

## **Labour politics and the state of exception**

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This paper develops out of findings from a forthcoming book, *Work's Intimacy* (Gregg 2011), which is the culmination of a three-year study of creative, communication and information professionals in Brisbane, Australia. Research for this project took place at a time we might characterize as one of pervasive realization that the technologically equipped individual held new kinds of power and creativity in a participatory media environment.<sup>1</sup> In workplaces across Brisbane, management efforts were everywhere moving to develop outward-facing initiatives to engage the public and interface with users across multiple media platforms. This was of course on the basis of the Web 2.0 mantra that “everyone is creative”: the ordinary citizen as much as the employee.

For those charged with the task of implementing these participatory tenets, the effect of the Web 2.0 mandate took the form of a threat to traditional job functions, as part-time radio producer Patrick explained:

We are all – producers and presenters – expected to be uploading material to our website, to the point where we have been told that, if you need to drop an interview from your show to make time for uploading a story on the Internet, then so be it.<sup>2</sup>

The new rule of thumb for this public service broadcaster was to prioritize online content. This marked a significant cultural shift for an organization built on quality radio and television programming, and staff showed varying levels of enthusiasm about it. Many wondered whether uploading Internet content compromised a fundamental professional commitment “to make good radio.” This was especially the case given how blatantly management mandates emphasized the dispensability of individual stories – previously the bread and butter of the working day.

On the plus side, as another journalist for the network suggested, using platforms like Twitter meant the network’s well-known identities “can actually have a personality” by expressing their opinions beyond specific stories. But the incitement to blog, tweet and comment was part of a wider trend in which work obligations moved away from the studio; the home space expanded to accommodate additional work requests. This placed additional pressure on workers like Patrick, already struggling to meet the demands of his job in the part-time hours allotted.

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<sup>1</sup> The uptake of social media for corporate ends was a natural extension of an already pervasive discourse in new economy literature inspired by Tom Peters’ influential article “Brand You” (Peters 1997; Brady 2007). *Wired Magazine*’s elite readership was among the first to recognize the value of emerging technology platforms in promoting products and skills to new audiences. Web 2.0 evangelists hailed the Internet’s unprecedented capacity to erase the hierarchies of an older era of business culture (see especially Shirky 2008; Bruns 2008). Meanwhile, PR fashions dictating the need to develop a “social networking strategy” were a major source of investment for organizations seeking to update their image, improve communication with clients, and enhance brand loyalty through emotional marketing (see Jenkins 2006).

<sup>2</sup> Participants’ names are anonymized for publication. Interviews took place in the workplace and/or the home for a period of 3 years (2007-9) when possible.

During the study a general drive to enhance the online presence of organizations stretched to include blogging, online discussion, program “guest books,” downloadable transcripts and podcasts as just some of the ways audiences could participate in broadcast material. The Managing Director strongly encouraged all on-air talent to use Twitter to “meet modern audience demands for immediate, cross-platform news” and maintain the network’s formidable reputation (Scott 2010).<sup>3</sup> One journalist witnessing this transformation was Belinda, a 30-year-old journalism graduate. At the start of the study she was an opinion editor for the news website, where her role was commissioning and coordinating short articles for blog publication. The tight turnarounds for online publishing involved a lot of email, instant messaging, and phone calls with writers. She combined this with ongoing tasks such as monitoring blog comments and keeping up with the daily news cycle. In 2007, a year which saw significant public interest in the Australian Federal Election, Belinda was also charged with making sure the broadcaster was compliant with legal obligations around election coverage by avoiding defamatory publication. Here the participatory potential of interactive platforms – the democratic affordances celebrated by Web 2.0 prophets – created an obligation to maintain order in online spaces, a task that paid little attention to office hours. Belinda had noticed the network’s blogging software was one of the few platforms able to be used beyond the strict firewalls of the broadcaster’s studio headquarters. As such, she felt the choice to use TypePad brought “an unspoken expectation that you’ll blog from home,” which was “not such a great thing for work–life balance I suppose.”

Over time, Belinda’s role changed to Acting Executive Producer for the whole local news site, which brought a higher amount of responsibility. By 2008 she was coordinating schedules and training new staff, as well as maintaining her own contributions to the website through stories, blog posts, and Twitter. Indeed in her new role, Belinda was regularly “Tweeting” for the broadcaster’s news feed – a combination of automatic Tweets that happened every hour, and “breaking news Tweets” that had to be shared around the office. So while management stressed the need for network personalities to use the platform to engage audiences, Twitter was also being used behind the scenes to fulfill the broadcaster’s established role as a news service.

This new expectation was an addition to the work Belinda was already hired to perform. It was part of the “function creep” typical of the jobs under discussion. In her view:

It’s not really at the stage where we have to have a separate Twitter shift or anything like that. But if we want to do it properly – if it turns out to be something that’s going to stick around and isn’t just a fad, then we have to look at incorporating it formally into some kind of work flow system. Right now it’s just something that a handful of us do throughout the day ... It doesn’t take long. It’s just a matter of remembering to do it.

Belinda’s comments reveal a succession of accommodations to new job requirements. Wondering whether Twitter could be a fad, she seems unable to realize the extent to

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<sup>3</sup> By 2010, the broadcaster had developed a formal social media policy, and employees struggling to fit the new paradigm faced severe reprimand. See AAP (2010).

which it has become part of the basic infrastructure of her working day. Like several employees in the study, she excuses a temporary multiplication of labour brought about by technology as something merely passing. The amount of time devoted to Twitter is discounted as a small exception to be assessed for its long-term impact in due course.

### ***Technology adoption as state of exception***

The cumulative effect of this “state of exception” becomes clear when noting how many other new technologies Belinda took on board during the study. When we first met, she was one of the few participants who had resisted using Facebook, but by the time of our second meeting she had joined. TypePad was another platform she had learned in order to maintain the opinion site, and she admitted to using it from home as the need arose. Finally, following her promotion to Acting Executive Producer, Belinda had taught herself the entire production system behind the broadcaster’s website, mostly “through trial and error.” In each case, she was able to keep pace with job-related technology without formal training – as long as the labour of learning these skills was pushed into her own personal time. As others have noted about the world of creative labour, the principal skill set is an ability and aptitude to keep up with the skill set (Kennedy 2011, Gill 2010).

In *State of Exception* (2005), Giorgio Agamben describes the temporary suspension of the usual rule of law under conditions of sovereign threat. When state sovereignty is in danger, nations develop strategies to justify heightened and/or extended powers to withstand extraordinary danger. Adapting this notion, Belinda’s story is one of several in this study that can be read as a workplace-oriented “state of exception,” in which labour claims have been suspended as a result of technology’s unique properties. An inability to see technology formats as structurally imposed leads to a lack of clarity among workers as to the limits of their labours. Here the normal working day is suspended in order to maintain the requisite outputs for the organisation’s message, which grow to match the proliferating number of online platforms available. Belinda’s sense that Twitter might be a passing fad overlooks the reality that in the present work environment, some other communications platform can only take its place. There will never be a time when adapting to new technology will not be a part of her job description in future.

The first time we interviewed Jodi, a junior communications manager for a telco, she was enjoying working from home once every few weeks. These were times she was allowed to focus on her “development goals,” coming up with ideas on “how we can improve the business.” These were days when Jodi was encouraged to think about the big picture, to be “less operational and more strategic.” Over time, however, she’d noticed that recurring meetings were starting to affect her chance of having the occasional day at home. In one instance, a last-minute focus group was organized for the day she planned to stay home; on another, her manager Holly “set up a meeting where she wants us all to brainstorm in a design room where we all write on the whiteboard.” These regular last-minute developments amounted to a coercive presentee-ism that was proving frustrating for Jodi. The examples she described in interviews conveyed the frenetic pace of work in her office, the sheer speed with which events were scheduled. A typical day had wall-to-wall meetings – which is why working from home appeared as such a luxury when it was allowed.

On days she did manage to work from home, Jodi claimed she would have her email open an hour extra at each end of the day, from 7.30 in the morning until 10.30 at night: “Just because I’m addicted to it and I have to see and respond to everything because often a lot of urgent things come up.” So even though working from home was seen as a way to get away from the office schedule, like others in the study, Jodi felt obliged to stay connected nonetheless. Putting an “out of office” message on her email sent the wrong message, she felt:

If you put an “Out of office” on saying “I’m working from home today and not available on email,” then they’d be like “Well, how are you working?” People don’t understand that you could just be working on a project when you need to just spread out and think.

Another reason Jodi monitored email around the clock was because on any given day it was the principal source of directives from superiors asking for tight turnarounds.

Like this morning ... I planned all this stuff I needed to get done today and then something came up this morning that needed to be done by close of business at eight, and it was going to take up quite a bit of time, so lucky I saw that email and responded to it and was able to manage it and get it done before close of business today.

Rather than an “addiction,” Jodi’s use of email is here a matter of having learned to prepare for perceived emergencies, of adapting to the communication preferences of more powerful colleagues in the organization. With her managers so often in meetings, face-to-face contact was rare, and email was the one constant in a chaotic schedule. Jodi had to be prepared for emergencies as a routine part of her workday.

### ***Organizational change as state of exception***

Over the study Jodi’s role also changed to include being placed on an on-call roster in addition to her regular duties. For 48 hours every fortnight, she had to be available for conference calls to deal with critical incidents affecting the company. Service faults and coverage issues were among the key problems. Our meeting transpired in the middle of this period:

I was on-call all day Sunday, Monday, and today ... I was on a teleconference last night until 7.30, and I was on one again at 8 a.m. on the train this morning, and I was going to go to the gym in my lunch hour and I got called to another business bridge, and these are just urgent things. We have 20 minutes’ notice that you have to hop on, and they’re critical incidents that are happening to our customers and we have to work out how to manage them.

Jodi was conscious of how this new requirement of her role was affecting her usual routine:

It’s really hard for me to have that work/life balance when I – like I was doing my conference call last night while doing the groceries and driving to the grocery store, and this morning trying to do it on the train with all these people, customers around me who are not supposed to know this confidential customer incident. And then, you know, again trying to have some balance in

your lunch hour with some gym, and that doesn't ever happen. I've had a membership for six months now and I've gone maybe for the first two months, and then I had it scheduled today to go and then a bridge was called in the middle of it. So I couldn't go.

The sense of urgency and unpredictability involved in her new job obligations made it difficult for Jodi to make the simplest of plans. Her efforts to place limits on work's invasiveness read as a series of traps or enclosures, as work follows her at every turn once she leaves the office.

The precarity of not knowing when work would be required also affected her home life, as the following comments suggest:

I had to keep my mobile on last night because they told me at the 8.30 bridge they were going to call one at 6 o'clock in the morning. So normally I would have my phone on silent and only turn it on when I woke up, but because I knew this one was coming, I had to have my phone on so that – I didn't sleep very well, actually, and I had this by my bedside and I was just thinking about this stuff I had at work and I had to get up, about 3 o'clock in the morning, and write down the things that were running through my head that I had to do for work because my head was racing with all the stuff I have to do and I couldn't relax until I'd written it down and my mind could forget about it.

To make matters worse, this on-call extension to Jodi's job was unpaid. It was a mandatory add-on for an indefinite time, justified by the fact that the telco was going through "a five-year transformation period":

We're migrating our customers from one platform to another and things happen all the time, like ten a day, incidences of things going wrong. So one example this morning was 100 per cent of our systems were freezing and they couldn't do any transactions at all, at all. So whenever a customer comes in: "Sorry, can't help you; system frozen." We had to develop a work-around and some comms for our staff to be able to tell customers what to say in the situation.

Jodi acknowledged that these improvements to the company were unavoidable:

The annoying thing is like it's not something that you'd ever get recognition for or not something you're going to make the business money; it's just something that has to be done and we just have to do it as part of our job.

Jodi downplayed her frustration by saying: "my manager's also on-call, so she understands what it's like, so that's something." Of course, this neglects to appreciate that Holly was paid a higher salary for this level of responsibility. By contrast, Jodi had simply been told: "Someone has to do it and you're the one that's skilled to do it." Jodi's relatively junior position gave her few choices. While she would be entitled to time off in lieu, she seemed unlikely to claim back the hours. Too much individual complaint would look like trouble-making in this team-based workplace: "I haven't heard of anyone asking for it. I think if I did ask, my manager would probably say 'Well I'm doing it and I haven't asked for it,' so I don't think so."

Here is one of the clearest illustrations from the study of a worker who seemed unable to contemplate power relations in the workplace. Jodi appears placated by the logic of the team, unable to match her legitimate grievances to others in the workplace. Jodi's story confirms Andrew Ross's prescient observation that "unlike in a traditional corporate organization, where it primarily affected only the senior managers and executives", today the 'biohazard' of always-on responsibility for the organization affects even the youngest and freshest employees" (Ross 2003: 19). As it happened, Jodi wouldn't have the chance to claim her time off. Within a few months, it became clear that the five-year "transformation period" for the company also involved offloading 800 workers across the country.

### ***A labour politics to fit a state of exception***

The "state of exception" is a useful concept to think about these two examples as it allows us to contemplate the kinds of workplace experiences that are "exceptional" (*passing*) and which are "the norm" (i.e. permanent). Drawing on Walter Benjamin's theses on history, Agamben's (2005) perspective allows us to identify when we have become conditioned to accept a permanent state of exception and can no longer distinguish "the rule." In both of the stories shared here workers display tendencies identified by Agamben whereby "a provisional and exceptional measure" has been transformed into "a technique of government" (2). This is in keeping with the idea that "the state of exception is not a dictatorship, but a space devoid of law" – an "anomic space" which has the "force of law without law" (39).

In a context like the creative workplace, a relatively privileged space in that it is free from direct coercion, employees like Belinda and Jodi experience a lack of the rule of law in highly atomised ways. Additional work takes place without force, at the discretion of the individual; yet they each find it difficult to explain a shift in job requirements that has made a state of exception the new normal. Of course, to apply political theories of sovereignty directly to the workplace is more complicated than this mere analogy would suggest.<sup>4</sup> To analyse contemporary labour politics on a deeper level would require further qualifications and distinctions, for instance, between the sovereignty of the individual worker in the employment relation and the context of various institutional and legal settings, nationally and internationally. Clearly there are also all sorts of ways that a "state of exception" is accommodated or taken for granted in many so-called "creative" jobs (if we think of the "crunch" cycles inherent to gaming and software development and launches, for instance).<sup>5</sup> In conclusion then I want to pursue the idea of exceptionalism on another level. This is to acknowledge some of the reasons that employees like Jodi and Belinda appear willing to avoid labour claims along lines that might appear to better suit their interests.

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<sup>4</sup> In the sense invoked here, the term "state of exception" originates in legal discussions pertaining to Nazi Germany, specifically in the writing of Carl Schmitt. This is not incidental; indeed, there are further critical legacies to interrogate in this period insofar as salaried work plays a key role in securing other forms of ideology. Cultural historians writing at this time suggest as much – see in particular Kracauer (1998).

<sup>5</sup> This ordinary, indeed banal experience of "event time" (Adkins 2009) affected several workers in my study, whether it was the wife of an IT manager who locked herself away in the home office for all-nighters, or the arts worker who suspended any claims to personal time during her festival premiere.

The two women are representative of many employees in the study who believed that their jobs were *exceptional* in some way. Whether this was because they were employed in precisely the “creative jobs” we are here to discuss at this conference; or because having a job of *any* kind with the qualifications they possessed was an exception worth celebrating in a period that coincided with the global financial crisis. In both cases the rhetorical strategies justifying long hours seemed uncannily similar to those relied upon by academics attempting to explain their own relationship to labour whenever I have presented this research in scholarly settings over recent years. On the one hand the register of creativity and autonomy as the ultimate freedom provided by the job justifies the excesses of workload, while on the other, the register of guilt/relief stemming from the competitiveness of a cut-throat employment market underscores the need to remain grateful. The questionable distance between participant and observer in studies of cultural and creative labour remains a major point of discussion, reflection and (I hope) mobilisation.

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