Critical Analysis of “Work, Privacy, And Autonomy” by Richard Lippke

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Introduction

Privacy and autonomy in the workplace are some of the most troubling issues with huge consequences. Therefore, many researchers have made intensive efforts to address them effectively. However, it is difficult to have a consensus among all these researchers on how they perceive privacy and autonomy and how valuable they are. One of the prominent writers in this regard is Richard Lippke, who discussed this issue in quite a different way (Imbo, 1996). In this regard, the following essay critically analyses one of his most acknowledged pieces of writing, “Work, Privacy, and Autonomy”, to investigate his main arguments about privacy and autonomy in the workplace.

Relationship Between Privacy And Autonomy

Privacy and autonomy are strongly related to each other, as explained by Joseph Kupfer. According to him, there are primarily two ways in which this relationship can be considered valuable (Lippke, 1989). First, privacy plays an important role for individuals who have a self-concept of autonomy and want to control their lives by themselves. This autonomous self-concept covers everything, including thoughts, intentions, and actions that are directly or indirectly influenced by others (Lippke, 1989). In this regard, privacy develops a sense of autonomy and preserves it by limiting one’s personal information from others. Thus, it prevents employers from intervening in employees’ lives by protecting their physical and psychological existence. Therefore, for individuals who want to preserve their self-concept of autonomy, it is essential that they have complete control of the information about their psychological and physical existence. This directly relates to privacy at the workplace and exhibits why privacy is linked directly with autonomy.

Secondly, individuals’ behaviour and attitudes are also largely affected by their self-concept of autonomy. For example, they can perform their jobs and actions more satisfactorily only if they can avoid intrusion and distraction from others. Therefore, Joseph Kupfer noted that “when the most intimate aspects of their lives are up for scrutiny, individuals are vulnerable to ridicule or manipulation by others” (Lippke, 1989). Moreover, a direct implication of constant supervision and correction results in a negative sense of individuals not being worthy of autonomy. So, privacy plays an essential role in making people believe in themselves that they are worthy of autonomy. Furthermore, when they perform actions without any kind of supervision or intrusion, it is highly likely that they will make mistakes. However, it will also build their trust and confidence in themselves so

that they can make decisions independently and autonomously. Thus, these two factors highlight the importance of privacy in preserving autonomy. This, in turn, makes autonomy an important reason for the value of privacy.

Lippke's Thoughts On The Contractual Model

The issue of information that employers can justifiably acquire from employees has been under discussion by many researchers. In this regard, some writers like Joseph Desjardins apply the concept of "job relevance" to determine what information employees can seek under the contractual model of employment (Lippke, 1989). According to Desjardins, the contractual model has many improvements as compared to the principal/agent model. One such improvement is a legal framework that protects the rights of both employers and employees (Lippke, 1989). Therefore, to ensure that this contract is free from any deception or fraud, employers are legally authorized to seek information about employees' job qualifications, educational background, work experience, and any other information that is potentially helpful in the recruitment process. All this information is relevant to the contract as it helps to analyze the person's capability to meet its conditions. In addition, Brenkert argues that information about moral and social characteristics such as honesty, willingness, ability, etc., is also job-relevant. However, both writers tend to eliminate information about an employee's political or religious beliefs and practices, marital status, sexual preferences, credit, or other financial data from the scope of "job-relevant" (Lippke, 1989).

In response to these arguments restricting as well as justifying employers' access to employee information, Richard Lippke rejects the very premises of the contractual model by saying, "though it is an improvement over the traditional principal/agent model (especially for employees), and though the courts increasingly utilize it, I think that it is a very misleading model for understanding the interactions of most employers and employees in the U.S. today" (Lippke, 1989). To illustrate his argument, he further explains the imbalance of power between employers and employees in the workplace. According to him, the number of persons seeking a particular job is always higher than the number of vacancies available. This makes it much easier for companies to acquire any kind of information they want from prospective employees because unemployment is more destructive for employees than underemployment is for companies. These factors never enable employees to bargain on equal terms.

That is why the contractual agreement is basically a flawed model that does not hold any importance regarding ensuring the rights of prospective employees and protecting their private information that is not directly relevant to the job description. For instance, no company can allow sharing its financial data, legal history, and current challenges with prospective employees at interviews to prove that it successfully meets the contract's terms and conditions in the same way as this is required of the interviewee. This makes such a contract practically unmeaningful in terms of providing equal advantages to both employees and employers (Lippke, 1989).

Moreover, as he argued, the contractual model does not have any moral support. This means that restricting the information that employers can acquire based on their job relevance creates more problems than it solves. For example, issues may arise in finalizing what is job-relevant and what is irrelevant. More importantly, information such as political and religious beliefs that were sought as irrelevant can become relevant to the job if someone argues that the workplace can be affected by such differences between two employees. However, Lippke supports the argument that employees should never disclose certain types of information to their prospective employers because it will strongly affect their self-concept of autonomy (Lippke, 1989). If employers are allowed to seek all kinds of information about employees, the definite result will be employees' reluctance to initiate new things and innovate the existing practices of the workplace.

Moreover, employers will also become victims of prejudice against them. In this regard, he concludes that the content restrictions of Desjardins and Brenkert are morally justified to limit the employers' power over their employees, which can ultimately result in the invasion of their privacy that will restrict them from exploring and examining their lives (Lippke, 1989). I think these arguments are very satisfying to oppose the contractual model and its implications to allow employers to seek job-relevant information.

Lippke's Response To Certain Methods Of Acquiring Information

Lippke explicitly rejects certain ways of acquiring information that may somehow be considered job-relevant. These methods include surveillance, urine tests, searches of employee desks or lockers, polygraph tests, etc. One of his main reasons to support this claim is that tests like polygraphy are highly inaccurate and make certain predictions about employees' habits problematic. However, despite such a test being too intrusive, the primary reason that makes such methods objectionable is the invasion of one's psychological space and self-incrimination (Lippke, 1989).

All such methods also influence the employees' emotional and psychological state in the same way, reminding them where they actually exist. They are obliged to submit to these requirements willingly or unwillingly to get a job. The more they undergo such a method of acquiring information, the more they feel dependent, subjugated, and sometimes oppressed. After a series of such tests and checks, the employees begin to lose their sense of autonomy. These acts also damage the perceptions of employees about themselves. For instance, the frequent checks on employees' desks will make them believe that they are not trustworthy and, therefore, will lead to their bad performance. Thus, privacy has become an important concern in authoritarian management structures that are already prevailing in the US. In such an environment, employees gradually begin to compromise their privacy, which directly reflects on autonomy.

Authoritarian Management Structure And Privacy

In his attempt to explain the authoritarian management structure in the USA, Lippke states, “Most workers are subjected to a division of labour where they are confined to increasingly narrowly defined tasks determined and supervised by others” (Lippke, 1989). The workers and labourers are doing repetitive jobs that do not need any creativity under constant supervision. Moreover, workers also face many problems in terms of low wages and low job security. This exhibits the authoritative attitude of the employers, who can easily lay off any employee whenever they want. They are also responsible for increasing the productivity of the workplace and satisfying the customers. All these factors indicate the current structure of the business and remind employees about the imbalance of power in the workplace (Lippke, 1989).

Privacy Vs Property Rights

The issue of whether the property rights of the owners and stakeholders prevail over the privacy rights of employees or not is a very conflicting issue. If the implementation of urine tests and frequent checks is a threat to employee’s autonomy, abandoning them will also affect the autonomy of employers in one way or another. However, according to Lippke, to properly address this problem, it is first important to comprehend the difference between privacy rights and property rights (Lippke, 1989). If privacy rights are protected, they provide a sense of control over one’s own life. In contrast, adherence to property rights increases one’s control over the lives of others. In this way, he rightly points out that the issue is not to give preference to any of these rights but to determine if the perceived power that employers already have in the light of property rights should be increased or not. In this way, it is very probable that the existing organizations contribute to workplace problems that result from the ethical and social behaviour of employees.

Conclusion

In conclusion, in his detailed analysis of the relationship between privacy and autonomy, Lippke highlights the importance of workplace culture, which promotes the privacy and autonomy of employees and changes the persisting authoritative attitude of employers, making the invasion of privacy so reasonable. In this way, he emphasizes the development of a humanely and democratically organized economy where employers take significant control of how they should be judged or examined against any issues concerning property rights and an ethical work environment. The basic argument that is opposed to Lippke’s conclusion is the consideration of health and safety while implementing different privacy-concerned practices. However, Lippke himself supports this argument in another way by highlighting that the issue of privacy is not solely related to health and safety but should be considered in the bigger perspective of organizations’ behaviour. I found his arguments very promising throughout the essay.

References

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