CHAPTER 7

# Extracting Free Labour

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### Introduction

There is a de facto continuity between the uses and functions of information technologies and insecure employment. The latter became a key challenge in the second half of the twentieth century. It shed light on something of a crisis shaking up the Fordist model, starting with the central position of the factory, and also the loss of the spatial unity and separation that established it: the workforce was concentrated in a single place at a single time. Films and photographs going back as far as the end of the nineteenth century of workers leaving factories illustrate this unity of space and time through which the vast majority of employees gathered together at the same time. The segmentation and greater flexibility that companies imposed in the mid twentieth century have put this kind of unity into perspective. They have diversified working hours, particularly for part-time work, severed the legal unity of employees (for example, equality in respect of terms and conditions) on a single site, increased the number of employers (e.g. through the use of temporary employment agencies) and expanded the corporate relationship of subordination and domination beyond its physical boundaries (e.g. through sub-contracting or offshoring). Information technologies and digitization have brought about a radical change in this de-territorialization movement that would have been inconceivable until the

middle of the twentieth century, pushing it as far as the dematerialisation of the company and triggering a crisis of the conventional boundaries between work and free time, production and reproduction. By virtue of their ability to intrude, their ubiquity and invisibility, information technologies have created a revolution in the conditions of subordination and domination. Firstly, the trend to outsource, which characterised sub-contracting, has reached a level of globalisation and control that was hitherto unthinkable: performance and productivity within a company can be monitored remotely; the fragmentation of the labour process has reached the ultimate level of atomisation of the worker as a self-employed person, while taking monitoring procedures to the extreme (Berger 2005). Secondly, the crass and material means of getting around limits on working time (taking work home) or stepping up employees' time commitments at work (through part-time work) have been fine-tuned to undermine boundaries between work and private life and to create opportunities for work in all places and at all times. The intrusive nature of digital technology has been used to wrest interstitial moments of work from people's daily private lives; extending the working day into the privacy of the home; making work instinctive, sometimes unbeknownst to the worker; and presenting work as a game. Within this global and comprehensive process, this chapter will focus more specifically on the debates and challenges regarding free labour, considering in particular the tension between the two meanings of the term 'free', in accordance with the now canonical example which may be trivial but which speaks volumes, 'free as in beer vs. free as in speech' (Anderson 2009). The inherent ambiguity in the word 'free' does allow a better distinction between what is freely available and what is free of charge. In the movement to expand the sphere of work by undermining its boundaries, this chapter aims to comprehend the major trends of capital development related to an ever-increasing digitisation of social relationships.

## From Outsourcing to Undermining the Meanings of Work

There is therefore a continuity between digital capitalism and the outsourcing trend of the late twentieth century, as they both result in a form of capitalism based on access (Rifkin 2001). For less than half a century, most companies have given up on localised material implementation and organisation of production in a move towards remote management (Davis 2016). This means that companies have introduced a type of management which is less concerned with doing and more concerned with delegating: this attitude to work is essentially paradigmatic of digital capitalism. The Uber driver, the delivery rider and the Turker are all owners of their fixed assets: car, bicycle or computer, or indeed, they work from home. Platforms have technical (algorithmic) and managerial control in addition to owning the digital media which organises the material conditions of production. While claiming to act as an

intermediary between worker and customer, they dictate, to varying degrees, how work is monitored and manage the data generated by the labour process (Srnicek 2016). If we consider this intermediation from a labour standpoint, it firstly appears to be a clear component of a labour relation close to subordination and, incidentally, is often subject to legal classification (Uber, Deliveroo, etc.). Secondly, it is part of a triangular system, based on a two-sided or even multi-sided market rationale, leveraging one of the sides, often advertising, and offering free services to consumers (YouTube, Twitch, etc.). On one hand, the platform seems to form the foundation of a new kind of piecework (Casilli 2019). Whatever the task may be, whether skilled or unskilled, professional or otherwise, the platform's intermediation between a customer and a self-employed worker is geared towards a set piece of work for which the worker is paid (in contrast to payment by the hour, day or month). On the other hand, the platform takes advantage of its two-sided market attributes to play on the ambivalence between what is freely available and what is free of charge. The *freedom* conferred by the platform and the assistance it sometimes provides are often paid for by advertisers but also enacted through original ways of putting people to work – it is in this meaning that the *freedom to do something* appears in certain instances to be *working free of charge*, subject to appropriation and even extortion. Firstly, the exploitation logic is related to types of disciplinary checks enabled by the ability of new technologies to be intrusive. No matter how much platform capitalism constantly denies it, either through gamification or euphemism, it obligates labour. Secondly, under the guise of cooperation and a new denial of labour, including the use of amateurs or Pro-Ams, for whom the revolution was latterly heralded (Leadbeater and Miller 2004), the aim is to extract a form of non-subordinated activity or labour by any means possible. Let us analyse these two separate trends.

Most of the new piecework is related to what Nick Srnicek calls 'lean platforms' (Srnicek 2016). They operate according to the paradigmatic model discussed above. On these platforms, asset ownership is kept to a minimum while everything is outsourced: workers, fixed capital, maintenance costs, incidental expenses, training. Based on an algorithm, the platform manages and monitors the entire labour process, and this is a key criterion for the identification of various signs of subordination: monitoring (GPS), nudges, orders (obligation to accept certain rides), penalties (strikes) and deactivation (Huws et al. 2017) are aspects which concern almost all platforms of this type, from the largest (Uber, Deliveroo, Amazon Mechanical Turk, TaskRabbit) to the smallest (Foule Factory or Clic and Walk in France). Lastly, when they cannot introduce a webcam system, which monitors and tracks real-time employee behaviour, they delegate these blind spots of algorithmic management to customers and also to workers themselves. The ratings allocated to users and workers alike are, despite their apparently harmless nature, substitutes for managerial and hierarchical control. No matter how these platforms corrode the signs of labour and the relationship of subordination by hiding them under cheerful statements

('Uber's a popular new way to earn extra money by giving people ride with your own car'), or by avoiding the use of all words which evoke subordination, command and authority (starting with the use of the term *user* and avoiding the use of the verb *employ*); no matter how they promote seemingly fun competitions, such as the challenges launched by the algorithm to complete the most rides and receive a bonus; no matter how they dress up bicycle delivery as sport, a fun endeavour and a feeling of freedom in the city, they cannot really hide the signs of subordination if a worker were to take the company to court. Yet they do undermine and obscure the reality of subordination in everyday life and use. Delivery riders and drivers may 'play along' with the idea of sport and competition, as did the workers of Allied Company at the end of the 1970s (Burawoy 1979). The veil that is drawn over subordination is not only an artifice to avoid classification, but also a means of abusing the self-employed worker who has not always been familiar with heteronomical violence and who, moreover, is not always subject to an express form of financial pressure. The practice of gurus of the new economy intoning the term 'democratisation' when talking about information technologies is in this sense a prime example of how it misappropriates meanings for its own ends (Anderson 2006, 55–56). It is not democratisation but rather massification. While digital tools can play a role in democratising processes it is only under certain conditions. At other times these tools function within an asymmetrical labour relationship: we know that the platform remains in full control.

Whether they suffer and struggle, as Ken Loach's film *Sorry We Missed You* (2019) demonstrates in an exemplary manner, or whether they play, what should be understood as a metaphor within the relationship of subordination itself, is that the delivery rider, driver and Turker know that their time is constrained and subject to a commercial relationship, meaning that it will not be an end in itself. The use of disconnection appears to be a symptomatic brutality of the neoliberal undermining of the employment relationship, all the more impressive as it is trivialised in the technical act of sacking. The silence that workers face if they ever raise questions with the platform testifies to the asymmetry of the social relationship in a digital context (Huws et al. 2017). It undermines two centuries of worker movements that instituted labour protections and rights. While neocapitalism has sometimes been interpreted as a return to *formal subsumption* as it is thought to rely on the experience and expertise of a self-employed worker, the new conditions of exploitation are more complex, particularly regarding the new forms of piecework. They bring together the *formal* character of an apparent worker autonomy, related to outsourcing, and the *real* character of a process of subjection. In his formal subsumption analysis, Marx insists on an extension of the working day as a source of extracting additional time. Here, surplus labour is extracted not by extending the day but through the technical conditions of monitoring and by contracting time. The platform takes over the process used to complete the ride or the task and the algorithm is not so different to the bosses who previously punished workers for

the slightest tardiness with fines and other unfair penalties. Further, as in the early days of industrial employers, contracts are often take-it-or-leave-it. Yet, we must also consider that platforms are much more subtle than the employers of the past who could only stretch out the working day and extract a surplus labour time over a twelve-hour timeframe. In a world in which the social time devoted to work has reduced significantly, platforms now know how to find avenues for micro-extortions through microtasks in the interstices of this socially available time: during the lunch hour, waiting for a train or bus, when making a purchase, and so on. This is the aim of Foule Factory and Clic and Walk in France. With the latter, companies task ClicWalkers to take photographs of their products and displays as they appear in shops, and to provide their opinion on their effectiveness, enabling companies to develop their marketing strategies. The aim of the former, as its founder claims, is to leverage 'people who like to say at midnight "I have an hour ahead of me, I'm going to do this from midnight to one"' (Barraud et al. 2018). This spinning out of tertiary working hours is one of the major disruptions of information technology. It is a genuinely new and original extraction method that is made possible by the intrusive capacities of digital tools, and also through their corrosive power over our capacity to assess work volume in everyday situations. While there has been talk of a return to the 'domestic system' (Acquier 2017) regarding platforms, and this invariably evokes work at the end of the eighteenth century or the early nineteenth century, and formal subsumption, we must consider the way in which information technologies subvert the relation of independence and the separation of the worker from the company with a view to submitting the worker to monitoring, while keeping up the illusion of a degree of freedom. The principle is in the simultaneous ability to bring together what is separate and segmented, or in other words to overcome any distance through monitoring, as we have seen.

## From Subordination to Incubation

While subordination is perceptible in this first type of platform, and the feeling of exploitation is widespread, certain platforms can offer a *free* space for a free activity, which will itself be a source of profit. User-generated content becomes a source of value for the platform, not in terms of attention or audience, but of a productive or creative activity, or an invention. With his characteristic empirical clear-sightedness and business acumen, Chris Anderson noted that self-employed artists and small-scale creators of what could be called the productive universe of digital informality do not have the same interests as the major artists who defend their copyrights and intellectual property (Anderson 2006). Attention to their rights is less important than the possibility of being seen, appreciated and acknowledged, in a universe in which reputation guarantees work and payment. The theory supposes that a user is subject to multi-activity.

Before encountering the slightest success, people must be able to earn a living through another activity, another job, or from family assistance which frees up time. Someone who freely posts their work on a platform knows that this is not a means of earning a living, but they can at least build up a certain reputation, which may ultimately result in a source of income. Under such circumstances, insecurity in life or work often comes with the desire for acknowledgement and visibility, while the platform in turn financially benefits from the work of unpaid workers. The almost infinite storage options that digital technology provides causes greater insecurity for these precarious amateur contributors. Free from the cost and restrictions of stocks, the platform can let algorithms and users determine who is successful and who is not. For the latter group, the cost of their quest for reputation is insecure living conditions and unpaid labour, even at a loss. For the select few, there can be a certain degree of success, or even huge incomes. It may also be thought that this type of platform is a tremendous incubator of neoliberal norms, encouraging the internalising of an ethos of self-sacrifice and job insecurity and downplaying a competition approach which, ultimately, is a winner-takes-all model. Negotiations with advertisers for the staging of unpacking clothes or discussions between friends, the infiltration and colonisation of spontaneous behaviours by brands and their training of users, appears to be another aspect of this neoliberal school of thought.

Within this new amateur-focused model, there are also other relationships to free labour. From its emergence, the platform economy has been linked to the collaborative economy and from the outset some have viewed this less as a cooperation between peers and more as a deterioration of the previous social welfare system and the dawn of a freelance society. Many examples exist of cooperation between users, or user communities, and companies which demonstrate another side to this cooperation, but, within a capitalist system, cooperation is practiced under very specific conditions. The need for diversification and renewal may result in a crowd relationship with some companies that is very different from those of lean platforms and their neo-pieceworkers. Various activities can be an end in themselves, such as games and art. However, those who complete these skilled activities must often negotiate with the market and confront cash constraints. This is the condition under which the capitalist finds a means of trade. A fan economy emerges, not only in fashion but also in sectors where we would least expect it. The appeal and influence of certain items of the latest trend, and the pleasure of projecting an image of oneself, foster various porosities between the company and those who use its products. Brand ambassadors enjoy more favourable purchasing conditions: YouTubers are supported by the brands they promote, and the prestige of certain channels encourages volunteer work.

The example of the Danish company LEGO® is particularly interesting in this respect, in that it is related more to the universe of fun and play than that of fashion and appearance. The relationship with the famous bricks, which are used to build characters, objects and even jewellery, is not limited to children;

adults also use them, and for them play results in a blurring of the boundaries between the roles of consumer, user and producer. The Group, which is one of the most powerful companies in the world, leverages these adult users in a cooperative process in which the tension between freely available and free of charge is particularly apparent. Firstly, this is a niche market as the use of plastic bricks may be diversified according to the type of user community, and LEGO® encourages them to create their own designs. The opportunity to have free access to some of the company's tools becomes a chance for user creativity and consequently a form of crowdsourcing. Consumer-users upload their creations onto a web page, and their designs are rated by other users and may be selected by the company if they prove popular with others. Not only does the system allow LEGO® to source innovative ideas from users, but it also increases the probability of new products being successful (Antorini and Muñiz 2013). For enthusiasts, the Brickmaster Club provides a subscription to the LEGO® club magazine, which outlines projects for members to build themselves. In some cases, the company must acknowledge intellectual property rights and certain personalised kits or models clearly state the names of inventors and their rights.

The company, therefore, finds skills and expertise amongst fans and also enables cooperative social situations, which stimulates the innovative power of users, and from which it can leverage creations and recreational aspirations. More than simply free labour, which brands can extract through voluntary behaviours of their consumers and fans, this approach involves extracting the results of an experience or of a talent, which results in increments of innovation that are particularly marketable. Unlike volunteers, who give their free time and sometimes their professional skills, virtuoso amateurs lend their expertise, their insights and their innovative skills. It is both the cooperation between users, which the company encourages, and the power of invention that some of them possess, and who, while needing LEGO® to achieve their aspirations of play and pleasure, enable the company to develop their products.

The entire system is remarkable. Firstly, the management category is dilated. The company no longer enlists employees and professionals, it uses amateurs. Such management clearly has many specific features. It must manage the complex nature of profitable cooperation initiatives, but with individuals and groups who provide labour for free, and who do not offer their services for the sole intention of earning money. Crowdsourcing is not based on piece-workers' constraints, far from it. It also stems from the expertise, virtuosity and communications of users as a huge well of experience, signs and symbols. While, according to Gabriel Tarde, an invention is the intersection of different imitations which are built up in the brain, amateur clubs, groups and social situations are spaces of communication interactions in which the intelligence and expertise of players are mutually built up and incubated by LEGO® (Tarde 1902). Incidentally, the term incubation is symptomatic of digital technology, its effects, and the specific conditions under which it extracts labour. The

incubation process does not involve fertilising eggs but rather oversees brooding them. For this form of capitalism that delegates more than it makes, incubating is a specific means of enlisting a workforce.

The case of *The Huffington Post* is one example of many. As long as consideration has not been given to the act of lending to a platform free of charge with a view to appropriating the results of a free activity, no progress will be made. One characteristic of digital technology is its almost unlimited nature, or, in other words, *that space costs practically nothing*. While storage costs are minimal, everyone can connect to a site and post their activity, but also all activities may be subject to free market forces: the fact that using the platform appears free does not mean that it does not register earnings. A platform's success lies in its ability to attract increasing numbers of people and to then conduct post-screening. Everyone collaborates on the platform but not everyone is remunerated as a collaborator. The market rationale, and in particular that of the advertising market, encourages those who are successful and who raise the platform's profile and value. The more general idea is to acknowledge this collective collaboration, not to leave it solely under the platform's arbitrary judgement, but to provide more fairness and transparency for all platform workers.

## Conclusion: Access-based Capitalism and Its Opponents

Whereas labour no longer occupies the space and time it occupied in the Fordist society, but rather concerns key moments in individuals' lives, platforms tend to restructure productive systems and social landscapes. While working methods are changing, so are the conditions underpinning disputes and their means of subjectivation. Isolation, fragmentation and their consequences for the constitution of neoliberal individualism are challenged by forms of socialisation based on listening and reciprocity. Associations merge bringing together several types of culture or communication professional and allowing the experience of the freelancer to be shared, and thus to react collectively to economic dependence. Regarding riders, collective action is more widespread in cities, where the riders are occupying urban centres, which are often places of professional gatherings and exchanges (Leonardi et al. 2019). Strike action has taken on a spontaneous and radical nature that labour disputes have not seen in a long time (Cant 2020). Through self-organised cooperatives, bikers have taken hold of the platform device in order to make alternative use of it. Following Coopcycle Federation, founded in 2017, some local platforms are now pooling their delivery software programmes, mobile applications and sales services – thus shifting intermediation systems from an asymmetrical instrument to a reciprocal one. The old idea of an appropriation of the means of production seems to rise up from the past. It suggests public control of private structures, which are increasingly the intermediaries of our daily lives. During the pandemic, some biker associations used platforms for social purposes, delivering

food packages to the elderly or isolated. The 'lean' nature of work platforms (Srnicek 2016) encourages workers to subvert these structures, within which workers are, moreover, already taking in hand the means of their own work (Cingolani 2021). To turn the device around and move it from a capitalist to a cooperative framework, it is simply necessary to bring together the producer and the consumer.

Against a backdrop of global imbalances, segmentation and opacity due to offshore arrangements, the increasingly informed nature of consumers has had an impact on some companies' offending and illegal practices. Even though it is still insufficient, we have seen them apply their full weight against firms who partake in child labour or who expose their employees in developing countries to health risks (Cingolani 2018). Outsourcing, and the lack of transparency that it provides for capitalism, fosters divorce between consumers and workers and maintains competition among them by making low cost remuneration the condition of a cheap service. It is time for the consumer to stop consenting to market logics and to recognise the need to reject immediate satisfaction in order to have a voice within companies, alongside workers. The stakes seem higher as companies connect citizens via major information and communication platforms. Google, Facebook and their subsidiaries have exploited, for their own benefit, structures that could have been designed as commons or public property.

We are now at a turning point in which deregulation is related to a conventional situation whereby new labour relations, shaken up by the neoliberal disruption of platforms, have not yet acquired sufficient weight to protest against and to neutralise the effects of social imbalances. If there are further attempts to take advantage of this digital precariat, and to abuse the cooperative creativity of amateurs, semi-professionals or professionals by making them work for little or for 'free', people and crowds have the means to demand recognition of their common activity (Wark 2013). Unlike the crowds that conservative theorists fantasised about at the start of the twentieth century, the network-based crowds of the twenty-first century are increasingly competent and knowledgeable. As the offsetting of labour suggests, criticism and protests may no longer stem from institutional structures coming from the company alone, or even conventional institutions of labour negotiations and disputes, but rather from specific or hybrid forms of organisation and mobilisation of these pluri-active multitudes who are increasingly visible at the turn of the twenty-first century.

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