

# Occupation Freedoms: Comparing Workers and Slaves

M. S. Alam [Northeastern University, USA]

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## Abstract

Neoclassical economics assumes that workers in free labor markets are free to make occupational choices, while labor in pre-capitalist economies lack/lacked this freedom. This is a pivotal argument made in favor of capitalism, but it is also flawed. This essay revisits the comparison between workers and slaves by placing both in a 'primordial' capitalist economy, whose labor markets are free from government intervention and untainted by racism. Our comparisons show that the advantages claimed for workers over slaves are either exaggerated, do not exist, or the advantage belongs to slaves. At the same time, we wish to make it clear that slavery entails the near-complete loss of control over a slave's person, while a wage-worker surrenders this control generally over the *use* of her laboring capacities for some part of the day. Hence, a person will likely choose to be a wage-worker rather than slave.

**Keywords:** occupational freedom, workers, slaves, serfs, self-employment, peasants, freedom, coercion, capitalism, free labor, unfree labor

*"...the veiled slavery of the wage-laborers in Europe needed  
the unqualified slavery of the New World as its pedestal."  
Marx (1867, 925).*

## 1. Introduction

In an essay that critiques the capitalist framing of the occupational freedoms of wage-workers—comparing them to serfs and slaves—it is necessary to state at the outset that occupational freedoms do not exhaust the ends that are desirable for a fulfilling life. When examined in a comprehensive moral framework that includes dignity, justice, and conceptions of freedom that are not limited to occupational choices, there may exist situations in which a wage-worker might prefer to be a slave or serf.<sup>1</sup>

Slavery entails the nearly total loss of control over a slave's *person*, not only for the duration of her life, but this condition is likely to persist over several generations. In addition, since the slave is a chattel, that is, the property of her master, the slave-master may beat and abuse her

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<sup>1</sup> In some situations—such as loss of employment—a wage-worker facing death through starvation may choose to sell herself into slavery to avoid certain death.

and her family without any recourse to the law. On the other hand, a wage-worker surrenders control over the *use* of her laboring capacities for some part of the day. She is the owner of her own person outside the workplace, and her employer exercises no control over her family, not to speak of the generations that issue from her. While her condition as a wage-worker—without ownership of the means of production—forces her to accept the employer’s dominion over her working capacities, this dominion is partial, and she is free, within limits, to choose another employer. Also, if she manages to save some of her earnings, she may escape the dominion of employers over her by becoming self-employed. Further, since a wage-worker is a free person, she has the same rights—at least in theory—as her employer. She may, therefore, in principle turn to the courts for restitution of wrongs done to her by other workers or by her employer. Finally, barring a legal system or culture that is discriminatory against minorities, a wage-worker may also enjoy the civil and political rights available to citizens in a political democracy. Given this contextualization, we may proceed to the question this essay seeks to answer without any suspicion of legitimizing slavery. On the contrary, we hope to strengthen the case for establishing economic systems that incorporate democracy in the workplace.

Are wage-workers in a capitalist economy freer or better off than slaves in *all* the diverse features that define their working lives?<sup>2</sup>

Some two centuries into the era of global capitalism, this question will strike some as quaint if not scurrilous.<sup>3</sup> The capitalist ideology of free labor often claims that *all* pre-capitalist economies were dominated by two classes of unfree labor relations, slavery and serfdom.<sup>4</sup> A worker in capitalist economies, on the contrary, is legally free to dispose of his time and working capacities. If the capitalist is free to hire workers under terms that best suit her interests, the worker too is free to choose the terms under which she offers her services to the capitalist. In other words, a worker enjoys occupational freedoms: she is free to choose her job, employer, job location, and conditions of her work. Thus, capitalism appears as a dual emancipatory project. It frees the bourgeoisie from the restraints of feudalism, at the same time it frees the slaves and serfs from the coercion of their masters. In a capitalist economy, the capitalist and worker meet as equals on free labor markets, each, free to dispose of her capacities in her best interests. There are two errors in this capitalist account of free workers.

First, the claim that coercion-free production began with the rise of capitalism is a convenient fiction; and discarding this has important consequences for capitalist accounts of freedom. Nearly all of human history contradicts this fiction. For more than 95 percent of their history, humans lived as free members of small groups of egalitarian foragers, their freedom

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<sup>2</sup> Neither workers nor slaves own any means of production. A worker, however, is legally free and (putatively) faces no extra-market coercion in disposing of her time and working capacities. A slave is legally unfree; she is the property of her master who may and does coerce her into working. Workers possess ‘negative freedom’ while the slaves do not (Berlin, 2006).

<sup>3</sup> Comparisons between workers and slaves are by no means novel. From Aristotle and Cicero down to the end of the nineteenth century, “it was widely believed that anyone who was obliged to sell their labor in exchange for a wage was not far removed from that precarious and degraded social condition [that is, slavery] (MacGilvray, 2011: 159).”

<sup>4</sup> In her *Lectures on Jurisprudence*, Adam Smith states: “Slavery... has been universal in the beginnings of society, and the love of dominion and authority over others will probably make it perpetual (Smith, 1773: 187).” In Marx and Engels’ (1848: 9) theory of successive modes of production also, capitalism was preceded by slavery and feudalism.

underpinned by access to abundant food-producing lands.<sup>5</sup> The first peasants, who practiced shifting cultivation, lived in acephalous societies, and did not have to pay rent or taxes to an overlord or government.<sup>6</sup> After they transitioned to fixed agricultural settlements, peasants began paying rent, taxes or both, but retained ownership of, or access to, lands for their own use; even serfs and, in some cases, slaves retained control over production of their means of subsistence.<sup>7</sup> In only two types of economies, slavery and capitalism, are primary producers stripped of ownership of, or access to, the means of production. However, historians have identified only two major ancient societies, Roman Italy and some Greek states, whose economies depended primarily on slave labor. We encounter slave societies again in parts of the Americas, between the sixteenth and the last decades of the nineteenth century.

In other words, self-employment in all its varied forms was the common lot of a great majority of primary producers, before capitalism became the dominant mode of production in north-western Europe, USA and Canada, starting in the nineteenth century. Outside of these areas, the dominance of self-employment continued throughout the nineteenth century; in much of Africa, and many parts of South Asia, Southeast Asia and Central America, self-employment persists as a major mode of production in agriculture and services. Why then have so many mostly Western writers chosen to demonstrate the superiority of capitalism by comparing ‘free’ workers to slaves, *not* to foragers, nomadic populations, peasants, artisans, and other self-employed persons? Thus stated, the question answers itself. Comparing workers to self-employed persons would not deliver the desired results. Self-employed persons enjoy far greater control over their working lives than the vast majority of wage workers.

Why do these writers fixate on freedom as the single criterion for demonstrating the superiority of capitalist over pre-capitalist modes of deploying labor? Many, if not most, observers might agree that, in addition to occupational freedoms, most humans also value non-occupational freedoms, security of livelihood, justice, fairness, human dignity and leisure; and that tradeoffs exist between occupational freedom and each of these other values. Measured against any of these alternative ends, it is doubtful that workers would come out ahead of self-employed persons. That might explain why protagonists of capitalism chose to compare wage-work against slavery, *not* self-employment. With slavery as the alternative to wage-work, freedom had the best chance of privileging wage-workers.

Capitalist fixation on freedom aligns with the fundamental interests of the capitalists. Except when it faces competition from imports or foreign capital, capital benefits from economic freedoms – such as freedom of movement for capital, labor and goods, freedom to hire and fire, to buy and sell goods, to despoil nature, and to inflict costs of production on third parties. This was already clear in early modern Europe when the local monopolies created by feudal lords were the chief obstacles to the expansion of a fledgling bourgeoisie. Freedom of

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<sup>5</sup> See Sahlins (1998: 5-42).

<sup>6</sup> Following Wolff (1966: 13), a peasant household organizes production, mostly or entirely, for its own consumption.

<sup>7</sup> Braudel (1993: 317) writes that starting in the eleventh century—and as long as economic growth continued—“the lot of the peasants [serfs] rapidly improved.” Braudel quotes Henri Pirenne as saying, that peasants in Western Europe “were free by the twelfth century.” “In practice, “ he writes, feudalism had reached an “equilibrium” that was widespread and “left the land with the peasants, who were *lords* and *masters* in their own domains, and who could pass on or sell their holdings (*italics added*).”

movement of labor alone would suffice to erode the very basis of feudalism; and free movement of goods would eliminate local tolls and tariffs, important sources of revenues for feudal lords.

While capital would selectively support intervention in markets for goods and services if this augmented their profits, all capitalists are united on the necessity of 'free' labor markets. Capital works assiduously to oppose interventions in labor markets if they raised the cost of labor. Free labor markets, in this sense, have always been an integral part of capitalist freedoms: and this freedom is directed squarely against the interests of workers. Both capitalism and slavery operate by stripping primary producers of the means of production. In addition, slavery also strips them of self-ownership. In part, because of this difference, capitalists are more likely to face, individually and as a class, growing demands to improve worker's lot. Individual slave-owners faced low-level opposition—generally expressed covertly—from their slaves, but as a class they rarely faced a general uprising of slaves. Organized efforts by workers gained strength from three circumstances. Industrial capitalism concentrated workers in a few urban centers, whereas agricultural slaves mostly remained dispersed over large areas of plantations and farms; in addition, slaves working in agriculture and mines could not move freely during their free time. Hence, workers could socialize, exchange ideas and organize because of their concentration in a few large urban areas. Finally, workers daily faced the risk of being forced into starvation, even death; slaves were assured of their livelihood. As a result, factory workers were generally in the vanguard of movements to get recognition for unions and the right to strike. Capitalists fought these workers' demands by painting them as attacks on free labor markets. In addition, mainstream economists made the case for free labor markets by arguing that since workers were free to make occupational choices, competitive pressures would neutralize the asymmetries between individual workers and individual capitalists.

The second error in the capitalist account of the superior occupational freedom of workers is the presumption that legal freedom is sufficient to produce occupational freedoms. We examine this error at some length in section three. It will be our chief concern in this essay to examine how the fundamental asymmetry in the employment relationship – examined in section two – together with a host of other factors, may limit a proletarian's ability to make occupational choices, and how the choices actually available to them compare with those available to slaves. We conclude that the putative superiority of workers over slaves in making occupational choices are either exaggerated, do not exist, or the workers may be at a disadvantage compared to slaves.

In no way, however, should our comparisons be read as exonerating the fundamental inhumanity of slavery. Slavery not only strips humans of the means of production: it also strips them to a greater degree than capitalism of their agency and their dignity. Slavery uses brutal force to capture free persons, tears them from their families, their villages, and their surroundings; transports them – often over great distances – to be sold on slave markets; and strips them of their language, culture, religion, their very identity. Generally, capitalists did not have to employ the brutal practices of slavery; they were better able to monitor workers who were concentrated in factories; they also used the threat of firings to discipline their workers.

We deny none of these differences. Our primary purpose is to show that that the capitalist ideology of 'free' workers – a pivotal defense of capitalism – mostly falls apart under careful examination. If slavery falls back on whipping to discipline slaves, capitalism controls its workers with the ever-present threat of firings, which may – in the primordial capitalist economy – easily lead to starvation, homelessness, disease, and death. How much of their dignity do workers retain when, in order to delay these threats, they have to put up with the orders, slights,

insults, bullying, and abuse of their overseers? Is this the best that humanity can do when it has been long in possession of energy resources and technology that could have banished poverty even on the most generous definition of human needs? Capitalism could not be the final destination of humanity. At some point in the future, we may be able to look back and say that it was at best a temporary aberration in man's journey towards self-sustaining enhancements of dignity, justice, freedom, self-expression and self-awareness.

## 2. Context of Comparisons

*"Comparisons are odorous..."*

Shakespeare, *Much Ado About Nothing* (3:5)

We compare proletarians and slaves within primordial capitalist economies that are free from government interventions and various ideologies of exclusion.

We have close approximations to our primordial economy in countries such as Britain, France, and the United States, roughly from the mid-eighteenth to the end of the nineteenth century. Over this period, self-employed persons were being forced into wage employment, even as the support afforded to them by village, local government, church, family, and access to commons were also slowly disappearing. On an average, the proletarians in primordial economies worked six days a week, 12 -14 hours a day, earned subsistence wages, were allowed few breaks during work, faced high rates of injuries, were subjected to corporal punishment, received no paid sick leave, faced high rates of mortality, and, when unemployed, often turned to begging, stealing or prostitution.<sup>8</sup> Children, as young as six, kept the same working hours as adults, and were often beaten at work; those working in mines and potteries suffered stunted growth and physical deformities. Most proletarians had no job security or protections against the hazards of unemployment.<sup>9</sup> The labor markets in our primordial economy approximate the conditions of labor markets in several of the industrializing countries during this period.

The labor markets in our primordial capitalist economy also describe – to various degrees of approximation – the conditions of as much as one-half or more of the global population of

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<sup>8</sup> Karl Marx (1867: 521) provides evidence -- culled from official reports -- of the very high rates of infant mortality in English industrial towns. For every 100,000 infants less than a year old, the number who died annually varied from a high of 26,125 in Manchester to 20,000 in 22 other districts. These deaths were "principally due to the employment of mothers away from their homes, and to the neglect and maltreatment arising from their absence, which consists in such things as insufficient nourishment, unsuitable food and dosing with opiates..." Drawing on a variety of sources, John Tang (2017: 147) describes a mortality Kuznets curve for industrialization, where the conditions of work in manufacturing activities worsened health outcomes for several decades before they begin to improve as a result of rising living standards, investments in public health measures, and medical treatment. Szreter (2004: 81) suggests that industrialization, in its early phase, exerts "intrinsically negative population health effects" on industrial workers. From 1776-1841, urban mortality in Britain was consistently higher than in rural areas (Williamson, 1990: 54). Multiple regressions on data from New England, from 1905 to 1912, show that age-adjusted mortality rates for workers in textile production were higher for mill workers compared to non-mill workers and this increased with years spent in mill work (Aldrich, 1982: 847).

<sup>9</sup> Most of the poor countries at the periphery of the global economy may also be classified as primordial capitalist economies. The millions of legal migrant workers in the oil-rich economies of the Middle East as well as the millions of undocumented workers in the developed countries also belong in this category.

proletarians since the twentieth century, mostly but not exclusively in the poorer countries of Africa, Asia and Latin America. Growing numbers of workers in several advanced countries too have faced, over the past four decades of neoliberal globalization, increasing job uncertainty, immiseration, and loss of rights and benefits that were available to their parents and grandparents. Several of the rich countries also employ increasing numbers of temporary migrant workers with none of the protections, benefits and even basic rights available to the native proletarians. Millions of cheap migrant workers in the oil-rich Gulf countries become captives of their employers – who seize their passports – preventing them from changing employers or even returning to their home countries.

There exists another compelling reason for choosing primordial economies for our comparisons. Since protagonists of capitalism laud free markets for promoting the freedom of workers, our comparisons of workers and slaves too must occur in the context of free labor markets. In our primordial capitalist economy, therefore, there exists no regulation of wages, hours of work, or safety at work; likewise, there exist no unemployment benefits, welfare programs, mandated vacations, employer or tax-funded health care, and pensions. In equal measure, we also exclude trade unions, and the support that charities, families and friends offer to unemployed, sick or injured employees. Governments in this economy exist only in the capacity of Adam Smith's night watchman.

In addition, we assume that all free persons and slaves belong to the same race or ethnicity.<sup>10</sup> A racially and ethnically homogenous population will allow us to exclude those restrictions on slaves – especially in the United States – which were the result of an entrenched white racism against peoples of color. In addition, by assuming that all free persons and slaves belong to the same race or ethnicity, we may be excused – *only for the purpose of the present exercise* – if we abstract from the sensitivities arising from the historical association of blacks with slavery. We have no doubt about the immorality of slavery per se; the subordination of one person to the will of another is an unacceptable violation of human dignity, of the fundamental right of each sane and adult person to make decisions about her work and her life.

### 3. Occupational Freedoms

*“As liberals, we take freedom of the individual, or perhaps the family, as our ultimate goal in judging social arrangements.”*

Milton Friedman (1962:13)

The ideology of free labor maintains that a legally free person who owns her own person, her time and working capacities can freely choose the uses of her time and capacities. On the other hand, since a slave lacks self-ownership, her master makes these choices for her. These inferences are simplistic: we need to take account of the fundamental asymmetry in the employment relationship, which together with a plethora of other factors may affect the proletarian's ability to make occupational choices.

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<sup>10</sup> Slavery in the USA especially, and in the Americas generally, was deeply contaminated by “the most implacable race-consciousness yet observed in virtually any society... (Elkins, 1959: 61).” Although, it may not always be easy to disentangle those features of slavery in the USA that originated in racism from others that were germane to the status of slaves as property (Arnold Sio: 1965).

Consider the fundamental asymmetry between workers and the capitalists in free labor markets. Barring minor exceptions, lacking the means of production, a proletarian cannot organize production, and this forces her to sell her working capacities to a capitalist to make a living. Nearly always, it is the capitalist – with command over the means of production – who organizes production; and since she creates jobs, she also decides whom to hire for these jobs. In consequence, the proletarian in our economy appears before the capitalist as a supplicant, seeking a job that is nearly always her only chance of survival. As a consequence, there exists an asymmetry between the capitalist and wage-worker – even in their individual capacities – where the capitalist ‘creates’ jobs and, thereby, exercises the power to *hire* workers, while the worker appears before the capitalist seeking to be *hired*, and, therefore, secure a means of subsistence.

Other factors augment this asymmetry. A capitalist may close her business – for whatever reason – and survive for weeks, months, even years on her savings, and likely in comfort too. In our economy, without labor unions, charities or help from friends and relatives, a proletarian who withholds her labor may survive for a few days if she owns some household effects that she can exchange for food. What this means is that a worker who turns down one job, in the expectation of a better one – if disappointed in her expectations – may find herself facing starvation, sickness, and, ultimately, death, within a few days. On the other hand, except in very tight labor markets, the capitalist can pick and choose from multiple applicants for the any given job. This endows the individual capitalist with power to discriminate against people she may not like because of their race, religion, gender or ethnicity. In other words, the free labor market may endow the individual capitalist with the power to engage in discrimination.

This fundamental weakness of the proletarian in relation to the capitalist, we can expect, will adversely impact her ability to make free choices about the manner in which she disposes of her working capacities. In examining the proletarian’s occupational freedoms, we also have to consider a host of other factors, including the characteristics of a proletarian, the state of the economy, and the state of labor markets for particular skills. We are now ready to consider, one by one, the ability of workers to exercise some of the most important occupational choices.

### *Are Proletarians Free to Sell their Labor?*

A proletarian is legally free – that is, she owns her own person – but is she free to decide whether to sell or not to sell her labor to an employer?

According to John Locke’s conception of negative freedom, when a person undertakes a course of action, **A**, she does so freely if at least one alternative course of action, **B**, is also available, so that “had [she] willed to do otherwise [she] would have been *able to do otherwise* (italics added).”<sup>11</sup> What are the alternatives to wage work that are available to a proletarian? You might think that the proletarian has at least three alternatives to wage work. She may steal, live off the charity of society, or engage in self-employment. Few persons choose to steal as a way of making a living since this has its risks. If caught, they will suffer the confinement of prisons or face the severe justice of mobs. Charity is ruled out as an option in our analysis of primordial

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<sup>11</sup> This is how William Rowe (1987: 45) puts it: “An act is free if it is voluntary *and* it is true that had you willed to do otherwise you would have been able to do otherwise.”

labor markets; this requires that workers make a living by selling their working capacities. Transfers to workers amount to external interventions in labor markets.

The proletarians are free to engage in self-employment in our primordial economy, but these opportunities shrink as the economy advances. By definition, it is quite unlikely that proletarians will possess any collateral against which she can borrow money to start a business. In a few rare cases, a proletarian with a compelling business plan may be able to attract venture capital and start her own business. A proletarian with some talent, say, for performing card tricks or possessed of a singing voice, may be able to find an audience for her talents; if she possesses no particular gifts but has access to a small amount of capital, she may become self-employed in activities that require little or no initial capital, as street hawker, house-cleaner, grass-cutter (using a sickle), or ragpicker; and if she possessed neither talent nor small amounts of capital, she could sell the use of her body, sell her blood, or make a one-time sale of her kidney.<sup>12</sup>

Cohen (1982: 7) has argued that the proletarian does have an acceptable alternative to wage work; some of them do “secure positions in the petty bourgeoisie and elsewhere...” The initial capital for this exit, she claims, consists typically of savings and some form of external assistance. We have ruled out external assistance in our primordial capitalist economy. As for the chances a proletarian might have of breaking out of wage work, most likely these may be quite rare since the great majority of workers receive wages that are close to subsistence. In addition, the kinds of self-employment that Cohen has in mind require quite a bit more than trivial amounts of capital – such as funds to invest in an office, cab, truck, shop, stock of goods, or tools – hence, the great majority of proletarians will be excluded from these forms of employment. In other words, the vast majority of them have only one option before them for making a living: they must rent themselves out for a wage.

Have we left out an obvious alternative to wage work: might not some proletarians see death as an alternative to the indignity of wage work, as an alternative to wage work? Few people choose to starve themselves to death in order to avoid wage-work; instead, starvation is the consequence of the failure to find work that will pay for food. Further, death cannot be considered as an alternative to wage work. For an option to be considered an alternative to wage work, it must be another way of fulfilling the objective of wage work, that is, earning a wage that sustains life. Death cannot be said to sustain life: it ends life.

Are workers really free to *choose* to die of starvation? Faced with growing deaths from starvation, capitalists would worry about the resulting rise in wages, and, most likely, would seek to criminalize it. As a result, workers starving themselves may well be force-fed, and when they have recovered their strength, given the choice of wage work or going to prison. In other words, the starvation option may well be illusory, ensuring that the overwhelming majority of workers have no alternative to wage work.

There is another problem with the options that a worker often faces: some fraction of workers may not be able to find a job at the going wage rates. A recession has occurred roughly every ten years, during which the economy faces generalized unemployment; less frequently, the economy also goes into a depression which lasts longer and produces much higher rates of

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<sup>12</sup> Also, see Denning (2010: 81) on what she calls the ‘wageless life.’ She writes, “You don’t need a job to be a proletarian: wageless life, not wage labor, is the starting point in understanding the free market.”



unemployment.<sup>13</sup> Some workers face seasonal unemployment every year; others face structural unemployment due to shifts in demand or supply. When such unemployment lasts for weeks and months, those workers who lack savings will face starvation, homelessness, sickness and death in a primordial economy. On the other hand, when slave masters encounter adverse markets for their products, it is unlikely that they will let their slaves die, not because they are kinder than capitalists but because slaves are an important part of their wealth. If some masters find that they cannot feed their slaves, they will sell them to others who can feed them. Thus, barring major catastrophes, the logic of slavery works to preserve the lives of slaves.

#### *Are Proletarians Free to Switch Job/Employers?*

If nearly all proletarians have no choice but to work, is she not at least free to exercise choice over her place of work, her job or her employer?

Implicitly, the answers to these questions are contained in the discussion of the previous subsection. Let us start with a proletarian doing a job that requires some set of skills, with an employer, and location, all of which may have been determined by the accidents of birth and family history. Assume that she does not like the demands of her current job, her employer and location. Changing all the dimensions of her job will likely be a daunting undertaking, since each of these changes will likely be costly in information, time, money, and other adjustments, depending on how she goes about changing the dimensions of her job.

The cost of changing any of the dimension of her job may well be higher than the resources available to most proletarians for two reasons. First, given the long working hours that were common during the nineteenth century, they may not have had the time to engage in job search, especially if search involves knocking on the doors of employers. Since most factories are likely to be closed on Sundays and holidays, they can engage in job search or appear for interviews only if they can take time off from work without risking loss of the current job. Second, job search and moving to a new job will require savings, and workers with wages barely above subsistence may not have the necessary savings.<sup>14</sup>

In order to minimize the costs of search and moving to a new job, a worker may choose the change which produces the greatest benefit to her and her family. If this happens to be a change in what she does on the job, she may have to acquire new skills *before* she starts the job search. If her work week is long, as it was during the nineteenth century, very few workers may have the free time to acquire new skills, and if she has the time, she may not have the money to pay for learning these skills. A few workers may be able to learn the new skills at the workplace by observing workers with these skills in action. Even after she has acquired the new skills, she may lack the time and money to engage in job search. She will then have to wait – while cultivating contacts at her current workplace – for an opening to emerge with her current employer. Alternatively, she may use her new skills and current location, and, instead, find a new employer.

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<sup>13</sup> According to one study, there were around 30 depressions across the world between 1720 and 1990 (Kindleberger, 1996).

<sup>14</sup> According to a report of the Fed (2019), 39 percent of American households in 2018 would be unable to cover an emergency expense of \$400 from cash or its equivalent.

Changing the location of one's job may involve multiple associated costs. Some workers may be tied by fixed-term rental agreements; their spouses if they work and their school-going children too may be tied to the same location. The choice of new locations may also be restricted for some workers because discrimination by employers on the basis of race, religion or ethnicity – because of the fundamental asymmetry between workers and employers – is costless in all but the tightest labor markets.<sup>15</sup> The chances of finding a new employer may also run into difficulties because of the worker's age, gender, or some disability. Considering the long list of factors that may adversely affect the mobility of workers, it is likely that workers with several of these handicaps will face significantly lower chances of switching jobs or locations even if they have long hated their present jobs.

In a primordial capitalist economy, employers may also use the power they derive from the asymmetric employment relations to impose restrictions on the mobility of workers. During the nineteenth century, there existed a variety of labor practices in the mining and agricultural sectors of Britain that restricted the mobility of the workers; under 'tied cottage' a worker who rented a cottage from her employer had to vacate the cottage if she lost her job; or they could not leave their jobs without the employer's permission; etc.<sup>16</sup> According to a report from the Environment, Food and Rural Affairs (EFRA) Committee of the House of Commons, 2003, such coercive employment practices are still to be found in Britain.<sup>17</sup> In recent years, major corporations have turned to two similar practices: under no-poach agreements, corporations require franchisees not to hire employees from other franchisees; at the same time, non-compete clauses in job contracts may prevent employees from taking jobs in rival companies.<sup>18</sup> Similar restrictions on worker freedoms exist in developing countries, even when they are in violation of existing laws. According to a report of the India Committee of the Netherlands (2016), half of the 743 spinning mills surveyed in South India confined their workers to factory-operated hostels after the end of the workday, and withheld part of their wages until they had completed their contracts. In addition, the young female workers in these factories "face intimidation, sexually colored remarks and harassment, which they can hardly escape."<sup>19</sup>

Some asymmetries in the employment relationship have stayed with us; and new ones have been added in the past few decades. While the capitalist in the USA can fire her workers at will,

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<sup>15</sup> According to report published by Liberties (The Civil Liberties Union for Europe), "Older job seekers and job seekers with a foreign background are invited twice less often for job interviews than native Dutch under the age of 35, the Ministry of Social Affairs and Employment wrote on September 1, following a survey ordered by a government minister. The outcome confirms research by the Netherlands Institute for Social Research from earlier this year." Liberties (Sep. 08, 2015).

<sup>16</sup> See Tom Brass (2004: 317). Tied cottages consisted of dwellings owned by employers and rented to their employees only as long they stayed on the job.

<sup>17</sup> "What emerges clearly from this EFRA Committee Report is the degree to which forms of labor recruitment/control/coercion long associated either with a developing capitalism in the nineteenth century, or with backward agriculture in so-called Third World countries during the twentieth, are in fact a characteristic of current agribusiness in metropolitan capitalist contexts. In this regard, the Report merely confirms the presence of a global trend in the relational forms and employment practices utilized by capital, but a trend that has not always been recognized (Tom Brass, 2004: 325)."

<sup>18</sup> Ashenfelter and Krueger (2018: 5-6) studied 2016 franchise agreements from the largest franchise chains in the United States, each of which had more than 500 units in the USA. They found that 58 percent of these agreements contained some version of no-poach clauses.

<sup>19</sup> India Committee of the Netherlands (2016).

the employee cannot ‘fire’ her employer at will – even when she is not obligated – without fear of paying a price; some are contractually obligated to serve a notice before leaving.<sup>20</sup> Some economists have offered a rationale for this discrepancy. The departure of a worker may impose costs on the capitalist; but sudden dismissal of workers is likely to impose a greater proportionate burden on the employee, since this may produce months of joblessness and even homelessness. In contemporary USA, some major corporations contractually limit the employment choices of their workers.<sup>21</sup>

All things considered, it would appear that a significant portion of workers in a primordial economy will likely face reduced chances of mobility, thus making them vulnerable to coercion from employers. This is contrary to the simplistic argument offered by Milton Friedman (1962: 14-15) to rule out the existence of coercive pressures by employers against employees. “The employee is protected,” she argues, “from coercion by the employer because of other employers for whom she can work...” That is, the free market itself would eliminate employers’ coercive practices against workers. Perhaps aware of her weak logic, Friedman adds a smear, “Underlying most arguments against the free market is a lack of belief in freedom itself.” Friedman is unwilling to acknowledge that her logic – that free markets will eliminate coercion of workers – will only obtain where costless mobility is available to all workers, a condition that rarely holds, if at all, for any real-world labor market.

#### *Are Workers Free to Choose their Work Schedule?*

Are workers in a primordial economy free to choose their work-schedule: their working days, work hours per day and per week, the hours of work, and breaks during work?

In a celebrated paper, Clark (1994) has shown that the rigid discipline of the factory became the norm over the nineteenth century; before that workers controlled the work schedule and the pace of work. This transition, he argues was the result of competition between factories with discipline and those without it. The discipline imposed on workers led to higher productivity, but this was proportionately less than the higher wages paid to them. But this solution is problematic. It assumes that all workers have the same trade-off between autonomy at work and wages, so that higher wages induced all of them to sacrifice autonomy. In the real world where workers’ preferences are not identical, we would expect to observe an industry equilibrium with varying levels of autonomy inversely related with the varying levels of wages. Clark arrives at her conclusion by ignoring two properties of real-world labor markets. The first point she misses is that rigid work schedules most likely result in higher rates of worker injuries, greater stress on the job, unmet family needs, and, in the long run, poorer health, and lower life expectancy. Initially, the factories with rigid discipline may produce at lower costs, but over time productivity would begin to decline as the deleterious effects of this tyranny begin to accumulate. The capitalists, however, could externalize these costs by firing workers whose

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<sup>20</sup> If the workers leave without serving a notice, she may lose her remaining pay and other benefits; she cannot ask her present supervisor for a reference; and it is unlikely that her present employer will ever employ her again.

<sup>21</sup> We will mention only two here: just-in-time scheduling by retail businesses requires that workers stay on call 24 hours a day during some days of the week; and as many as 20 percent of workers in USA were bound by employment contracts with noncompete clauses in 2014 (Starr, Prescott and Bishara, 2018).

performance fails because of these deleterious effects. At the same time, faced with competition from factories with work discipline, the others too would be forced to adopt work discipline or become extinct. Before long we would have an industry where all factories would impose a tyrannical work regime on their workers. Factories with flexible work would become extinct.

On the contrary, slave masters have a property interest in their slaves, so that they will view any degradation in the working capacities of their slaves – hence, their resale value – as their internal costs. What this means is that the slave boss will be forced to take account of the impact of the work schedule of the slaves on their health, morale, and rate of injuries at work and off work. As a result, we may expect that the slave master who designs a work schedule for her slaves is likely to be cognizant of the medium- and long-term deleterious effects on the rate of injuries and the lifespan of the slaves. A capitalist has no stake in her workers beyond the day or the hour; while the slaves are like capital goods, the longer they last the greater the returns to the slave master.

The differences just described between workers and slaves implies that the latter are likely to have a greater measure of control over their work, despite the threat of the master's whip. Occasionally, she could avoid work by malingering or even injuring herself; she could employ other subterfuges, such as foot-dragging whenever round-the-clock supervision was not possible or too costly. Plantation slaves may get time off from work because of sickness, injuries, rain, storm, extreme heat, snow or flooding; on any one of these occasions, a capitalist would likely lay off her workers. Further, given the nature of plantation work, it might not be possible to keep the slaves doing a full day's work all year round. In societies free from the scourge of racism, slaves could gain their freedom through manumission agreements; under Islamic law they had the right to demand such agreements.<sup>22</sup> Slaves could also gain conditional freedom under contracts which stipulated making regular payments -- to their owners -- from their earnings as wage-workers or from self-employment. On the other hand, workers are nearly always laid off when there is no work or they are unable to work, whatever the reason.

#### *Are Proletarians Free to Acquire Skills?*

Although slaves are unfree and proletarians are free, they may well be better skilled than proletarians in our primordial economy.<sup>23</sup>

This paradox is easily explained. While they are free to do so, most proletarians lack the means to do so. Investing in skills requires time, and, often, money. Proletarians may lack the time because of inordinately long working hours; and their subsistence wages may not permit any savings, unless they are single and do not have to support their old or sick parents. At the same time, the capitalist bosses generally lack the incentive to pay for their workers to acquire transferable skills.

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<sup>22</sup> "Islamic law provides a number of ways," writes Lewis (1990: 8), in which a slave could be set free. One was manumission..." Manumission included the children of the slave.

<sup>23</sup> It is easy to identify some skills – such as picking locks, sword fighting, pugilism – which the master may well prevent her slave from acquiring unless the former can put them to her own use.

On the other hand, in the absence of racism that strives to reinforce their low status by keeping them illiterate and unskilled, the slave masters have a direct interest in enabling and helping their slaves to acquire new skills. As we explained in an earlier subsection, farm and plantation slaves were also likely to have more spare time than proletarians. In the Islamic world, from the ninth century until the eighteenth, several dynasties bought or captured slaves – known as *mamluks* – at a young age, educated and trained them, according to their aptitudes, for service in different branches of the government, and those who had talent could reach the highest military or civilian offices in the realm.<sup>24</sup>

Despite the deep racism in the American South that sought to keep the black slaves both illiterate and unskilled, the economic interest of the slave masters sometimes proved stronger than their racism. Contrary to the popular conception that black slaves in the Americas were used only for their brute strength, the historical record from the last three decades of the antebellum South reveals that slaves were not limited to menial jobs. According to Fogel and Engerman (1974: 40), “over 25 percent of males were managers, professionals, craftsmen, and semiskilled workers...” Although only six percent of the slaves lived in cities and towns, more than a quarter of the slaves in one Southern city – Charleston – consisted of artisans. In two of these crafts, carpentry and masonry, slaves outnumbered the whites, and a few even rose to become architects and engineers. A significant portion of the slaves living on plantations also held skilled jobs. Seven percent of the male slaves on the plantations held managerial positions, about twelve percent were craftsmen, and 7.4 percent held skilled and semi-skilled jobs in the domestic sector: working as teamsters, coachmen, gardeners, stewards and servants.<sup>25</sup> Although data on the occupational structure of slaves in the eighteenth century are sparse, Fogel and Engerman (1974: 42) write, “A substantial share of blacks were artisans throughout the slave experience.”

#### *Are Workers Exempt from Corporal Punishment?*

Slave masters employed corporal punishment to discipline their slaves – many have argued – because they had no other recourse; while capitalists could use the threat of firing to discipline their workers. And this, supposedly, makes capitalism the more humane system of organizing production.

There are two problems with this argument. First, Nardinelli (1982: 283, 294) reminds us that employers in Britain during the nineteenth century “whipped, hit, kicked, slapped, and thrashed their child employees.” Physical punishment against adult workers too was common during the eighteenth century, but it had “all but disappeared” in Britain by the middle of the nineteenth century. If this was the result of market forces, why did it take another century – or longer – to end corporal punishment of child-workers? Is it because the parents themselves used corporal punishment to discipline their children? Will parents who slap their children also allow strangers to slap them? Child labor disappeared as rising wages made it easier for parents to feed their children, family size declined over time, some schooling became compulsory, schooling brought a wage premium, and social norms about starting age for work changed over time.

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<sup>24</sup> Charles Lindholm (1996: Chapter 14).

<sup>25</sup> Fogel and Engelman (1974: 39-40).

It is also a mistake to suppose that slave-owners had no alternative to the whip for disciplining the slaves. A master could sell or rent a recalcitrant slave; if this involved family separation – as it was likely to do – the horror of such separations might have sufficed to keep the slaves on tenterhooks. Corporal punishment carried risks for the slave master. It could result in injuries that might render the slave unfit for work for some time. would be injurious to slave master's profits. Frequent whippings might also increase the risk of flight or push some of them to retaliate against the master. In a plantation with many slaves, it might not be very difficult to damage tools, poison horses or cattle, unbolt the barn door, or start a fire on the masters' property without detection. Would not a slave master seek to minimize these risks? More importantly, capitalism is not necessarily more humane if, unlike slavery, it does not whip workers. Firing a worker, since it could and did result in starvation, homelessness, and eventually death, is a more lethal action than a slap. It is the myopia of our thinking that convinces us self-righteously to regard corporal punishment as necessarily more reprehensible than firings.

#### **4. Occupational Freedoms of Non-Proletarian Workers**

Non-proletarian workers (NPWs) – whose earnings exceed subsistence wages – are potentially better placed than proletarians in making occupational choices, but this potential may also be eroded by the social pressures to increase consumption with rising income.

Consider how wages in excess of subsistence may improve the potential for making occupational choices in a primordial economy. As the earnings of NPWs begin to exceed their subsistence needs, they may invest some or most of this excess in income-earning and non-income earning assets. As income flows from their assets accumulate, the NPWs can spend more time on job search; they may use their assets to become self-employed; they may use these assets to acquire new skills allowing them to enter new lines of work; they may reduce the time they spend working and, at some point, they may choose to live a life of leisure. As more and more NPWs exercise these freedoms, this is likely to improve their leverage – individually and as a class – against capital, resulting in improvements in wages and working conditions.

However, as their incomes rise above subsistence, the NPWs will come under the sway of powerful social and family pressures to spend this excess income on themselves or importunate members of their families. The urge to keep up with the Joneses is nearly universal, but this urge grows stronger in a capitalist economy where incomes as well as income inequalities tend to increase with time, and as corporations provide a growing array of non-durable and durable consumption goods. Capitalist competition also pushes in the same direction as corporations continually launch new (or supposedly new) products and improved (or supposedly improved) ones. Corporations also spend vast sums of money on advertising, packaging and marketing to maintain or increase their market shares.<sup>26</sup> For several decades now, banks too have been aggressively pushing consumer spending by making new forms of consumer credit available: including credit cards, lines of credit, home equity loans, and reverse mortgages.<sup>27</sup> Taken

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<sup>26</sup> Knight (1922: 457) writes, "...Clark [1918: 8] ... observes that the wants which impel economic activity and which it is directed toward satisfying are the products of the economic process itself: "In a single business establishment one department furnishes the desires which the other departments are to satisfy."

<sup>27</sup> According to two surveys, most workers in the United States and Britain live from paycheck to paycheck. See CareerBuilder (2015 and 2017) and Mui (2016).

together, these forces exert a constant, if not growing, upward pressure on consumption levels, thus canceling much of the ameliorative potential of higher incomes on occupational choices.

Corporations also act to temper or even reverse rising wages by directing R&D towards labor and skill-saving technologies. They also lobby governments to loosen the restrictions on immigration of skilled workers from lower-wage countries. Taking advantage of the new communications technologies, corporations have also been outsourcing operations that are intensive in the use of high-cost skills. All in all, capital can depend on, or activate, a variety of market forces to keep the bargaining power of the workers in check.

Most likely, capitalist bosses have known – long before economists – about how they benefit from unemployment. In 1845, Engels (1845: 117) – himself an industrialist – wrote that “an unemployed reserve army of workers” allowed businesses to ramp up production during periods of rising demand without pushing up wages. Marx added that the reserve army helps to discipline workers who are already employed (Darity, 1999: 492).<sup>28</sup> Michael Kalecki (1943: 326) offers similar reasoning for why business leaders oppose government policies in support of a permanent full employment economy. “Indeed,” she writes, “under a regime of permanent full employment, the 'slack' would cease to play its role as a disciplinary measure. The social position of the boss would be undermined, and the self-assurance and class-consciousness of the working class would grow. Strikes for wage increases and improvements in conditions of work would create political tension.” In pursuit of the same objective, Wolff (2013) maintains that most capitalists reject all-round reduction in hours of work – or shared unemployment – in lieu of firing or laying off some workers.

## **5. Summary of Important Results**

It may be useful now to bring together the principal results of our comparison of the occupational freedoms available to workers and slaves in a primordial capitalist economy free of racism.

In the short-run, the free proletarians and the unfree slaves have few chances of exiting their respective conditions. Self-employment without owning the means of production may be open to only a tiny sliver of proletarians. Without racism and racial markers distinguishing slaves from proletarians, slaves would have a better chance of escaping their condition, as they did in Islamic societies.<sup>29</sup>

Proletarians face multiple constraints on their ability to change their employers, principally because job search and moving between jobs are likely to be costly – with these costs increasing with the length of the work week – given the constraints they face in a primordial economy. A slave may persuade her master to permit her to earn money on her own provided she shares some fraction of her earnings with her master.

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<sup>28</sup> Until the end of World War II, both classical and neoclassical economics did not acknowledge the existence of unemployment; governments too did little about it. When the economics profession could not deny the presence of unemployment, some economists invented the notion of the “natural rate of employment,” and this became conventional wisdom in the 1970s. Recent research shows that the natural rate of unemployment used by the Federal Reserve System in the USA is quite a bit higher than what it should have been (Bernstein: 2019).

<sup>29</sup> See Watkins (2016: 853-58) on slave resistance in USA despite restrictions imposed by a virulent racism.

At the workplace, the worker and slave differ little in their freedoms. In principle, neither has any control over her work or work schedule. If they do enjoy some measure of control, that is because of the nature of their job, not their status as workers or slaves on the job. On a farm or plantation, where monitoring is costly, both would have greater control over the pace of work. In a factory, because of the greater spatial density of workers and the greater use of machine-paced operations in manufacturing, the pace of work is likely to be more tightly regulated.

In principle, a proletarian is free to acquire any new skills but, in practice, she lacks the means to do so, given her long working hours and low wages; and capitalist bosses prefer to hire skilled workers rather than pay their unskilled ones to acquire new skills that would increase her value on the market. On the contrary, since the master benefits from the higher productivity of new skills, she will be happy to invest in these skills unless deterred by racism or these skills increase chances of flight.

In general, proletarians are masters of their time off the workplace.<sup>30</sup> However, given their long hours of work, their six-day work week, the hours spent commuting, and the time spent sleeping, they had very little leisure time away from work. In a primordial economy, the capitalist had little incentive to pay regard to the long-term deleterious effects of a strenuous work regime on the health of workers; they could replace them with younger and healthier workers. On the contrary, slave masters were less likely to impose a work regime on their slaves that would lower their productivity, since they would bear the cost of lower productivity of their slaves.

It has been argued that slaves were whipped, while workers were not whipped because they could be fired. Slave masters too could 'fire' their slaves, that is, sell or rent them out. Until 1875, under the Master and Servant law, capitalist bosses in Britain could criminally prosecute workers who left their job before their employment contract ended.<sup>31</sup>

At the same time, firing of workers only appears to be more humane than whippings if we ignore the costs borne by fired workers and their families because of the loss of wages.

## **6. Concluding Remarks**

Since there is room for misconstruing the intent of this essay, it may be worth reiterating my goals.

First, the claim that capitalism, when compared to slavery, advances occupational freedom is an ideological ploy that has little basis in history. Historically speaking, the overwhelming majority of workers in most economies – before the twentieth century – were self-employed peasant-proprietors, artisans, retailers, foragers, before they became wage workers. The serfs too were mostly free once they had performed their obligatory work on the lord's demesne. When wage workers are compared to self-employed persons, the capitalist case for occupational freedoms of wage-workers loses its legs.

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<sup>30</sup> In addition, some industries – domestic work and textiles – housed their workers next to the workplace. With telephones, computers and internet, this separation between the workplace and home began to erode.

<sup>31</sup> Naidu and Yuchtman (2013: 107).



Second, even if we accept the capitalist framing of occupational freedom – based on comparing workers to slaves – the argument fails to convince once we place these workers in primordial labor markets. The advocates of capitalism argue vociferously that private property in the means of production is the indispensable basis of freedoms, yet it strips its labor force – as much as 90, 95 or even 99 percent of its population – of the means of production. As far as occupational freedoms are concerned, we find that the legal freedom of workers in primordial labor markets did not put them in a distinctly better place than slaves.

Thirdly, as for the positive freedoms, many of which arise from the security of livelihood, slavery provides this security to nearly all slaves, while capitalism fails to provide this security to its workers. Moreover, there is nothing in the logic of capitalism that ensures that the jobs it creates will support an adequate livelihood that takes care of the basic human needs for food, shelter, clothing, and health care. The capitalist will not incur expenses to reduce injuries to workers if it is cheaper to replace injured workers. Slavery cannot externalize the cost of injuries to slaves, since the financial cost of these injuries – obviously, not the pain – is borne by the slave master. All these failures of primordial capitalism are truly astonishing since most humans are likely to choose slavery when the only alternative available – as wage-workers – involves the ever-present risks of unemployment, starvation and death for them and their family. These failures of capitalism explain why capitalist ideologies emphasize freedom, *not* the right to jobs, or the right to a living wage, food, shelter, healthcare, and safe and healthy working conditions. Imagine all the efforts, obfuscations, distortions, censorship, media manipulation, and brain-washing it takes to make us turn a blind eye to these failures of capitalism: and instead glorify capitalism, based on wage-labor, as the best possible destination for mankind.

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**Author contact:** [m.alam@northeastern.edu](mailto:m.alam@northeastern.edu)

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