated over time through formal institutions such as marriage, positions women as inferior to, and dependent upon, the male breadwinners for whom they provide free labour.

This dependence is even more acute where women do not perform paid labour outside the home. In such circumstances, as Pateman describes, “[A] wife obtains her means of support (‘protection’) from her husband, and also the means to perform her tasks. She is dependent on the benevolence of her husband and can only endeavour to obtain a ‘good master’” (ibid, p.129). The traditional role of housewife therefore places women at a distinct structural disadvantage relative to men. Not only are they expected to perform the majority of household tasks, but they also remain reliant on the continued goodwill of their husbands to keep them financially secure.

Within the traditional, heterosexual relationship, then, there is a deeply unequal power-dynamic that places women at the mercy of men. This dependency reduces the ability of women to leave abusive partners, or leaves them vulnerable to destitution in the event of divorce (Okin, 1989, p.152). The gendered division of labour within the home is therefore not just an issue of *fairness*, but a symptom of deeper power inequalities that exist between men and women in patriarchal societies. Work inside the home is a product of, and context for, the exercise of power, by men over women.

This power dynamic is reflected within the formal labour market too. As with domestic labour, the division of wage labour within capitalist labour markets is also sexually-differentiated and segregated (Pateman, 1988, p.132). There have always been women who have engaged in work outside the home, however the tasks and occupations performed by women have traditionally tended to be different to those performed by men (cf. Bradley, 1989). For example, writing towards the end of the twentieth century, Okin describes the phenomenon of “pink-collar labor ghettos” (1989, p.141), that is the restriction of women to particular sections of the labour market such as nursing, teaching, and domestic service. This gendered ghettoization of the capitalist labour market is both deeply entrenched and resilient, even as more women have

joined the workforce. For example, a 2019 report produced by the House of Commons Library showed that although the female employment rate in the United Kingdom is at the highest it has been since records began in 1971, the most common sectors of employment for women are health and social work (21% of all jobs held by women at September 2018), wholesale and retail (14%), and education (12%). Meanwhile only 19% of small and medium enterprises in the United Kingdom were led by women in 2017. As of June 2018, only 29% of the directors of FTSE 100 companies were women (Powell, 2019, p.3). In addition to leadership roles, men are also more likely than women to work in skilled trades as well as associate professional and technical occupations (ibid., p.7). There may now be more women in the formal labour market, but their segregation into “women’s jobs” has not yet been effectively disrupted.

This gender segregation within the labour market is compounded further by the fact that it is accompanied by sexually-differentiated wages and conditions. The same report by the House of Commons Library found that, in the United Kingdom, median weekly earnings for female employees working full-time in April 2018 were a full £100 lower than male full-time employees, £509 for female employees compared to £609 for male employees (Powell, 2019, p.11). Looking across all employees in April 2018, a gender pay gap in median hourly pay of 17.9% existed for men and women. As the report notes, “[t]his is because a much higher share of women than men are employed part-time and part-time workers tend to earn less per hour than those working full-time” (ibid.). Indeed, 41% of women in employment in the UK were working part-time in 2018, compared to around just 13% of men (ibid., p.4). Women are therefore less able to make the same financial returns from wage-labour as their male counterparts. Through their segregation in low-paid, predominantly part-time sectors of the labour market, women are systemically disadvantaged.

Okin suggests that the disproportionate share of part-time work performed by women is a result of the expectation that women should “bend to meet the needs of the family” (1989, p.155). In other words, women must circumscribe their own availability for paid work due to the demands placed on them by the gendered division of labour in the home. When the paid work ends, the unpaid work of mother, homemaker, and wife begins. In the words of Arlie Hochschild, “[m]ost women work one shift at the office or factory and a “second shift” at home” (Hochschild and Machung, 2003, p.4). In this way, the segregation of women in part-time work, and the gender pay gap this helps to perpetuate, can be viewed as a product of the unequal power relations between men and women introduced above. The social expectation that women should supplicate themselves to the needs of men and the family creates a labour market, and indeed a society, that is patriarchal in its structure. As Okin states:

“full-time employers assume, in innumerable ways, that “someone” is at home at least part-time during the day to assume primary responsibility for children. The traditional or quasi-traditional division of labor is clearly assumed in the vast discrepancy between normal full-time working hours and children’s school hours and vacations” (Okin, 1989, p.155).

Work in the formal labour market, as in the home, is therefore a product of the unequal power relations that exist between men and women in patriarchal societies. Given traditional assumptions about women’s role being a domestic one, as well as the

historical segregation of women to particular occupations, workplaces have become socially coded and understood as masculine spaces. For example, Pateman describes how even for women working alongside female colleagues, “to enter paid employment was to cross a boundary; they saw their female workplace ‘as part of another world – the male one – and therefore essentially dominated by men” (1988, p.141). Meanwhile, for men, “[s]pending eight hours each day in the workplace and bringing home a wage packet is central to masculine identity, to what it means to be a man; in particular, hard, dirty manual labour has been seen as *man’s* work” (ibid., 1988, p.140).

As products of patriarchal power, then, work and the spaces in which it takes place, can also become contexts or settings for subsequent iterations of these power-dynamics, becoming a space in which gender is “enforced, performed, and recreated” (Weeks, 2011, p.9). The workplace can represent such a context for gender in a number of important ways. This is most explicitly evident in the sexual harassment and domination of some women by some men within the workplace. For example, Pateman describes the disciplinary impact of “sexual banter” that many women experience in the workplace, as well as their subjection to “unwelcome sexual advances” by colleagues, or the insinuation that career progression or continued employment are “conditional upon sexual access” (1988, p.142). In this way, women do not inhabit the labour market as *workers* on an equal standing with male colleagues, but as sexualised and objectified *women* (ibid.).

However, the enactment and recreation of gender roles within the workplace can take more subtle forms. For example, Kathi Weeks suggests that “Gender is put to work” when “workers draw upon gendered codes and scripts as a way to negotiate relationships with bosses and co-workers, to personalize impersonal interactions, or to communicate courtesy, care, professionalism, or authority to clients, students, patients, or customers” (2011, p.9). Gender can materialise within the workplace in the form of dress codes, the type of work one is told or expected to do (and not do), or the manner in which they are told or expected to perform it.

One example of this is in the gendered performance of *emotional labour*. As defined by Arlie Hochschild, emotional labour: “requires one to induce or suppress feeling in order to sustain the outward countenance that produces the proper state of mind in others...This kind of labor calls for a coordination of mind and feeling, and it sometimes draws on a source of self that we honor as deep and integral to our individuality” (1985, p.7). The expectation of who will perform this kind of labour, when, and where, is typically informed by an individual’s gender. As Mirjam Müller observes:

“Take the example of academia, where female researchers disproportionately to their male counterparts perform emotional labour in their jobs. This includes listening and advising students on personal insecurities, or giving pep-talks to their male colleagues. This requires time and energy that men simply do not have to expend as much as women” (Müller, 2018, p.9).

In this way, the performance of gender – actualising gendered stereotypes and adopting gendered behaviours – can be integral to the performance of work. Work can therefore be seen as both a product of these gender norms, as well as a context for their enforcement and reproduction within society.

For feminist theorists, then, work, both in the home and in the formal labour market, is deeply compromised by its relation to the gendered power dynamics of a patriarchal society that systemically disadvantages women relative to men. However, it is crucial to emphasise that this system does not just make women vulnerable to *particular men*, be they husbands, employers, or work colleagues (though this is, of course, important). We should also recognise that women are made *structurally vulnerable*, in a variety of different ways, as a result of the gender system itself (cf. Okin, 1989, p.134; Young, 2011, p.45). As we have seen, this vulnerability can take multiple forms within women's working lives: they are vulnerable to systemic wage inequality, to the unequal and sexually-segregated distribution of labour, to dependency on male breadwinners, and so on. The system of gender functions in this way, endemically disadvantaging women, precisely because of the role that *all women* occupy within the social structure of gender relations. To this extent, the feminist analysis of work and its political significance is informed by understanding the ways that the organisation and governance of work is implicated in the *structural injustice* of gender inequality in a patriarchal system.

This requires some unpacking. "Structure", in the social-scientific sense, is notoriously difficult to define (cf. Sewell, 1992, pp.1-2). However, one way we can understand social structures is as the abstract patterns or networks of social relations (cf. Haslanger, 2016, p.125). Sally Haslanger has shown how we can identify structures by abstracting out from particular systems of social relations - for example, a family - in order to find a general structure shared by all families. "We can then distinguish the individual in a system (me), from the position within the structure (parent, spouse)" (ibid., p.118). We can then shift our attention to this structural position, rather than the particular agent who happens to occupy that position in any individual instance. However, social structures and the positions individuals occupy within them come to have political implications when they come to impose formal or informal rules or constraints on individual agency (Young, 2011, p.53).

This is not to suggest that structures *determine* human agency - indeed, structures are themselves the cumulative product of individuals actions over time (ibid.) - but they do provide the social context in which agency can be exercised, shaping its scope and tenor (e.g. Sewell, 1992, p.4; Giddens, 1993, pp.133-134, Young, 2011, p. 53). As Iris Marion Young describes, structures "appear as objective, given, and constraining. Social structures do not constrain in the form of the direct coercion of some individuals over others; they constrain more indirectly and cumulatively as blocking possibilities" (2011, p.55). Or, in other words, structures have the potential to "canalise" the range of actions, or limit the "Fields of Social Possibility" available to people in certain structural positions (Haslanger, 2016, p.123; Hayward, 1998, p.12). Social boundaries, such as rules, laws, and norms "limit what they can do and what they can be. As agents act and interact within structural limits, they develop expectations about what it is that one does, and what it is that one ought to do, in particular contexts" (Hayward and Lukes, 2008, p.14).

This understanding of social structures appears to be the one that is implied when feminist theorists such as Okin describe the structural vulnerability of women in a patriarchal system. It is because of their structural position in this system, and their

relation to the formal and informal norms, rules, and expectations this system creates, that women are disadvantaged relative to men in working life. This vulnerability is structural precisely because it is explained by an individual's structural position, rather than simply the vicissitudes of relationships with particular agents; and it is structural because these vulnerabilities are replicated and reproduced in a patterned and predictable way across society. It is because women occupy a subordinate structural position within a patriarchal system that they are vulnerable to unequal divisions of domestic and caring labour, to sexually segregated occupations, to in-work harassment and humiliation, and a deep-rooted and long-standing gender wage gap. Even though *some* women may avoid these outcomes, *all* women nonetheless remain disadvantaged by this system. To the extent that work is a product of, and context for, unequal gender relations, this structural vulnerability shapes every woman's working life.

But how does this structural vulnerability play out in the precarious labour market? What can a feminist analysis tell us about the political significance of precarious work?

Women are, and always have been, disproportionately engaged in precarious forms of work (cf. ACTRAV, 2012, p.38). For example, writing about the long history of female precarity in Italy, Laura Fantone argues:

“precarity has been a permanent and traditional feature of life in southern Italy for many generations of women, taking the form of submerged labour with no contract, black markets and illegal economies (where there is no safety or rights), family self exploitation, characterized by no clear division between work and house chores, and informal hiring practices through familial connections that have no long term guarantees” (Fantone, 2007, p.10).

When writing about the sexual segregation of the labour market, Okin also observes that:

“whether such women enter clerical, sales, or service work, or train for one of the predominantly female professions such as teaching or nursing, they are heading not only for the relatively more flexible hours or greater replaceability that most of these jobs afford but also for low pay, poor working conditions, and, above all, blocked mobility” (Okin, 1989, p.144).

And the over-representation of women in forms of work that provide only an unpredictable income and little certainty of continuing employment is replicated in the precarious sections of the contemporary labour market. For example, Nina Power shows how temporary employment agencies in the United Kingdom often have feminine names “like 'Office Angels' and 'Capability Jane', enticing young women into secretarial work that will be extremely unlikely to last more than 13 weeks at any given location” (2009, p.19). Research conducted by the Trades Union Congress (TUC) has also found that the majority of those employed on precarious zero-hours contracts in the UK (55%) are female (TUC, 2016, p.32). Indeed, in the UK, almost 11% of women are in insecure work, and women account for 58% of the increase in insecure jobs since 2011 (TUC, 2017a, p.9). This trend can be seen even more starkly elsewhere, for example, research conducted in 2012 found that one third of women in Spain, and two-thirds of women in Korea, are employed on fixed-term contracts (ACTRAV, 2012, p.38).

A central reason that women have been disproportionately represented in part-time, casual, and temporary forms of employment is the unequal division of labour within the home. If women must still disproportionately perform domestic labour and fulfil child-rearing responsibilities, they are less able and less likely to accept work that requires them to work typical hours (Okin, 1989, p.155; Vosko et al., 2009, p.16). In this way, these precarious forms of work can be seen as a product of patriarchal gender relations. Because of the enduring social expectation that women should be the primary care givers and perform most, if not all, of the cooking, cleaning, and other domestic tasks, their opportunities within the formal labour market remain constrained. In this sense, women's *structural vulnerability* within a patriarchal system plays out within the precarious labour market. Precarious forms of work are both a response to women's diminished availability for paid work as a result of the expectation that they will perform unpaid labour in the home, and emblematic of women's subsequent disadvantage in the labour market.

However, work is also a space in which patriarchal gender norms and gender roles are enacted, recreated, and reproduced. If, following Pateman, work and workplaces have traditionally been coded as masculine, the image of precarious work is, conversely, feminine (Power, 2009, pp.21-22). It has been suggested that there has been a confluence of increasingly precarious work with a "feminization" of labour (ibid., p.20; Morini, 2007). Not only are women more likely to be employed in precarious forms of work, but these roles require typically feminine characteristics. In precarious forms of work, it is the feminine traits of flexibility and servility that are required of all workers. As Christina Morini puts it:

"the figure of social precariousness today is woman...precariousness, mobility and fragmentation become constituent elements of the work of all persons irrespective of gender. The model advanced is pliable, hyper-flexible and in this sense it draws on the baggage of female experience" (Morini, 2007, p.43).

Indeed, the precarious forms of work can be seen to reflect the template of women's working life in the home. For example, Okin observes that, for housewives, "her hours of work are highly unscheduled...she can be called on at any time of the day or night, seven days a week" (1989, p.151). Pateman, too, describes how "a housewife is her own boss...[she] can decide what to do and how and when to do it...But the husband, the boss, is there at other times...The demands of *his* work largely determine how the housewife organises her time" (1988, p.130). In the precarious labour market, "all work has become women's work" (Power, 2009, p.22). It demands that workers, like the traditional housewife, must be perpetually on-call, flexible, and – despite the veneer of autonomy – subordinate to the demands of the boss.

A feminist analysis of precarious work, then, alerts us to the significant, gendered power dynamics at play in cases of precarious work, and suggests that the political significance of such working arrangements relates to the ways in which such work represents both a product of, and context for, unequal gender relations. The experience of women, and of men, in the precarious labour market is the result of gendered power dynamics that (i) enforce the expectation that women will perform the greater part of unpaid domestic labour, (ii) leave women disproportionately and systematically vulnerable to diminished working hours, conditions, and wages; and (iii) reinforce gendered stereotypes, characteristics, and behaviours within working life.

However, in this regard, feminist theorists must view precarious work as no different from *all work*. Precarious working arrangements may provide an opportunity to consider a vivid instance of women's structural vulnerability in the labour market, but women are structurally vulnerable *wherever* they are located within the labour market. Like Marxists, feminists can show us that the way we organise and govern work is compromised by social – in this case, patriarchal – power. But in this respect, precarious work is no different from any other form of work. All work, both in the home and in the formal labour market, is both a product of, and context for, the structural vulnerability of women to men. In this sense, it remains unclear whether feminism provides sufficient resources to analyse what is particularly and uniquely significant about precarious working arrangements.

Conclusion.

By analysing the approaches to work that can be found within the major traditions of contemporary political theory we can see that we could normatively respond to precarious work in a number of ways: (i) precarity is either an enshrinement, or a corruption, of the *inherent* value of work in human life; (ii) precarity is a boost, or a barrier, to the *instrumental* value of work as a vehicle for some important value; (iii) precarity is a function of *power* within the sphere of work.

The first approach is to view work as inherently valuable to human life. We can find this approach adopted across both the libertarian and Marxist traditions. For the free-market libertarian, work and the wider labour market are seen as crucial embodiments of our natural liberties and rights of self-ownership, and so should be spared from paternalistic external interference from those who wish to maintain some theoretical pattern of justice. As we have seen, this free-market libertarian approach provides scant resources for challenging contemporary precarity. Insofar as precarity is the outcome of uncoerced market exchange, then we must consider it a just outcome. Moreover, libertarian theorists such as Nozick and Tomasi consider redistributive welfare institutions, institutions that could mitigate labour market precarity, to be grave infringements of our individual freedom. To this extent, precarity, for the free-market libertarian, is entirely consistent with upholding the essential value of work as an exercise of our freedom and self-ownership.

The Marxist tradition also views work as inherently valuable to human life. Indeed, work, as a creative exercise of our capacities and development of our potential, is how we express the essence of our humanity. However, for Marxists, this connection of work to our species-being is corrupted by work under the capitalist system. Here work loses its special ontological significance for humanity and is reduced to a mere means of existential survival. Work becomes dehumanising, hindering the realisation of our potential through simplistic, monotonous, specialised labour that treats the individual worker as a tool and a commodity. In this way, Marxist theorists provide us with a normative conceptual vocabulary through which we can understand contemporary precarity. As with all wage-labour under capitalism, the Marxist would consider precarious work as performed only as a means to basic survival, not as an expression of flourishing humanity. To the extent that precarity allows work to become an all-consuming feature of our lives, the Marxist may argue that it emphasises the

dehumanising commodification and alienation of labour under capitalism. Precarity highlights the debasement of work within capitalism.

The second approach to work considers the extent to which work acts as a *vehicle* for distributing some important value, such as human flourishing, individual autonomy, or self-respect. This approach is most clearly present in the liberal-egalitarian tradition, particularly among those who have continued John Rawls' investigations into the role that meaningful work should play in achieving distributive justice. In this sense, we are encouraged to analyse the extent to which individuals are able to attain some crucial value through their working life. As we have seen, precarious working arrangements can, in some circumstances, act as a barrier to attaining these values in significant ways. In particular, precarity can be thought to prevent work acting as an important social basis of self-respect. In contrast to the *laissez-faire* approach of free-market libertarian theorists, the approach of liberal-egalitarian theorists also permits interference with the organisation of work where it is found to prevent individuals enjoying sufficient access to important liberal values. In this sense, the approach to work found within liberal-egalitarian thought could underpin a normative critique of certain precarious working arrangements, as well as an argument for forms of extensive interference within the labour market that could make working life less precarious.

However, this instrumental approach to work is also shared, to an extent, by libertarian theorists such as Tomasi. Here work is similarly valued to the extent that it offers an important source of self-respect, however, it is argued that precarity may be a precondition of this self-respect. Indeed, as we have seen, Tomasi holds that the experience of financial risk provides individuals with a sense that they are effective directors of their own lives whose actions make a difference. Mollycoddled by institutions of social protection, individuals will lose the sense of personal self-esteem that they can attain through their independent navigation of a precarious economic landscape. Precarity, on this view, ensures that work can act as a basis of self-respect.

Finally, rather than considering work through its relation to *value*, we can approach work as a distinct sphere power. Here we can engage in the more explicitly *political* (rather than moral) pursuit of understanding the particular forms of power to which individuals are subjected within working life. This approach to work is displayed clearly within the Marxist and feminist traditions.

For Marx, work under capitalism is seen to involve the exercise of power by capitalists, both as individuals and as a class, over workers. In addition, Marx also shows us the extent to which work acts as a site of more impersonal forms of systemic power, whereby individuals are compelled to conform to market forces that exist independent of particular agents. The workplace and the wider labour market, therefore, no longer appear as sites of free exchange, but of control and discipline. Crucially, by viewing work through the Marxist account of work as a sphere of power, we can see that all wage-labour is inherently precarious. As capitalists always retain the power to rescind the employment contract and divert their capital elsewhere, nobody can consider their position secure.

Feminists also view working life as intimately shaped and informed by social power, in particular the power that an unequal system of gender relations exercises over women in a patriarchal society. All work, including precarious work, is both a product of, and context for patriarchal power, leaving women structurally vulnerable in manifold ways.

We can therefore see that how we approach work as political theorists matters. Considering work as a sphere of power allows us to normatively evaluate the particular power dynamics at play in our working lives, without necessarily adopting any assumptions about the *value* of work itself. This is not to say that the values associated with work are not important. Nor that approaching work as a sphere of power means that we do not discuss important values (such as freedom), or that approaching work as related to value means that we overlook power-dynamics completely (for example, cf. Schwartz, 1982). However, questioning the inherent or instrumental relation of work to particular values, and questioning the forms of power present in our working lives are distinct questions. In particular, by focussing on understanding the power-dynamics present in the sphere of work, we need not adopt any assumptions about the value of work itself, which as we have already seen may have potentially problematic implications. With this in mind, the focus of the remainder of this thesis will be to examine in greater detail the particular and unique forms of power that are present within increasingly precarious labour markets and workplaces. I will show that this power is dominating and deleterious to freedom.

- CHAPTER 4 -
A REPUBLICAN THEORY OF PRECARIOUS WORK.

Introduction.

In the previous chapter we explored the extent to which the political significance of precarious work can be conceptualised and analysed according to libertarian, liberal egalitarian, Marxist, and feminist approaches. In this chapter I will show how the republican tradition of political thought provides us with the resources to successfully capture what is *distinctly* significant about precarious working arrangements.

In particular, I will argue that the republican concept of domination allows us to illuminate, and subsequently condemn, the specific power dynamics associated with precarious work. Precarious work exposes workers to distinct forms and combinations of interpersonal and structural domination.

In the first instance, precarious working arrangements necessarily involve employment relationships that subject the worker to extraordinary levels of discretionary employer power. Precarious working arrangements also make workers vulnerable to further instances of interpersonal domination beyond the employment relationship itself, by transforming relationships with family, friends, and economic agents such as landlords, payday lenders, and so forth, into dominating relationships of dependency. Finally, as a result of the structural position precarious workers occupy in this system of domination, they are vulnerable to a further, distinctly structural form of domination. This arises as a result of precarious workers' liability to a 'precarity trap', or the vicious cycle of insecurity and dependence that encourages precarious workers to submit further to their disadvantaged position.

According to this republican-inspired theory, precarious work can now be seen to represent a specific, politically significant threat to individual liberty. Indeed, freedom-compromising domination is shown to be an essential, constitutive feature of precarious working arrangements. Crucially, the precise nature of this domination in cases of precarious work is distinct from the domination that may arise in more typical, and formally secure forms of employment.

I will begin by providing an overview of the republican tradition of political thought, and explore how the central concept of freedom as non-domination has been articulated within the work of this tradition's most influential contemporary proponent, Philip Pettit. I will then show how the precarious working arrangements can be seen to generate particular forms of interpersonal domination between employers and workers as a result of employers' capacity to wield extraordinary discretionary power over the lives of those who work for them. Following this, I explore the extent to which the case of precarious work illuminates a distinct form of *structural domination*, challenging the standard republican understanding of domination as a strictly interpersonal phenomenon. I conclude by showing why this republican theory of precarious work is stronger and more successful than the alternative approaches considered in the previous chapter.

Republicanism and domination.

The republican tradition of political thought encapsulates those historical thinkers such as Aristotle, Cicero, Machiavelli, Harrington, Rousseau and Paine, among others, who focussed on ideas of popular sovereignty, the common good, deliberation and participation, and the concept of freedom as non-domination (White, 2011, p.562-564). In recent decades republican ideas have enjoyed a renaissance driven in large part by the so-called Cambridge School of intellectual historians, most notably J.G.A. Pocock (2003) and Quentin Skinner (2012). However, the republican revival has arguably been given its most comprehensive and influential articulation in the so-called “neorepublican” political philosophy of Philip Pettit.

Neorepublicanism has been described as drawing on the classical republican tradition as an inspiration for contemporary political philosophy. The core idea of this tradition, it is argued, is that a free person is one who is not vulnerable to the arbitrary will of others. Such freedom relies upon a free state to promote republican freedom without becoming a dominating presence itself. This is prevented through promoting a conception of good citizenship that values vigilant preservation of the undominating state (Lovett and Pettit, 2009, p.11).

This republican revival has seen a revision of the dichotomous view of liberty as either positive (simply put, freedom as self-mastery) or negative (freedom from interference) presented by Isaiah Berlin²⁷. Berlin argues that the negative conception is to be favoured as it avoids the tyrannical implications of a positive conception of liberty that, in the infamous words of Rousseau, may allow people to be forced to be free (Berlin, 1969, p.131). Pettit instead has argued that studying the history of republican thought highlights a rival conception of negative liberty; freedom from domination (e.g. 1997a; 2012; 2014, etc.). In this sense, Pettit argues that domination is exemplified by the master-slave relationship where one can interfere arbitrarily in the choices of the dominated (Pettit, 1997a, p.22). This means that republican liberty can explain why a slave with a particularly kind master is still unfree even if they do not face any actual interference, or why one remains unfree even under a benign dictatorship.

Whilst I will predominantly focus on Pettit’s articulation of republicanism in this chapter this is not to suggest that the republican tradition itself is monolithic. Indeed, the term republicanism can be understood in a number of different ways. For example, we can separate the neo-Athenian republicanism of Hannah Arendt (1958; 1963; 1968) and its focus on freedom *as* political participation from the more explicitly Roman-inspired republicanism of Skinner and Pettit that focuses on freedom from domination. More recently, John P. McCormick has further distinguished two traditions within republicanism: the oligarchic model and the democratic model. McCormick describes the oligarchic model as “electoral and senatorial”, whereby the people confer power onto a small, usually wealthy, elite and have little ability themselves to challenge government decisions. This is contrasted with the democratic model that grants the people a more active role in the decision-making process and the means to challenge the power of the wealthy elites. McCormick argues it is the former

²⁷ See, especially, Skinner (2012).

that has been revived by Cambridge school republicans, including Pettit (McCormick, 2011, pp.6-11). Nevertheless, as the most influential and comprehensive articulation of contemporary republican ideas, Pettit's work will remain the central focus of this chapter and will be taken as representative of mainstream republican theory.

Before I show how Pettit's articulation of the republican idea of freedom as non-domination can help to capture the political significance of precarious working arrangements, I must first explore what Pettit means by domination. This is an important task as his definition of domination has rarely been static; evolving as it has over more than two decades of work on the subject. I believe there have been two key shifts in Pettit's definition of domination. The first is the shift of focus from arbitrariness to control as the main marker of domination, while the second is the shift away from stressing the traditional idea of *liberty through the law* found in the republican tradition, towards a concession that non-dominating interference (including through the rule of law) does represent a type of harm to liberty. Although these two shifts do not perfectly sync up temporally, for the sake of clarity (and parsimony), I will argue that we can separate Pettit's work on republicanism into two broad groups: early and later.

Early Pettit

In the majority of his earlier journal articles and book chapters published on republicanism, as well as his highly influential 1997 monograph, *Republicanism: A Theory of Freedom and Government*, Pettit's conception of domination can be seen to be made up of four parts: i) domination is something only agents, be they individual or corporate, and not "a system, network or whatever" can do, ii) domination occurs when an agent has a "capacity to interfere", iii) "on an arbitrary basis", iv) "in certain choices that the other is in a position to make" (1997a, p.52; c.f.: 1993, p.27; 1996, p.578; 1997b, p.59; 1997c, p.115; 1998, p.296; 1999, p.165; 2002, p.341; 2004, p.155; 2005a, p.87; 2005b, p.30; 2006a, p.281). In short, domination for Pettit amounts to the capacity, realised or unrealised, for an identifiable agent to intentionally, and maliciously, interfere in choices another should be able to make themselves. One is therefore free to the extent that others do not wield discretionary power over their lives.

Like Berlin, Pettit remains concerned about intentional interference. Indeed, Pettit explains that interference must be a "more or less intentional attempt to worsen an agent's situation of choice"; it cannot occur by accident, for example an obstacle falling in your path or through competition for scarce resources, and it cannot be a bribe or reward. Interference can, however, include restraint, obstruction, coercion, manipulation and agenda fixing. Interference worsens an agent's choice situation by changing the options available, changing the payoffs assigned to different options or controlling which outcomes will result from which options. (1996, pp.578-579; 1997a, pp.52-53)

However, despite remaining concerned by interference, here Pettit is distinguishing his republican conception of unfreedom from the Berlinian notion (inspired by the likes of Hobbes and Bentham) that all interference qua interference is inimical to liberty. For republicans, Pettit argues, it is only an agent's *capacity* for *arbitrary*

interference that makes another unfree. By arbitrary, Pettit means that the agent can decide to interfere “with impunity and at will”, where there is no need to justify the interference to, and there is no threat of retaliation, resistance, or punishment from, the victim or others (e.g., 1996, p.580). In this way one is made unfree when one is reliant on the goodwill of another to remain uninterfered with.

This idea is important for two reasons. Firstly, it means that one can be made unfree by domination, even when there is no actual interference taking place. For Pettit, one is made unfree because of their objective relationship with another, where that person is in a position over you that allows them to interfere in your life without regard for any interests other than their own. As Pettit explains, “the power-victim acts in the relevant area by the leave, explicit or implicit of the power-bearer; it means that they live at the mercy of that person, that they are in the position of a dependent or debtor or something of the kind” (1997a, p.63). For Pettit, such relationships create a distinct political psychology of “fear and deference”, which prevents people from engaging with each other as equals (1993, p.33; 1996, p.586; 1997a, p.64; 1997b, p.65; 1998, p.296; 2005b, p.30). What concerns republicans like Pettit is that, even in the absence of actual interference, victims of domination must constantly second-guess the whims of those they are dominated by. They must “fawn or toady or flatter” (Pettit, 1997a, p.5) in order to ingratiate themselves to their master. They must “tug the forelock” or “bow and scrape” (ibid., p.87), constraining their choice and action to pre-empt the desires of the powerful in an attempt to avoid harsher interference. As a result, the dominated cannot live a life on their own terms.

However, Pettit’s definition of freedom also differs from the idea of freedom as non-interference in the fact that some interference, providing it is non-arbitrary can be consistent with one’s liberty. Interference will be non-arbitrary to the extent that it is forced to track the relevant and avowable interests of those subject to it (Pettit, 1997a, p.65; 1997b, p.63; 1997c, p.115; 1999, p.166; 2004, p.155; 2005a, p.93). In making this point, Pettit argues that a suitably republican state can impose coercive law and yet not represent a source of domination in and of itself (e.g. 1997a, p.66). More specifically, a state that is forced to track the interests of its citizens may impose interference that reduces domination in the private sphere (*dominium*) without becoming a source of domination in the public sphere (*imperium*) (1997a, p.112). Suitably nonarbitrary interference will fail to represent a threat to republican liberty as it will not allow agents to stand over others with the capacity to interfere at will and with impunity. They can interfere, but only with your permission and only within a strictly limited context. As such, the interference will represent the subjects’ interests, not those of the agent undertaking the interference.

Indeed, in his earliest writings on republican liberty (particularly 1993; 1996), Pettit goes as far as to say that, far from representing the threat to liberty envisaged by Hobbes or Bentham, the interference associated with a fair rule of law can in fact be *constitutive* of one’s freedom as non-domination. For example, in his 1993 paper, “Negative Liberty, Liberal and Republican”, Pettit focuses on the republican tradition of arguments, particularly prevalent in the work of James Harrington, which state that liberty is “liberty-by-the-law” (p.32). This idea is further expanded in Pettit’s 1996

paper “Freedom as Antipower”. For Pettit, “antipower”²⁸ is one’s ability to repel dominating power and command non-interference. Antipower is promoted through the rule of law; the introduction of protective institutions, the regulation of resources that empower agents to dominate others, and the introduction of measures that enhance people’s capacity to resist domination, for example, state education, social security, and medical care (1996, pp.588-592). The idea here is that nonarbitrary interference associated with a fair rule of law can constitute one’s freedom by providing the resources to resist the *dominium* of others, whilst failing to simultaneously represent a source of *imperium* in and of itself. This idea is perhaps best summarised when Pettit writes “as the antibodies in my blood constitute my immunity to certain diseases, the ordinances of nonarbitrary law under which I live constitute my status as a free, undominated citizen” (Pettit, 2002, p.347).

The key themes in this early literature on republicanism and domination by Pettit can therefore be seen to be a concern about vulnerability to *arbitrariness*, as opposed to suffering any and all forms of actual interference, as well as a belief that such vulnerability can be reduced, if not eliminated, by a fair rule of law. Any interference such laws may enact on citizens, providing it tracks the relevant interests of those subject to it, will not threaten freedom as non-domination. In fact it will constitute it by providing the grounds from which people can resist the need to rely on the goodwill of the powerful.

Later Pettit

Turning to his more recent work, however, we see that Pettit’s focus has shifted away from arbitrariness to problems of control (e.g., 2006b, p.135; 2007, p.4; 2008a, p.102; 2009, p.42; 2010, p.73; 2012, p.58). Domination therefore comes to be defined as the imposition of “alien control” over the choices of another agent, where alien control undermines an agent’s capacity to choose by intentionally raising the probability that they will choose according to the dominator’s judgment (Pettit, 2009, pp.42-43). Such alien control can take the form of intentional interference such as “obstruction, coercion, deception, and manipulation” that demonstrably imposes the dominator’s will on another agent (ibid., 2010, p.74).

However, as before, alien control need not take the form of actual interference. Alien control can also be imposed through what Pettit describes as *invigilation*, the intentional monitoring of another with the ability to interfere should they deviate from your will (ibid., 2006b, p.137; 2008a, p.103; 2009, p.44; 2010, p.74; 2012, p.61). Pettit perhaps best illustrates the idea of invigilation with the example of a horse that is given free reign. The horse is not truly free if the rider has loosened their grip on the reins only to intervene should the horse deviate from the path the rider wishes to take (2010, p.708).

Finally, when such invigilation becomes recognised by the agents subject to it, alien control can take the form of intimidation or inhibition, leading to caution or deference, self-censorship or self-ingratiation (Pettit, 2009, p.44; 2010, p.74; 2012, p.61). Such

²⁸ The idea of antipower is explored in more detail in Chapter 5.

efforts to avoid interference will not remove the control, but are merely an attempt to make it “more palatable” (2006b, p.137).

The idea of alien control builds on an argument made by Pettit in his 2006 paper, “Freedom in the market”, that unlike the liberal notion of freedom as non-interference, republican liberty is a chooser-based view of freedom rather than a choice-based view. This means that rather than focussing our concern on the extent to which choices remain unobstructed, Pettit argues we should be concerned with the status of the chooser among others (2006b, p.134). This idea connects to a distinction that Pettit makes in all but his earliest publications on the subject of republican freedom; the distinction between conditioned liberty and compromised liberty (1997c, p.126; 1999, p.164; 2002, p.347; 2006b, p.132; 2011, pp.693-694). Whilst the interference associated with a fair rule of law, or indeed “natural impediments” might condition my liberty by reducing the range within which I can enjoy my free status, only domination can compromise my freedom. As Pettit succinctly puts it, conditioned liberty may affect “the worth of social freedom, not its presence or absence” (2006b, p.132).

The idea of interference merely conditioning rather than compromising freedom overlaps with the idea of non-arbitrary interference introduced above. Indeed, in more recent work, Pettit updates this idea by referring to non-alien forms of control that track the interests of the subject of interference rather than representing an imposition of another’s will (Pettit, 2009, p.46). A recurring example used to illustrate this is of Ulysses instructing his shipmates to lash him to the mast so as to protect him from the sirens. He may be constrained, but this interference is carried out according to his will, not the will of others (e.g., 2004, p.151; 2006b, p.135; 2010, p.75).

This distinction between conditioning and compromising liberty overlaps to a great extent with the earlier idea that, unlike the liberal conception of freedom as non-interference, for republicans the interference associated with a fair rule of law is not abrogative of freedom. The distinction between conditioning and compromising liberty is a useful one, allowing republicans to focus their concern on what it means to possess free status, rather than questioning every limit on the range of choice that we face in our life. It intuitively articulates why liberals are wrong to equate all constraint or obstruction with unfreedom. For example, this distinction can help to explain why we may feel more wronged through being forced to avoid a certain path because of another’s bullying intimidation as opposed to it being made impassable by a natural barrier.

However, to another extent, it can be seen to weaken the earlier idea that law can be constitutive of freedom itself. Far from arguing, as he did in 1993 and 1996, that liberty can be achieved through the law, he is now making his republicanism more palatable to traditional liberals by conceding that the law *does* harm liberty, to the extent that it conditions it. Indeed, he goes so far as to argue that the interference associated with coercive, though non-dominating, law might not make one “unfree” but does make them “nonfree” (2002, p.347). Elsewhere he distinguishes between republican freedom as “social freedom” and the “freedom outright” that is conditioned by non-dominating interference (2006b, p.132).

In more recent publications, then, we can see that Pettit has refined his definition of domination and altered the language he uses to articulate these republican ideas. Domination is now described as an agent's capacity for alien control over another, where one is able to impose their will on someone else through interference, invigilation, or intimidation. Non-alien control, as described in the example of Ulysses, or through a fair rule of law that tracks your own interests, does not compromise your freedom - it does not remove your personal possession of free status - but it does condition your liberty by reducing the range within which you can enjoy your freedom.

Consistencies: agents, intentionality, the mixed constitution and vigilant citizenry

Despite these changes to Pettit's theory over time, other aspects of his neorepublicanism have remained largely consistent. Whether articulated in the vocabulary of 'arbitrariness' or 'alien control', Pettit's conception of domination is intended to describe the freedom-compromising consequence of being vulnerable to another's capacity to interfere, regardless of whether or not this interference is ever actually exercised, or whether this capacity is fully appreciated by either party. When this capacity is visible to and acknowledged by the dominated agent, however, it is likely to encourage a demeanour of self-censorship, fear, and deference, further compromising their ability to live a free and independent life.

Importantly, domination is always conceived by Pettit as a strictly interpersonal phenomenon that relies on an intentional agent. Domination is also deeply politically significant, representing as it does a threat to individual civic freedom, and subsequently informing a model of constitutional republicanism that relies on a mixed constitution and vigilant, contestatory citizenry to protect against state *imperium*, or public domination.

As we will explore further later in this chapter, Pettit has recently written about a "structural form of domination", explaining that it is "usually because of the ways a society is organized culturally, economically or legally, that some people have such power in relation to others that they dominate them" (2012, p.63), it is clear that his conception of domination is one that remains focussed on what intentional agents do to each other. By "structural form of domination", Pettit is merely saying that such systems facilitate, or are instrumental to, agential domination. Indeed, he describes these as an "indirect" source of domination (ibid.). Structural phenomena may underpin an agent's ability to dominate another and provide them with the power to interfere arbitrarily, but structures cannot be seen to directly dominate in and of themselves. For Pettit, structural constraints are a "secondary offence against freedom" (2002, p.342), *conditioning* rather than *compromising* freedom (ibid.). Structural phenomena, therefore, may reduce the range of options that one can choose from, but, for Pettit, they do not subject you to "an alien will" (2012, p.58). This is something that only agents can do directly to one another.

This is consistent with the rest of Pettit's literature on domination where he is emphatic that domination is always perpetrated by a "more or less" intentional agent, and never a "system or network, or whatever" (for example, 1996, p.578; 1997a, p.52). Indeed, Pettit is explicit that domination is inflicted by actual human beings, either as

individuals or in the form of a corporate agency such as the state. He is concerned with a “distinctly human” phenomenon (2006b, p.135), while any source of constraint will not represent a form of domination “so far as it is the cumulative, unintended effect of people’s mutual adjustments” (ibid., p.139). For Pettit, this is because a dominator must be able to impose their arbitrary or alien will on another in order to intentionally harm them. This is not to deny that systems or structures cannot possess forms of power, but that a dominating power must be intentional to the extent that a dominator can be blamed for the things they do; that what they do is not beyond their control (Pettit, 1996, pp.603-604). The importance of this strict interpersonal approach to freedom will be explored further later in the chapter.

Finally, Pettit’s work has consistently supported a particular republican form of constitutionalism²⁹ that aims to provide equal freedom as non-domination for citizens through a mixed constitution and a conception of a vigilant citizenship that tracks and contests public decisions and the power of the state (2013, p.170). By “mixed constitution”, Pettit is referring to the introduction of particular forms of constitutional constraint that prevent individual or sectional interests dominating a community. Pettit takes inspiration from, what he describes as, the “Italian-Atlantic” tradition of republicanism found in the work of Cicero, Machiavelli, Harrington, Madison, and others, who broadly support a mixed constitution that implements a fair rule of law, separation of powers, and representation through election or lottery (ibid., pp.169-172). The idea here is that no one individual, or group of individuals, will be able to dominate the rest through complete control of state power. Their ability to interfere is checked by constitutional institutions, thus ensuring freedom from tyrannical government.

For Pettit, non-domination is further promoted by giving citizens the ability to invigilate and contest public decisions (ibid., pp.170-171). This leads Pettit to develop a republican political model founded on a democracy that is both “electoral and contestatory” (2000). Such a model allows citizens to ensure decisions track their interests and thus sufficiently control government interference to the extent that it cannot represent a form of *imperium* in their lives (Pettit, 1997a, pp.183-185). Even if such contestation fails to reverse a government decision, Pettit believes that the complainant can remain free of domination. Contestation allows the state to prove to citizens that decisions are being made with reference to interests all citizens can reasonably share, and are reached in line with the procedure of a fair rule of law. Even a decision that goes against you can therefore be seen as “on a par with a natural accident” rather than an example of discretionary power (ibid., p.198).

However, such freedom from non-domination can only be truly guaranteed, Pettit claims, if republican ideals “win a place in the habits of people’s hearts” by embedding laws and institutions with a broader system of norms that promote non-domination (ibid., p.241). This would ensure that society at large is vigilant in the face of domination and will recognise any attempt at private *dominium* or public *imperium* as deviant. There is therefore a normative incentive for non-dominating behaviour in addition to the threat of legal sanction (ibid., p.280). This will increase the costs placed

²⁹ The republican political programme will be explored in greater detail in the next chapter.

on the powerful were they to attempt to wield their power to harm others, meaning they can no longer interfere with impunity or at will. They could not stand in the position of a dominator over others. Furthermore, by advocating a civic virtue against domination, Pettit seeks to ensure that republican government is underpinned by a republican civil society, and supported by a popular aversion to dominating relationships wherever they occur. The public will stand on the lookout for arbitrary or controlling discretionary power, ready to resist it. This vigilance will, in turn, discourage powerful agents from attempting to dominate others.

We can therefore see how the contemporary republican political philosophy presented by Philip Pettit rests on a core idea that freedom exists in the absence of dominating relationships. Unlike the traditional liberal version of freedom as non-interference, Pettit argues that republicans are instead concerned with the capacity to wield discretionary power, regardless of whether this involves any actual interference. Simultaneously this conception of freedom allows for a distinction between acceptable and unacceptable forms of interference, in particular arguing that the interference associated with a fair rule of law need not be completely inimical to one's liberty. To ensure that such a system of laws remains non-dominating, Pettit argues that a republican political system must check and disperse state power and ensure citizens can vigilantly contest public decisions to ensure they track common interests.

Having outlined the key elements of Pettit's contemporary republicanism, I will now show how these republican conceptual resources can be successfully deployed to identify and understand the full political significance of precarious working arrangements in the twenty-first century labour market.

Precarious work and interpersonal domination.

In Chapter Two we saw how the concept of 'precarity' is derived from the Roman law of *precarium*. This typically referred to a right of tenancy, whereby land or property that had been loaned to others could be reclaimed by the lender at any time (cf. OED Online, 2016). Such etymological roots suggest a close relation between the concept of the precarious and the traditional republican idea that living in a condition of dependence on the will of another, where you live at their mercy, is inconsistent with one's enjoyment of individual liberty (cf. Pettit, 1997a, p.32; Skinner, 2012, p.84). To be precarious in this socio-economic sense, is to occupy a position of vulnerability to another's capacity to interfere at will and with impunity. The central argument of this chapter, and, indeed, this thesis, is that the integral connection between the precarious and domination can also be identified in contemporary examples of precarious work such as zero-hours contract, temporary, and gig economy work.

Indeed, such precarious working arrangements comprise distinct forms of interpersonal employment relationships that necessarily expose workers to extraordinary levels of dominating, discretionary power; power that the republican tradition of political thought tells us directly compromises individual liberty.

We can unpack this claim in detail. By discretionary power, I am referring to the capacity of an agent – in this case the individual or firm that hires a worker on a

precarious basis and (often) pays them for their labour³⁰ – to interfere on an arbitrary basis (cf. Pettit, 1997a, p.52), that is, at will and with impunity (cf. Pettit, 1996, p.580).

This capacity for interference can be seen in the uncertain access to work that is a fundamental aspect of precarious working arrangements. As we saw in Chapter 2, compared to typical employees who have greater clarity over their working hours and length of contract, those employed on a precarious basis are vulnerable to unpredictable and unstable patterns and durations of work. The on-demand nature of such arrangements means that work can be demanded, denied, or discontinued completely without the need for reason or notice. Recall the examples of precarious working arrangements introduced in Chapter 2:

The nanny and housekeeper working on a zero-hours contract:

“I’m often not sure when my work will start until 9pm the night before and sometimes work random shifts and hours...I never know when I will have a day off...My hours are often changed at very short notice, which means my earnings for the week can suddenly be cut in half” (TUC, 2017a, p.26).

The waitress working on a zero-hours contract:

“I get given shifts last minute and other times turn up only to be told to go home (without pay)...Many occasions, a shift has been cancelled 30 minutes before it was due to start. Also, started a 5-hour shift, sent home 30 minutes or on average 2 hours later” (TUC, 2017a, p.32).

The temporary Amazon employee:

“After nine months, Amazon would either take you on permanently or cast you aside with no more compunction than if you had been a sack of rotten potatoes. In practice, you were extremely lucky even to make it to nine months” (Bloodworth, 2018, p.19).

Such examples, typical of precarious working arrangements in the contemporary labour market, emphasise the extent to which workers are vulnerable to severe interference by their employers. Employers have the capacity to call upon their casual workforce when it suits them, and drop workers altogether as soon as they are surplus to requirements or the exigencies of the profit motive. Workers have few, if any, means to resist or repel this interference, and instead must be always “at the beck and call of potential users of their labour” (Standing, 2011, p.129), on call and on standby for the next job.

Such interference disrupts the precarious worker’s ability to effectively plan their own life. They can never be certain of when they may need to work, or how long a period of employment will last. Such interference also disrupts the income of precarious workers, potentially undermining their ability to make ends meet. Such domination therefore can also carry an existential as well as political significance. Work may dry

³⁰ As we saw in Chapter 2, precarious working arrangements such as those associated with the so-called “gig economy” can involve ill-defined employment relationships, with workers hired, for example, as ‘independent contractors’ rather than typical employees. Nevertheless, I will refer to such hiring relationships as employment relationships in this chapter.

up, a new position may not be found in time, and, as a result, an individual may quickly find themselves unable to pay the rent, the mortgage, the utility bills, and so on.

The ability for employers to disrupt incomes of precarious workers in other ways also emphasises the capacity for arbitrary interference that is integral to precarious working arrangements. For example, recall Uber's unilateral ability to cut prices with little reference to the impact this could have on drivers' income. Again, we can see how precarious workers are vulnerable to precisely the kind of arbitrary interference that republicans view as antithetical to liberty.

This is not to claim that precarious working arrangements are the *only* form of working arrangements that involve domination. Indeed, Pettit himself has implied that the workplace may be a common site of domination (for example, 1993, p.25; 1996, p.585; 1999, p.167; 2013, p.174)³¹. Domination is exemplified, he says, "by the employee who dare not raise a complaint against an employer, and who is vulnerable to any of a range of abuses, some petty, some serious, that the employer may choose to perpetrate" (1997a, p.5). Others have gone further and argued that the capitalist employment relationship is *inherently* dominating (e.g. Gourevitch, 2015, Leipold, 2017, Roberts, 2017). Whether or not this is the case is beyond the immediate scope of this thesis. My claim here is that, in order to understand the political significance of precarious work, we must understand the *distinct* forms of domination that it comprises, and that allow us to distinguish such working arrangements from more typical employment relationships.

The forms of domination identified as central to precarious working arrangements are distinct because of the *extraordinary* levels of discretionary power that are available to employers. What makes this discretionary power extraordinary is its scope and intensity. In terms of scope, to the extent that a typical, salaried employee hired on a permanent contract is vulnerable to the arbitrary will of their employer, their immediate domination is largely limited to the domain of the workplace (cf. Pettit, 1997a, p.58). The jurisdiction of the boss does not typically extend beyond the office door, the shop floor, or the factory gate. For the precarious worker, however, the capacity for arbitrary interference wielded by their employer extends much further into their personal time and space. Emblematic of this is the image of the precarious worker waiting by the phone in anticipation of work, unable to make full use of their "free" time due to the expectation that they must be on-call and ready to work at short notice. It is this extension of the employer's power into the private lives of workers that Guy Standing captures when describing the "blurring of workplaces, home places and public places" (2011, p.38) experienced by precarious workers.

The distinct *intensity* of the arbitrary interference associated with precarious work is a function of the worker's increased vulnerability and disposability. The precise intensity will always vary from case to case. As we saw in Chapter 2, contextual factors can mitigate or exacerbate one's precarity. For example, undocumented migrant workers are made "hyper-precarious" (Lewis, et al., 2015) as a result of their relationship to bureaucratic systems of border security. Nevertheless, we can make a

³¹ Further analyses of the workplace as a site of domination can be found in Gaus, 2003; Hsieh, 2005; White, 2011; Breen, 2015; etc.

general claim about all precarious workers, that their vulnerability to discretionary power is particularly, or distinctly intense. Not only is this intensity found in the gravity and jeopardy of the potential interference – the risk of job loss, poverty, destitution and so on – but also in the way that precarious working arrangements enable employers to place higher demands on their workforce. As we have seen, atypical work contracts combined with new technology have allowed for an acceleration of performance monitoring and efficiency maximisation at work. In the case of app-based firms such as Uber in the so-called “gig economy”, managers are able to use the app technology to communicate directly with drivers and encourage them to work longer and harder (cf. Scheiber, 2017). Recall too the example of the temporary Amazon warehouse worker:

“instructions, usually an admonishment to speed up, would filter through to our devices in an instant: ‘Please report to the pick desk immediately’ or ‘Your rates are down this hour, please speed up.’ We were ranked from highest to lowest in terms of the speed at which we collected our items from the shelves...I was informed during my first week that I was in the bottom 10 per cent in terms of picking rate. ‘You’ll have to speed up!’ I was told by one of the agency reps” (Bloodworth, 2018, p.16).

Precarious workers, then, face a type of domination that is distinct in scope and intensity. The capacity for interference wielded by the employer and her representatives can extend further into the worker’s life and elicit more demanding levels of control over the worker’s actions. The social and financial jeopardy associated with job loss or even a temporary disruption to working patterns provides the employer in cases of precarious work with access to uniquely severe and wide-ranging levels of dominating power. This would not be the case were they to hire their workers on more typical, permanent contracts that provide greater clarity and certainty over the duration, remuneration, and requirements of work.

However, the crucial insight offered by the republican tradition of political thought is that it is the *capacity* for such interference that compromises individual liberty, even if this capacity is never exercised or even acknowledged in actuality. This challenges the idea that atypical contracts provide workers with greater independence or freedom. This is the argument put forward by the former CEO of Uber, Travis Kalanick (2016), who claimed those driving for the company value their “freedom” as “independent contractors” to choose when and how to work. A republican analysis shows that even if such workers are provided with a superficial veneer of autonomy, the precarious nature of their employment means that they only enjoy this according to the whim of their employer. Ultimately employers such as Uber retain the power to suspend any driver from the app with no notice or reason given. For all the rhetoric that atypical working arrangements allow workers to ‘be your own boss’, we can see that such arrangements actually serve only to further empower employers, leaving workers vulnerable to the uncertainty, jeopardy, and dependence of precarious work.

To the extent that workers happen to escape any severe interference – if they are able to maintain something like stable working patterns and income streams – they do so only by the leave, pleasure, or discretion of their employer. The dominating relationship between the precarious worker and her employer in such instances takes

a form that Pettit describes as ‘invigilation’. Whether the worker is cognisant of the fact, the autonomy they enjoy over their working life can only be enjoyed to the extent that it tracks the will of their employer, who retains the capacity to intervene as and when they see fit.

However, when this power is acknowledged or recognised by the victim of domination, Pettit explains that invigilation can turn into intimidation or inhibition. Although a particular subjective response is not necessary for the diagnosis of domination, it can alert us to its presence. As we have seen, according to the republican tradition of thought, a psychology of domination typically involves self-censorship, fear, and deference (Pettit, 1997a, p.64; 2012, p.61). Victims of domination, aware of their vulnerability to a powerful other, are likely to attempt to ingratiate themselves in the eyes of their dominator through sycophantic behaviour, or otherwise limit their choices and actions in order to pre-empt that dominator’s will.

There is an intuitive argument to be made about the parallels between the subjective experiences of precarity and domination. Guy Standing describes the experience of precarity “fed by fear and is motivated by fear” (2011, p.20). This fear arises from an awareness of one’s insecure position in the precarious labour market; “knowing that one mistake or one piece of bad luck could tip the balance”, “knowing that what one is doing is not for one’s own purpose” (ibid.). And this fear manifests itself in the pressure for precarious workers to implicate themselves in their own domination; self-inflicting the control desired by their employer. This is what being your own boss in the precarious labour market really means. As Standing again states, precarious workers are “are induced to intensify their effort and the hours they spend in their labour, for fear of falling short of expectations” (2011, p.118). This is evident in the need for Amazon temps to “make rate”, for Uber drivers to maintain their performance rating, and for zero-hours contract workers to keep on the good side of their boss if they hope to get a shift. For example, the *Guardian* journalist, Dawn Foster writes about her experience of working on a precarious zero-hours contract: “What was interesting was the way it made others act: we realised currying favour with the boss was the way to ensure we made enough to make the job worth our while, but also that overt sycophancy would have the opposite effect” (Foster, 2016). Such self-censorship and ingratiation, according to the republican conception of freedom as non-domination, is inconsistent with living a life of one’s own as a free and equal citizen.

Precarious working arrangements, then, create distinct, dominating relationships between worker and employer. Employers have a capacity to wield extraordinary levels of discretionary power that compromise the freedom and livelihood of precarious workers as a result of their ability to demand, deny, or discontinue work with little or no notice and with little threat of resistance. Regardless of the content of one’s work, to the extent that it is organised and governed according to a precarious arrangement, such as that associated with zero-hours contract, temporary, and “gig economy” work, it makes the worker unfree.

Domination should be viewed as fundamental and intrinsic to precarious work. It is the political interpretation of the uncertainty, jeopardy, and dependence that defines precarious work. Its uncertainty lies in the capacity for potential interference, even

when this is not exercised. Its jeopardy is found in the severe social, political, and economic consequences of that capacity for interference, not least in the fact that it compromises civic freedom and the ability to live a life of one's own. And its dependence is clear in the reliance of workers on the arbitrary will of an employer who wields the capacity to interfere in their life at will and with impunity at any time. Were this capacity for arbitrary interference to be extinguished, such working arrangements would no longer be precarious. The insecurity and instability associated with an employer who can demand, deny, or discontinue work with little or no notice would be eradicated.

However, the interpersonal relationships of domination between employer and worker, whilst perhaps the clearest and least controversial, are just one manifestation of domination within the precarious labour market.

Precarious work and structural domination.

In addition to the interpersonal domination precarious workers face from their particular employers, we can see that they are also vulnerable to a distinct form of *structural* domination. The organisation and governance of precarious work within the contemporary labour market places individual workers in a structural position of social vulnerability, exposing them to myriad forms of potential interpersonal domination from a variety of possible sources. This structural situation has the capacity to, in and of itself, generate an arbitrary and dominating form of power, that has the potential to constrain the ability of individual workers to live an independent life of their own.

As we saw in the previous chapter, structures can be understood as the abstract patterns or networks of social relations (cf. Haslanger, 2016, p.125). Focussing on structures allows us to understand the more general consequences of the positions that individuals occupy within the systems of social relations, rather than the more specific consequences of particular interpersonal interactions. We saw this clearly in the section on feminism in the previous chapter, with the idea that, independent of the particular interpersonal relationships they may be party to, all women are structurally vulnerable as a result of their position in a patriarchal society (cf. Okin, 1989, p.134; Young, 2011, p.45).

Within contemporary republican scholarship there has recently been increasing focus on the role that social structures play in domination (for example, Einspahr, 2010, p.16; Pettit, 2012, p.63; Laborde, 2013, p.522; Coffee, 2015, p.55; Gourevitch, 2015, pp.106-107; etc.). As introduced above, Pettit has acknowledged the existence of an "indirect or structural form of domination", recognising that it is "usually because of the ways a society is organized culturally, economically or legally, that some people have such power in relation to others that they dominate them" (2012, p.63). As previously explained, this assumes that structures play a facilitatory role, explaining why powerful agents have a capacity to interfere on an arbitrary basis in the lives of others.

Domination is therefore a structural phenomenon, for Pettit, insofar as it is a function of the structural position of the agents concerned. A dominates B because of A's power, relative to B, in the particular A-B relationship structure. For example, A might represent a husband who dominates his wife (B) by virtue of the power granted to

husbands within a patriarchal society. Nevertheless, domination remains an interpersonal transaction. It is the particular agent, A, who personally dominates by wielding arbitrary power over B. For Pettit, social structures themselves cannot be considered a direct source of domination in and of themselves. Wife B cannot be dominated by the system of patriarchy alone. This is because, for Pettit, structures themselves do not represent a particular, intentional will that can be held responsible for the effects of arbitrariness (Pettit, 1996, pp.603-604). To dismiss this stipulation “would be to lose the distinction between securing people against the natural effects of chance and incapacity and scarcity and securing them against the things they may try to do to one another” (ibid., 1997a, pp.52-53).

Others, however, have challenged Pettit’s limited definition of structural domination. For example, Alan Coffee has argued that “social structures, systems and ideas should not be considered merely as enablers of domination, but as sources of potentially arbitrary power in their own right” (Coffee, 2015, p.55). Coffee suggests that arbitrary, structural power is represented by systems of social norms that the relevant, affected agents have had no opportunity to shape (ibid., p.54).

Thinking specifically about the forms of structural domination that occur within labour markets, Alex Gourevitch has provided a comprehensive analysis of the nineteenth century American ‘labor republican’ tradition, arguing that a distinct conception of structural domination can be identified within it.

This more expansive understanding of domination emerged from a specific historical debate around how to universalise freedom (Gourevitch, 2015, p.14). This need to universalise republican liberty arose due to what Gourevitch calls “the paradox of slavery and freedom” (ibid., p.19). As we saw above, republican thinkers have often defined liberty in contrast to slavery (e.g., Pettit, 1997a, p.22). However, this does not mean that republicans have always been critical of actually existing systems of slavery. Indeed, Gourevitch has shown how classical republicans often presupposed slavery as a necessary means of protecting the liberty of citizens. For example, slavery was thought to be a stabilising feature of the ancient Greek and Roman republics, with freedom considered a privilege for some, not a right for all (ibid., pp.23-30).

However, Gourevitch has shown that when republican ideas were revived in the new context of the early American republic, these classical attitudes towards slavery clashed with the new, enlightenment principle of human equality. Freedom could not be withheld from any section of society if each individual deserves equal liberty (Gourevitch, 2015, pp.31-32). The early American republic would therefore provide a crucible in which the ideas of freedom and equality would be forged together. Some, including Southern slave-owners, would maintain that republican liberty and the development of virtues for republican citizenship required slavery. Others, however, would attempt to universalise republican liberty by abandoning slavery and shaping an ideal of free labour (ibid., p32; pp.36-37).

One group were those Gourevitch terms ‘laissez-faire republicans’, who argued that so long as labour was entered into through a voluntary contract it would be consistent with free labour and thus allow all workers to enjoy republican liberty (Gourevitch, 2015, p.43). So long as workers were not forced to work for a particular employer,

they would not become subject to a dominating will (ibid., p.47). The legal self-ownership, and the ability to freely exit an employment contract guaranteed by the abolition of chattel-slavery was believed to provide sufficient protection from domination as no wage-labourer would be dependent on the will of their employer - each worker could negotiate the terms of their employment contract and voluntarily accept or decline it.

In contrast to these laissez-faire republicans, the labor republicans would argue that this kind of wage-labour was fundamentally in conflict with the ideal of universalising republican liberty. Gourevitch has shown how this labor republicanism was concentrated around, though not unique to, the political organisation known as the Knights of Labor, and in particular the central figures of Terence Powderly, George McNeill, William H. Sylvis, and Ira Steward (Gourevitch, 2013, p.594). As Gourevitch shows, these labor republicans of nineteenth century America reinterpreted the classical aversion to slavery, with specific reference to key republican thinkers such as Algernon Sidney, to distinguish “the condition of subjection from its original defining instance - chattel slavery” (ibid., 2015, p.103). Slavery may have been legally abolished after the Civil War, but in the mass wage-labour of the industrial revolution labor republicans identified a new form of dominating, unfree labour.

The labor republicans highlighted three distinct ‘moments’ of domination encountered by wage-labourers. Taking these in reverse order, the third moment of domination encapsulates the domination that occurs within the workplace itself. As Gourevitch states, “a contract necessarily involved subjection of the worker to the employer regardless of how that employer then used his power...to labor republicans, the whole point of the contract was that the worker had consented to evacuate his will, to suspend its exercise for the period of employment” (Gourevitch, 2015, pp.112-113). Labor republicans railed against this third moment of domination by protesting against the overbearing and capricious uses of power by employers in the workplace. These included employers arbitrarily deducting wages, abolishing lunch breaks, as well as sexually harassing workers (ibid., pp.111-114). Not only were workers compelled to sell their labour for less value than it created, but they were also subject to the daily whims of employers.

The second moment of domination describes how particular employers are able to exploit a worker’s structural disadvantage in order to arbitrarily extract as much value as they see fit (Gourevitch, 2015, p.110). As Gourevitch summarises, “The more extreme the economic need and the greater the competition among workers, the greater the latter’s dependence on an employer. The more intense the dependence, the more the employer could impose his will on the terms to which a worker consented” (ibid., p.111). Importantly, this suggested to labor republicans that merely regulating wage-labour, for example through the imposition of maximum working hour legislation, would only ever reduce the range of employers’ arbitrary powers - not abolish them tout court (ibid., pp.110-111). For example, an employer may be legally required to pay you no less than x, but it remains dependent on their arbitrary will how much more than x you are paid.

However, most importantly for our purposes here, Gourevitch describes the first moment of domination experienced by wage-labourers as a structural form of domination. Here he points to the consistent idea shared by labor republicans that workers were compelled to sell their labour regardless of whether the contract was voluntary. Given unequal property distributions, workers are forced to sell their labour or otherwise starve. Removing the choice to withhold their labour from the market undermines the laissez-faire republican argument that workers have a property right to their labour and thus can wield it freely (Gourevitch, 2015, pp.106-107). Because the distribution of property was intentionally protected and upheld by all property owners and employers, workers were effectively dominated by this entire class. Regardless of any particular worker's ability to choose a particular employer, that worker was nonetheless forced to sell her labour to one employer or another (ibid., pp.108-109; 2013, p.602).

To be clear, labor republicans did not claim that nineteenth century wage-labourers were forced to work in the same way as the bonded slaves of the antebellum South. They recognised that wage-labour offered some opportunities for independence that were not available to chattel slaves, and that wage-labour could, in some cases, provide people with the means to become independent property owners themselves. However, they were clear that the majority of propertyless workers were made dependent by their need to earn wages from someone else. "They were free to "give themselves a master," but they could not choose not to have one" (Gourevitch, 2015, p.109). As a result, all workers are effectively dominated by the "many masters" (Gourevitch, 2013, p.602) whose contribution to a system of unequal property compels them to sell their labour to one employer or another. For Gourevitch this means that structures, such as the property system "can be a source of domination" (ibid., p.607).

Gourevitch is clear he is not claiming that "a *structure* can have intentions or doing [sic] the dominating, but rather there are dominating *agents* who dominate by creating certain structures through intentional actions" (2013, p.606). In this sense, then, Gourevitch's account of structural domination does differ significantly from that offered by Pettit. For Pettit, structures underpin a particular agent's ability to dominate. For Gourevitch, various agents dominate by virtue of their ability to produce and maintain forms of structural constraint. Structures *mediate* the collective dominating power of diverse, diffuse agents who may never have any actual personal interaction with the dominated individuals. This makes the "structural domination" identified by Gourevitch appear anonymous or impersonal. It is experienced by the dominated as a relationship between themselves and a structure, rather than between themselves and a particular, identifiable powerful agent.

Gourevitch, then, provides one detailed account of how structural domination is encountered by all workers within the capitalist labour market. However, the case of precarious work shows that this is just one form that structural domination can take. Indeed, precarious working arrangements can be seen to generate a distinct form of structural domination that helps illuminate further the shapes that domination can take within the labour market.

As we saw in Chapter 2, precarious working arrangements can make individuals vulnerable to a wide hinterland of agents beyond the confines of a particular employment relationship. For example, we have seen how some precarious workers become dependent on potentially arbitrary feedback of customers in order to keep their job. This has led to some precarious workers adopting methods designed to curry favour with customers and cultivate higher feedback ratings (cf. Knight, 2016). Recall Alex Wood's observation that "customers, rather than managers, are [...] the ones who must be pleased, whose orders must be followed, whose ideas, whims and desires appear to dictate how work is performed" (2019, p.3).

But precarious working arrangements also create additional forms of dependency beyond the immediate sphere of working life. Indeed, we have seen the unpredictability of income associated with precarious work can make workers dependent on the goodwill of landlords, payday lenders, family members, or the bureaucracy of the welfare state. Recall, for example, the research by Citizens Advice that found that, in Britain, those with volatile incomes are five times more likely to turn to high-cost credit services, potentially leading to unsustainable levels of personal debt (Citizens Advice, 2018). And we have seen how these multiple additional forms of dependence made pertinent by precarious working arrangements contribute to a 'precarity trap', creating a vicious cycle by which workers become increasingly dependent on the precarious work that in turn places them at the mercy of manifold other agents.

These additional forms of dependency can each be viewed as potential forms of interpersonal domination. Should they arise, the precarious worker will be subject to the capacity for the landlord, payday lender, or whoever, to interfere arbitrarily at will and with impunity. Precarious work, then, can be seen to make individuals vulnerable to a wide cast of "many masters" waiting in the wings to dominate them.

However, we can also see that precarious workers are vulnerable to a distinct form of *structural* interference or constraint that precedes these further instances of interpersonal domination. Indeed, this structural capacity for constraint pertains even if a particular precarious worker is able, by luck or happenstance, to avoid falling into any particular forms of interpersonal domination beyond the workplace. This is the constraint of the 'precarity trap' itself, locking individuals in a cycle of dependency on the job that generates their social vulnerability.

We can illustrate this with a hypothetical example. Amy is employed on a zero-hours contract, and as a result is vulnerable to fluctuations in her working patterns and income with little or no notice. It is entirely possible that Amy experiences no adverse consequences as a result of her precarious working arrangement – she may be lucky enough to maintain something like a regular pattern of work, successfully plan her own life and manage her finances accordingly. But inherent to her position within a precarious system of work relations is the potential that Amy may, suddenly and unpredictably, experience significant interference in her ability to make a living. For example, her employer, Brenda, may decide, for whatever reason (be it entrepreneurial or personal) that she no longer wants to pay Amy the hourly wage she is currently receiving; that she no longer wants Amy to work as many shifts as she presently does;

that she no longer wants to hire Amy at all. That Amy is dominated by Brenda, in the interpersonal way that is standardly understood by contemporary republicans such as Pettit is, I hope, clear.

However, also immanent to Amy's position is the potential that her insecure working arrangements will place her in positions of dependence on a wide array of other actors. For example, as a result of the sudden disruption to her income, Amy may become dependent on the goodwill of her partner Charlie to help her financially for the duration that she is unable to make ends meet through her own work. This places Amy in a vulnerable position relative to Charlie, who may now have the capacity to make demands of Amy in exchange for continued financial support. She may fall dependent on her landlord, Deborah, hoping that leniency may be shown when she is late with the rent. She may become dependent on Emma, the payday lender, who, recognising Amy's vulnerable position, is able to charge her extortionate levels of interest in exchange for short-term credit. Again, if any of these subsequent forms of interpersonal relationships arise, republicans such as Pettit would view them as typical examples of domination.

The immanent potential of these subsequent forms of interpersonal domination, however, generates a specific power dynamic that has the potential to constrain Amy, even if she happens to actually avoid falling into any of these secondary dominating relationships. Their potential alone is enough to exert a controlling influence on Amy's freedom of choice and action within her working life. The potential of further domination and dependence as a result of economic disruption, perversely, increases Amy's dependence on her precarious job. To the extent that she acknowledges and recognises this dynamic, consciously or unconsciously, she is likely to double down on her efforts to curry favour with her employer, Brenda. She is likely to work harder, and longer, acquiesce to worse conditions, or more intense performance targets. The pressure to do so, importantly, does not come from her *particular interpersonal relationship* with Brenda, but as a result of her *general structural position* within the precarious labour market and the society in which this is situated. The dominating power she experiences, in this instance, is not a property of any particular, identifiable agent, but of the structure as a whole.

Why should this dynamic be conceptualised as structural domination? The constraint associated with the precarity trap does not necessarily represent simple interference. Instead it is the *potential* of this interference that is of concern, whether or not it actually takes place. Again, a particular precarious worker may, by luck or skill, avoid the worst implications of their structural position. But they nevertheless remain structurally vulnerable to the potential of this constraint by virtue of their position within the precarious labour market. As a result, this capacity for constraint is distinctly structural. It is not a property of some particular, identifiable agent. It is a property of the *structure* of precarious work, the social ecosystem that is comprised of the way that working life is organised and governed, and the relation of this work to the wider labour market, economy, and society in which it is situated.

In contrast to Pettit's conception of structural domination, then, the conception of structural domination that is pertinent to the precarious labour market implies an

alternative ontology of power – one that shares more similarity with the feminist tradition of political thought, with its account of women’s structural vulnerability, than it does with Pettit’s republicanism.

Power, or the capacity to bring about effects (Morriss, 2002), can be conceptualised in a number of ways within social theory. Firstly, it can be described, broadly, as a uniquely agential property. For example, Robert Dahl has described power as a resource that one agent can wield against another: “A has power over *B* to the extent that he can get *B* to do something that *B* would not otherwise do” (1957, pp.202-203). More recently, Steven Lukes has reconfirmed this agent-centred understanding of power, arguing that, “When specifiable individual or collective actors, separately or together, by acting or not acting, can make a difference (and thus be held accountable), it becomes appropriate to use the language of power” (Hayward and Lukes, 2008, p.8). In this sense, power is a property that some powerful agent/s can wield over others, either intentionally or unintentionally, through action and inaction. Crucially, on this view of power, there will always be some particular agent whom we can hold responsible for the effects that their exercise of power (or lack of it) impose on the actions of the powerless.

To the extent that Pettit adopts a structural ontology of power in his account of domination, it remains what Hayward would describe as a structural account of “Power-with-a-Face” (1998, p.6).

“A’s power depends not only on the powers she has as an agent capable of choice and in individual with personal abilities and desires, but also on her social powers, or those differential capacities for action and dispositions to act that derive from her participation, with *B*, in a relatively enduring relationship” (ibid., p.7)

In other words, although, Pettit recognises the role of social structures in empowering certain agents to wield a capacity to arbitrarily interfere in the lives of others, the account of power relations still focuses on the relationships between particular, identifiable powerful and powerless agents (cf., Hayward, 1998, p.8).

Others, however, have attempted to articulate “structural” accounts of power, where power is not restricted to specific instances of one agent affecting the actions of another. In this sense, one “structural” account of power might involve focusing on the social power agents can draw on as a consequence of their social position. Such an account, for example, could help explain why teachers wield power over their students. This is a social form of power that teachers hold regardless of which particular individual occupies the structural position of ‘teacher’ (for example, Isaac, 1987). However, such an account retains an ontology of power that ultimately describes one agent exercising power over another. Others, however, have attempted to “de-face” power (Hayward, 1998, p.9) by emphasising the way in which structures themselves can constrain human action.

This is not to say that social structures completely determine individuals’ actions. A more plausible view is that structures are at once the constructs of human agency, whilst simultaneously providing the context in which agency is exercised (e.g. Sewell, 1992, p.4; Giddens, 1993, pp.133-134). As Iris Marion Young describes, structures

are “the accumulated outcomes of the actions of the masses of individuals enacting their own projects, often uncoordinated with many others. The combination of actions affects the conditions of the actions of others, often producing outcomes not intended by any of the participating agents” (2011, pp.62-63).

As we saw in the section on feminism in the previous chapter, one of these outcomes might be to “canalise” the range of actions, or limit the “Fields of Social Possibility” available to people in certain structural positions (Haslanger, 2016, p.123; Hayward, 1998, p.12). In other words, the form and range of possible action is shaped, in some contexts, by the social position people occupy. Social boundaries, such as rules, laws, and norms “limit what they can do and what they can be. As agents act and interact within structural limits, they develop expectations about what it is that one does, and what it is that one ought to do, in particular contexts” (Hayward and Lukes, 2008, p.14). For example, we might think of the ways in which women are systematically disadvantaged economically relative to men. Given the structural constraints of gender relations and a system of wage-labour that generally distributes a higher income to men than women, it is predictable that even women in egalitarian heterosexual relationships will take on a child-rearing role and depend on their more highly-remunerated male partner to provide for the family financially (Okin, 1989; Cudd, 2006; Haslanger 2016). Given the structural position of women, “it is rational for them to choose options that keep them subordinate”, moreover “those whose choices are similarly constrained will tend to act in similar ways” (Haslanger, 2016, p.124). Although women have agency in this system, forms of structural constraint will make certain courses of action unduly costly or seemingly impossible. Their actions therefore become constrained and predictable, and can serve to reinforce and reproduce the original source of structural constraint.

Importantly, this constraint is an epiphenomenal or emergent property of our social relations, and not causally linked to any specific inter-agential relationship. As Clarissa Hayward argues, “These overall patterns are unintended. They are the result of “various agents pursuing their respective interests.” They are not caused by the choices and actions of morally responsible “bad men”” (ibid. p.17).

The potential for a similar form of structural constraint immanent to the system of precarious working arrangements operates in a similar way, emerging as a consequence of various agents pursuing their interests over time. Employers seek flexible labour to meet the fluctuating demands of the market. Workers accept the offer of work to make ends meet. Payday lenders, and others seek to take profit from those whose working arrangements make them both likely to need a short-term loan to fill gaps in income, and unable to attain credit elsewhere. And so on.

As a result of their structural position in this system, precarious workers are vulnerable to falling in to this precarity trap; a trap that simultaneously intensifies their dependency on the job and the dominating employer they work for, and places them at the mercy of manifold other agents in society. To the extent that this capacity for interference in their lives remains unacknowledged or unactualized, we can see that the structural domination operates as something akin to the invigilation Pettit highlights in cases of interpersonal domination. Although the dominated agent may

not have yet experienced the harshest consequences of their dominated status, they remain dominated by virtue of their vulnerable relationship to the structure of the precarious labour market.

To the extent that this capacity for interference is acknowledged or actualised, we can view the structural domination as operating more as a form of intimidation or inhibition. This is most visible in the stress and anxiety faced by those in the precarity trap. The ever-present need to self-improve and self-promote, to sell yourself, to refine your personality, network relentlessly and spend leisure time gaining skills in order to set yourself apart from others and increase your value in the precarious labour market (Standing, 2011, p.122). To 'go the extra mile', 'wear a smile' and wait by the phone ready to work as soon as they are required. This is the phenomenon that James Chamberlain has described as "The Construction of the Flexible Worker". This is a "subtle" form of domination that creates "subjects more committed than ever to devoting their energies to the demands of work by adaptability and a spirit of self-entrepreneurialism" (Chamberlain, 2015, p.97; p.92). The potential costs of nonconformity (or rewards for conformity), mean it is predictable that, to a large extent, those within this structural position will feel the need to "stick to the script" (Hayward and Lukes, 2008, p.15). It is entirely in their interest to do so. The alternative is unemployment, poverty, or destitution.

However, it can be argued that the concept of domination should be *essentially* limited to describing *interpersonal* unfreedom. That domination requires a *dominus*, an agent (individual or corporate) that we can hold directly responsible for their exercise of dominating arbitrary power over another agent. For example, Sharon Krause has argued that "Domination, as Pettit conceives it, requires a conscious capacity for control on the part of the dominant party, whereas much of the racism and sexism and other cultural biases that currently constrain the life-chances of members of subordinate groups in the USA are largely unconscious and unintentional, and they do not always involve control" (2013, p.188). Krause agrees that these unconscious and unintentional constraints represent a form of unfreedom, she argues, because they deny agency to individuals, preventing them from acting effectively in the world or present a stable identity of their choosing (ibid., p.200). However, she argues that this should be conceptualised as compromising a second form of freedom, separate from the republican concept of freedom as non-domination, freedom as non-oppression.

Unlike the oppression described by Krause, the structural constraint associated with precarious work should be conceptualised as a form of *dominating*, alien control. Although there is no particular *dominus* in this instance, the precarious worker is nonetheless vulnerable to potential, structural interference as a result of their structural position. This interference is arbitrary to the extent that workers have little chance (or power) to effectively shape, resist, or authorise the structural constraint that binds them (cf. Coffee, 2015, p.54). By claiming that this structural constraint is arbitrary is not to imply that structures have some independent will. Any actual interference associated with this structural domination will be exercised by agents. Indeed, precarious workers are placed in the perverse position where self-interest dictates that they acquiesce to this vicious cycle of dependency, or face even worse consequences.

In other words, such structural constraint often means that precarious workers are implicated in their own domination.

So, to summarise, precarious working arrangements generate multiple, distinct forms of domination. The dominating power of the employer is integral to precarious work, where all precarious workers are vulnerable to the capacity for their employer to exercise extraordinary levels of discretionary interference in their lives. Precarious working arrangements also expose workers to multiple further forms of potential domination, whereby they are vulnerable to falling under the power of some other powerful agent as a result of their vulnerable social and economic status. A further, distinctly *structural* form of domination is generated as a result of workers' vulnerable social position. This structural form of domination manifests in the 'precarity trap', the vicious cycle of vulnerability and dependency that constrains the opportunity for precarious workers to break out of their situation. Collectively, these forms of domination compromise the freedom of precarious workers, preventing them from living an independent life of their own.

Conclusion: The political significance of precarious work.

The republican-inspired analysis in this chapter shows precarious working arrangements to be politically significant due to the multiple, distinct forms of dominating power they generate, power that compromises the free status of precarious workers and their ability to live an independent life of their own, both within the immediate confines of the workplace and in wider life. Indeed, were these forms of domination absent, such work could no longer be defined as precarious. Without the extraordinary levels of discretionary power that allow employers to demand, deny, or discontinue work at little or no notice, work would be more secure, stable, and less dominating.

This domination-based approach captures the political significance of precarious work in a way that is more successful and more satisfactory than the alternative approaches considered in the previous chapter, whilst also complementing many of the valuable insights that these alternative approaches offered.

As with the libertarian approach sketched in the previous chapter, the republican approach to precarious work takes seriously the importance of individual freedom within working life. However, in contrast to the libertarian approach, the republican approach illuminates the important threats to liberty that can arise after the employment contract has been signed. Like the Marxist and feminist approaches, the republican approach considers work and the employment relationship as more than a legitimate *product* of uncoerced, free exchange – it is a *context* for politically significant power dynamics, regardless of how these came into being. Where libertarian thinkers such as Tomasi view state interference in the affairs of sovereign economic agents as representing the central threat to freedom, the republican approach outlined here highlights the extent to which work and employment relationships can be the site of dominating arbitrary power that compromises the ability for individuals to live independent lives of their own.

Indeed, republicans such as Pettit have argued that the introduction of a conception of freedom as non-interference in the eighteenth century was a historically contingent act

designed to further the interests of the burgeoning commercial class (for example, 1993, p.15; p.34). By reconceiving freedom as non-interference rather than non-domination, early liberals could legitimise a more *laissez-faire* economics and deregulation of trade by the state, while also presenting a form of freedom that could be universalised without the need for a radical reshaping of the position of powerless groups in society such as women and servants (Pettit, 1997b, pp.67-73). This impulse is echoed in the apolitical status of the employer in contemporary libertarian analyses of work, and in the defences of precarious working arrangements that have entered popular discourse thanks to those such as Travis Kalanick who have sought to emphasise the supposed ‘freedom’ and ‘choice’ available to precarious workers. Such accounts fail to consider the dominating power of the individual or firm that hires workers on precarious terms, and who enjoys, as a result, the capacity to inflict significant interference by demanding, denying, or discontinuing work, or otherwise disrupting the ability of their workforce to earn an income and make ends meet.

Crucially, such power is deleterious to liberty regardless of whether the circumstances are the result of seemingly voluntary market exchange, and regardless of whether or not any actual interference takes place. Freedom is compromised, for republicans, when individuals live under the shadow of potential interference as well as when this capacity of interference is actually exercised against them. For republicans, the power available to employers within the precarious labour market is not benign or uncontroversial, it is a politically significant threat to individual liberty. Reclaiming the vocabulary of individual liberty from free market libertarians is a crucial step towards not only understanding the significance of precarious work, but also challenging its presence in contemporary society.

In contrast to liberal egalitarian approaches to precarious work, the republican approach remains largely ambivalent to the *content* of people’s work or the extent to which this content aligns with particular liberal ideals such as flourishing, autonomy, or self-respect³². For republicans, the pertinent question is not whether working life is meaningful or not, but whether it is *free*. As we saw in the previous chapter, whilst some cases of precarious work may undermine the ability of workers to realise these liberal values, there is nothing about precarious work in and of itself that means that the actual work activity cannot be complex, varied, and self-directed to an extent that could be described as meaningful. Viewed through a republican lens of freedom as non-domination, however, we can see that, regardless of the nature of the work activity, where work is organised and governed on precarious terms it will always offend against individual liberty due to the extraordinary levels of discretionary power this extends to employers. In other words, precarious work, even if it is in some cases subjectively meaningful, is always necessarily and inherently dominating.

³² However, it is likely that subjection to domination in working life will significantly harm the self-respect of precarious workers. For example, Nien-hê Hsieh has argued that without protection from arbitrary interference at work, “it is difficult to understand how individuals will be able to advance their ends with self-confidence, and perhaps even maintain a sense of self-respect” (2005, p.125). Allowing individuals to occupy a position of vulnerability to arbitrary interference, Hsieh suggests, “is to treat an individual as lacking in standing or in worth. It is the absence of treating another individual with respect...It is difficult to imagine situations more damaging to developing a sense of self-worth and self-confidence than to be in such a position” (ibid.).

In common with the Marxist approach to precarious work, the republican approach acknowledges the sphere of work as a distinct sphere of social power, and in particular the problematic forms of discretionary power that employers enjoy over their workers in capitalist labour markets. However, in contrast to the Marxist approach, the republican approach allows for a more precise analysis of the specific, distinct power dynamics at play in various forms of capitalist employment.

According to a Marxist approach, precarious work alienates and dehumanises workers, and subjects them to the power of the capitalist class. But this is the case for *all wage labour* under capitalism. At best, precarious work in the contemporary labour market may be a particularly intense or vivid example of capitalism's defects, but beyond this a Marxist approach does not provide the conceptual resources with which to understand what is distinct about precarious work compared with more typical, and formally permanent, employment. The republican account, on the other hand, allows us to do just this. It allows us to emphasise the *particular and distinct* power-dynamics associated with precarious working arrangements, and the specific forms of domination these generate. This is not necessarily to disagree with the overall Marxist diagnoses of economic relations under capitalism. Nevertheless, the more nuanced republican approach allows us, within the non-ideal circumstances of actually-existing capitalism to discern between different variants of capitalist employment.

Finally, when compared to the feminist approach, the republican approach, again, provides greater scope for a more nuanced analysis of the *distinct* political significance of precarious work. This is not to discount the feminist analysis of women's structural vulnerability in the labour market – indeed, we have seen that women are *particularly* affected by precarious work in the contemporary labour market – however, a republican approach allows us to articulate the specific power-dynamics associated with precarious working arrangements. According to the feminist analysis precarious working arrangements are a product of, and context for, patriarchal gender relations. But this is the case for *all work* in a patriarchal system. The republican analysis allows us to identify how precarious work is *particularly* politically significant as a threat to freedom as non-domination. Indeed, this allows us to say something more specific about the status of women in the labour market. If women are disadvantaged by a labour market structured by patriarchal gender relations, they are *particularly* disadvantaged by a labour market that disproportionately subjects them to the distinct domination of precarious work.

We have also seen how the republican approach can embrace the feminist account of structural vulnerability and articulate the extent to which such vulnerability can expose individuals to structural forms of domination. In this way, the insights of the feminist tradition of political thought can supplement the republican conceptual vocabulary of freedom as non-domination to more thoroughly comprehend the ways in which precarious working arrangements compromise individual liberty. It is in articulating these distinct forms of domination, both interpersonal and structural, that the republican theory of precarious work is able to capture the political significance of such working arrangements most clearly.

Introduction.

In the previous chapter, I showed how the republican concept of domination allows us to illuminate the political significance of precarious work in the contemporary labour market. By exposing individuals to specific forms of dominating interpersonal and structural power, precarious work should be viewed as a serious threat to the liberty of those subject to it. If this is the case, then opposition to precarious working arrangements, and the domination generated by them, should be embedded within the wider republican political programme; a programme that seeks to practically advance freedom as non-domination throughout society. In this chapter, I will evaluate what shape this opposition could take by exploring practical ways to regulate, restructure, and remedy the precarious labour market, and assessing the capacity of these policy solutions to combat domination.

In the first part of this chapter I will explore the political programme associated with the republican tradition of political thought; the practical policies and institutional regimes through which republicans attempt to promote the value of freedom as non-domination. I will show how the historical republican aversion to political domination by autocratic monarchs has broadened into a political project that aims to eradicate sources of domination in all spheres of social life. I will then show how Philip Pettit has provided the clearest articulation of how the political pursuit of non-domination could be realised and institutionalised in contemporary societies. In particular, I will explore Pettit's idea of *antipower*, - the legally and institutionally supported capacity to repel and neutralise dominating power (cf. Pettit, 1996, p.589) - as well as the specific forms that this could take.

I will then consider how this kind of antipower could be institutionally constituted in order to counter the specific forms of domination that have been identified within the precarious labour market. In part two of this chapter I will consider the extent to which robust labour laws and market regulation could help guard individuals against domination. Part three will consider potential 'exit'-based forms of antipower, that is the means by which individuals can effectively withdraw from situations of domination. In particular I evaluate the protection against domination that can be offered through suitable welfare state provisions or, more ambitiously, via a so-called universal basic income. Finally, in part four, I will consider how providing precarious workers with a robust, contestatory, voice can help to counteract their vulnerability to domination. Here I will suggest that a renaissance in trade unionism represents a particularly promising strategy for promoting this form of antipower within the contemporary labour market.

I will not suggest here that there is one specific policy proposal that can offer sufficient and flawless protection against domination. Rather, the conclusion of this chapter points towards a *combination* of these strategies as representing the strongest bulwark against domination, even if it is not certain that this domination can be completely and

immediately eradicated. This combination of institutional measures, I suggest, would represent (at least) the foundations of a republic that is economic as well as political.

It is also important to note here that the proposals offered in this section are intended to be *transitional* towards achieving freedom as non-domination. That is, they are offered as more immediate, though potentially (often, probably) imperfect, responses to the domination associated with precarious work. They are offered as proposals that, after taking into account the constraints of actually-existing political and social reality, could be considered reasonably achievable. That is not to say that more ambitious, and radical solutions to domination in the labour market (for example, the replacement of capitalist wage-labour with the cooperative ownership and control of economic enterprises (cf. Gourevitch, 2015)), are neither desirable or necessary. Rather, the point here is to, taking into account the present political weakness of labour relative to capital, offer modest, though nevertheless significant and effective, protections against domination that could be more or less achievable in the short-term.

However, insofar as the proposals put forward in this chapter are intended to be realistically attainable, they should not be viewed as conservative, unimaginative, or backward-looking. It is true that regulatory law, welfare states, and trade unions already exist, in some form or another, and have arisen as a result of resistance to particular past injustices in the labour market. Nevertheless, I do not mean to suggest that the problem of precarious work in the twenty-first century can be solved by returning to a perceived golden age of employment in the Europe of the mid-twentieth century, when social democratic policies helped make employment secure, welfare states generous, and trade union power robust. As with all forms of nostalgia, it is unlikely that such a golden age ever truly existed (cf. Barbier, 2002, p.28; Ettliger, 2007, p.322). But more importantly, any political response to contemporary precarious work must be sensitive to the specific contours of contemporary political and economic reality and the specific challenges of our age. As I will argue in this chapter, labour regulation, welfare state policies, and trade unions must all respond to contemporary precarious work in innovative ways in order to effectively begin addressing the specific forms of domination that such work creates.

The republican political programme.

In the previous chapter I introduced the republican tradition of political thought, and unpacked its central value of freedom as non-domination. But how can this value be realised practically? Here I will show how republican theorists have sought to embed freedom as non-domination within a political community, a *republic*, that is appropriately structured in order to provide citizens with effective legal and institutional defences against dominating power. In this way, the free status associated with republican liberty must always be “institutionally constituted” (Pettit, 1997a, p.106), that is, non-domination arises only where appropriate social and political institutions are in place.

As Quentin Skinner explains in his *Liberty Before Liberalism*, republicans have classically held that “it is only possible to be free in a free state” (2012, p.60). In other words, the enjoyment of republican liberty, as an intersubjective civil and political status, is directly correlated to the way that social and political institutions are

constituted within a state. Historically this idea has most clearly manifested in the republican aversion to the arbitrary power wielded by autocratic monarchs. For example, Skinner points to James Harrington's archetypal seventeenth-century republican critique of monarchical domination. Under the rule of a sultan, Harrington argues, any citizen of Constantinople is "merely a tenant of his head liable to lose it as soon as he speaks or acts in such a way as to cause the sultan offence" (ibid., p.86; cf. Harrington, 1992, p.20). Vulnerability to the discretionary will of an absolute monarch is incompatible with the civil and political liberty of republican citizenship.

In order to possess freedom as non-domination, then, republican citizens require institutional protections from the potential misuse of political power. This power must be made *non-arbitrary*. Again, contemporary republican scholars often point to Harrington as representatively capturing the idea that republican liberty rests on the establishment of a political system that constitutes "an empire of laws and not of men" (Harrington, 1992, p.8; cf. Pettit, 1997a, p.20; Skinner, 2012, p.75; etc.). In other words, in order to enjoy republican liberty, you must live in a state where everyone is equally bound by the fair and consistent rule of law, reducing the tyrannical potential of one's civil and political rights becoming dependent on the goodwill of some powerful ruler. Only under such a rule of law can one enjoy the intersubjective status of free citizen. As Skinner summarises:

"you must ensure that you live under a political system in which there is no element of discretionary power, and hence no possibility that your civil rights will be dependent on the goodwill of a ruler, a ruling group, or any other agent of the state. You must live, in other words, under a system in which the sole power of making laws remains with the people or their accredited representatives, and in which all individual members of the body politic - rulers and citizens alike - remain equally subject to whatever laws they choose to impose upon themselves" (2012, p.74)

Crucially, republicans do not view this rule of law as representing a source of unfreedom in and of itself. Although laws will by their very nature constrain the range of action and choice available to people, by inhibiting the potential for state domination and by not representing a source of arbitrary power in and of itself, the law can be entirely consistent with republican freedom as non-domination. More than this, as we saw in the previous chapter, it can in fact be *constitutive* of one's republican liberty. For republicans, liberty is "liberty-by-the-law" (Pettit, 1993, p.32), not from-the-law.

Although historically the republican tradition has predominantly been concerned with the kinds of political institutions that will protect the political liberty of a small number of (usually) wealthy, (usually) male citizens (cf. Pettit, 1997a, pp.95-96), modern and contemporary thinkers, taking inspiration from this tradition, have sought to universalise republican liberty and eradicate all forms of dominating power, in social as well as political life. Domination by the state and those in political power remains a crucial threat to liberty, but domination can also arise as a result of the social power inequalities associated with race, gender, economic class, and so on (cf. Laborde 2008; Coffee, 2015; Gourevitch, 2015; etc.). In other words, we should recognise that republican freedom is not only secured through the formal, political constitution of a

free state, but also by the legal, institutional, and social foundations of free *society* (cf. Gourevitch, 2011, p.432).

Among contemporary republican thought, the clearest and most developed articulation of the kinds of legal and institutional architecture required for the maintenance of republican freedom in contemporary society has been offered by Philip Pettit. In particular, Pettit's 1996 article, "Freedom as Antipower" provides a concise description of the way republican liberty can be protected through the legal and institutional generation of *antipower*. Pettit explains, "[a]ntipower is what comes into being as the power of some over others – the power of some over others in the sense associated with domination – is actively reduced and eliminated" (1996, p.588). It consists in the capacity to reliably expect freedom from arbitrary interference – not through some accident, luck, or skill – but through a legally and institutionally constituted ability to counter and repel potential domination. Where antipower is present, the powerful are prevented from interfering arbitrarily, at will or with impunity (ibid., pp.588-590). In this respect, the power of the powerful is not *supplanted*, rather those at risk of potential domination are fortified and empowered in a way that checks, and ultimately disarms, the social and political resources that could enable those in positions of power to dominate others.

Pettit argues that this kind of antipower could be promoted through three kinds of social and political institutions: (i) protective institutions; (ii) regulatory institutions; and (iii) empowering institutions.

By 'protective institutions', Pettit, echoing the classical republican trope of the 'empire of laws', points us towards the importance of a fair, and nonvoluntaristic, system of law (1996, p.590). In particular, Pettit shows how the rule of law associated with the criminal justice system can protect individuals against domination by acting as a deterrent against the imperious exercise of arbitrary power. Should interference be exercised in disregard of the law, the criminal justice system will reliably oppose and rectify this injustice (ibid.). The rule of law therefore protects individuals from domination by disarming the capacity to interfere arbitrarily that would otherwise be held by powerful agents in society. For example, those with superior strength, in the absence of a suitable legal system, would be able to dominate others with impunity. The presence of a fair rule of law provides citizens with the confidence to pursue their own lives, content that any such arbitrary power could not be used against them without robust and effective rebuke by the state.

Related to these rule-of-law constraints on the potential for domination, 'regulatory institutions' can further curtail the potential for powerful actors to interfere in the lives of others at will and with impunity. For example, the potential for political domination can be defused through regular democratic elections and institutionally-enforced separation of powers (Pettit, 1996, p.591). Crucially, among these antipower-promoting 'regulatory institutions', Pettit also considers the kinds of regulatory measures that can be taken against economically-powerful actors. For example, "regulations against unfair dismissal, the employment of children, and dangerous working conditions; against monopoly power and misleading representation; against insider trading and inadequate accounting; and so on" (ibid.). These kinds of market

regulations limit the extent to which economically-advantaged agents, including employers, can wield power in a way that undermines the freedom of others.

‘Empowering institutions’ encompass those institutions that actively provide individuals with the capacity to resist dominating power. Here Pettit particularly emphasises the importance of welfare-state institutions, such as “universal education and universal access to culturally important services like transportation and communication” as well as “measures like social security, medical care, accident insurance, and legal aid” (1996, pp.591-592). Such institutions, he argues, provide individuals with capabilities to challenge potential dominators and prevent social vulnerabilities, such as ill health or unemployment, leaving them open to exploitation.

In addition to these formal, legal vehicles for promoting antipower, Pettit also argues that the more informal social institutions, such as those associated with a vibrant civil society, can also provide the protection, regulation, and empowerment necessary to limit the potential for domination. This could include normalised forms of social rebuke against dominating behaviour, or the effect of organisations such as “trade unions, consumer movements, prisoners' rights organizations, environmental movements, women's groups, [and] civil liberties associations” (Pettit, 1996, p.592). For Pettit, “competitive market forces” (ibid.) can also promote a form of antipower. I will challenge this particular assumption later in this chapter. For now, I simply want to emphasise that the republican political aim is to support institutions that prevent agents maintaining an unquestioned capacity to interfere with others on an arbitrary basis and with impunity. Institutions that can successfully achieve this aim should be viewed as centrally important features in the construction of a republican society.

In later work, Pettit has emphasised the development of a further institutional strategy for promoting this kind of antipower within a republic: contestatory democracy (e.g. 1997a, pp.186-187; 1999; 2000; etc.). This describes a layer of institutionalised democratic participation, additional and complementary to existing forms of electoral democracy, that provides citizens with the editorial capacity to challenge the political decisions that will impact their lives in an impartial forum (Pettit, 1999, p.164). This contestatory capability ensures that legislative, administrative, and judicial authorities consider and respect the interests of those their decisions will affect, preventing such authorities from wielding discretionary power in accordance with their own private will (ibid., 1997a, pp.183-184). Importantly, contestation does not mean that citizens have a right to veto unfavourable decisions, only to ensure that these decisions have been made in a procedurally fair and non-arbitrary way, that takes the interests of affected citizens seriously (ibid., p.198). For example, citizens may be upset at the prospect of a new housing development in an area of natural beauty. These citizens may not succeed in over-turning this public planning decision, but contestatory procedures would at least provide them with confidence that the development is being pursued, for example, to meet a shared interest in increasing the stock of public housing, rather than any arbitrary whim, personal animus or casual disregard towards the aggrieved citizens. Pettit suggests this contestatory power could be procedurally established through institutions such as parliamentary committees, formal bureaucratic inquiries, or quasi-judicial tribunals (ibid., p.196). Such bodies would

provide citizens with the institutional means to check public power in order to ensure that it is not used to dominate them.

This vision of contestatory democracy echoes an idea, present throughout the history of republican thought, that the enjoyment of liberty and the ongoing maintenance of the republic is always fragile, indeed, precarious. For this reason, the tradition has emphasised the importance of popular vigilance against the threat of tyrannical domination. As Pettit describes, a recurring theme within republican thought has been that citizens should continuously challenge and scrutinise the decisions and actions of those in power in order to check the potential for corruption – “[t]he price of liberty is eternal vigilance” (1998, pp.308-309).

A particular, and explicitly class-conscious, manifestation of this theme of republican vigilance has been identified within the political thought of Niccolò Machiavelli. John P. McCormick describes how Machiavelli, concerned with the inclination of wealthy elites towards the social and political domination of less powerful citizens, favoured a constitutional model that could provide common citizens with access to class-specific political institutions. Modelled on the plebeian tribunate of the Roman Republic, this would allow citizens to not only constrain the power of socio-political elites, but to proactively influence and more directly *author* political decisions themselves (McCormick, 2011, pp.5-7; p.168)³³. Indeed, in *The Discourses*, Machiavelli emphasises the importance of “tumult” or “discord” between the elites and the general populace for the maintenance of liberty within a republic (2003, p.113). He argues: “every city should provide ways and means whereby the ambitions of the populace may find an outlet...The demands of a free populace...are very seldom harmful to liberty for they are due either to the populace being oppressed, or to the suspicion that it is going to be oppressed” (ibid., pp.114-115).

We can therefore detect a more Machiavellian understanding of how to provide republican citizens with institutionally-constituted antipower in the face of freedom-threatening domination. Citizens should have access to class-specific institutions that allow them to vigilantly challenge, contest, and indeed pre-empt, the dominating potential of powerful agents in their community. By institutionally-embedding an ever-present friction and air of suspicion between these two groups, the powerful will be prevented from exercising discretionary power with impunity as there will be a clear institutional-means for popular sanction against their actions. Simultaneously, such institutions will provide citizens with the power to make sure their interests and ideas are taken seriously when political decisions are made. Taking inspiration from Machiavelli, McCormick has, for example, suggested that this kind of class-conscious antipower could be achieved through the creation of a modern People’s Tribunate. This body would empower randomly selected *nonwealthy* citizens with both legislative powers, as well as various powers to hold elected, invariably wealthy, elites

³³ It should be noted that, while McCormick himself views Machiavelli’s politics as radically distant from the classical republican tradition (cf. 2011, p.168), given that Machiavelli’s central concern is freedom from domination, I have chosen here to consider Machiavelli’s more democratic, and authorial politics as an important *variant* of republicanism.

accountable (McCormick, 2011, pp.183-184). In this way, citizens can be confident that their freedom from elite domination is constitutionally secured.

To summarise, then, the republican political program is focussed on the promotion of antipower, the legally- and institutionally-constituted capacity to repel and disarm the potential for domination. Antipower can be promoted via at least four broad types of political institutions: (i) protective institutions; (ii) regulatory institutions; (iii) empowering institutions; and (iv) contestatory institutions. Where such antipower is generated, citizens will be able to vigilantly guard against potential domination in society, from both public and private sources, and call on the resources of the state to intervene where their freedom from domination is threatened.

As we have seen, promoting antipower through such institutions can be seen to reduce or even eliminate domination, without representing a source of domination in and of itself. Whilst there will be elements of coercion necessary for the establishment of antipower-promoting institutions (for example, coercive raising of public revenues from citizens to fund antipower institutions, or the legal constraint of certain socio-economic activity that is identified as a source of domination), this interference is consistent with those affected individuals' freedom as non-domination. Such interference is transparent, applied consistently (Pettit, 1996, p.590), and located within a system that ensures the interests of each citizen is taken seriously. It is therefore non-arbitrary and thus non-dominating. Although it may limit your range of actions and choices, such interference does not offend against the value of republican liberty. Pettit explains this reasoning with relation to the example of taxation:

“[w]hen a government taxes people under a well-ordered system of law, it need not dominate them, since the interference involved should not be arbitrary; it should be designed to track people's interests according to their ideas. The taxation will restrict the area in which those who are taxed enjoy undominated choice, for it deprives them of certain resources, but that is a much lesser offence than domination itself” (Pettit, 1997a, pp.149-149).

However, I believe we can say more than this. Any interference associated with antipower institutions is non-dominating to the extent that this interference is *constitutive* of an individual's free status. Taxation, and other forms of state interference, is non-dominating when it allows for the establishment of institutions that – like the antibodies in my blood (cf. Pettit, 1997a, p.108) – constitute my immunity to domination. If, for republicans, liberty is liberty-by-the-law, then it is also liberty-by-taxation, liberty-by-regulation, and liberty-by-civic-obligation, provided these are embedded within a suitably democratic and non-arbitrary political context. The associated interference of such institutions is not just a price worth paying for non-domination, it is *emblematic* of my republican liberty and my ability to command the resources of my shared community to protect and respect this status.

Armed with institutionally constituted antipower in this way, citizens will be able to enjoy a status of intersubjective equality with others that comes with freedom as non-domination. As Pettit powerfully describes:

“[T]he enjoyment of non-domination...goes with being able to look the other in the eye, confident in the shared knowledge that it is not by their leave that you

pursue your innocent, non-interfering choices; you pursue those choices, as of publicly recognized right. You do not have to live either in fear of that other, then, or in deference to them. The non-interference you enjoy at the hands of others is not enjoyed by their grace and you do not live at their mercy. You are a somebody in relation to them, not a nobody. You are a person in your own legal and social right” (Pettit, 1997a, p.71).

This ability to walk tall and confidently meet others as equals is the effect of the presence of appropriate antipower institutions within a community. Where citizens are protected and empowered by each other, and where they have the capacity to effectively contest against threats to this status, they are able to enjoy republican freedom.

The republican ideal of non-domination has long informed the political strategies of socialist and labour movements and their criticisms of the capitalist system of wage-labour (cf. Pettit, 1997a, p.143; Gourevitch, 2015; Leipold, 2017; Roberts, 2017). This ideal should again be deployed to underpin resistance to the particular forms of domination associated with precarious work in the contemporary labour market. In the remainder of this chapter I will ask, what kinds of institutions can promote the antipower necessary to counter this domination? I will consider three broad strategies for the promotion of antipower: (i) state regulation, (ii) exit, and (iii) voice³⁴. As we will see, no single strategy offers a magic bullet against all domination that arises within the precarious labour market. However, establishing a legal and institutional framework that embraces a *combination* of these strategies, I argue, would offer individuals the kind of protection and empowerment necessary to significantly limit, if not entirely eradicate, the domination they experience as a result of precarious working arrangements.

State regulation.

As we have already seen, regulatory law, including that which governs employment relationships and the wider economy, forms a significant strand of the contemporary republican political programme. Such regulation can be a tool for republicans where it is used to limit the extent to which powerful agents can use their power to interfere arbitrarily and with impunity in the lives of others. For example, Pettit has explicitly stated that “employment law will play a vital role in defining and protecting important liberties within the context of asymmetrical and potentially troublesome relationships” (2014b, p.139).

This republican rationale appears, indeed, to be integral to the design of suitable labour regulations within our societies. As the sociologist, Alex Wood, remarks:

“labour laws exist to recognise the vulnerable position of employees due to their livelihood being dependent on the person hiring them. This dependency means that the consequences of ending employment are potentially much more severe for the worker (losing their livelihood) than for their employer (having to replace

³⁴ This is not intended as an exhaustive list of potential strategies, but rather, for the sake of parsimony, takes inspiration from the three central strategies considered by Elizabeth Anderson in her article “Equality and Freedom in the Workplace: Recovering Republican Insights” (2015, p.66). This triptych itself can be seen to draw inspiration from Hirschmann’s (1970) *Exit, Voice, and Loyalty* (cf. Anderson, 2015, p.66).

the worker). The asymmetrical nature of this relationship requires special protections, such as minimum wages, so as to limit exploitation” (Wood, 2019, pp.2-3).

The philosopher, Elizabeth Anderson, puts this another way, describing how regulation can subject “the authority of managers to rule of law constraints so as to protect workers against arbitrary rule” (2015, p.67). In this way, state regulation of the economic sphere, and of working life in particular, can be seen as an extension and reinterpretation of Harrington’s classical republican idea that freedom requires “an empire of laws and not of men” (1992, p.8). Rather than allowing powerful economic agents to exercise total discretionary power over others, labour law and market regulation means that they are only able to exercise this power insofar as they do so in line with a nonvoluntaristic rule of law. By reducing the scope and intensity with which employers can exercise power, the vulnerability of their employees to domination can be also be lessened. Indeed, many forms of labour regulation such as minimum wage laws, or workplace health and safety standards already exist to address such vulnerabilities that exist within the labour market (cf. Anderson, 2015, p.48).

If regulation of the labour market, as well as the wider sphere of economic activity, can be viewed as an important form of antipower necessary for the protection of republican liberty from potential domination, what *specific* regulatory measures could republicans deploy in order to counteract the specific forms of domination associated with precarious working arrangements?

The most direct legalistic, regulatory approach that could make work less precarious, and, by extension, less dominating would be to introduce an outright ban on the particular working arrangements associated with precarity. For example, in the United Kingdom there are increasing efforts to ban zero-hours contracts. A commitment to banning these types of contracts was offered in the Labour Party’s 2015, 2017, and 2019 election manifestos (cf. 2015, p.13; 2017, p.47; 2019, p.61), and such a ban has also been vociferously supported by the Trades Union Congress (e.g. Klair, 2018). In the Republic of Ireland, zero-hours contracts have already been banned in almost all circumstances with the passing of the Employment (Miscellaneous Provisions) Act (2018), suggesting that such a ban is not only desirable, but also tangibly achievable within advanced capitalist economies.

Beyond zero-hours contracts, we can also consider the way that national and local governments have introduced bans on particular gig economy firms from operating within their jurisdictions. For example, in September 2017 Transport for London suspended Uber’s license to operate in the city. Although this suspension was justified on the grounds of public safety and security concerns (cf. Transport for London, 2017), it highlights the potential for state regulators to disrupt the business models of firms that profit from precarious working arrangements. By using the law to prevent such firms from operating, the legal framework that permits the normalisation of precarious work can be challenged.

Such bans, far from being a sign of a heavy-handed overreach by the powers of the state that threatens freedom, is entirely compatible with republican liberty, if not actively necessary for its enjoyment. As Pettit argues, “the republican state which

wants to promote non-domination is bound to expect contract law, not just to facilitate voluntary agreements among different agents, but to play a regulative role in disallowing contracts that involve terms under which one party has the possibility of dominating the other” (1997a, p.165). To the extent that we can show that precarious working arrangements generate domination, we are justified on republican grounds to outlaw them.

But outright bans need not be the only regulatory response to precarious work. Indeed, such bans could worsen the situation of precarious workers by causing undue distress. For example, individuals may fear that a ban on a gig economy firm like Uber will mean they lose their (albeit imperfect) source of livelihood completely, or their access to much needed flexible working conditions. Therefore, an alternative regulatory approach could instead see existing labour rights and protections updated, or new legal safeguards introduced, in order to respond dynamically to the changing labour market and the proliferation of precarious working arrangements within it.

Individuals engaged in precarious working arrangements, for example zero-hours contracts, routinely miss out on important employment rights such as sick pay and maternity pay because they are classed as ‘workers’ rather than ‘employees’ (cf. European Parliament, 2016, p.124). One radical response to this problem has been offered by the jurist Andrew Stewart and economist Jim Stanford. They suggest that this regulatory distinction between different categories of worker should be abandoned altogether, and that, instead, protections should be applied universally to all those performing work (Stewart and Stanford, 2017, p.430).

However, as recent tribunal decisions in the United Kingdom have shown, many precariously-employed workers in Britain may actually be missing out on rights, such as minimum wage and holiday pay, that they are *already legally entitled to* as so called “limb (b) workers” (for example, see case of ‘Uber BV & ors v Aslam & ors’, 2018). Such workers do not necessarily need *new* rights extended to them, but should instead have their existing rights extended through the proper enforcement of the nonvoluntaristic rule of law. Rather than allowing employers to obfuscate and sidestep their responsibilities, regulators should ensure that labour regulations are enforced effectively and consistently across the labour market. It is precisely this kind of effective and consistent enforcement of law – such that it represents an ‘empire of law’ – that republicans call for. By extending and enforcing existing rights and protections to all workers, regulators would help rebalance the asymmetrical power dynamics associated with precarious forms of work, where the provision of these rights is currently ceded to the discretion of the individual employer.

In addition to extending existing rights, regulators should also seek to introduce new forms of protection that address some of the more particular vulnerabilities experienced by precarious workers. However, in the United Kingdom, the government’s recent ‘Good Work Plan’ proposes only providing workers with a new right to request a more stable contract (HM Government, 2018). This is both a sideways step, and one that is wholly insufficient. A ‘right to request’ does nothing to redress the discretionary power that is available to employers as a result of precarious working arrangements. Whether the employer accepts the workers request is left

entirely to their own arbitrary will. A ‘right to request’ is no right at all. It entrenches the domination of the worker by the employer rather than eroding it.

Again, in this respect, the Republic of Ireland is ahead of the United Kingdom. Alongside banning zero-hours contracts in the majority of circumstances, the Employment (Miscellaneous Provisions) Act (2018) also grants Irish workers a right to a minimum payment if they turn up for a shift but are sent home by their employer. This legislation also creates a right to guaranteed hours of work that reflect an individual’s normal working patterns. By creating new employment rights in response to the particular vulnerabilities faced by precarious workers, the Irish government has reduced the scope and intensity of dominating power available to employers. Importantly, this legislation does not unnecessarily discourage individuals from freely choosing flexible working arrangements, instead it empowers them to negotiate working arrangements on the basis of their own needs. In this respect at least, Irish workers are no longer dependent on the arbitrary whims of their employers. They are able to secure, by right, regular working hours and streams of income that allow them to plan and pursue their own lives more effectively.

Regulation can therefore be seen to offer a promising source of protection against the domination associated with precarious working arrangements. By banning certain practices or providing legal safeguards to workers, the scope for discretionary employer interference is constrained. Workers need no longer feel forced to wait by the phone to hear if they have been given a shift that day, and will feel less compelled to bend over backwards in order to curry favour with an employer who can grant or withhold work as she sees fit. Crucially, and in contrast with libertarian critiques of state intervention in the market (e.g. Tomasi, 2012), this regulation does not offend against freedom from a republican standpoint. It may limit an individual’s ability to exercise their free status in certain ways (e.g. their ability to enter into a zero-hours contract), but it does not undermine this free status *pro tanto* so long as the regulatory law tracks that individual’s interests, namely a superseding interest in freedom as non-domination (cf. Pettit, 1997a, p.65). By representing a form of antipower, protecting and empowering vulnerable individuals against the arbitrary whim of employers, such regulation can be viewed as constitutive of one’s republican liberty.

However, this is not to suggest that a regulatory approach to the domination associated with precarious work is an all-things-considered flawless one.

For example, even if we are able to successfully legislate against the specific forms of domination unique to precarious working arrangements, capitalist labour markets, no matter how tightly regulated, will retain elements of domination. So long as we work under the authority of a capitalist employer, that employer will enjoy access to arbitrary power over our working lives. Regardless of the regulatory and legal protections that are put in place, there will always be a gap through which this dominating power can penetrate.

One reason for this is that when entering a labour contract, terms of employment “can never be entirely specified in advance and the exact work details are left vague and open-ended” (Wood, 2019, p.2). Even if workers are given contractually guaranteed hours and wages, there will be numerous elements of the working arrangement – for

example, the precise nature of the tasks that must be performed - that remain at the discretion of the employer. Regulation and legal protections may alter the degree to which employers can dominate their workers, but it does not eradicate this domination completely.

As Alex Gourevitch has shown, this subjection to the will of employers was a central part of the nineteenth century ‘labour republican’ critique of capitalist wage-labour:

“[T]o labor republicans, the whole point of the contract was that the worker had consented to evacuate his will, to suspend its exercise for the period of employment. Outside violating the very general terms of the contract, the employer was at liberty to do what he liked...the labor contract was necessarily an agreement to give up control over the seller’s *will* for the duration of the working day...the worker would, while at work, have to substitute the employer’s will for his own” (Gourevitch, 2015, p.113).

Employer domination therefore persists as an inescapable element of the capitalist labour contract. Even if labour law and regulation can prevent dominating power being exercised in certain, specified ways such as those associated with precarious working arrangements, it cannot legislate against the unspecified whims of the employer, be they benign or malignant, that will arise in the day-to-day experience of working life.

But more than this, even if protected from precarious working arrangements by regulatory institutions, workers within a capitalist system will remain dependent on the decision of one employer or another to hire them and keep them in stable employment. Again, this element of domination was captured by the labor republican tradition. The labor republicans recognised that the distribution of property compelled workers to sell their labour in order to survive. This dependence, they argued, represented “a form of domination exercised by the entire class of property owners” (Gourevitch, 2015, p.108). Recall, too, Ellen Wilkinson’s socialist critique of a capitalist system which grants employers the power to unilaterally close businesses and thus “sweep away the livelihood of a whole town overnight” (Wilkinson, 1939, p.7). If you must work to survive, then those who control access to work hold all the cards and, as a result, can wield immense discretionary and capricious power over you – as anyone who has ever applied for a job will attest. But this dominating dependence persists throughout one’s career as they are vulnerable to the omnipresent potential that the employer could let you go, or close the business altogether, to satisfy their own will or the interest of corporate profit.

Under capitalism, then, even if the specific forms of domination associated with precarious work can be contained, workers will still be dominated. They will be dependent on the will of an employer to hire them and to keep them in employment, and they will be further subject to the varied whims of that employer’s will during the course of that will. Regulatory responses to the domination associated with precarious work would, alone, seem unsatisfactory. Regulation may help free individuals from precarious work, but these individuals will nonetheless remain shackled by an economic system over which they wield little power. For this reason, assuming the ongoing continuation of capitalism, republicans should argue that in addition to enjoying specific regulatory protections against precarious working conditions,

workers should also be empowered against domination through an ability to *exit* dominating employment, and through an ability to exercise democratic *voice* within the economy. As we will see, such additional measures will dramatically reduce the scope for employers to wield the arbitrary power granted to them under capitalism *at will and with impunity*.

Exit.

The value of exit as a source of counter-dominating power has long been recognised within the republican tradition of political thought. Consider, for example, Machiavelli's favourable description of Roman plebeians who would regularly decide to "troop out of Rome" in order to escape the dominating conditions of the city (2003, p.114). And the value of exit continues to be promoted among contemporary republicans.

Put simply the idea is that, by exiting a dominating relationship, an individual can escape the power of the dominator; they need not passively suffer when they are free to walk away. But, in addition, the *threat* of exit can also act as a check on powerful agents, preventing them from wielding arbitrary power with impunity by emphasising the potential costs of such action. For example, as Robert S. Taylor argues:

“[t]he surest defense against domination for women in abusive marriages is exit: so long as divorce laws are liberal, restraining orders are effective, and reasonable employment opportunities and/or alternative marital prospects are present, wives can either flee abuse or credibly threaten exit in the hope of modifying spousal behaviour” (Taylor, 2017, p.3).

In the economic sphere, the ability to freely, and confidently exit an unsatisfactory labour contract can be seen to represent an important form of antipower, preventing employers from acting with impunity. However, in the context of the labour market, this power of exit could take a variety of forms. The first would be a formal, legally protected right to exit *within a competitive labour market*. In other words, in an ideally competitive market free from indentured servitude and slavery, workers are able to easily leave intolerably dominating (or indeed, merely unsatisfactory) labour contracts and seek more favourable employment elsewhere.

As we have already seen, Pettit has argued that “competitive market forces” can help to promote antipower (1996, p.592). Robert S. Taylor has explored this idea in more detail, arguing that in perfectly competitive markets “no firm will be in a position to dominate workers, given the possibility of costless exit” (2013, p.596). Elsewhere, Taylor explains that “empowered workers with many job options need not tolerate abusive foremen – and if capitalists are aware of this fact, they will rein in their supervisors for fear of losing good employees” (2017, pp.3-4). When there is no sanction against you exiting a labour contract, and there is always another employer waiting to welcome you with open arms, so the argument goes, one is able to be confident of their capacity to, at any time, escape the encroach of intolerable dominating power within their working lives. Simultaneously, the tangible threat of losing dissatisfied workers will act as a warning to employers against exercising their power arbitrarily in the first place.

However, there are reasons to think that such a formal right to exit within a competitive market may be an insufficient source of antipower for workers within actually-existing labour markets, and particularly those in sections of the labour market associated with precarious working arrangements. Indeed, it may be harder for workers to escape firms despite the presence of this formal exit right. For some this may be because of factors such as the oligopolic tendency within the so-called gig economy. If you are reliant on working for an app-based firm such as Uber or Deliveroo because their app has the largest customer base, or because you have cultivated a customer rating profile that cannot be exported to another firm, then you have to accept the employment conditions set by your existing employer if you are to work in that industry. For many working in the precarious gig economy, the freedom to exit is, increasingly, the freedom to be out of a job with few means to make ends meet.

This risk that exit might carry significant costs is one that is important throughout the labour market. As Elizabeth Anderson notes, “workers bear substantial costs of job search, acceptance, and loss, and often lack important information about options. These labor market frictions endow employers with market power over workers” (2015, p.67). Such costs are particularly heavy for precarious workers who may already be struggling to make ends meet. For such workers, the financial cost of a period without the income of paid employment while they search for new employment opportunities could be prohibitively expensive. In societies with sizeable levels of unemployment, there may also be a sense that exiting work may relegate an individual to the ranks of the unemployed, while they themselves can be easily replaced within the firm by a member of the presently unemployed, who are desperate to accept paid work. This is the dynamic famously captured by Marx in *Capital* when he described the unemployed as a “reserve army of labour” (MECW, 35, p.626), a group ready to take the position of anyone bold enough to abdicate from capitalist exploitation. Where such a scenario pertains, the bulk of the cost of exit is borne by the worker, with much lower costs to the employer who can rapidly find replacements. This can be deduced to represent a control mechanism, discouraging individuals from exercising their formal right of exit even when they labour under conditions of intolerable domination. It is for such reasons that Taylor argues that “only if exit is legally enabled, economically feasible, and costly to potential abusers can it do its full job” (2017, p.4).

The question of economic feasibility is crucial. How can we ensure that workers don't just have a formal right to exit, but also the material means to exercise this right without fearing significant economic hardship?

One way to ensure that exit is an economically feasible option is through the provision of welfare state protections. By welfare state I am referring to an “institutional framework under which the state assumes responsibility for the basic welfare of citizens and applies policies, operationalized via legislation, to that end...It is particularly associated with the meeting of basic needs; and it thus operates as a redistributive mechanism for the inequalities that occur under a market economy” (Harris, 2009, para. 1). Various models of welfare state exist on a continuum between more “institutional” and more “residualist” models. Institutional models see the state take more responsibility for ensuring citizens' basic needs are met more universally, while residualist models see the state take a more minimal role and involve greater

emphasis on means-testing rather than universal provision. Typically, though, welfare state provisions will include measures such as health care, education, social housing, and unemployment insurance (ibid, para. 2-3). Regardless of the precise shape that a welfare state takes, the provision of certain basic services and a social safety net through *ex post* redistribution could help dampen the economic risks associated with exiting work, thus contributing towards the exit-based antipower that would allow workers to confidently resist domination by their employers.

Philip Pettit has explicitly recognised this point:

“Suppose that an employer has the capacity in some measure to interfere arbitrarily in the affairs of an employee. Employment is so scarce and the prospect of unemployment so repellent, that the employer can alter agreed terms of employment, make life much tougher for employees, or even practice some illegal interference in their affairs with relative ease...just the existence of reasonable unemployment benefits is bound to reduce the extent to which an employee is willing to tolerate arbitrary interference by an employer and is bound by the same token to reduce the capacity of the employer to interfere at will and with impunity in the lives of employees” (Pettit, 2007, p.406).

The counter-dominating benefits of welfare state provision could be particularly acute for those in precarious working arrangements. For example, if the state guarantees a set of benefits that mean individuals will be able to meet their (at least) basic needs in the event of unemployment, they are better empowered to step away from precarious working conditions that they find to be intolerably dominating. More than this though, it gives them the power to turn down offers of such employment in the first place if the conditions are unacceptable. There is less incentive to acquiesce to dominating employment conditions when the state is committed to meeting your basic needs.

Other aspects of welfare state provision could also be particularly impactful in this respect. For example, feminist analyses of precarious work have suggested that the availability of childcare shapes the decision of many parents, mothers in particular, to accept so-called “flexible” working arrangements (Vosko et al., 2009, p.16). When parents cannot afford to pay for childcare they form a cadre that can be exploited by employers offering piecemeal part-time, temporary positions that can fit around family life. In contrast, where childcare provision is funded by the state, as for example in France, parents are much more able to seek full-time employment (ibid, p.20, note 2). In such contexts, welfare states help to promote antipower to the extent that they enable workers to resist the need to accept dominating, precarious work.

It should also be reiterated here that the redistribution necessary to maintain a welfare state is entirely consistent with the value of republican liberty. When adopting a conception of freedom as non-interference, any redistribution must be shown to provide more freedom from interference for the individuals who benefit from redistribution than the state inflicts on those it redistributes from. The onus will be on those who desire redistribution to show the overall improvement in noninterference will be large enough to warrant the costs to freedom caused by state interference (Pettit, 2008b p.402). However, by adopting a republican conception of freedom as non-domination, such calculations can be avoided. So long as redistribution is conducted in accordance with a fair rule of law, and in pursuit of maximising non-

domination in society, then the redistribution necessary to maintain a welfare state is entirely justifiable (ibid., p.404).

However, it is not clear that welfare states alone neutralise all forms of economic domination, and may, perversely, generate additional sources of domination. Despite redistributing some wealth from the rich to the poor, the introduction of welfare states does not necessarily reverse the vast inequality between these two social groups. So long as the wealthy submit a portion of their wealth to keep the poor out of destitution, their remaining affluence, and the social, economic, and political power this affords, may remain intact.

John Rawls recognises this point in *Justice as Fairness: A Restatement*. In his discussion of welfare state capitalism, Rawls writes that such a regime “permits very large inequalities in the ownership of real property (productive assets and natural resources) so that the control of the economy and much of political life rests in few hands” (2001, p.138). For republicans this kind of elite economic control is impermissible (cf. Thomas, 2016, p.186). On the scales of liberty, it matters little that the poor are kept fed and sheltered if they remain under the dominating control of a more powerful group. They may be more comfortable, but they are not more free. Moreover, in a society where wealth and power remain concentrated in a few hands, any welfare state regime exists, *de facto*, not as a right but as a gift, extended to the poor by the wealthy, that can be reclaimed at any time. The wealthy remain free to use their social and political influence to undermine (for example, by promoting the social stigmatisation of welfare recipients) and, indeed, repeal welfare state measures as soon as these become intolerable, or politically unnecessary for furthering the interests of the elite. No republican can be comfortable with a system that allows the welfare of one group to exist dependent on the will of another. Welfare states appear to risk entrenching just this kind of domination.

In addition to tolerating the concentrated power of a wealthy elite, welfare state regimes, particularly those that are more residualist in design, can also create new forms of domination in the guise of welfare bureaucracy. Alan Thomas, for example, has challenged the “technocratic, non-transparent, and paternalistic stamp of welfare-state capitalist administration in its relation to its “clients”” (2016, p.189). This is particularly visible where benefits are means-tested, leaving people vulnerable to the discretionary judgment of the welfare bureaucrat. For example, in the United Kingdom, a number of welfare benefits can be reduced or stopped altogether if claimants fail to meet conditions, such as attending regular jobcentre appointments. However, this ‘sanctions’ regime can be seen to confer welfare bureaucrats with dominating, discretionary power over welfare claimants. The extent of this discretionary power can be seen in multiple cases of benefits claimants being penalised for arbitrary and capricious reasons. Many of these cases were submitted as written evidence to the Government’s review of benefit sanctions policy conducted by Matthew Oakley. Examples include a claimant who was sanctioned because their hand writing was too messy; a claimant who was sanctioned for providing insufficient detail in job reports (only for a second official to say there was no problem with the reports); and several reports of claimants who were sanctioned because they had allegedly not submitted required paperwork (only for it to turn out that this paperwork had been

submitted and received by officials) (Work and Pensions Committee, 2015, pp.65-67). The fact that certain welfare regimes can leave the fate of claimants in the hands of bureaucrats, vulnerable to vindictiveness as well as negligence, generates troubling relationships of domination. Reliant on the discretion of bureaucrats to maintain their welfare payments, claimants cannot interact with the welfare system as free and equal republican citizens.

One way to avoid this kind of bureaucratic domination would be to make welfare payments a universal right. Indeed, Pettit has argued explicitly for a republican mode of delivering welfare that is “independent of political vagaries and bureaucratic whims” (1997a, p.162). This kind of universality could plausibly be achieved through the provision of a ‘basic income’. Though a number of different models exist, in general terms, a basic income would represent a minimum income paid universally and unconditionally to all citizens (or, in some cases, all permanent residents) on a periodic basis. A basic income would (i) be paid to these persons as individuals not households; (ii) would replace most existing forms of benefits and allowances; (iii) would be paid regardless of that individual’s employment status, income level or living arrangements; and (iv) would be set at a meaningful level, either providing enough to meet one’s basic needs or at least the basis for an adequate income to be achieved through other earnings from paid work or other forms of supplementary benefits for those with special needs and extra living costs (Fitzpatrick, 1999, p.3; McKay, 2005, pp.105-106; Standing, 2004, pp.611-612; Van Parijs, 1992, pp.3-4; Walter, 1989, pp.18-20).

Advocates of basic income schemes argue that they offer several benefits over existing forms of state welfare. Firstly, it is argued that access to a basic income would significantly reduce poverty by providing all citizens with access to an unconditional source of income that could dampen the impact of unemployment or low-wage work (e.g. Fitzpatrick, 1999, p.4; Walter, 1989, p.8). Moreover, a basic income would reduce poverty more efficiently than existing forms of social welfare by preventing poverty from arising in the first place, rather than relieving poverty and its effects after it has been allowed to emerge within society (Walter, 1989, p.18). Others offer efficiency-based arguments in favour of a basic income, believing that, by replacing multiple forms of existing social security schemes and the bureaucratic apparatus these require, a basic income could offer a cheaper and more simple alternative (Fitzpatrick, 1999, p.4). Finally, we should also recognise that a basic income would help to provide an important source of financial compensation to those, often women, who perform forms of domestic and caring labour that go unremunerated under the current socio-economic system (cf. Gourevitch and Stanczyk, 2018, p.155).

But there are also freedom-based arguments in favour of a basic income, not least from republican thinkers who perceive a basic income as instrumental to creating the social and economic conditions for non-domination.

The republican tradition of political thought has a long historical association with the idea of basic income. Indeed, the history of basic income is often traced back to the eighteenth century republican thinker Thomas Paine, who proposed in his pamphlet, *Agrarian Justice*, the creation of a national fund that would endow each citizen with a

fixed sum of capital on reaching the age of twenty-one (1945 [1796], pp.612-613). More recently, a number of arguments from within contemporary republicanism have been offered in support of the establishment of a basic income (e.g., Dagger, 2006; Domènech and Raventós, 2007; Casassas and De Wispelaere, 2016; etc.).

Philip Pettit has himself offered a republican argument for a basic income, claiming “[i]f I am not assured a basic income, there will be many areas where the wealthier could interfere with me at tolerable cost, without their being confronted by legal prevention of that interference” (2007, p.5). Indeed, Pettit has explicitly argued that a basic income would provide individuals with a greater power to exit that would in turn allow them to counter domination by employers:

“Suppose there are just a few employers and many available employees, and that times are hard. In those conditions I and those who like me will not be able to command a decent wage: a wage that will enable us to function properly in society. And in those conditions it will be equally true that we would be defenseless against our employers’ petty abuse or their power to arbitrarily dismiss us... the most effective of all protections...would be one’s ability to leave employment and fall back on a basic wage available unconditionally from the state” (Pettit, 2007, p.5).

The idea, then, is that a basic income could help to promote the kind of antipower that is generated by an economically feasible ability to exit a dominating employment relationship. Because citizens receive a basic income unconditionally as a right, they have a guaranteed safety net to help them meet their basic needs should they feel the need to escape paid work due to the intolerable domination of their employer. They would have the confidence to resist a dominating employer, while the viable threat of exit would act as a caution to employers, preventing them from wielding power with impunity.

Empowered by this sense of financial security, a basic income could also provide a foundation from which workers could be able to leverage improved working conditions from their employers. Put simply, in a market where workers are able to leave work for the security of a guaranteed basic income, employers would need to deploy more enticing wages and workplace conditions in order to attract the labour required to perform productive work. By loosening the ties of dependence between workers and their employers, a basic income would therefore act as an empowering institution, restricting the power-dynamics of the market in order to neutralise the potential domination of employers.

In this respect, the introduction of a basic income could be particularly impactful for precarious workers. The provision of a basic income would disarm the extraordinary discretionary power that employers hold over precarious workers: the power to demand extra work, to withhold work, and to deny work altogether without reference to the interests of the individual worker. For example, the zero-hours contract worker would have less to fear from a week without any shifts from their employer if they know they can fall back on a guaranteed income paid as right by the state. Meanwhile, the temporary agency worker in the Amazon fulfilment centre may feel less inclined to bend over backwards to meet the company’s ever-more intense performance targets

when they know they can walk away from the job and still have access to an income. The effects of their precarious employment would be mitigated by an alternative source of economic security that is independent from work.

But more than just neutralising the dominating power of particular employers, a basic income offers the potential to extinguish the manifold *potential* forms of domination that precarious working arrangements currently expose individuals to. Providing every citizen with a tangible basis of economic security would mean that those employed in precarious forms of work would no longer be vulnerable to the multiple other forms of imminent domination that would lie around every corner for those who cannot rely on work to make ends meet. Empowered by a basic income, workers would no longer need to fear their employer, but they would also no longer need to fear the pay-day creditor, welfare bureaucrat, or rogue landlord. Access to a stable source of income, even if relatively small, would erode the vulnerability of precariously-employed workers to multiple, unpredictable sources of economic domination in crucial ways. Indeed, it could contribute in important ways towards dismantling the structure of the precarious labour market, providing workers with a route out of the precarity trap. They would be empowered to more effectively plan their own lives, and to walk away from, or evade altogether, relationships of domination. A basic income could, in this way, amplify the free status of workers, enabling them to more easily interact with others, in the economic sphere and beyond, as free and equal citizens.

At least, this is the ideal. Despite the seeming promise that a basic income could represent a source of antipower for precariously-employed workers, there may be reasons to think that even this kind of economically enabled power of exit would nevertheless be insufficient for the effective resistance of domination in the labour market. A basic income is not a magic bullet against domination.

The reason for this is that, although a generous welfare state, such as that associated with the provision of a universal basic income, might allow individuals to exit a particular job, it is unlikely to allow them to exit the labour market entirely.

There are certainly feasibility questions as to whether a basic income large enough to free people from dependence on paid work is possible given the present social and political reality we find ourselves in. For example, Alex Gourevitch and Lucas Stanczyk (2018) have argued that a sufficiently emancipatory basic income could not be established until the working class was organised enough to extract it from the wealthy. Erik Olin Wright has, similarly, questioned whether capitalists would freely submit to the high taxation required to fund a large basic income, raising the possibility that the introduction of a basic income could inspire an “exodus of capital” (1986, pp.662-664). Whilst workers may be glad to see the backs of their dominating employers, the immediate effects of such capital flight on a broadly-capitalist society could be economically ruinous, fatally undermining the state’s ability to fund the basic income programme (or any public service for that matter) through tax receipts, and removing the private sources of income that sustain workers’ ability to survive in one fail swoop. For this reason, any successful basic income initiative would likely, as a matter of pragmatic necessity, need to be set at a low-enough level that it would not

antagonise the capitalist class³⁵. It is unlikely that this low-level basic income could enable workers to sustainably exit from the labour market completely.

But, in addition, it has been argued that the idea that a basic income will provide only temporary respite from paid employment is *inherent* to Philip Pettit's understanding of a republican right to basic income. For example, Alex Gourevitch contends, "Pettit *must* assume that the basic income he calls for is insufficient to allow workers to withdraw from the labor market indefinitely. It must be low enough that at least as much work is performed as is necessary to sustain a basic income for everyone" (2013, p.604). Indeed, Pettit explicitly raises this question in his article *A Republican Right to Basic Income?*, where he writes:

"Introducing such a right is bound to raise questions of institutional feasibility. Would it lead too many people to opt out of the workforce, for example? And even if it did not, could a constitution that allowed some members of the society to do this – at whatever relative cost – prove acceptable in a society of mutually reciprocal, equally positioned members?" (Pettit, 2007, p.1).

The suggestion here is that a basic income, or any form of welfare transfer by the state for that matter, should be set at a level that enables individuals to leave particularly dominating employment *for a limited time*. A basic income should help individuals meet their basic needs for a period after they leave a job, but should not sustain them indefinitely. A society with a basic income, in short, would not necessarily be a society without capitalist labour markets and paid employment. After all, Pettit's argument suggests, it is this labour that will generate the tax receipts necessary to fund the basic income; on the grounds of fairness at least, everyone who benefits from a basic income should also, to the best of their ability, contribute towards the generation of that universal basic income by engaging in productive, paid work.

This is crucial when we consider the impact of a basic income (or any model of generous welfare state provision) on precarious work. If such redistribution does not allow a complete exit from the labour market, it could serve to, perversely, *entrench* and, indeed, *subsidise* dominating forms of precarious work. A basic income could, certainly, help mitigate the economic insecurity associated with precarious work. It could also empower individuals to exit intolerably dominating incidents of precarious work. But a basic income does not necessarily challenge the system of precarious work. Indeed, it could make temporary working arrangements, zero-hours contracts, and gig economy employment more sustainable. Why should an employer feel obliged to provide secure, stable, well-paid work to their workforce when they know that the state is subsidising a good portion of their immediate basic needs through the payment of basic income? In this way, a basic income could permit, or even tacitly encourage, employers to treat workers even more explicitly as disposable commodities, useful only so far as they can provide immediate value to an employer.

Such a situation would fail to generate the intersubjective equality necessary for republican liberty. To the extent that employers could be emboldened to treat

³⁵ This raises a further question of whether a basic income, the ongoing maintenance of which is dependent on the will of a capitalist class – where society is effectively held hostage to the dominating power of the wealthy - is worth having at all.

employees as disposable commodities in a state where a basic income would protect people from immediate destitution and starvation, those disposable employees would still not be being treated as persons worthy of respect in their own legal and social right (cf. Pettit, 1997a, p.71) by their employers. Employees may not, to the same extent, fear the immediate economic consequences of disruption to their shift patterns, wages, or employment status, but they would nonetheless remain vulnerable to the arbitrary will of an employer who can interfere in their lives with little consideration for their interests. In other words, a basic income could mitigate, to an extent, the *costs* of the domination associated with precarious working arrangements, but the relationships of domination themselves would remain intact. Indeed, a basic income could make these relationships of domination between employers and workers even more intractable.

But more than this, if we grant that a basic income could allow precarious working arrangements to flourish even further, then the potential for a right to exit to act as a form of counter-dominating antipower could also be significantly dulled. Consider the case of a precarious worker who, frustrated by the domination of their present employer, decides to activate their right to exit. The worker resigns from her job to rely on the basic income payments she receives from the state. However, as we have discovered, these basic income payments will not be sufficient for this worker to withdraw from the labour market in perpetuity. They may allow her to meet her most basic needs only for a short period while she searches for employment elsewhere. But, if we grant that a state with an established right to basic income would see a simultaneous flourishing of temporary, zero-hours, and gig economy-type precarious jobs, then our worker's exit will be all for naught. She may have been afforded some respite from the immediate domination of her original employer, but she will then have to return to the labour market to enter a new job that may very well involve a similar level of discretionary employer power.

Just as this exit would ultimately have no long-term benefit for the worker's freedom as non-domination, the threat of exit would not deter the original employer from wielding extraordinary levels of arbitrary power at will and with impunity either. Indeed, the exit of the worker would simply melt into the regular comings and goings of a temporary, transient, and transposable workforce, employed only as and when it suits the immediate need of the employer and their interest in maximal efficiency and maximal private profit.

Taken in isolation, then, a right to exit made economically feasible by a generous welfare state or basic income could actually strengthen, rather than weaken, the domination associated with precarious working arrangements. But this is not the only reason that we should avoid treating a right to exit as a single magic bullet against domination labour market. It is important to recognise that there are additional, non-financial, costs that could mean that a right to exit, even one made economically feasible, would still place a heavy burden on the exiting worker. The existence of these costs could severely limit the credibility of any exit threat, making a dominating employment relationship even more intractable. For example, Gourevitch notes that "a basic income cannot eliminate many costs associated with losing a job, such as the needs of family, ties to community, value of workplace relationships" (2016a, p.24).

In addition, the psychic costs associated with the emotionally- and mentally-draining application and rejection process necessary to eventually find another job could also discourage many from exercising their right to exit even from intensely dominating, precarious work (cf. Anderson, 2015, p.67). Reliance on the right to exit as a source of antipower can therefore be seen to be, potentially, highly demanding on the exiting worker to the extent that exit can seem prohibitively expensive even where it is made economically feasible. If exiting work means leaving behind valued work colleagues, disrupting established child care arrangements, and exposing yourself to the stress, anxiety, and self-doubt of the job application, then it is understandable if many workers would choose to stay put and continue to weather the domination that they already bristle under.

Just as with regulation, a right to exit would seem to, on its own, fail to generate sufficient antipower to allow workers to resist the domination associated with precarious work in the existing labour market. Although exit-empowering institutions such as a generous welfare state or basic income could, importantly, help to mitigate the economic insecurity to which precarious workers are vulnerable, these institutions are not enough to dismantle the dominating power-dynamics of the precarious labour market. For this reason, state regulation and an economically feasible right to exit should be bolstered within the contemporary republican political programme by an emphasis on empowering workers to exercise a democratic and contestatory voice within the workplace and the wider economic sphere.

Voice.

What does it mean to have a capacity to exercise voice, and how can this be institutionally established within the economic sphere? In his *Exit, Voice, and Loyalty*, Hirschman defines voice as:

“any attempt at all to change, rather than to escape from, an objectionable state of affairs, whether through individual or collective petition to the management directly in charge, through appeal to a higher authority with the intention of forcing a change in management, or through various types of actions and protests, including those that are meant to mobilize public opinion” (Hirschman, 1970, p.30).

In contrast with a right to exit, then, a capacity for voice involves being able to wield influence in order to try to change one’s existing situation for the better, rather than simply giving up and exiting. As we have just seen, there may be reasons why even those in an intolerably dominating employment relationship may find the costs of exit prohibitively expensive and demanding. For this reason, it is important to provide individuals with robust, institutional means to voice dissatisfaction within their working lives and bring about effective change. It is in this respect that we can see how the ideal of worker voice reflects the republican value of vigilant contestation. By exercising voice, workers have an opportunity to hold the powerful to account and ensure that their interests are taken seriously.

Within the context of the workplace and the labour market, the contestatory antipower associated with a capacity to exercise voice could potentially be promoted institutionally in a number of different ways. One way is through the establishment of

‘workplace democracy’. A democratic workplace is one in which “workers have an effective right to participate in the collective governance of the organization and determine, by themselves or in conjunction with others, its internal regulation and future direction” (Breen, 2015, p.471). However, the institutional manifestation of workplace democracy could take a variety of forms. Indeed, among contemporary republican thinkers alone, a number of different models have been put forward. A comparatively modest proposal can be found in Nien-hê Hsieh’s proposal for ‘workplace republicanism’ (2005; 2008). Under Hsieh’s regime, workers would have a right to participate, in an editorial capacity, in the governance of firms through mechanisms such as workplace adjudicative bodies and committees, as well as worker representation on governing boards (Hsieh, 2005, p.137). Such a system, Hsieh argues, would ensure that the voice of workers is incorporated into the decision-making processes of economic enterprises, thus providing them with protection from the arbitrary interference that could otherwise be inflicted by management (ibid., pp.136-137). This regime of workplace republicanism bares conscious similarities with Pettit’s model of contestatory democracy (ibid, p.138). The aim is not to remove the power of employers completely, but to make it non-arbitrary through institutionally-guaranteed outlets for contestation by workers within the day-to-day running of the enterprise.

In contrast to Hsieh’s workplace republicanism, a more ambitious form of workplace democracy can be identified within Alex Gourevitch’s reconstruction of nineteenth century ‘labor republican’ thought. Labor republicans, Gourevitch shows, sought to extend the republican value of popular sovereignty to the workplace by replacing the dictatorship of the capitalist with the shared ownership and control of cooperative enterprises by workers themselves (2015, pp.120-121; p.126). The producer cooperatives promoted by labor republicans would allow workers to exercise their capacity for self-government, giving them an equal share of direct control over the day-to-day decisions of the firm as well as a shared ownership of the cooperative’s productive resources. This did not necessarily mean abolishing technocratic management, but any managers or overseers would be appointed by, and held accountable to, the collective of worker-owners, rather than a private capitalist (ibid.).

Through the labor republican model of cooperative ownership and control, the power of worker voice is transformed, from an editorial capacity to contest the decisions of a capitalist employer, to an authorial capacity to contribute cooperatively to the management and control of the firm. Such a system would not just smash the vulnerability of the worker to the caprice of their particular employer, but also their systemic dependence on the capitalist system of wage-labour (ibid.). Cooperative ownership and control would be an empowering experience, emphasising each individual’s capacity for self-government and political agency (ibid., pp.164-165). In other words, through participation in cooperative production, workers would be able to enjoy the full intersubjective status of equality that comes with freedom from domination.

However, whilst both the workplace republicanism and cooperative commonwealth models can be seen to promote antipower in important ways, they suffer from feasibility constraints that should be taken seriously. Whilst situated in the nonideal

confines of actually existing British capitalism, both regimes appear difficult to achieve in the immediate term.

Of the two, workplace republicanism appears the more tangible possibility. Indeed, one could point to examples of employee participation (to varying extents) in the management of private and public companies that already exist in countries across the OECD (cf. OECD, 2017, pp.159-160). In the United Kingdom, there was some hope that an element of workplace republicanism could be introduced when, in 2016, then prime minister, Theresa May, raised the possibility of introducing worker representation on company boards. However, this policy was quickly diluted when, during a speech to the Confederation of British Industry, May conceded that companies would not be *compelled* to appoint worker representatives (cf. Evans, 2017). From a republican perspective, any worker representation that is permitted only by the discretion of the employer is no protection at all against domination. Given the resistance to May's policy of worker representation, it seems unlikely that Britain will establish full-blooded workplace republicanism while political leadership remains unchanged.

The replacement of capitalist wage-labour with cooperative control and ownership appears even less likely in the immediate term. Although, internationally, there are some high-profile examples of successful cooperative enterprises (for example, the Mondragon Corporation in Northern Spain, or the Evergreen Cooperatives in Cleveland, Ohio), it seems improbable that we are on the brink of an imminent transformation of productive relations and the overthrow of the capitalist system.

Indeed, Gourevitch identifies several difficulties preventing cooperatives from flourishing widely in the contemporary economy: "it is hard to imagine how relatively poor workers could acquire enough capital to form cooperatives that could compete in major markets...let alone how these cooperatives could weather the long-run ups and downs of the market economy" (2015, p.189). But in addition to such practical constraints, there are fundamental political ones. Gourevitch's labor republicans recognised that powerful groups are unlikely to relinquish power voluntarily (ibid., p.151). It is unlikely that the existing capitalist class will acquiesce to the establishment of a fully cooperative system (or a system of workplace republicanism, for that matter) on the basis of sound philosophical reasoning about the nature of economic liberty proffered by republican political theorists. Non-domination will not be gifted to workers, it must be won.

The means for this political victory already exist. Trade unions should be seen as representing *actually-existing* vehicles for promoting antipower within the nonideal context of twenty-first century capitalism.

For republicans, the counter-dominating potential of trade unions should be seen in two respects. Firstly, trade unions have an *intrinsic* value with regards to non-domination. They represent a source of antipower in and of themselves to the extent that they enable the vigilant contestation of economic decisions. But they also have an *instrumental* value for republicans to the extent that unions can fight to establish and maintain other labour protections, such as robust market regulations or a generous welfare state that, in turn, promote antipower. To the extent that trade unions perform

these valuable counter-dominating functions, it is justifiable for a republican state to adopt a *promotive stance* (cf. O'Neill and White, 2018) towards trade unions, including them as central institutional pillars of a contemporary republican political programme. I will now address these three claims in turn.

Trade unions, that is, formal organisations, comprised of workers, that exist to “maintain and improve the conditions of employment” (UNISON, n.d.) for their members, can be seen to represent important vehicles for the promotion of antipower in their own right. Indeed, as we have already seen, Pettit has explicitly highlighted trade unions as an example of the type of antipower institution that republicans should value (1996, p.592). In the first instance, trade unions can be seen to represent *contestatory* institutions. Unions amplify the voice of workers and provide a means to challenging the power of employers and politicising economic life more broadly. Unions can be seen as a way to extend vigilant republican citizenship into the economic sphere, enabling workers to challenge the decisions that affect their working lives and prevent the powerful wielding arbitrary power over them at will and with impunity.

This contestatory role can be performed in a number of ways. The ultimate power available to unions rests in their ability to disrupt the productive process by going on strike. The threat of a costly strike can bring employers to the bargaining table and can coerce them into taking the interests of workers seriously. As Gourevitch recognises, “[t]he strike is a way of pressing the claim that workers, too, should exercise control rather than submit passively to managerial prerogatives” (2016b, p.317). Strikes emphasise the extent to which an employer is dependent on their workforce to keep their business running, giving the voice of workers more weight and providing a context in which the ideas and interests of workers can be communicated forcefully and effectively. For example, a vigilant trade union wielding the threat of sanction offered by the capacity to strike, can provide a way for workers to collectively bargain for their wages and conditions, rather than simply accept the will of the employer to set these unilaterally.

The ability to contest the power of employers in this way can be particularly beneficial for precarious workers who are vulnerable to extraordinary forms of discretionary power wielded by employers. For example, in 2016 the gig economy firm Deliveroo backed down from a decision to change its wage structure after workers, aided by the Independent Workers of Great Britain (IWGB) union, went on strike in London (cf. Walker and Kaine, 2016). Similarly, in early 2019 the GMB union successfully negotiated the first collective bargaining agreement for gig economy workers, securing holiday pay and negotiated wage rates for those working for the courier firm, Hermes (cf. GMB, 2019). Such victories show how, through collective organisation, unions can enable precarious workers to resist the arbitrary interference of their employers.

Unions can also promote antipower for workers by using their collective financial and organisational resources to contest decisions in the courts. Again, the IWGB has shown how this legalistic approach to contestation can be particularly beneficial for precarious workers. In particular, the IWGB has been involved in a number of ground-

breaking court tribunals to establish that precarious gig economy workers are missing out on key employment rights to which they are legally entitled (cf. The Economist, 2019). Here unions communicate the contestatory voice of workers in order to maintain vigilance against employers who may seek to undermine the fair rule of law. Unions provide an institutional basis from which workers can hold their employers to account and prevent them from wielding arbitrary power with impunity.

However, the contestatory capacity provided by unions need not be directed solely towards particular employers. Unions also provide a space in which workers voice their interests and ideas, more generally on a national level. As O'Neill and White recognise, "unions can of course directly intervene in political debates and decision-making to advance the interests of working people, counterbalancing the influence of business and the very rich... this is a matter of giving voice to ideas and interests so as to shape the 'national conversation' about policy." (2018, p.261). In particular, workers can utilise unions in order to challenge and politicise the organisation of the labour market, and, indeed, the economy as whole. Gourevitch identifies this function of union activity in his analysis of strikes: "the right to strike makes sense not as a relic of feudal guild privileges nor just as an economically rational effort by some to maximize wages, but as a form of resistance to the modern labor market itself" (2016b, p.313). For Gourevitch, going on strike inverts the structural vulnerability of the capitalist wage-labourer, who is free to quit their particular job, but is nonetheless structurally compelled to work. By going on strike, the worker illuminates the structural injustice that lies at the heart of wage-labour and turns the tables on the particular employer who exploits that vulnerability (ibid., pp.313-315).

This capacity for unions to provide a space in which to contest, critique, and, indeed, *politicise*, their experience of working life could be crucial for precarious workers. Collective organisation through trade unions offers precarious workers the opportunity to challenge the acceptability, permissibility, and normalisation of precarious working arrangements within the labour market, and to emphasise the domination they are vulnerable to as a result of the way work is organised and governed. Rather than acquiescing to the creeping precarisation of ever more areas of the labour market, workers can unite to demand and enforce improvements to their working lives.

As with all forms of contestation, the ability of unions to challenge powerful decision-makers and contest the economic status quo does not amount to a veto power. Some strikes will be unsuccessful, some legal appeals will fail. But the point of this contestation is to ensure that the interests of workers cannot easily be ignored. Unions provide a way for individual workers to combine their power and hold employers, and other powerful actors, to account, and to communicate their dissatisfaction in a way that forces fellow citizens to listen. The contestatory power of unions does not remove employer power, just as Pettit's contestatory democracy does not remove the power of the state. But it does attempt to disarm and neutralise the dominating potential of this power. By providing a vigilant and contestatory voice, backed up by the power of the strike and the organised legal challenge, unions prevent employers from wielding power at will and with impunity. An employer may yet choose to exercise arbitrary power over her employees, but in a society guarded by robust trade unions she does so in the knowledge that workers can resist in a way that could inflict significant costs.

In addition to their contestatory role, trade unions can also be seen to promote antipower in their capacity as protective institutions. In one sense, this can be seen as a direct extension of the contestatory role of unions that we have just explored. Trade unions act to ‘protect’ the interests of their members; where they see threats to these interests they will act appropriately to counteract these threats, for example through industrial action. However, the protective role of trade unions can be more thoroughly illuminated by emphasising the historic insurance function that trade unions played (cf. Brugiavini et al, 2000, p.5). For example, in addition to campaigning for improved working conditions, many nineteenth century British unions also directly provided their members with protective benefits such as “insurance against unemployment, sickness, and accidents, pensions for retired members, and "death benefits" to ensure workers and their wives a proper funeral” (Boyer, 1988, p.319). Such benefits insulate workers against the caprice of their employers, and others who may seek to prey on the economically vulnerable.

Although many of these functions are now carried out by welfare states, resurrecting this historical, protective role could be particularly beneficial for precarious workers who are nonetheless made vulnerable to the potential of falling into dominating relationships with creditors, landlords, and so on as a result of the unstable and unpredictable nature of their incomes. Trade unions could use their organisational capacities and resources to provide precarious workers with access to affordable credit or forms of income insurance to help them make ends meet when their precarious working arrangements disrupt their income for a period of time. This could, for example, follow the Dutch ‘broodfonds’ (literally, ‘bread funds’) model, which has seen workers collectively contributing to a fund that members can then draw from should they be unable to work (cf. Dellot and Wallace-Stephens, 2017, p.17). Such a model could be particularly useful for groups of precarious workers who often miss out on access to sick pay and consequently face the tangible jeopardy of being unable to work due to illness.

The point of emphasising the historical ‘insurance’ role once played by British unions, however, is to illuminate the central source of trade unions’ protective capacity, *solidarity*. Unions protect the interests of workers by providing an institutional context that enables similarly-situated individuals to look after one another. Unions provide workers with the security that they will not be left to face the exigencies of life and the labour market alone. It is in this sense that unions can be viewed not only as contestatory and protective institutions, but also as institutions that promote antipower by *empowering* individuals.

Unions represent empowering institutions to the extent that they amplify the voices of individual workers, providing them with the confidence to collectively challenge the sources of domination in their lives. Alex Gourevitch recognises this empowering potential in the labour movements of nineteenth century America: “[t]he experience of that collective power was itself an education in the way each individual’s power was increased through cooperative organization” (2015, p.165). This empowerment has been recognised, too, by empirical social scientists. For example, Daryl D’Art and Thomas Turner have argued that “union membership, in providing employees with an independent voice, functions as a check on autocratic managerial power and *creates*

in employees the sense that they can exercise some control over their working lives” (2007, p.108, my italics). By cultivating a vigilant, contestatory disposition and providing a space in which to experience effective political agency within their working lives, trade unions can empower individual members to counter and neutralise, if not extinguish completely, the dominating power to which they would otherwise be vulnerable.

The collective empowerment that comes from union membership can therefore be understood to enable workers to claim the intersubjective equality that accompanies the status of free republican citizenship. Workers will be able to face their employers, and other economically powerful actors, “confident in the shared knowledge that it is not by their leave that you pursue your innocent, non-interfering choices...The non-interference you enjoy at the hands of others is not enjoyed by their grace and you do not live at their mercy” (Pettit, 1997a, p.71). The presence of robust union protection disrupts the power dynamics of the workplace, and the wider economy, in such a way that significantly minimises the potential for domination. Sufficiently empowered, union members can be confident of their capacity to repel and resist the domination they encounter in their working lives. Not only will they be more emboldened to challenge the domination of their employers on an individual basis, but they will share the security of knowing that others will be steadfast in their protection of republican liberty.

But in addition to acting as a direct source of antipower in their capacity as contestatory, protective, and empowering institutions, unions can also serve an instrumental role. Unions can assist in the promotion of antipower by acting as a backstop to guarantee the continuing function of other antipower institutions. As O’Neill and White highlight, “there is considerable cross-national evidence that higher levels of unionisation and stronger collective labour rights are associated with different policies and outcomes: lower earnings inequality, lower income inequality, more redistribution, and a more expansive ‘decommodifying’ welfare state” (2018, pp.261-262). Indeed, trade unions have historically been instrumental in the development of welfare states across the globe, and high levels of union density continue to be linked with higher levels of welfare expenditure (Brugiavini, et al., 2000, p.9; Boreham et al, 1996, p.2). In this sense, the presence of robust unions correlates with the maintenance of another institution, the welfare state, that, as we have already seen, can help to promote counter-dominating antipower. By protecting and promoting the welfare state in this way, the presence of unions also ensures that welfare payments do not exist as a ‘gift’, vulnerable to the whims of the wealthy, but rather as a vigorously defended beachhead in a larger, agonistic and contestatory battle between labour and capital. When protected by unions, the elite domination that, as we saw earlier in this chapter, might otherwise be associated with welfare states, is significantly neutralised.

In addition, we have also seen how, the legalistic function of trade unions (for example, taking employers to legal tribunals), can help to maintain the fair and consistent rule of law. By ensuring that employment law is effectively enforced, trade unions help to uphold the protection that regulation offers against domination. Trade unions are therefore not just sources of antipower in and of themselves, but also

display a demonstrable ability to have a positive, instrumental effect on the promotion of antipower by other institutional means. In combination with these other antipower institutions, unions can be part of an emancipatory institutional architecture – a republic, economic as much as it is political – that extends freedom as non-domination within a capitalist state.

It is important to recognise, too, that in providing this intrinsic and instrumental value towards the promotion of antipower within society, trade unions do not necessarily represent a source of domination in and of themselves. Trade unions certainly do not pose a threat of domination towards employers. As Pettit recognises, “If X enjoys power over Y in one way, and Y enjoys power over X in another, then each is in a position to exact something from the other in payment for the interference, and so neither may interfere in the other's affairs with impunity; neither enjoys power simpliciter over the other, neither dominates the other” (1996, p.588). The aim of trade unions is to allow workers to ‘exact something’ from their employers to prevent them wielding arbitrary power with impunity. The power of trade unions does not *replace* the power of the employer, it merely neutralises its dominating potential. Furthermore, to the extent that unions inflict interference on their members, assuming that unions are themselves organised in a suitably inclusive and democratic way, then this interference will be of the non-dominating variety insomuch as it is constitutionally forced to track the interests of that union’s members rather than the particular will of some union ‘boss’.

Because trade unions can be shown to promote antipower, both intrinsically and instrumentally, I argue that a republican state would be justified in not only permitting the presence of trade unions, but actively promoting trade union membership as a centrally important element of republican citizenship. Trade unions, as we have seen, allow republican citizens to enjoy non-domination in their economic as well as political lives, and as such unions should be included as an integral institutional manifestation of republican values within the economic sphere and should be promoted as an integral component of the contemporary republican political programme.

A promotive stance towards trade unions goes beyond mere statutory recognition of a right to union membership, and instead involves the state using its legal and political apparatus to positively facilitate trade union activity in workplaces and the wider economy as a normal component of economic governance (Ewing, 1998, p.6-7; cf. O’Neill and White, 2018, pp.264-265). Practically such a promotive stance would necessitate that the state introduce a number of measures in order to embed trade unions as a legitimate and valuable part of the republic. These could include “clear duties on employers to bargain with unions in good faith” as well as the legal provision of “an expansive right to strike” (O’Neill and White, 2018, p.265). For example, in the United Kingdom, a promotive stance would certainly require the repeal of existing legislation such as the 2016 Trade Union Act, which introduced new rules and restrictions to make union organising more difficult (cf. TUC, 2017c). By taking a promotive stance towards trade unions, a republican government should seek to reverse the marginalisation of unions within the economic and political life of the state,

and instead endorse unions as integral institutions for the maintenance and extension of republican liberty.

Such a promotive stance would be extremely beneficial for precarious workers. As we have seen, unions would allow precarious workers to contest the acceptability of precarious working arrangements, and to challenge the normalisation of such arrangements across the labour market. Precarious workers would also be able to communicate their struggles, vulnerabilities, and anxieties, in order to affect change within the firm, the economy, and wider society. Institutionalising worker voice within the republic in this way would allow them to not only resist the dominating power of their particular employers, but also to wield effective influence over the organisation and governance of their working lives.

Conclusion: Building an economic republic.

Precarious working arrangements generate specific forms of domination within the contemporary capitalist economy. For republicans, this domination should be understood as antithetical to liberty and the enjoyment of free and equal citizenship. For this reason, the construction of a republic that guarantees freedom from domination in the economic sphere as well as the political sphere should be of central importance. For some, such a republic may require the dismantlement of the capitalist system of production that entrenches the dependence of workers on the elite cadre that owns and controls productive capital. Such an ideal, though, appears a distant possibility given current social, political, and economic reality. Indeed, capitalism has thus far proved remarkably resilient, surviving crises that could have seen its overthrow and collapse. But the persistence of capitalism is no reason to not strive for greater liberty. As this chapter has shown, there are ways for republicans to promote antipower and extend freedom as non-domination *within* the confines of the capitalist system. For republican ideas to realise their emancipatory potential in the real-world, then, the institutional means for promoting this antipower must now become central pillars of the contemporary republican political programme.

In this chapter I have outlined what this institutional approach to promoting economic liberty could look like. It should involve a combination of regulation, exit, and voice, embodied in robust labour law, a generous welfare state, and a promotive stance towards trade unionism. Such a model would provide an institutional framework and political ecosystem that, acting as a virtuous cycle, would enable precarious workers to begin resisting the specific forms of domination that they experience within their working lives, and provide a space in which to contest the permissibility of precarious working arrangements in the contemporary economy. By empowering workers against their employers, the political agency of workers would be embedded within an open-ended emancipatory political project, allowing them to wield greater control over their economic and political futures. Rather than consigning workers to the exigencies of a precarious labour market that exposes individuals to manifold forms of subjugation, the republican model that I have outlined – a republic, both political and economic – would restructure the power-dynamics at the heart of economic life. Workers may, for now, still have to sell their labour to a capitalist, but they should at least be empowered to face this system, to the greatest extent possible, as free republican citizens.

- CHAPTER 6 -
CONCLUSION.

In an interview in 1980 with the American talk show host, Dick Cavett, the actor Richard Burton described his youth in a South Wales mining community in the early twentieth century. He recounted how the miners at that time viewed themselves as “the aristocrats of the working class”, who carried themselves with “the arrogant strut of the lords of the coalface”, who could “look at the posh people pass with hostile eyes...because they were the kings of the underworld” (cf. Wales Art Review, 2016). Whilst it would be naïve to romanticise or glorify the dangerous, filthy, and back-breaking working conditions of early-twentieth century mining, Burton’s quote does tell us something about the political significance of working life. That it is important for one’s sense of power, status, and the ability to look others, even the wealthy, in the eye as free and equal citizens.

In this thesis we have seen the extent to which precarious working arrangements in the contemporary labour market systematically disempower, constrain, and cover the lives of those subject to them. Precarious work generates distinct forms of domination that significantly compromise individual liberty. Indeed, domination is an integral and defining feature of the precarious labour market.

Precarious working arrangements such as zero-hours contracts, temporary agency work, and the so-called “gig economy”, grant employers extraordinary levels of discretionary power to demand, deny, and discontinue work with little or no notice or reason. This is central to the uncertainty, jeopardy, and dependency that makes such working arrangements precarious. It is this domination that means workers can never be sure whether they will continue to enjoy access to their source of livelihood; whether their income will suddenly be disrupted; whether they can effectively plan their lives. Their fate hangs in the balance, under the arbitrary control of their employer.

And beyond the confines of the employment relationship, precarious working arrangements place workers at risk of becoming dependent upon, and being subsequently dominated by, various other agents with whom they interact in their daily lives. This omnipresent threat of domination carries the immanent potential to constrain workers, binding them tighter to their dependence on their precarious working arrangements. Precarious workers are dominated *structurally* by virtue of their position within the precarious labour market and the wider social and economic ecosystem that this sustains.

Dominated in these ways, it is impossible for precarious workers to interact with the world as free and equal citizens, but instead are likely to live lives of “fear and deference” (Pettit, 1997a, p.64), constantly trying to anticipate the whims and desires of their employer, the market, and the multiple agents they become dependent upon due to their insecure and perilous economic situation.

This republican theory of precarious work, echoing the conceptual frameworks offered by the Marxist and feminist traditions of political thought, considers work as a distinct

sphere of power; one that is a legitimate object of normative political evaluation. However, in contrast to Marxist and feminist approaches, a republican approach to precarious work enables us to evaluate the normative distinctions between such working arrangements and more formally secure forms of wage-labour. Precarious working arrangements generate *distinct* forms of domination that are both normatively significant, and absent from the “typical” employment model established during the twentieth century. This approach enables a more detailed normative evaluation of models of capitalism within the nonideal circumstances of actually-existing society.

Focussing on the *context* of work as a distinct sphere of politically significant power relations rather than focussing on the *content* of work as a vehicle for some particular political value also avoids the controversial, and potentially illiberal, implications associated with ensuring all work is ‘meaningful’. Rather than prioritising a just distribution of meaningfulness in working life, the republican approach prioritises ensuring that working life is free from domination. Whether or not one’s work is boring, repetitive, or pointless, it should first and foremost be organised and governed in a way that is, as much as possible, consistent with the freedom as non-domination of every citizen.

Most importantly, by analysing the freedom-compromising forms of dominating agential and structural power generated by organising and governing work in this way, the republican theory of precarious work also enables us to challenge the way that the political vocabulary of individual freedom has been deployed by free-market libertarian defenders of such working arrangements. Far from being an expression of the independence of workers within the market, the republican theory of precarious work illuminates the extent to which such working arrangements erode the ability of workers to live free lives of their own. Regardless of how freely such arrangements are seemingly established, to the extent that they compromise individuals’ freedom as non-domination they must be considered unjust.

Finally, in this thesis I have begun to sketch how this injustice can begin to be addressed through a combination of state regulation, effective exit rights, and institutionalised worker voice. By embedding robust labour law, a generous welfare state, and a promotive stance towards trade unionism within a wider republican political programme, precarious workers would be more able to resist the forms of domination they encounter in their working lives. Empowered in this way, contemporary workers would be more able to enjoy the intersubjective confidence, freedom and equality that Burton identified in the miners of twentieth century Wales.

A number of avenues for future research can be seen to have opened up as a result of this thesis. Firstly, whilst this thesis has sought to bring the concept of precarious work more fully into the purview of political theory and philosophy, it has focussed exclusively on precarious work as it is manifested within the contemporary labour markets of advanced industrial economies such as the United Kingdom. It may be important to now consider and normatively assess the specific manifestations of precarious labour in the Global South. For example, it has been shown that precarious work has existed for longer in the Global South than the Global North, and has taken different forms (cf. Moseotsa, et al., 2016). Experiences of precarious work are not

internationally universal, and it may be important to evaluate the extent to which race, citizenship, and post-colonial legacies inform the global distribution of precarious work and the particular ways this manifests within and across global labour markets.

In this thesis I have also contributed to an ongoing debate within contemporary republican scholarship with regards to the conceptualisation of structural domination. I have suggested here that the structural vulnerability experienced by workers within the precarious labour market, and the forms of structural power and constraint this produces, should be conceptualised as a distinct form of structural domination, representing a discrete threat to republican liberty that is separate from the interpersonal domination such workers are subject to within their particular employment relationships. However, the suggestion that instances of domination can exist which are not reducible to some intentional, dominating agent is a controversial one. As we have seen, Pettit maintains that domination is a strictly intergenerational phenomenon. A “system or network or whatever” cannot dominate (1997a, p.52). Similarly, Sharon Krause (2013) has suggested that, in order to successfully capture the systemic, unintentional, and unconscious constraints on freedom encountered within society, republicans should supplement the conception of freedom as non-domination with an account of freedom as non-oppression. Krause argues:

“whereas domination requires intentionality and involves control, oppression rests on impersonal, systematic patterns of privilege and prejudice that are often unintentional and that do not involve relations of control. Finally, rather than exploit some persons for the purposes of others (the paradigm case of domination is slavery), oppression works through social norms and internalized habits to devalue and confine the individual in ways that systematically undercut her or his ability to be in and affect the world in ways that manifest her or his distinctive subjective existence. Domination and oppression often coexist, but they are conceptually and experientially distinct” (Krause, 2013, p.201).

I have shown in this thesis why the structural vulnerability associated with precarious working arrangements can properly be conceptualised as a form of domination, nevertheless it may be important to consider in greater depth whether this structural unfreedom is, rather, a form of oppression. This may, however, ultimately be a semantic distinction. The central argument would remain that republicans ought to be concerned with such forms of structural unfreedom, and design, create, and maintain the social, economic, and political institutions necessary to empower and liberate all citizens.

In this thesis I have begun to sketch what these institutions could look like, but further research is required in order to provide a comprehensive blueprint for a republic, both political and economic, that is relevant to the contemporary political landscape we find ourselves in. In particular, the practical policy recommendations outlined in this thesis, perhaps conservatively, assume the immediate continuation of a broadly capitalist economic system. Further research may be required to outline a more demanding, and more radical, *ideal* economic republic that seeks to not only maximise antipower, but eradicate all forms of domination in society. As we have seen, even formally secure,

non-precarious forms of employment generate forms of domination, for example empowering employers to “sweep away the livelihood of a whole town overnight, in the interest of some powerful group, who need take no account of the social consequences of their decisions” (Wilkinson, 1939, p.7). As such, it may be that a more radical republican account of the contemporary labour market, working within an ideal rather than nonideal mode of political theory, would require an end to the capitalist system, reviving instead something like the cooperative commonwealth promoted by the labor republicans of nineteenth century America.

Nevertheless, even the relatively modest proposals outlined in this thesis, for more robust labour law, generous welfare states, and a promotive stance towards trade unionism, if enacted, would represent a significant, emancipatory improvement to the lives of working people in the United Kingdom. For those currently trapped in the precarious labour market, a republican political economy, predicated on the promotion of antipower throughout society, would represent a vital protection against domination, and provide a means by which they might gain greater security, stability and control over their own lives. It is this vision of freedom in the labour market, both attractive and, I believe, attainable, that republicans must now strive for.

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