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Work, Inc.: A Philosophical Inquiry by E. F. Byrne

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Book Review

E. F. Byrne: *Work, Inc.: A Philosophical Inquiry* (Philadelphia: Temple UP) 1990, vii + 340 pp. \$39.95.

Professor Byrne has given us a passionate and diligent book. What provokes his passion is the plight of the workers. They have lost their dignity and security, they feel betrayed and abandoned. Professor Byrne's concern with the fate of the workers is not filtered through Marxism, socialism, or unionism, nor is its anger clothed in one of the standard vocabularies of the left. Professor Byrne simply sees a lot of working people without a job, health insurance, a pension, any hope of employment and advancement, and without any confidence that they can do anything about all this.

Workers need a voice.¹ Not that the poor and the powerless of our society altogether lack advocacy. But you require a special and politically correct grievance to capture the media and gain a hearing. (Getting relief is another matter.) Simply to be unemployed, underemployed, uninsured, unneeded, or insecure is not enough. Nor is it the case that philosophers have neglected the problem of social justice. It is at the center of Rawlsian liberalism, and the latter has been a vigorous and even revolutionary school of thought in professional philosophy since the early 1970s. Yet the theorists of justice are to the workers what the medical researchers are to patients. The theorists have removed themselves from immediate misery to work out a powerful remedy once and for all. While medical scientists may yet defeat heart disease, cancer, and AIDS, it is more than doubtful now whether philosophers will ever achieve an analogous victory. Accordingly, Professor Byrne is weary and wary of professional philosophy (pp. 7, 10, 41, 45) and attends to the difficulties and varieties of the workers' concrete situation.²

Professor Byrne pursues his task with enormous diligence. In an introductory chapter he sketches the unhappy upheavals that have overtaken the once relatively stable and mutually fruitful relation between corporations and workers, and in ten brief and disturbing accounts he documents the misery that these upheavals have scattered all over the globe. In Part I, entitled "Worker and Community," he gives an exposition

of the views that have guided and misguided us in thinking of work as obligatory, redeeming, ennobling, and as an entitlement to welfare.

Part II, "Worker and Corporation," portrays the arsenal of arguments, inducements, and enforcements that corporations have used to bend workers to their will. It ends by considering the final solution to the demands and unruliness of workers — elimination through automation. "Corporation and Community," the third and last part, unfolds the struggle between these two institutions over the control of the working environment, a fight almost always won by the corporations and now further weighted in their favor by the global economy that provides corporations with still more options when faced with a demanding community. A solution to the workers' plight, Professor Byrne contends, requires a global agreement on justice and, at the local level, a reaffirmation of the city as the salient place for communal solidarity and self-assertion. To sum up, Professor Byrne states his "principal conclusions, one factual, one hortatory, and one theoretical."

I. The factual conclusion is this: *the social contract involving business, labor, and government is no longer tenable "as written," because business now exercises de facto sovereignty over the other two parties to the contract. . . .*

II. The hortatory conclusion is this: *workers will be able to counterbalance the concentrated power of corporations only to the extent that they and the communities in which they live come to see their interests as intertwined and learn to defend these interests cooperatively (p. 279). . . .*

III. The theoretical conclusion is this: *social and political philosophy will remain irrelevant to a major social and political issue so long as its practitioners do not deal with the fact that corporations are becoming the world's most powerful de facto bearers of sovereignty (p. 281).*

Professor Byrne spares no labor supplying detail to the background and basis of the issues that concern him. When it comes to the obligation of work and the value of leisure, he will present you with the social facts and theoretical

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positions from the Greeks to the present (pp. 65–76). When it comes to the validity of tests for employment screening, he will walk you through the relevant case law, using his legal expertise to evident advantage (pp. 161–65). He has used, appraised and acknowledged an enormous amount of data and secondary sources. And a skillfully constructed index provides the key to all this material.

The theoretical thread that runs through Professor Byrne's book is the notion of the "workers' representative," the party that would properly represent workers in a renegotiation of the social contract. The "workers' representative" marks Professor Byrne's standard of what in the expanse of his material is crucially relevant and beneficial to the well-being of workers. He presents this notion as a modification of John Rawls's original position in *A Theory of Justice*.³ But why modify rather than adopt Rawls? Professor Byrne's general, and generally agreeable, reason is the relatively abstract and individualist structure of Rawls's edifice. But in his specific criticisms of Rawls, Professor Byrne has embarked on a wrong-headed and error-filled course. Professor Byrne's principal problem is a mistaken view of how Rawls conceives of the position in which the social contract is originally agreed upon. Professor Byrne fears that the parties to the original position will, behind the veil of ignorance, agree on a contract so loosely circumscribed that the welfare of workers will remain gravely vulnerable to the power and greed of the corporations. What is needed, Professor Byrne concludes, is a representative who is well-informed and well-concerned from the start (pp. 9–11).

But how would the workers' representative press the workers' claims in contracting with business and government? Professor Byrne reasonably ignores the possibility of violence and militancy. All that remains then are arguments and appeals as to what is right, fair, and just. But what is just? Professor Byrne recognizes the urgency of this question (p. 121) and realizes that, absent an answer, we are left with "the myth that the law of labor relations is irrevocably the law of a jungle" (p. 153). The purpose of Rawls's original position is precisely to yield and justify principles

of justice. They are to be the basis, not the point of contention, of real life bargaining.⁴ By misconstruing Rawls's original position as a real bargaining situation, Professor Byrne robs it of its function as a source for principles of justice, and he has no other source to put in its place.⁴

Accordingly, there is resignation, if not despair, running underneath Professor Byrne's compassion with the workers' predicament. At times his indictment has flair and conviction. The stylistic standard bearer of such vigor is what H. W. Fowler has called the sentry participle. Frequently used by Professor Byrne, it alerts our attention and promises great tidings. But as Fowler warns, fatigue and disjointedness are likely to overtake this construction.⁵ When stylistic exhaustion and substantive weariness converge in Professor Byrne's prose, its tone tends to become sarcastic (e.g., pp. 27, 33, 142). Not that the objects of Professor Byrne's scorn are always undeserving. But the effect on readers is the danger of surrendering the compassion and insight they owe Professor Byrne to doubt and helplessness. In the face of such misgivings, Professor Byrne's call for global justice and local activism is too tentative to inspire and guide his readers.

To break out of the intellectual captivity where our imagination is pressed down by the arrogance of the corporations and the impotence of the workers and communities, a reflection on the deeper aspirations and debilitations of the workers is needed and a more careful look at the possibilities that are opening up as we approach the end of a millennium and an era. Professor Byrne's exclusive attention to work and production conceals the realm of leisure and consumption that is commonly thought to necessitate and vindicate the pains and dislocations in the world of labor. Too many of us are willing to accept unemployment and reductions of welfare as the price of a high and rising level of consumption. In the last three presidential elections, the popular vote evidently favored the prospect of greater prosperity over the pursuit of social justice.

Now that the end of the modern era is coming into view, both our aspirations and the economic structures our hopes have been entrusted to are losing their vigor. As regards economic structures,

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Professor Byrne pays little attention to the post-industrial changes that are weakening and restructuring the sinister force that looms so large in his account — the corporation.⁶ It is surely premature to proclaim the demise of the large corporation.⁷ But there is daily evidence that the once paradigmatic firms of this country are losing mass and rigidity.

The center of gravity in our economy does not lie within the corporations. It is found in people's implication in a life of disburdenment and consumption. This is where it must be exposed. And if there is any hope of bringing force to bear on it so that things will begin to move in a salutary direction, we must discover new paths in the emerging postindustrial and postmodern terrain. In preparation for all this, we would do well to heed Professor Byrne's plea for the working people and to avail ourselves of the wealth of material he has gathered for us.

Notes

¹ Another sympathetic voice, though not a philosopher's, is Thomas Geoghegan's in *Which Side Are You On? Trying to Be For Labor When It's Flat on Its Back* (Farrar, New York, 1991).

² Parenthetical numbers are page references to *Work, Inc.*

³ Rawls, J.: 1971, *A Theory of Justice* (Harvard UP, Cambridge, MA). — Abbreviated in what follows as *TJ*.

⁴ Professor Byrne attempts to show in detail that Rawlsian justice, whatever its principles, fails to protect workers. Rawls supposedly leaves sufficient employment to the vagaries of the market (pp. 9–10). But Rawls has a special branch of government “to bring about reasonably full employment” (p. 276 in *TJ*). Professor Byrne claims that Rawls offers a “nonideal theory” (p. 181) and permits “people's all-important liberty” to be unduly constrained (p. 253). But Rawls stresses that his is an ideal theory (pp. 8–9, 245 in *TJ*) and that “liberty can be restricted only for the sake of liberty itself” (p. 244 in *TJ*). Professor Byrne claims that “Rawls thinks of society as arranged hierarchically, with those most advanced effectively making the decisions for all others” (p. 252). But Rawls explicitly considers the “view that persons with greater intelligence and education should have extra votes in order that their opinions may have greater influence” and clearly rejects it (pp. 232–34 in *TJ*). Finally, Professor Byrne denies without sufficient argument (pp. 10, 261, 269) the possibility of globalizing liberal justice (though he is right in saying that Rawls himself demurs).

⁵ Fowler, H. W.: 1965, *Modern English Usage*, 2nd ed., Sir Ernest Gowers (rev. and ed.), (Oxford UP, Oxford), p. 438.

⁶ See, e.g., M. J. Piore and C. F. Sabel: 1984, *The Second Industrial Divide* (Basic, New York).

⁷ See C. Brown, J. Hamilton, and J. Medoff: 1990, *Employers Large and Small* (Harvard UP, Cambridge, MA).

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