

THE EMPLOYMENT RELATIONSHIP AND INTEGRATED THEORY

Submitted by

GEORGE ERNEST SANSBURY

Bachelor of Science in Behavioural Science (Honours). 1974.
(Aston University, Birmingham, United Kingdom)

Master of Business Administration
(Portsmouth University, Portsmouth, United Kingdom). 1996

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School of Business
Faculty of Law and Management
La Trobe University
Bundoora, Victoria 3086
Australia

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George Sansbury October, 2004.

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ABSTRACT

This research falls within the field of normative business ethics.

Its aim is to examine the moral nature of the employment relationship in western democracies by examining the liberal, democratic justifications that are normally advanced for its probity. Its concern is to challenge the notion that the employment relationship is in conformity with these liberal democratic values. Thus, the research is an exercise in the examination of the application of the liberal, democratic tradition to the social institution of employment.

Thus research examines areas of dissonance between the political relationship of employee – employer and the dominant values of the liberal tradition found elsewhere in western democracies.

The research firstly identifies the key moral characteristics of the employment relationship in private, capitalist organisations. This is derived from a consideration of the development historically, of the employment relationship, with acknowledgement of the combined influences of statute, common law, contract law and custom in forming the current employee relationship.

Secondly, the research identifies the justificatory arguments from the liberal tradition that are normally advanced in support of the employment relationship's moral probity. These include notions of rights deriving from private property, the separation of social life into public and private spheres and the application of contract law to employment.

Thirdly, the research examines these arguments for their moral probity. Specifically, this involves an examination of the arguments regarding the private property status of employing organisations, the application of contract law to employment, the moral characteristics of the master and servant relationship as a basis for employment and the relevance of democratic values within employment.

As an additional perspective, the literature on human needs is reviewed as a source, outside of the liberal tradition, for a basis upon which to outline the moral requirements of human relationships to work.

FOREWORD

This research is written in the first few years of the twenty first century and might therefore be considered to be written 'post socialism'. It would seem that the great debate between socialism and capitalism has ended with the apparent collapse of socialism as a political and economic force in the world. We find ourselves in a shrinking world in which 'liberal democracy' and 'free market mechanisms' are promulgated as the universal values from which the role of the state, the welfare of its subjects/citizens, globalisation and the rationale for wars are derived.

Thus, it seems that with the apparent demise of the socialist 'great alternative', our economic and political systems and institutions need answer only to their own credo of liberal democracy and the free market for any authoritative moral critique.

Yet the demise of socialism as an energising political force does not remove the need for such a critique. There are many aspects of our western liberal democracies that proffer themselves for moral consideration. The increasing inequity in the distribution of wealth, the low rate of theoretical and practical democratic participation, the loss of community, the increasing loss of individual and associative rights in the fight to protect private property and economic activity, the increasing reduction of access to education, health and public services, the shrugging off of community responsibility for individual welfare; all raise general and specific questions regarding the well-being of individuals, social groups and the community at large.

Accordingly, even if one regards the socialist analysis as having been demoted to the status of an historical footnote there are still effective critiques to be made. And ironically, such critiques may indeed rely upon the theories and arguments of liberal values for their effectiveness.

This research seeks to provide such a 'liberal values' critique on one aspect of our western, liberal democracies-the employment relationship. This relationship is an economic, political and social relationship that provides a cornerstone for our free-market economies and political systems. Thus, the research seeks both; to identify the liberal values in effect as justificatory arguments for the moral nature of the employment relationship and, to examine their acceptability.

I take my general approach from those writers (Bottomore 1975; C. Wright Mills 2000; Prilleltensky, 1999; Hugh Willmott's 1997) in the social sciences who believe that research has a social function as well as an academic one. Briefly their argument runs thusly; that social research is by humans and must therefore improve the wellbeing of humans – an eminently moral approach. Such improvement will be brought about if research is both critical and emancipatory. In other words research should consider the nature of our social relations and suggest more humane ways of conducting them.

As an example of this, Bottomore (1975) argues that Sociology provides an opportunity for social criticism, a position echoed by C. Wright Mills (2000) who claims social criticism as a duty of the academic.

"If we take the simple democratic view that what men are interested in is all that concerns us, then we are accepting the values that have been inculcated, often accidentally and often deliberately by vested interests." (page 214)

"What I am suggesting is that by addressing ourselves to issues and troubles, and formulating them as problems of social science, we stand the best chance, I believe the only chance, to make reason democratically relevant to human affairs in a free society, and so realize the classic values that underlie the promise of our studies." (page 214)

Similar positions are taken in Psychology by some academics;

“Critical Psychology concerns itself with society as much as with Psychology. Indeed, it is critical of society as much as it is critical of Psychology.” (Prilleltensky, 1999. page 95)

Further support is found in Hugh Willmott’s (1997) review of Habermas’ theory of Cognitive Interests that identifies three functions for academic endeavour. Firstly, a technical interest of an empirical nature that seeks to identify, control and predict through the removal of irrationality. Secondly, a practical interest that seeks to improve mutual understanding and thirdly, an emancipatory interest that seeks to engender the development of more rational social relations.

In attempting such an ‘emancipatory’ analysis I should point out that although the material is couched in the terms of Political and Ethical Philosophy it is not intended primarily for that audience. Instead, I hope that my principal audience will consist of those academics and practitioners that are involved in organisational studies in the field of Industrial Relations and Critical Management. It is this group that I hope to engage with my discussion. I have endeavoured to write for this audience rather than for ethicists and in doing so I have kept discussion of the intricacies of ethical and political theory to a minimum providing explanation for the non-ethicist where it seems necessary. In order to do this I have necessarily had to consider the moral arguments upon which the employment relationship is based, but only in order to point out (what seems to me to be) the somewhat shaky moral foundations of this particular social institution.

On a personal level, this research was given motive force by personal concerns that surfaced over a period of years whilst working in the Personnel, Human Resources and Administrative fields in various institutions.

These concerns arose in the course of managerial activities such as the administration of labour contracts, hiring of employees, reorganising of departments and the adjudication of disputes.

Later reflection brought me to the thought that it was not so much the moral aspects of the manner in which administration was practised (in its various contexts and formulations) that caused this discomfort but, rather the essential structure of the employment relationship itself. At an intuitive level there seemed to me something about the essential nature of this relationship that was at odds with the values inherent in a liberal school and university education acquired during the 1960's and 1970's.

A late change in career has given me the opportunity to further consider the nature of my disquiet and I happily take this opportunity to consider the issue in more depth.

My own area of interest is the employment relationship and in considering it from a moral perspective I have endeavoured to provide an analysis that might prove emancipatory to some minor extent. My aim in this research, given all of the above, is to give form to those disquieting concerns regarding our relationship to work in the hope that such an endeavour might also assist in developing a more rational and humane form for the social institution of work.

My concern in this research is to sow some seeds of doubt in the minds of Management and Industrial Relations academics/practitioners regarding the moral nature of an institution so central to most of our lives – the master and servant relationship. A relationship held tightly in place by contract, private property and the public/private division of social life.

PREFACE TO: 'ON THE GENEALOGY OF MORALS'

"While every noble morality develops from a triumphant affirmation of itself, slave morality from the outset says No to what is 'outside', what is 'different', what is 'not itself'; and *this* No is its creative deed.

This inversion of the value-posting eye – this *need* to direct one's view outward instead of back to oneself – is of the essence of *ressentiment*¹: in order to exist, slave morality always first needs a hostile external world; it needs, physiologically speaking, external stimuli in order to act at all – its action is fundamentally reaction.

The reverse is the case with the noble mode of valuation: it acts and grows spontaneously, it seeks its opposite only so as to affirm itself more gratefully and triumphantly – its negative concept 'low', 'common', 'bad' is only a subsequently-invented pale, contrasting image in relation to its basic concept – filled with life and passion through and through – 'we noble ones, we good, beautiful, happy ones!'

When the noble mode of valuation blunders and sins against reality, it does so in respect to the sphere it despises, that of the common man, of the lower orders;"

(Nietzsche, 1969. pages 36-37)

¹ May be translated as 'resentment'.