

Pitts, Frederick Harry

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## Capital as Power in the Creative Industries: A Case Study of Freelance Creative Work in the Netherlands

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# WORKING PAPERS ON CAPITAL AS POWER

No. 2016/06

## **Capital as Power in the Creative Industries A Case Study of Freelance Creative Work in the Netherlands**

Frederick Harry Pitts

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# **Capital as Power in the Creative Industries: A Case Study of Freelance Creative Work in the Netherlands**

**Frederick Harry Pitts**

Department of Social & Policy Sciences, University of Bath

## **Abstract**

Using Nitzan and Bichler's understanding of the dissonant relationship between creativity and power and business and industry, this paper investigates the rhythms of freelance creative work. It reports findings from interviews conducted with freelancers working in the Dutch creative industries. The findings suggest that freelancers enjoy more responsibility and autonomy than formal employees. But this autonomy represents a risk that their clients must manage. Different client relationships, and the proximity they imply, produce different rhythms. The research explores freelancers' experiences of these rhythms in graphic design, advertising and branding. The research begins from the premise that risk and responsibility are both assumed and apportioned as a function of relationships of power and discipline in the sphere of work. Freelancers are agents of the management of these two interrelated categories. They are subject to the competing rhythms implied by the relation between these two categories. With reference to these rhythms, the research draws upon Nitzan and Bichler's theory of 'capital as power' as an analytical tool. Nitzan and Bichler develop a conceptualisation of the tension between 'industry' and 'business'. This explains how the latter sabotages the creativity of the former. This produces a 'dissonance' between the two. This dissonance is the productive driving force of capital accumulation. Applying this to the relationship of risk and responsibility in freelance creative work, I explore how these differing rhythms manifest. The conflict between the freedom to be creative and the management of creativity is not a deficiency of creative production. Rather, it is its moving principle.

## **Introduction**

Freelancers work for companies, but also apart from them- at home, on site, or in shared workspaces. Responding to this, the research looks at how they manage and organise the employment relationship at a distance. I frame the freelancer's remoteness in the relationship between risk and responsibility. I investigate how the freelancer's remoteness is subject to these competing demands.

Through Henri Lefebvre's rhythm analytical method (2004), the research examines the conflicting rhythms attached to these demands. Interviews with freelance creatives explore the lived experience of these rhythms. I conducted 11 extensive interviews with creatives working on a freelance basis. The sample was composed principally of designers and strategists working in the fields of design, branding and advertising.

Risk and responsibility are both assumed and apportioned as a function of relationships of power and discipline in the sphere of work. Freelancers are agents of the management of these two interrelated categories. They are subject to the competing rhythms implied by the relation between these two categories. The research draws upon Nitzan and Bichler's theory of 'capital as power' to assess these rhythms. They develop a conceptualisation of the tension between 'industry' and 'business'. This explains how the latter sabotages the creativity of

the former. This produces a 'dissonance' between the two. This dissonance is the productive driving force of capital accumulation. Applying this to the relationship of risk and responsibility in freelance creative work, I explore how these differing rhythms manifest. The conflict between the freedom to be creative and the management of creativity is not a deficiency of creative production. Rather, it is its moving principle. Lefebvre's rhythmanalysis provides a template for the study of how this dissonance plays out for creative freelancers. I practice such a rhythmanalysis by means of the testimonies of those involved that I collect through the interviews conducted.

The findings express some specific dimensions of risk and responsibility in creative freelance work. Risk and responsibility are shared out, delegated and dealt with by and between freelancers and their clients. This is particularly interesting when considered in the context of two factors. First, the creative industries are often subject to considerable uncertainty. Second, the employment relationship is also subject to a great deal of contingency, insecurity and instability. This is acutely so in the case of the freelancer.

My investigation proceeds from the principle that capitalism is both risk-averse and reliant upon control. Yet new ways of working provide workers with more flexibility and autonomy. This throws up a seeming contradiction. New ways of working suggest that capitalist enterprises increase flexibility and redistribute responsibility. But this is at the expense of undermining certainty, inviting risks that are otherwise avoided. The research explores this contradiction by looking at freelancers, for whom the changes inaugurated by new ways of working are most explicit.

Risk and responsibility are shared, delegated and outsourced between freelancers and the companies that they work for. The interviews suggest that this contradiction must be managed, both by companies and the freelancers that they hire. Responsibility is not delegated and outsourced in spite of risk-aversion and the avoidance of uncertainty. Rather, it is delegated and outsourced because and by virtue of the latter. With the outsourcing of responsibility to freelancers, comes the outsourcing of some of the risks to which companies are usually liable. The relationship between creative freedom and creative management is central here. Nitzan and Bichler provide an ideal lens through which to view it. This is by means of the concepts of creativity and sabotage, industry and business, and resonance and dissonance.

### **Empirical foundations**

Mainstream critiques of contemporary capitalism conducted in the wake of the Great Recession tend to indict a number of factors. Perceived short-termism. The dangerous compulsion to speculate. An attraction to growth for growth's

sake. The propensity towards the greedy and rapid accumulation of riches. But other critiques undermine this common narrative. These responses to recent economic events suggest instead a differing set of circumstances. Debilitating carelessness around future returns expressed in the calculated and forward-facing nature of speculation (Coggan 2009, p. 139, Kunkel 2014, pp. 87-88). Incredulity towards growth accompanied instead by an urge to secure a rate of return above the standard (Piketty 2014). The 'renunciation of instant gratification' (Boutang 2011, pp. 15-16). A propensity to save and withhold investment when risks are too high and a better return can be secured elsewhere (Hutton 2014, pp. 27-29). These characteristics defy what is commonly understood to be the case. A reimagining of the object of critique along these lines directs our attention toward fresh areas of inquiry. In the case of this paper, it is towards how these characteristics manifest in the employment relationship.

Evidence abounds that contemporary capitalism is increasingly risk-averse and reliant on control. The use of derivatives that contributed to the 2008 crisis has been seen by some commentators as itself a response to growing corporate risk (Coggan 2009). Other, more radical sources (see Kunkel 2014 for a summary) perceive a lack of risk-free outlets for profitable investment pushing wealth into financial speculation. Mainstream voices (e.g. Hutton 2014) associate the subsequent stagnation with the unwillingness to invest in the face of uncertainty.

Eternal factors of risk include tax rates, borrowing availability, currency conversion, and oil prices (Coggan 2009). Changes at the top and bottom of the capitalist economy contribute new aspects. Immaterial production (digital, creative, etc.) holds a hegemonic role in contemporary capitalism (Lazzarato 1996). This is expressed in the increasing amount of company assets classed as intangibles. The time and productivity of work involving communication, creativity and cognition is hard to estimate. Owing to its intangibility, this production is hard to measure, model, predict and value. Financialisation is an attempt to capture some sense of what this immaterial expanse is worth (Pitts 2014e).

Investment in knowledge and intangibles now far exceeds that in traditional tangible outlets. The preeminent role taken by these factors increases the level of risk faced by business. This has led to strategy becoming 'highly risk averse' (Hutton 2014). Companies hoard cash rather than investing and spending their funds on innovations. This risk aversion shores up the share prices of companies and thus secures the remuneration of directors.

Financial markets make speculative attempts at measuring the hard-to-capture wealth of immaterial, intangible production. This leads to instability and imbalance (Pitts 2014e). Financialisation increases risk and uncertainty with the inflation and combustion of bubbles. But it also encourages constant mitigation of

risk to please shareholders. This leads to underinvestment. Risk-averse underinvestment reduces innovation and growth, leading to stagnation. The state assumes and acts against risk, preventing the 'creative destruction' needed to overcome crisis (see Kliman 2012).

Risk-averse underinvestment concentrates capital in the hands of those who have already accumulated. With productive avenues too risky, and underlying growth low, capital finds a better return elsewhere. These factors have bore an influence upon current debates around inequality and economic policy (Piketty 2014).

Yet, even in the context of this caged and spendthrift risk-aversion, new ways of working provide workers with more flexibility and autonomy. This throws up a seeming contradiction. New ways of working suggest that capitalist enterprises increase flexibility and redistribute responsibility. But this is at the expense of undermining certainty. It invites risks that are otherwise avoided. The findings of this research suggest that, in recruiting formally arms-length freelance workforces, companies must manage this contradiction. In so doing, they struggle against their flexible and decision-devolving contractual relationship with the freelancer. The freelancer relates to the client in the commercial realm of service provision. Unlike the formal employee, their contract does not enshrine in law the employer's control. Clients must bridge this formal distance through other means.

The following study of how this management of risk plays out in everyday life and work thus connects to the broader post-crisis situation. The merit of this research is the juxtaposition it draws between risk aversion and the awarding of a seemingly greater degree of responsibility to workers. It will be seen that, depending on perspective, the two tendencies both conflict with and complement one another. I use Nitzan and Bichler's understanding of creativity and power (2009) to suggest that this conflict is the moving principle of creative production. The freedom to be creative is always tempered by the control and management of creativity. But this fragile balance of risk and responsibility is what drives the process. What Nitzan and Bichler uncover is how this represents a foundational aspect of creative production in capitalist society, rather than a corruption or aberration.

### **Theoretical foundations**

Nitzan and Bichler are among those critics of capitalism's underlying tendencies willing to diverge from received wisdom. They begin from the paradox that capitalists have invested less and less in recent years and have witnessed falling growth in the economy as a whole as a result. Yet they suggest that their share of national income has increased all the same. This increase in share of national

income comes not despite stagnating investment and growth, but precisely due to these trends (2009, pp. 322-323).

This is because, according to Nitzan and Bichler, capital does not represent the accumulation of value determined in the production of goods and services. It represents the accumulation of power (2009, pp. 17-18). Power is expressed through the ability to gain a differential advantage through the price mechanism. It is an index of control over the economy as a whole. It demonstrates the degree to which capital can suppress the successful growth of the economy within limited productive bounds. If productivity is given 'free rein', then problems of overcapacity can come to afflict the share of capital flowing to those who already own it (2009, pp. 322-323).

This perspective rests upon a distinction derived from Thorstein Veblen (2007). On one side, we have 'business' and 'power'. On the other, 'industry' and 'creativity' (Nitzan and Bichler, 2009, p. 219). The former prospers by setting about sabotaging the latter (2009, p. 223). Creativity must be kept within limits. If it is left to run riot this leads to problems of measure and overcapacity. It would undermine the possibility of capitalist success. Hence, creative work is nothing without the constraints placed upon it by management.

For Nitzan and Bichler, the latter sabotages the creativity of the former. This produces a 'dissonance' between the two. This dissonance is the productive driving force of capital accumulation. Nitzan and Bichler's theory suggests that the conflict is not a deficiency. Capitalist production depends on dissonance between creative freedom and its management.

The work of Nitzan and Bichler gives us a lens through which to view the contradiction between growth and accumulation on the ground. The conflicting principles of creativity and power make this contradiction productive. The relationship of struggle and sabotage between them has considerable explanatory purchase in this research. The theory of capital as power helps us understand the apportionment of risk and responsibility in creative freelance work.

Nitzan and Bichler draw our attention to the everyday ways in which capitalism as a system thrives through the 'sabotage' of creativity. By means of their rereading of the work of Veblen, they give one possible view on the limitations placed upon autonomous creativity by management. They suggest that capitalism as characterised by a propensity to control and accumulate, rather than to stimulate, grow and invest. In the following, I associate this with an understanding of capitalism as carefully risk-averse in the face of uncertainty. Related to this is the damaging limitation of creative potential and ability freelancers face in the workplaces they embed themselves within. But, despite the effect this has on the nature of the creative task itself, Nitzan and Bichler

show us how it is essential to the functioning of capitalism rather than contradictory or incidental.

Nitzan and Bichler situate industry and business as representatives of the conflicting forces of creativity and power. The latter profits at the expense of the former. It restricts the growth and innovation of 'industry' broadly defined as the capacity to create to meet human wants, needs and desires. Business thrives on power, of which it seeks the accumulation. In pursuit of this, it actively sabotages creativity. This undermines rivals by limiting their growth and profit. The growth and profit of the hostile capital is secured by means of the greater ability to control and manipulate economic, social and political factors.

This sabotage extends to the sphere of work itself. The implication this has for the research conducted is that the perspectives of client and freelancer are necessarily partial. They each work to clashing temporalities and rhythms. This relies on a fragile balance between creative freedom and control. This results in a conflict. What Nitzan and Bichler lead us to conclude is that this dissonance is not a problem for the pursuit of profit, but helps guarantee it. Success depends upon the channelling of creative potential to calculable ends. These practices ensure that creative activity becomes safe, certain and quantifiable. But, within these limits, the freelancer's creative autonomy is paramount. The dependency of one upon the other is contradictory, and their rhythms dissonant. But this is, as we shall see, taken to be the essence of success for capital in the creative industries, by keeping creativity under wraps.

### **Methodological foundations**

The delegation of responsibility and the delegation of risk carry with them clashing temporalities and rhythms. Relying on a fragile balance between creative freedom and control, this results in a conflict. Borrowing from Nitzan and Bichler, I suggest that the dissonance generated guarantees the success of the creative industries. Success depends upon the calculation and channeling of creative potential, no matter how resistant the latter is to such practices. These practices ensure that creative activity becomes safe, certain and quantifiable. But, at the same time as requiring rationalisation, the creative freedom so restrained provides a foundation for the success itself.

Nitzan and Bichler suggest that, when free of the pressures of business and power, industry and creativity exist in a state of 'resonance' (2009, p. 226). This is attained where business power fails to exert the optimum amount of control upon affairs. But realistically, this resonance is rarely attained. The harmonious and resonant satisfaction of human wants and desires by means of industriousness and creativity is largely a purely ideal state of affairs.



Nitzan and Bichler contend that harmony and resonance run up against the pursuit of capitalist power (2009, p. 226). They offend against power's desire to undermine and disrupt. Capitalist society is dissonant. It reproduces itself by means of this dissonance, not in spite of it. Capitals steal a march on competitors not by stepping in time, but by deviating by the rhythm set by the market, or disrupting the ability of others to match it. It succeeds by defying the prevailing standard.

But business power relies not only on antagonism with one's competitors and peers. It also depends upon the maintenance of antagonistic relationships of control over workforces. It stifles autonomy and creativity, limiting and managing it in certain ways. And it is this dissonance that is productive. The tensions sending rhythms out of step are exactly those that propel accumulation.

The dissonant influence of business upon industry 'propels' accumulation. It forges a profit from the pervading economic circumstances. If business were to conform to the rhythms of industry, it would be naturally be inducted and subsumed into the latter. It would work creatively for the meeting of human needs and wants rather than destructively for the accumulation of wealth and power. The capacity for profit relies upon the ability of business to always exert a disruptive and arrhythmic influence upon the economic scene. As Nitzan and Bichler write, '[t]he only way to make a profit is through dissonance. It is only by propelling industry in ways that interfere with and partly hamper its open integration, coordination and the well-being of its participants that business earnings can be appropriated and capital accumulated' (2009, p. 226).

I contend here that Henri Lefebvre's rhythmanalytical method (2004) provides a practical template for the study of this dissonance. Rhythmanalysis studies the rhythms and repetitions of everyday life (2004, p. 73), examining the different rhythms created when contrasting social principles synchronise to differing degrees. Depending on how successful their meeting is, they produce either eurhythmy or arrhythmia. These rhythmic poles map onto creativity and power. With reference to freelance work in the creative industries, this paper explores their relationship using rhythmanalysis (2004, p. 20). It functions as a means by which Nitzan and Bichler's theory of capital as power can be operationalized in a programme of social research.

My rhythmanalysis proceeds by means of the testimonies collected through participant interviews. Through Lefebvre's method, the research examines conflicting rhythms. These attach to the demands of, creativity and power. Clients grant autonomy but must constrain this within manageable, measurable bounds. The interviews demonstrate the lived experience of these rhythms. I conducted 11 extensive interviews with creatives working on a

freelance basis. The sample comprised designers and strategists working in graphic design, branding and advertising.

The paper thus reports personal testimonies of participant experience. The interviews focused on two aspects. First, the patterns and recurring routines of freelance creative work. Second, the flashpoints of tension and resistance that ensue. This follows Lefebvre's recommendation that one assess rhythm from two standpoints. On the one hand, repetition. On the other, difference or disjuncture. The latter maps onto Nitzan and Bichler's concept of dissonance.

The interviews invited reflection on where the jarring rhythms manifest. They explored participant experiences of rhythmic conflict. It is in the sense of difference and disruption that the dissonance Nitzan and Bichler identify reveals itself. The interviews therefore interrogated repetition and difference. Difference is what makes rhythm analysis possible. Uncovering rhythm rests on the exposure of repetition by deviation from it. According to Lefebvre, the disjuncture is something sensed and experienced (2004, p. 10, p. 15, p. 77). This may be in either a bodily and physical or social and psychological way. Participant testimony is thus a suitable window upon rhythmic conflicts in freelance creative work.

## **Discussion**

At the beginning, I outlined some of the factors affecting capitalist approaches to risk. Some of these factors are exacerbated in creative industries. Added risks arise. The ephemerality and unknowability of creative industries far exceeds that of other sectors. The potential success of a creative good or service is hard to ascertain. Within the workplace, it is not always possible to gauge or interpret what is being done when. The cognitive and creative nature of work in the sector renders it resistant to easy understanding or measurement. Thus, creative industries can rationalise internally only to a limited extent. Other means must be utilised to guard against their heavy burden of risk and uncertainty. Through flexible, decentralised working practices some of this risk is delegated to employees.

The way that the risk of this autonomy is managed is through the use of different contracts and employment relationships. One means by which this is achieved is through the creative industries' reliance upon freelancers. The creative industries- particularly design- display a strong reliance on freelance work. In a fluctuating, fluid and flexible industry acutely susceptible to the vagaries of consumer sentiment, it meets the need to respond to events. It retains the necessary flexibility but shifts the responsibility for mistakes onto actors external to the company hierarchy. In this way, outsourcing of work to freelancers also outsources risks associated with creative production.

The autonomous creativity essential to cultural production depends upon the devolution of responsibility. But this devolution of responsibility implies significant risks. These must be mediated through the careful control of the creative energies of these employees. One means of control reacts to risk by transferring its burden from the company to the employee. This occurs through novel and diverse forms of flexible contract. On one hand, these remove some of the certainties of the old employment relationship for the worker. On the other, they remove some of the uncertainties incurred by the employer as part of this relationship.

The reward for the freelancer's shouldering of increased risk is more autonomy and responsibility. Granting this greater freedom absolves the employer of the responsibility of security and a full wage. The freelancer is burdened with both risk and responsibility, without the terms and conditions. At the same time as being risk-averse, then, contemporary capitalism is also responsibility-awarding.

Freelancers transact on the commercial market. This implies no assumption of risk by the employer. This is despite freelance work incurring specific risks associated with its precariousness that are outsourced to the creative individual rather than shouldered by employers as part of a formal employment relationship. In the commercial market, freelancers assume responsibility and the capacity to make decisions. But no security or regularity of payment awaits them (Boutang, 2011, p. 142, p. 153). The reward for the freelancer's shouldering of increased risk is more autonomy and responsibility. The freelancer assumes both risk and responsibility, without the terms and conditions. But this autonomy brings new risks. Freelancers make their 'micro-decisions' in a project framework that facilitates flexibility and responsiveness. But these represent 'opportunities to deviate from the overall plan' (Legault, 2013, p. 88).

As Legault points out, project-based work allows adaptation to 'discontinuous' and contingent business rhythms. It limits uncertainty, ensures predictability, and retains control over events, processes and outcomes. Freelancers are part of the arsenal of project-based working. But they must be controlled, too. Their autonomy is subject to a 'work breakdown structure' (2013, p. 87) consisting of meetings, waypoints, targets, indicators and so on. ICT provides a decentralised means for this framework of control at a distance. For Boutang (2011, p. 63), project-based working derives its efficiency from 'digital networking'. It deploys 'flexible technologies' to unite and control 'high-trust but ephemeral teams' (Smith and McKinlay, quoted in Hodgson and Briand, 2013, p. 312).

Freelance creatives exemplify these relations of trust and ephemerality. But the findings reported here assert a weaker connection to these 'flexible technologies'. The interviews I conducted suggest that digital technologies do establish virtual threads linking the freelancer closer to client management, but ICT is not the key factor in enforcing control and discipline. Rather, they show that the traditional physical and social environment of the workplace is the prime mover. Old-fashioned time discipline, measurement and workplace control force freelancers to conform to the rhythms of business power, and ensure the maintenance of a productive dissonance between the creative and capital, industry and business.

The interviews suggested that specific rhythms of freelance creative work relate to the kind of client relationship involved. The internal variety in freelance creative work- of client relationship, work location and contractual basis- produce rhythmic variations in their relationship with power. There are three principal kinds of relationship.

In the first, a creative agency recruits the freelancer to work on a project for that agency's corporate or government client. The freelancer's client is the agency, not the end user of the creative work. Agencies may sometimes take an 'option' on a freelancer, whereby the agency has first choice of the freelancer should another job come along. This is an insurance policy against risk both for the freelancer and the agency. The freelancer has an indication of interest against which to base judgements of what is better and worse elsewhere. The agency constructs a virtual workforce beyond the limits of their fixed capacity, a cast of freelancers kept stage left ready to be called to work. In the second, a middleman agency draws upon a roster of freelancers to farm out work for creative agencies. The middleman agency hires the freelancer and 'sells' the freelancer to the highest 'bidder'. They will charge the end user 100 euros an hour, as in one example, and pay the freelancer 75. This places an additional contractual divide between freelancer and end user. It is much like the first, albeit that the freelancer pays a percentage of their wage to the middleman agency. In the third, the freelancer is recruited by a corporation or public body directly. Sometimes this sees the freelancer resemble contractually the creative agency in the first example. The freelancer may work alone or with other freelancers to bring together this temporary set-up. Indeed, as with Interviewee 8, freelancers may delegate work to other freelancers- a further development in outsourcing that redistributes the risk incurred by one freelancer to others.

Within these permutations, the freelancers assume a variety of everyday relationships with their client agencies, companies and organisations. Some work at the client's premises. It is more likely that a freelancer will work at the premises of an agency client. With corporate clients, freelancers will be more

likely to work at their own studio or shared workspace. Others, if recruited by an agency, split their time between the agency's studio and the office of the end user. Others split their time flexibly between their home or personal studio and that of their client. Some freelancers in the study preferred to maintain control of their schedule by always working independently. These freelancers would work from home or, more commonly, from co-working spaces shared with other freelancers.

A further variation relates to the degree of this integration within the spatial parameters of the client agency or company. This concerns the temporal structure of the contract. Freelancer contracts concern the provision of a service rather than employment. In terms of pricing, some freelancers work on the basis of a 'day rate', others on an 'hourly rate'. The former is generally suited to bigger projects, the latter smaller projects. As such, many freelancers will use a mixture over the course of their work. But a great majority of jobs are small. As such, many freelancers in the study worked on contracts for a certain amount of hours, over the course of days or weeks. This, typically, suits work with agency clients. This is because agencies structure projects based on a number of billable hours, and freelancers employed on an hourly basis conform to this accounting and billing convention. Such arrangements tend to imply a closer spatial relationship of freelancer and firm. The firm gains some sense of the passage and completion of the hours they are paying for. This is the main reason that agency contracts will tend to require the freelancer to work at the client's studio.

Day rates differ only slightly, in that the number of hours is assumed but the actual number worked may deviate above or, more rarely, below this. As Interviewee 3 noted, contracts with agencies priced on a day rate almost always lead to the freelancer working longer hours than he is paid for. A 'day' is eight hours, and more often than not, especially when working on-site at the agency, he will work nine or ten. This condition is being extended, with more agencies demanding contracts that price jobs for the whole project, but as a rough number of days- say, twenty in total.

Other freelancers, however, sought contracts that paid for the project as a piece of work. Although the freelancers price the job based on an idea of how long it will take, the client is not billed on this basis. This contractual arrangement tends to require a freer relationship between the freelancer's use of time and space and the temporal and spatial structures of company life. This basis makes more sense for clients in the corporate sector, who, unlike agencies, do not have to answer to an end client with whom they have a contract for a certain number of billable hours. As such, a freelance contract with a corporate client is likely to be priced and performed on a different temporal and spatial basis, with less clock-punching and desk-based working at the client's offices.

These permutations- of client relationship, work location and contractual basis- produce variations in the rhythms of freelance creative work. Freelancers working on-site for corporate clients experience shorter, more standardised work hours. As Interviewee 9 observed, 'decision cycles' are slower in the corporate world, with the work 'more civilised and relaxed' than in agencies. This may relate to the specificities of Dutch corporate culture. One participant gave the example of a Dutch heritage brand. The shutters come down at half five every evening. There is a compulsory hour's lunch break at one o'clock.

Agencies differ radically from this ethos. Freelancers who find themselves based at agencies tend to get drawn into more intense working rhythms. They have some autonomy from this. One participant told how freelancers are free to leave when their permanent colleagues cannot. But the consensus was that the longer a job goes on, the less freedom a freelancer enjoys. Six months in, their rhythms are those of the agency life from which they once escaped. Interviewee 8 explained how with each month, the hours spent on-site increase. This has reached a point where management disciplined him for turning up late.

A freelancer's former colleagues form part of the network relied on for assignment opportunities. As such, freelancers often return to the workplaces they once left. Interviewee 4 was one such example. He was re-inducted into the rhythms of company life. This is after leaving with the express intention to distance himself from those rhythms. But, he observed, the 'only difference is that I can get a tax deduction for the lunch I buy'. He still had to turn up and leave when everyone else did, working the same long hours.

Most freelancers, however, will have more than one job at any one time. They will 'run[] from one job to the other', as Interviewee 3 put it. This can be, as with Interviewee 10, a mix between longer and shorter jobs. These will tend to conflict with one another. The small details of the shorter job will disrupt the time and space needed on the longer one. Multiple clients issue emails, call meetings, make sudden *volte faces* and request adjustments. This makes it hard to gain a satisfactory rhythm in which to create. In this way, they are akin to capitalism's guilty conscience, fixing issues of presentation and image accompanying the contingent rhythm of consumer markets. The clients are at the mercy of these rhythms, in the wake of which freelancers carry. The small retail brands serviced by Interviewee 10 'don't always see what's coming'. They are 'more reactive than proactive'. This means that decisions are taken suddenly and at little notice.

The precariousness of freelance-client relationships puts the former in a weak position. The freelancer needs future work. They must service their every need, no matter how it jars with their schedule. But the more they need, the more expensive the service becomes for the client. Interviewee 10 has had to adapt his hourly rate to keep his clients. This is despite their tendency to 'over-ask' for

more work than he can deliver. This suggests the imperfection of time as a unit of measurement of creative work. The billing and accounting convention of 'the hour' is incompatible with the rhythms of both corporate and creative life. It is constitutive, however, of the rhythms of agency life.

The freelancers involved in the study tended to work very long hours. Interviewee 2 worked 65 hours a week. Interviewee 3 worked 12 hours a day. There were examples of real human cost. A freelance peer of Interviewee 3 had a car accident and entered a coma. Doctors attributed the accident to overwork. Rather than freeing people from capitalist work rhythms, freelancing submits some to greater command. Email, accessed through mobile devices, constitutes a virtual thread. It keeps the freelancer forever connected to the job. For Interviewee 3, this is 'annoying'. He avoids sending emails at the weekend. This is so that the client does not assume he is working and contactable. But, ultimately, he is working. The trick is not keep it secret. His policy merely manages expectations. It maintains dissonance between his rhythm and theirs. Any resonance would induce him into conforming to business rhythm. The weekend would be no more. Thus, there is also a search for dissonance on the part of the freelancer, and not only the firm. But, I would contend, in line with Nitzan and Bichler's theory of capital as power, this antagonism between autonomy and control is productive and constitutive of creative success.

The billing of a job based on an hourly rate intensifies the temporal link. This because client companies- specifically agencies- have a stronger wish to see time passing. This puts pressure on the freelancer to conform to the rhythms of formal employment. It puts pressure to submit to the spatial infrastructure of a traditional workplace setting. But the participants' creative rhythm differs from the workaday rhythms of formal employment. Interviewee 5 prizes the ability to work on projects in his own time. He can work at weekends, evenings or in the early hours of the morning. He works whenever his 'inspiration' and 'focus' is 'highest'. Sometimes, he will achieve more in four hours than in a whole week. When 'it is not working', and he is 'not in the zone', then he stops, and returns to it another time. This organisation of one's life and work is impossible within the traditional work relationship. There is a necessary physical location which prohibits it. Yet agencies, in particular, coerce attendance from the freelancers they recruit. This is in spite of that fact that, as Interviewee 9 noted, 'the best insights come when you're outside the workplace'. The desk, however, 'forces you to deliver'. The physical environment implies its own rhythm of work. And, for these participants, it is counter-intuitive to the creative nature of the task.

As Interviewee 5 contended, agencies are 'very attached to being at the office at all times'. This motivates freelancers to engage in a struggle with client

agencies to work remotely. ICT facilitates this. Interviewee 8 uses a program that allows access to company computers when working from home. For Interviewee 3, Skype and email allow the client relationship to take place at a distance. This consciously avoids face-to-face interaction. This is because the latter incurs unnecessary financial cost and time expenditure. Indeed, the formulaic and standardised nature of the interaction renders personal contact pointless. As Interviewee 3 noted, the same checks and balances can be passed remotely.

But remote working runs up against the need of companies to have a sense of measured, costed time passing as planned. It runs up against the system of billable hours by which agencies price work to their external clients. The constant desire to check and monitor seemingly compromises the creative service they pay for- but what Nitzan and Bichler show us with their theory of dissonance is that this, far from compromising capital, is instead productive in and of itself.

Inculcation into these rhythms becomes more irresistible to the longer a freelance stint goes on. Interviewee 9 identified particular problems when freelancers stay with agencies longer than six months. Past this point, the outsider perspective valued by the company disintegrates. A freelancer's 'strength' is the 'different view' they have on things. Spend too long on the shopfloor, and you lose this perspective. You become 'part of the machine', as Interviewee 9 put it. This usually happens in a spontaneous, unplanned way. The client will keep extending the stay of the freelancer. They become, in effect, a permanent employee. But they bring none of the baggage of employer commitment and administration.

Thus agency rhythms subsume freelancers to the detriment of the creative task itself. This centres upon a conflict between two principles: business power and creativity. The first has a tendency to sabotage the latter. But this conflict is necessary. It is a productive tension. Both business and freelancer depend upon it. Without creativity, business is nothing. Without its sabotage by power, creativity would not translate into a recognisably worthwhile outcome. .

The interrelation of these rhythms may be productive. But the rhythms generate an irreconcilable difference of perspective between client and freelancer. This applies most to agencies. As Interviewee 5 highlights, eight hours will be eight hours to an agency. But for him they may be internally differentiated, varied and diverse. Working from home, the hours he bills for will include unrelated emails, phone calls and 'other stuff'. The lived rhythm of the work undermines the smooth quantitative appearance of the recorded time. This is the abstract, standardised time of business. But, ultimately, this abstract, standardised time wins out. It structures the freelancer's work. And this will be the case as long as the condition of possibility of that work is under the



auspices of quantity. The condition of possibility is its payment. The way in which this payment is adjudicated is on the basis of time and hours. It is not based on quality- i.e. the eventual worth or brilliance of the end result.

The partiality of perspective in the relation of freelancer and client has further implications. What is a flexible rhythm for the freelancer will facilitate creative inspiration. For most, it is not a tap turned on and off. They must work when inspiration strikes. But what is flexible for the client has a different complexion. Clients contact freelancers with demands for last-minute changes, or a sudden shift in deadline. This flexibility develops in response to the always-contingent vagaries of capitalist valorisation. These corporate rhythms form around the cut-throat realities of business. They hinge on hierarchy and complex, dispersed multinational companies.

Interviewee 3 recalled how a client's global board sacked its Netherlands CEO for lack of profits. Interviewee 3 went back to the drawing board. But then the whole top layer of the company in the Netherlands were sacked. Things stop and go on the pivot of profit and market power. But the freelancer cannot activate their creativity at will. They cannot suspend their family life and other work in light of new market information. The rhythm of business, of the market, clashes with that of creative work. What this shows is that the perspectives of freelancer and client are necessarily partial. The interests of one are not the interests of another. There is conflict at the heart of the relationship. The outsourcing of the employment relationship to the commercial sphere does not mollify antagonism.

Differing from corporate clients, agency rhythms are structured by the system of billable hours. Hours are recorded in line with budgets of time allocated to certain projects. Interviewee 5 suggested that agencies have a pressing need for freelancers on hourly contracts, so as to lay claim with the contingent hourly 'currency' with which to bill their external clients.

But a discrepancy arises in that the hours recorded by employees and freelancers seldom match the reality of time as it passes in reality. An agency hires a freelancer for a certain number of hours. These hours then seamlessly assimilate into the billable-hour system. But the independence enjoyed by the freelancer can turn a long leash into a noose. Interviewee 5 explained how, when a freelancer is given eight hours for a job and does it in three, it is not uncommon to pass the next five acting as if they were still working when on-site.

Also, as Interviewee 4 suggested, the hourly rate makes the expenditure of money transparent. For every hour a freelancer is unaccountable, money may be wasted. Agency clients want to see freelancers working. This implies a certain framework of spatial control and observation. It also changes the pace of work. A normal employee might 'sit and wait' for orders, Interviewee 4 said. He or

she depends on decisions from higher up the company hierarchy. But the freelancer is given more information and delegated more responsibility. Plus, the job lifetime is so small that they need to do well to secure future work. This ensures maximum effort over the period the client is paying for. Thus, for the participants, freelance work could be less free and more intense than employment. Even though, as Interviewee 1 noted, he could leave when he wanted, the content of the work changed little.

The agency needs to see its hourly pay well spent. In this way, paying by the hour rather than for, say, the product or the end result, skews the whole process. The working of an hour, abstracted from its concrete contents, becomes the aim. The form of the payment structures expectations in ways that seldom assist creative endeavour. In this way, the rhythm of business 'sabotages' and undermines creative flow. The temporal basis of the way work is measured is out of step with the underlying creative task. Many of the freelancers interviewed were big fans of efficiency and organisation. The efficient structure of one's time is seen as a means by which one combines work with pleasure. The fetishism of the billable hour offended against this inclination. Unfilled time passes to match up to the number of hours billed. It could be used otherwise.

There is a fundamental- and productive- incommensurability at play. This is between client demands for accountability of cost and time and the ebb and flow of creative inspiration. Interviewee 6 told how she frequently exceeds the amount of hours billed. But, she said, hour-based billing works because it reassures the client. The client feels that 'it's a fair price' if they have some 'idea of how much time is spent on it'. But, ultimately, she said, 'it never ever adds up'. This is especially acute with the kinds of clients she worked with. She tended to service companies in traditional, non-creative sectors. They had little idea of the conceptual element that undergirds the design and production of, say, a poster or a flyer. This makes the time hard to tally up. 'Lots of clients,' she said, 'don't really see all the work behind it.'

Interviewee 5 bemoaned how clients pay freelancers for hours- quantity- rather than quality. This led him to seek out contracts based not around a set number of hours, but a total fee for a certain end result. This freed his labour from the temporal structure of the system of billable hours. It allowed him to work at a rhythm more suited to his creative sensibility. This is illustrated in his description of working arrangements as either 'intuitive' or 'counter-intuitive'. This 'intuitiveness' consists in their facilitation of the free creative activity desired by freelancers. 'Intuition' here is an immeasurable, unrationalisable and Romantic concept. Agency fixation on the workplace and the billable hour constrain this intuition. It sabotages creativity. The freelancer's critique does not recognise, however, the essence of this sabotage. This dissonant meeting of different

principles is not a bar to productivity. It is the very tension that makes the interaction of creativity and business power profitable.

### **Conclusion**

Creative industries are at the forefront of new ways of working that encourage autonomy and flexibility. But creative processes and products are unknowable and uncertain (Caves 2002). The struggle against uncertainty demands that the autonomy and flexibility through which creativity is unleashed are carefully controlled. Creative management thus always 'struggl[es] against the relative autonomy given to creative workers' (Hesmondhalgh and Baker 2011, pp. 83-84). But at the same time it depends upon it for success. The efficient functioning of creative industries rest upon the exploitation of a finely-poised balance. This is that between the 'freedom to be creative' and the ability to keep 'creativity within manageable and productive bounds' (Townley and Beech, quoted in Hodgson and Briand 2013, p. 311). On the one hand, the production of effective goods and services relies upon free creative impulses. They do not conform well to the rationalised and predictable expectations of business. So they must be tempered by attempts to channel what is positive about these impulses towards recognisable and manageable ends (Julier and Moor 2009, p. 7). The success of a project occurs not in spite of the dissonance between and sabotage of one by the other, but by means of it. The production of creative commodities thrives upon what Townley and Beech call 'the tension and balance between creativity and cost, autonomy and management control' (quoted in Hodgson and Briand 2013, p. 311).

This tension expresses itself as that between what Nitzan and Bichler call 'creativity' and 'power' or 'industry' and 'business'. The tension between industrious creativity and business power is not destructive of the capitalist economy. This conflict is the productive principle which drives the whole process. This productive tension manifests in the careful control and management of creative activity. It is evidenced in the empirical context of the creative industries. Nitzan and Bichler's theory of 'capital as power' helps us to understand the limitations set upon autonomous creative work by management. Their analysis of the sabotage of creativity by power provides a neat way to assess the dimensions of control in the context of autonomy in the creative industries. On the one hand, we see a requirement to delegate responsibility so as to stimulate the autonomous processes of creativity upon which these industries rely. But, on the other, we see business's urge to control, restrict and limit in the name of cautious and forward-facing accumulation in spite of risk and uncertainty. This latter stifles any possible degrees of freedom and liberty in

these emancipated employment relationships. It does so through project management and rationalization.

There is thus a tension. On the one hand, we have the capitalist tendency to control in the name of power and business. On the other, creativity and industriousness are essential to the production of creative goods and services. In the creative industries, capital seeks to render creativity more amenable to rational expectations of success. It attempts to make it less prone to the underlying uncertainty that surrounds the production and delivery of cultural and creative commodities. It is precisely this tension which is productive of value, and lies at the basis of the possibility of capital accumulation. The tension appears most satisfactorily in a perfect balance between the ability to control and the capacity for creative brilliance. In my research, I have found differing degrees of responsibility and risk to be the key variable exhibiting this tension.

Any autonomy granted is seen as necessary to the effective performance of creative tasks. This stems from the Romantic understanding of creative pursuit. It sees creative work as subject to an unburdened and free-flowing process of inspiration and imagination. But the creative process in creative industries is rendered valuable and successful only insofar as it is subject to stifling forms of control instituted to avert the risks incurred by the delegation of responsibility, autonomy and flexibility. This contradiction, of an essential creativity necessary but stifled, is crucial to the ability of capital to exert power in the field of cultural production.

This paper has analysed competing rhythms in freelance creative work. What the research shows is that the conflict at the heart of creative work drives matters rather than detracts from them. Nitzan and Bichler's theory of 'capital as power' illustrates that conflict and the dissonance it creates is not an aberration. It is a constituent component of capitalism. It guarantees the success of creative projects. Capital thrives on conflict, struggle and tension between power and creativity and business and industry. The example of creative work, and more specifically freelance creative work, provides a good example of some of the everyday ways in which this manifests.

The study reveals creative agencies themselves to be the worst offenders. They are beholden to a system of billable hours by which end users are billed and freelancers factored in. This demonstrates how creative industries, by seeking the greater control and limitation of creative work within measurable bounds, attempt to insulate creative work from the underlying uncertainties of creative goods and services.

Applying Nitzan and Bichler to Lefebvre, this paper has suggested that the system of creative work functions around dissonance and difference rather than resonance. The method has uncovered the rhythmic differences of this

dissonance by means of their expression by those subject to the tensions, conflicts and disruptions created. What this suggests is that, whilst Nitzan and Bichler's theory of capital as power has evident application at the level of wider global processes, there is great potential for it to be operationalized at more local levels. The theory of capital as power helps shed light the movements of capital as a whole. But it also illuminates the concrete, everyday, micro-level phenomena that undergird it.

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